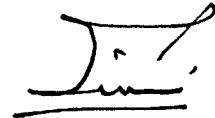


10301/20

06.12.2021

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG alongwith Ibrahim Khan, Deputy Secretary, Ziaullah Deputy Secretary and Safiullah, Focal Person for the respondents present.

Vide our detailed judgment of today in connected Service Appeal No. 16578/2021, titled "Manzoor Ahmad Vs. The Chief Secretary, Khyber Pakhtunkhwa Peshawar and others", this appeal is accepted as prayed for. Consequently, the impugned order is set aside and respondents are directed not to transfer the appellants from the post of Chief Drug Inspector. Parties are left to bear their own costs. File be consigned to record room after completion.



(Salah-ud-Din)  
Member(J)



Chairman

ANNOUNCED


06.12.2021

15.10.2021

Appellant present through counsel.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Request for adjournment was made on behalf of learned A.A.G; granted by way of last chance. To come up for arguments on 12.11.2021 before D.B.



(Atiq-Ur-Rehman Wazir)  
Member (E)




(Rozina Rehman)  
Member (J)

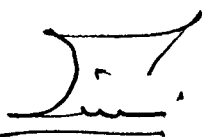
12.11.2021

Mr. Kamran Khan. Advocate, junior of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is unable to appear before the Tribunal today due to illness. Adjourned. To come up for arguments before the D.B on 06.12.2021. In the meanwhile, the operation of the impugned order shall remain suspended, if not acted upon earlier.



(Atiq Ur Rehman Wazir)  
Member (E)

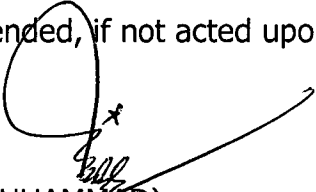


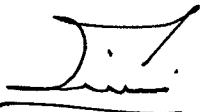
(Salah-ud-Din)  
Member (J)

26.08 .2021

Mr. Noor Muhammad Khattak, Advocate, learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Ziaullah, Deputy Secretary (Litigation) for respondents present.

Learned counsel for the appellant submitted rejoinder, copy of which handed over to the learned AAG. Learned counsel for the appellant sought time for arguments. Adjourned. Last opportunity is given. To come up for arguments before the D.B on 10.09.2021. In the meanwhile, the operation of the impugned order shall remain suspended, if not acted upon earlier.


  
(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)

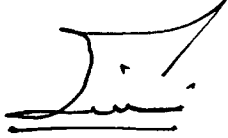
  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

10.09.2021

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned To come up for arguments before the D.B. on 15.10.2021. Interim injunctive relief shall remain intact till the date fixed In the meanwhile, the operation of the impugned order shall remain suspended, if not acted upon earlier.

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

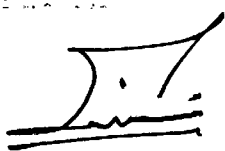
29.07.2021

Appellant alongwith his counsel Mr. Noor Muhammad Khattak, Advocate, present. Mr. Zia Ullah Deputy Secretary (Litigation) alongwith Mr. Javed Ullah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant submitted rejoinder, which is placed on file. Copy of the same is handed over to the learned Assistant Advocate General.

Learned counsel for the appellant sought adjournment for arguments. Adjourned. To come up for the argument before the D.B on 26.08.2021.

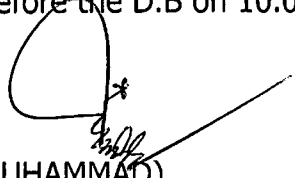
  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

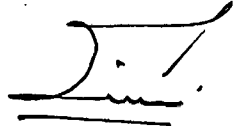
  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

26.08.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Ziaullah, Deputy Secretary (Litigation) for respondents present.

Learned counsel for the appellant sought adjournment on the ground that as connected appeals have been adjourned for 10.09.2021, therefore, the same may also be fixed alongwith the said appeals. Adjourned. Last opportunity is given. To come up for arguments before the D.B on 10.09.2021.

  
(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

25.06.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Ziaullah, Law Officer and Mr. Jafar Ali, Assistant alongwith Mr. Kabirullah Khattak, Additional Advocate General, for respondents present.

It was jointly stated at the bar that similar nature of appeals are fixed for hearing on 02.07.2021, therefore, the appeal in hand may also be adjourned and fixed on the said date. Adjourned. To come up for arguments before the D.B on 02.07.2021.



(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

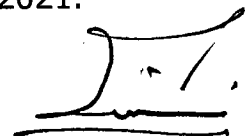
02.07.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present.

It was jointly stated at the bar that similar nature of appeals are fixed for hearing on 29.07.2021, therefore, the appeal in hand may also be adjourned and fixed on the said date. Adjourned. To come up for arguments before the D.B on 29.07.2021.



(ATIQ UR REHMAN WAZIR)  
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

10.02.2021

Noor Mohammad Khattak Advocate present and submitted Vakalat Nama in favor of appellant.

Kabir Ullah Khattak learned Additional Advocate General alongwith Nisar Ahmad Monitoring Assistant for respondents present.

Written reply on behalf of respondents submitted which is placed on file. To come up for rejoinder, if any, and arguments on 26.02.2021 before D.B.

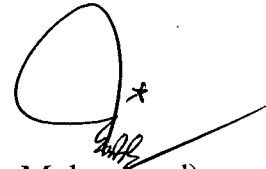


(Rozina Rehman)  
Member (J)

26.02.2021

Counsel for the appellant and Abdur Rashid, DDA for the respondents present.

The Hon'ble Chairman is on leave. Due to incomplete bench, the matter is adjourned to 26.03.2021 for hearing before the D.B.

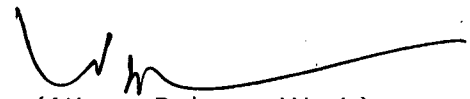


(Mian Muhammad)  
Member(E)

26.03.2021

Counsel for the appellant and Addl. AG alongwith Nisar Ahmad, Assistant for the respondents present.

The Worthy Chairman is on leave, therefore, case is adjourned to 25.06.2021 for hearing before the D.B.



(Atiq-ur-Rehman Wazir)  
Member(E)

11.12.2020

Junior counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Zia Ullah Legal Officer for respondents present.

Written reply was not submitted on behalf of respondents. Representative of respondents made a request for time to furnish reply/comments; granted. To come up for written reply/comments on 29.12.2020 before S.B.



(Rozina Rehman)  
Member (J)

29.12.2020

Junior to counsel for the appellant and Muhammad Rasheed DDA alongwith Ziaullah Legal Officer for respondents present.

Representative of respondents seeks time to submit reply/comments. Granted. To come up for reply/comments on 14.01.2021 before S.B.



(Atiq-Ur-Rehman Wazir)  
Member (E)

14.01.2021

Counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General and Mr. Shahbaz Khan, Section Officer for the respondents, are also present.

Written reply on behalf of respondents not submitted. Representative of the department is seeking further time for submission of written reply/comments. Last chance is given. Adjourned to 10.02.2021 on which date file to come up for written reply/comments before S.B.



(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

25.11.2020

Mr. Malik Sajid Manzoor, Advocate, for appellant is present.

Appellant has been recruited in Health Department as a Drug Inspector in BPS-17 and served as such up to the 3<sup>rd</sup> of December 2012, as Senior Drug Inspector in BPS-18 upto 17.08.2018 and as Chief Drug Inspector upto 31<sup>st</sup> May 2020. A Writ Petition was filed before the Hon'ble Peshawar High Court, Peshawar, challenging the notification dated 08.09.2017 as merging of cadre to be void ab-initio and requested to withdraw the impugned notification as well as the posting transfer order made in pursuance thereof, the Writ Petition was allowed and the impugned notification was set at naught, the appellant is aggrieved by impugned notification dated 30.04.2020 which was assailed in departmental appeal to the Secretary Health Department but the issue remained un-redressed hence, the present service appeal.

The point so agitated at the bar needs consideration. The appeal is admitted for regular hearing subject to all just 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 11.12.2020 before S.B.

(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

Appellant Deposit  
Security & Process Fee






Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 10301 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge		
1	2	3		
1-	07/09/2020	<p>The appeal of Syed Muhammad Asad Halimi presented today by Mr. Malik Sajid Manzoor 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</p> <p>2-</p>	28.09.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>28/09/2020</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present.</p> <p>Requests for time to place on record copy of notification dated 08.09.2017 regarding merger of cadres in the Health Department. Adjourned to 25.11.2020 before S.B.</p> <p style="text-align: right;"> Chairman</p>

**BEFORE THE KHYBERPAKTUNKHWA SERVICES  
TRIBUNAL PESHAWAR.**

SERVICE APPEAL NO: \_\_\_\_\_/2020.

SAYED MUHAMMAD ASAAD HALIMI S/O SYED TANZIM UL HAQ  
HALIMI, CHIEF DRUG INSPECTOR (BPS-19), HEALTH DEPARTMENT.

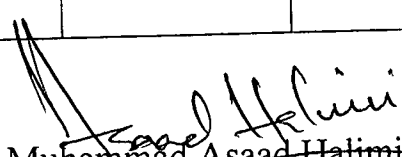
**PETITIONER**

**VERSUS**

1. Chief Secretary to the Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and others.

**INDEX**

S.NO	Description of Documents	annex	pages
1	Service Appeal with affidavits		1-4
2	Copy of CNIC		5
3	Copy of writ petition No.4378/2017 with Judgement announced on 11/3/2020	A 1 & A 2	6-18
4	Copy of transfer/posting order dated 30/04/2020	B	19
5	Copy of departmental appeal dated 05/05/2020	C	20-21
6	Copy of KPPSC ADVERTISEMENT dated 16/03/2020	D	22-25
7	Wakalatnama		26

  
Sayed Muhammad Asaad Halimi,  
Chief Drug Inspector, Kohat  
Appellant

**Through**

**Counsel(s)**

**BEFORE THE KHYBERPAKTUNKHWA SERVICES  
TRIBUNAL PESHAWAR .**

SERVICE APPEAL NO: 10301/2020.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 9853

Dated 7/9/2020

SAYED MUHAMMAD ASAAD HALIMI S/O SYED TANZIM UL HAQ  
HALIMI, CHIEF DRUG INSPECTOR (BPS-19), HEALTH DEPARTMENT.

**PETITIONER**

**VERSUS**

1. Chief Secretary to the Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. Secretary to the Government of Khyber Pakhtunkhwa, Health Department, HRD Building, Khyber road, Peshawar.
3. Secretary to the Government of Khyber Pakhtunkhwa, Establishment Department Civil Secretariat, Peshawar.
4. Principal Secretary to the Chief Minister, Khyber Pakhtunkhwa, Chief Minister House, Peshawar.
5. Director General Health Services, Khyber Road, Peshawar.
6. Director General, Drug control and Pharmacy Services, Peshawar
7. Chief Drug Inspector, Khyber Pakhtunkhwa, Directorate General Drug control and Pharmacy Services, Peshawar .

**REPOONDENTS.**

APPEAL U/S 4 OF KPK SERVICE TRIBUNAL ACT, 1974 FOR AND ON  
BEHALF OF APPELLANT FOR EX CADER POSTING VIDE  
NOTIFICATION NO.SOH-III/7-262/2020 DATED 30<sup>TH</sup> APRIL, 2020 .

**Respectfully shweth:-**

1 That the appellant has been recruited in Health Department through Khyber Pakhtunkhwa Public Service Commission as Drug Inspector (BPS-17) on 08-06-1994. Served Health as Drug Inspector (BPS-17) up to 3<sup>th</sup> December, 2012, as Senior Drug Inspector (BPS-18) up to 17<sup>th</sup> August, 2017 and as Chief Drug Inspector up to 31<sup>st</sup> May 2020.

2 That the appellant along with his Drug Inspector colleagues humbly prayed the Honourable Peshawar High Court, Peshawar in a writ Petition No.4378-p/2017 dated 26<sup>th</sup> October, 2017 , that an appropriate writ may kindly be issued in of favour of the petitioners in the following terms:

“Declare that the impugned notification No. SOH(III)/HD/10-4/2017/DCPS dated 08/09/2017 (merging of cadres) is void ab initio, therefore the respondents may kindly be directed to withdraw the

Filed to-day

Registrar

7/9/2020

impugned notification as well as the posting/transfers orders made in pursuant to the impugned notification may kindly be withdrawn”

**Annex- A 1**

3 That in Writ Petition NO. 4378/2017, judgment announced on dated 11.03.2020 “the writ petition is allowed and the impugned Notification No. SOH (III)/HD/10-4/2017/DCPS dated 08/09/2017, is set aside.” **Annex- A 2**

4 That the Appellant is aggrieved by impugned Notification No. SOH-III/7-262/2020 dated 30<sup>th</sup> April 2020. **Annex- B**

5 That the appellant submitted departmental appeal to The Secretary Health Department on 5<sup>th</sup> May 2020 in person and personal hearing, till the filling of this appeal, no redressal from the Health Department to the appellant. **Annex- C**

6 That the appellant is constrained to file this appeal before Honourable Service Tribunal, due to non redressal of his grievances vide departmental appeal on 5<sup>th</sup> May, 2020 against the Notification No. SOH-III/7-262/2020 DATED 30<sup>TH</sup> APRIL, 2020.

7 That the appellant Ex-cadre transfer/posting is against spirit of Section 10 of the Civil Servant Act, 1973. Reproduce as under for ready reference

**“ 10. Posting and Transfer:-** Every civil servant shall be liable to serve anywhere within or outside the province, in any post under the Federal Government, or any Provincial Government or Local authority, or a corporation or body set up or established by any such Government:

**Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region:**

*Provided further that, where a civil servant is required to serve in a post outside his service or cadre, his terms and conditions of service as to his pay shall not be less favorable than those to which he would have been entitled if he had not been so required to serve.”*

IT IS WORTH MENTIONING THAT FOR LAST 38 YEARS, KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION ADVERTIZING THE POSTS FOR THE RECUIRTMENT OF DRUG INSPECTOR (BPS-17) AND HOSPITAL PHARMACIST (BPS-17) AS SEPRATE CADRE & FIELD WITH SEPARATE TERM AND CONDITION OF SERVICE. RECENT COPY ENCLOSED OF KPPSC ADVERTISEMENT OF 16<sup>TH</sup> MARCH 2020. **ANNEX- D**

8 That the Respondents NO. 1, 2, 3, 4,5,6 & 7 are legally bound to adhere to prevailing laws, while for Ex-cadre transfer/posting keeping

in view section 10 of the Civil Servant Act, 1973 and also the judgment in wp No. 4378/2017 dated 11<sup>th</sup> March 2020 of the Hon'ble Peshawar High Court, Peshawar, to get redressal of his grievance, thus comes to this Honourable Khyber Pakhtunkhwa Service Tribunal under section 4 , of Khyber Pakhtunkhwa Service Tribunal Act,1974, on the following grounds:-

**GROUND S :-**

- A That the impugned notification is based on crystal clear violation of merit and prevailing laws and August Court Verdicts.
- B That the Appellant submitted Appeal/Mercy Petition against the Notification No. SOH-III/7-262/2020 DATED 30<sup>TH</sup> APRIL, 2020 to Respondent No.2, neither any response nor any redressal to the appellant.
- C That the Respondents with mala fide intentions ignored the Civil Servant Act, 1973, August Court judgment in wp No. 4378/2017 dated 11<sup>th</sup> March 2020 and Summary was moved to the Competent Authority.
- D That the Summary so submitted enrouted gone through the Respondent No.7,6, 5, 4, 3, 2, & 1, nobody/Departments bothered to query about prevailing laws. Neither the Health Department nor the Directorate' General Drug Control and Pharmacy Services, Khyber Pakhtunkhwa, to place August Court judgment in wp No. 4378/2017 dated 11<sup>th</sup> March 2020 on board.
- E That the Appellant may kindly be allowed to raised any other ground during the course of arguments in the circumstances.

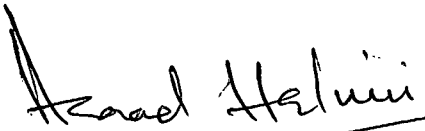
**PRAY:-**

On acceptance of this appeal the respondents may kindly be directed to pass an order in favor of the appellant in the following terms:-

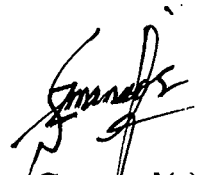
- i. Declare that the impugned Notification No. SOH-III/7-262/2020 DATED 30<sup>TH</sup> APRIL, 2020 is void ab initio. Therefore the respondents may kindly be directed to withdraw the impugned notification.
- ii. The posting/transfer be done in a rationale manner as per the prevailing laws, the appellant is redressed & to get his constitutional rights through this Hon'ble Service Tribunal.
- iii. That the appellant order of illegal ex-cadre transfer/posting may kindly revoked and continue his services in his own cadre i.e., Drug Inspector
- iv. Grant any other relief which is deemed appropriate by this Hon'ble Service Tribunal in the circumstances of the case.

**INTERIM RELIEF:-**

By way of interim relief, the post so vacant of Chief Drug Inspector, Kohat (BPS-19) vide impugned notification may kindly be kept vacant till the final disposal of this appeal.

  
Sayed Muhammad Asaad Halimi,  
Chief Drug Inspector, Kohat  
Appellant

**Through**

  
Counsel(s)

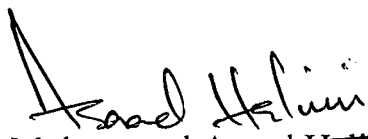
**List of Books:-**

- 1- Constitution of Pakistan, 1973
- 2-Government Servants promotion laws
- 3-Any other book according to need.

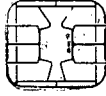
**Counsel(s)**

**AFFIDAVIT:**

- i- That no other appeal is filed on the subject matter by the appellant in this Hon'ble Service Tribunal.

  
Sayed Muhammad Asaad Halimi,  
Chief Drug Inspector, Kohat  
**appellant**

PAKISTAN National Identity Card  
ISLAMIC REPUBLIC OF PAKISTAN



Name  
Syed Muhammad Asaad Halimi

Father Name  
Syed Tanzeem-Ul Haq Halimi

Gender Country of Stay  
M Pakistan

Identity Number Date of Birth  
17301-1306172-5 16.11.1965

Date of Issue Date of Expiry  
19.10.2016 19.10.2026



Holder's Signature

3108

17301-1306172-5

17301-1306172-5

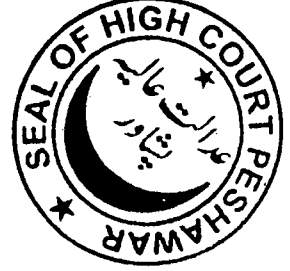


Uman K. Malik  
Registrar General of Pakistan

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135-90-000864

گمشدہ کارڈ ملنے پر قریبی لیو بکس میں ڈال دیں

BEFORE THE HON'BLE PESHAWAR HIGH COURT PESHAWAR



Writ Petition No. \_\_\_\_\_ -P/ 2017  
(Against merging of cadres)

1. S. M. Assad Halimi S/O Syed Tanzeemul Haq Halimi.
  2. Rehmat Gul S/O Sher Ahmad.
  3. Akbar Jan S/O Muzafar.
  4. Dil Naweaz S/O Sarfaraz Khan.
  5. S. Wilayat Shah S/O S. Kiramat Shah.
  6. Muhammad Yunus Khattak S/O Fakhr-uz- Zaman.
  7. Muhammad Tayyab Abbas S/O Faqir Muhammad.
  8. Aurangzeb Khan S/O Sher Bahadar.
  9. Imran Ullah Khan S/O Hakim Shah.
  10. Mehtab Afsar S/O Khan Afsar.
  11. Abdul Hafeez S/O Waliullah.
  12. Zakir Shah S/O Haji Husain Muhammad.
  13. Nazir Ahmad S/O Fazal Ghani.
  14. Toseef Muhammad S/O Pir Muhammad.
  15. Aminul Haq S/O Abdul Haq.
  16. Zial Ul Haq S/O Abdul Hai.
  17. Ibrar Khan S/O Dil Nawaz.
  18. Muhammad Zeeshan S/O Muhammad Aslam.
  19. Ziaullah S/O Zamin Gul.
  20. Amcer Zeb S/O Jehanzeb.
  21. S.Aqib Ali S/O S. Shujaat Hussain Shah.
  22. Gohar Ali S/O Musafar Khan.
  23. Saif Ullah S/O Sahib Zada Gran.
  24. Imran Khan Barki S/O Haibat Khan Barki.
  25. Haider Ali S/O Akhtar Ali.
  26. Waheed Murad S/O Shan Ul Mulk.
  27. Muhammad Irfan Wazir S/O Matiullah.
  28. Naeem Khan S/O Nisar Khan.
  29. Tariq Ali S/O Muhammad.
  30. Shehzada Mustafa Anwar S/O Mukamil Shah
- All are Drug Inspectors Health Department, KPK.

..... Petitioners

VERSUS

1. Chief Secretary to the Government of Khyber Pakhtunkhwa  
Civil Secretariat, Peshawar
2. Chairman,  
Khyber Pakhtunkhwa, Public Service Commission  
Peshawar.


**ATTESTED**  
**EXAMINER**  
Peshawar High Court



- 3. Secretary to Government of Khyber Pakhtunkhwa,  
Health Department, Civil Secretariat, Peshawar.
- 4. Secretary to Govt. of Khyber Pakhtunkhwa,  
Establishment Department, Civil Secretariat, Peshawar.
- 5. Secretary to Government of Khyber Pakhtunkhwa,  
Finance Department, Civil Secretariat, Peshawar.
- 6. Principal Secretary to Chief Minister,  
Khyber Pakhtunkhwa, Chief Minister House, Peshawar.
- 7. Secretary to Govt. of Khyber Pakhtunkhwa,  
Law Department, Civil Secretariat, Peshawar.
- 8. Director General,  
Health Department, Civil Secretariat, Khyber Road, Peshawar.

..... Respondents.

**WRIT PETITION UNDER ARTICLE-199 OF THE  
CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN,  
1973 AGAINST THE NOTIFICATION NO.SOH-(III)/HD/10-  
4/2017DCPS DATED 8.9.2017 THEREBY MERGING  
THREE CADRES OF DRUG INSPECTORS, PHAMACISTS  
AND DRUG ANALYST OF HEALTH DEPARTMENT.**

**ATTESTED**  
  
**EXAMINER  
Peshawar High Court**

Respectfully Shweth:-

- 1) That the petitioners have been inducted in service of the Health Department through Khyber Pakhtunkhwa Public Service Commission as Drug Inspectors (B-17) on the dates noted against each.
- 2) That four amongst the petitioners were firstly promoted to posts of Senior Drug Inspectors (B-18); and then to the posts of Chief Drug Inspectors (B-19); on the dates given against their names. whereas three amongst them were promoted to the ranks of Senior Drug Inspectors (B-18) on the mentioned dates in annexure "A" against their names and still in B-18 and 24 petitioners are in B-17.
- 3) That in the health department of Khyber Pakhtunkhwa, the Drug Inspectors, Pharmacists and Chemists and Drug Analysts are working in separate cadres having the same basic qualifications (Bachelor in Pharmacy) with different job descriptions as well as expertise in accordance to their respective fields and duties for initial recruitment. The

impugned notification, he would be subjected to be posted outside even to a far flung area which will be detrimental to his life career and futuristic plan of his children up-liftment. Thus a clear violation of Article 2A, 9, 38 of the Constitution.

- G. That in the impugned notification, the merger has been made in a very unfamiliar, naval and somewhat illegal way in that in merger of two or three cadres, no cadre so integrated is declared as dying cadre as the cadres so integrated are always restructured with a new name with settled hierarchical ladder and the incumbents of the posts in the cadres so merged are placed in common/joint seniority list with reference to their respective dates of appointment/promotion to the posts in their previous cadres.
- H. That the approving authority of merger/integration of certain service cadres or disintegration of a cadre into different sub-cadres is the CABINET not the SSRC. The Standing Service Rules Committee (SSRC) is only meant for framing of recruitment rules for posts to the prescribe qualifications, experience, age limit and method of appointment only in terms of rule 3(2) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Posting and Transfer) Rules, 1989 (**Annexure-C**).
- I. The SSRC is too lower forum particularly in the instant case, which was also not properly constituted (**Annexure-D**). The Finance Department have a very important role, and Finance Department was represented by a Superintendent who is not competent to participate in SSRC as a member. Similarly the Establishment Department has also been represented by a Section Officer (B-17) and no representation from the Law Department (as required under the Rule 5 & 12 of the Government Rules of Business 1972 & 1985). The Administrative Department has been represented by Deputy Secretary (Drugs) who is a Pharmacist and Mr. Abid Hayat who is also a pharmacist. Both these officers are the stakeholders being members of one cadre amongst the three merging cadres. Their participation in SSRC is highly objectionable in absence of the members of other two other cadres. Besides this whole process has been carried out for adjustment of some favorites against some lucrative posts.

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That the respondent failed to get concurrence of Khyber Pakhtunkhwa Public Service Commission. It appears that either concurrence of the Public Service Commission has not been obtained in the matter as proposed by the so called SSRC in clause-V of its minutes; or that

commission, if concurred; the Commission has also not examined/scrutinized the case in the clearest perspective. It appears that the entire episode was two men play and used their personal influence, and therefore the matter has not been scrutinized and perused not according to the laid down norms/procedural formalities required for such like cases, thus all recommendation and orders, notifications made were colorful exercise of jurisdiction not so vested.

K. That prior to merger of the three cadres into one; the Administrative Department had not work out modalities with regard to issue of seniority of different employees. nor has assigned any Nomenclature to the new cadre nor been proposed. The last employee in the cadre of Drug Inspector will be retired in 2049, and till then the new merger policy shall not affect their applicable service rules as per recommendations and impugned notification, which made redundant the application of policy in near future except the transfer and posting of the employee intra cadre, thus the new merger policy will not be fruitful as proposed by the respondent/health department, but disturb the already applicable rules and seniority, and affect the performance of the employees only.

L. That the respondents with mala fide intentions, ignored the observations and summary was moved without rectification of these observations. The summary was again turned down with the same observations (**Annexure E**) but it was got approved from the Authority without fulfilling all the stipulated conditions for merging of cadres.

M. That the summary submitted enrooted gone through the Finance Department as required under sub para-VI of the minutes whereon that Department had furnished their no objection as there are no financial implications involved in the matter, therefore that Department has no role to play. This gesture of the Finance Department is absolutely wrong in that the posts of Assistant Drug Controller (B-17), Deputy Drug Controller (B-18), Additional Drug Controller (B-19) and Drug controller (B-20) are non-existed and these posts as proposed in the minutes of the SSRC in column-2 of the table wherein the posts of the three cadres have been tagged will require creation and these will have huge financial implications. As such that Department stopped by their own conduct.

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That the petitioner may kindly be allowed to raised any other ground during the course of arguments in circumstances of the case.

In view of the aforesaid submissions, it is humbly prayed that an appropriate writ may kindly be issued in favour of the petitioners in the following terms:-

- i. Declare that the impugned notification No. SOH(III)/HD/10-4/2017/DCPS is void ab initio, therefore the respondents may kindly be directed to withdraw the impugned notification as well as the posting/transfers orders made in pursuant to the impugned notification may kindly be withdrawn;
- ii. To reconsider the matter in light of the logic, rationale and requirements of the rules/relevant law in the matter.
- iii. The proportionate ratio of higher posts of B-18, B-19 and B-20 in the Drug Inspector cadre may be equated to that of Drug Analysts and Pharmacists cadres as indicated in para-5 (table-2) above of the petition.
- iv. Direction be issued to respondents that in case the merger is required to be carried out, it be done in a rationale manner as per the prevailing procedure and renamed the so merged cadre with a new name and joint seniority of the employees of the so merged cadres be caused with reference to their respective dates of appointment or promotion to a particular post /grade. No cadre so merged should be dying cadre as this method is not applicable in the instant case.
- v. Grant any other relief which is deemed appropriate by this Hon'ble Court in the circumstances of the case.

**Interim Relief:-**

The Notification No. SOH(III)/HD/10-4/2017/DCPS dated: 08.09.2017 regarding the merger of the cadres may kindly be suspended till the decision of the instant writ petition.

Petitioners  
 Through \_\_\_\_\_  
 Counsel(s)

**List of Books:-**

- i. Constitution of Pakistan, 1973
- ii. Government Rules of Business, 1972 & 1985
- iii. Any other book according to need.

**ATTESTED**

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Peshawar High Court**

Counsel

**NOTE:-**

- i. That no other writ petition is filed on the subject matter by the petitioners in this Hon'ble Court.

Counsel

**JUDGMENT SHEET**  
**PESHAWAR HIGH COURT, PESHAWAR**  
**(JUDICIAL DEPARTMENT)**

WP No. 4378-P/2017

S.M. Assad Halimi and others

Vs

Chief Secretary to Govt. of KP and others



**JUDGMENT.**

Date of hearing: 11.03.2020

Petitioner (s): By: M/s R. Abdul Wahid Afridi - Adv. S. Sajid  
(Shah Raza)

Respondent (s): By: Mr. R. H. Khan D.A.

**WAQAR AHMAD SETH, CJ:-** Petitioners,

through the instant Writ Petition, seeks issuance of an  
appropriate writ with the following prayer:-

*"In view of the aforesaid submissions, it is  
humbly prayed that an appropriate writ may  
kindly be issued in favour of the petitioners  
in the following terms:-*

- i. Declare that the<sup>x</sup> impugned notification No. SOH(III)/HD/10-4/2017/DCPS is void ab initio, therefore the respondents may kindly be directed to withdraw the impugned notification as well as the posting/transfers orders made in pursuant to the impugned notification may kindly be withdrawn.
- ii. To reconsider the matter in light of the logic, rationale and requirements of the rules/relevant law in the matter.
- iii. The proportionate ratio of higher posts of B-18, B-19 and B-20 in the Drug Inspector cadre may be

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*equated to that of Drug Analysts and Pharmacists cadres as indicated in para-5 (table-2) above of the petitioner.*

- iv. *Direction be issued to respondents that in case the merger is required to be carried out, it be done in a rationale manner as per the prevailing procedure and renamed the so merged cadre with a new name and joint seniority of the employees of the so merged cadres be caused with reference to their respective dates of appointment or promotion to a particular post/grade. No cadre so merged should be dying cadre as this method is not applicable in the instant case.*
- v. *Grant any other relief which is deemed appropriate by this Hon'ble Court in the circumstances of the case".*

2. Brief facts of the case are that the petitioners have been inducted in service of the Health Department through Khyber Pakhtunkhwa Public Service Commission as Drug Inspectors (BPS-17). According to the petitioners, Drug Inspectors, Pharmacists and Chemists and Drug Analysts are working in the Health Department Government of Khyber Pakhtunkhwa in separate cadres having same basic qualifications but with different job descriptions. The Provincial Government under the Agenda to improve the human resources management and to

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minimizing the transfer and posting problems face by the Health Department in other sub-cadres having minimum choice, proposed the merging of three cadres of Drug Inspectors, Pharmacists and Chemists and Drug Analysts and for this purpose, a meeting of "Standing Service Rules Committee" was held on 26.12.2016 wherein it was proposed to combine the three cadres into one as per structure given in para-ii of the minutes of the meeting and as such, the respondents have issued the impugned Notification No. SOH(III)/HD/10-4/2017/DCPS dated 08.09.2017, which reads as under:-

*"Consequent to the recommendations of the SSRC and to improve the human resource management, the Chief Minister Khyber Pakhtunkhwa is pleased to approve the following arrangements for Pharmacists, Drug Inspectors, Chemists & Drug Analysts cadres of Health Department Khyber Pakhtunkhwa.*

- 1) *These cadres are declared dying cadres with the existing incumbents to continue under the existing service rules, seniority and promotion prospects which shall stand protected for each cadre within their own lines of hierarchy till last incumbent is in service.*
- 2) *For the new recruitment at the initial stage, since basic qualifications of the above mentioned cadres are the same, therefore, all the three cadres are*

*h*

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 Peshawar High Court

*hereby merged into a single cadre for which rules shall be framed as per procedures.*

3) *All the three cadres are hereby declared as pool posts for posting/transfer only”.*

3. Aggrieved from the aforesaid Notification, the petitioners have filed the instant Writ Petition.

4. Respondents have furnished their comments and opposed the writ of petitioners.

5. Arguments heard and record perused.

6. Admittedly, the impugned notification of merger of three cadres of Drug Inspectors, Pharmacists and Chemists and Drug Analysts have been issued on the recommendation of Standing Service Rules Committee (“SSRC”) but while perusing minutes of the Committee, so constituted, the persons, who had attended the meeting, are not in accordance with the Notification No. SOR.VI(E&AD)2-69/2003 dated 29<sup>th</sup> January, 2005 produced by the learned counsel for the petitioners during the course of hearing, placed on file, vide which, the Committee would comprising of Administrative Secretary concerned (Chairman),

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**EXAMINER**  
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Additional Secretary (Regulation) E&A Department,  
 Additional Secretary (Regulation) Finance Department,  
 Additional Secretary Law Department, Head of the  
 attached Department concerned and Deputy Secretary  
 (Admn) of the Department concerned (Members); so,  
 keeping in view the above fact, the impugned  
 notification issued by the respondents is illegal, void ab-  
 initio and the same, is, thus, liable to be set aside.

7. In view of the above, the Writ Petition is  
 allowed and the impugned Notification No.  
 SOH(III)/HD/10-4/2017/DCPS dated 08.09.2017, is set  
 aside.

ANNOUNCED.  
 Dated: 11.03.2020

Chief Justice

Judge

No. 32223  
 Date of Presentation of Application 19/3/2020  
 No of Pages 13-p  
 Copying fee 52  
 Total 52  
 Date of Preparation of Copy 19/3/2020  
 Date of Delivery of Copy 19/3/2020  
 Received By [Signature]

[Signature]  
 Chief Justice  
[Signature]  
 Judge  
 =====  
[Signature]  
 CERTIFIED TO BE TRUE COPY  
 EXAMINER  
 Peshawar High Court, Peshawar  
 Authorised Under Article 8.7 of  
 The Qanun-e-Shahadat Order 1984  
 19 MAR 2020



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

Dated Pesh: the 30<sup>th</sup> April, 2020

**NOTIFICATION:**

**No. SOH-III/7-262/2020:** The Competent Authority is pleased to transfer Syed Muhammad Asad Halimi, Chief Drug Inspector Kohat (BS-19) and post him against the vacant post of Chief Pharmacist (BS-19) at DHQ Hospital KDA Kohat with immediate effect and in the public interest.

**SD/  
SECRETARY HEALTH DEPARTMENT**

**Endst: No & date even**

**Cc:**

1. Director General Health Services, Khyber Pakhtunkhwa.
2. Director General, Drug Control and Pharmacy Services Peshawar.
3. District Health Officer Kohat.
4. Medical Superintendent DHQ Hospital KDA Kohat.
5. District Accounts Officer Kohat.
6. PSO to Minister for Health Khyber Pakhtunkhwa.
7. PS to Secretary Health Department, Khyber Pakhtunkhwa.
8. PA to Additional Secretary (Dev:) Health Department, Peshawar.
9. Officer concerned.

5/26/4/2020  
**SECTION OFFICER  
HEALTH DEPART**

To

The Secretary to the Government of Khyber Pakhtunkhwa,  
Health Department, HRD Building, Khyber road, Peshawar.

SUBJECT: APPEAL/ REWIVE/ MERCY PETITION AGAINST THE NOTIFICATION NO.SOH-III/10-4/2018 DATED 8<sup>TH</sup> MAY, 2018, WHICH IS STILL PENDING IN YOUR GOOD OFFICE FROM LAST 643 DAYS IN RESONCE OF PHC , PESHAWAR, ORDER DATED 28/6/2018 IN WP.NO.3064-P/2018.

2<sup>ND</sup> APPEAL/ REWIVE/ MERCY PETITION AGAINST THE NOTIFICATION NO.SOH-III/7-262/2020 DATED 30<sup>TH</sup> APRIL, 2020, IN RESPONSE OF PHC, PESHAWAR, ORDER DATED 11<sup>TH</sup> MARCH, 2020 IN WP.NO 4378-P/2017.

Sir

That the undersigned 1<sup>st</sup> appeal is still pending for consideration after the lapse of 643 days.

Mean while the undersigned is astonished to see a notification NO.SOH-III/7-262/2020 DATED 30<sup>TH</sup> APRIL, 2020 , on social media , copy enclosed for ready reference as Annexure-1, which is prima facie illegal and void ab-initio in the eyes of law in the standing orders of August Court i.e., Peshawar High Court, Peshawar, dated 11/03/2020, in WP.NO. 4378-p/2017 by the Chief Justice of the Apex Court. Copy enclosed as ready reference as Annexur-2.

The abstract of the above order is as under:

- i) Humbly prayed to declare that the impugned notification No. SOH(III)/HD/10-4/2017/DCPS dated 08/09/2017, is void ab initio, therefore the Respondents may kindly be directed to withdraw the impugned notification as well as the posting/transfers orders in the light of the merger of the three cadres i.e., Drug Inspectors, Hospital Pharmacists and Drugs

Analysts, made in pursuant to the impugned notification may kindly be withdrawn.

- ii) The Writ Petition No.4378-P/2017, is allowed and the impugned Notification SOH(III)/HD/10-4/2017/DCPS dated 08/09/2017, is set aside.

It is, therefore, your kind office is requested the transfer/posting order vide notification NO.SOH-III/7-262/2020 DATED 30<sup>TH</sup> APRIL, 2020 may kindly be withdrawn in the presence of above quoted Apex Court decision.

DATED: 5<sup>th</sup> May, 2020.

*Asaad Halimi*  
 SAYED MUHAMMAD ASAAD HALIMI  
 CHIEF DRUG INSPECTOR,  
 KOHAT.

*by hand with personal hearing to SH<sup>ss</sup>*

*Asaad Halimi*  
 5/5/2020  
 at 1.15 pm.

# KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: www.kppsc.gov.pk

Tele: Nos. 091-9214131, 9213563, 9213750, 9212897

Dated: 16.03.2020

## ADVERTISEMENT No. 02/2020

Online applications are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa by **03.04.2020**.

- Applications other than online will not be accepted. To apply, visit any Jazz Cash & Easy Paisa Agent, deposit application fee of RS.500/- excluding service charges up to official timing of the closing date (05:00 PM) and get transaction I.D through SMS. Visit PSC website [www.kppsc.gov.pk](http://www.kppsc.gov.pk) and apply online.
- Candidates are advised to fill in all the columns carefully as change(s) will not be allowed after submission. Unclaimed qualification, experience etc will not be accepted later on.
- Incomplete applications will be summarily rejected.
- Only one application is required for one serial, however the candidates applying for various quotas should mention serial number of (1)a, (1)b or (1)c in the application form specifically.
- Documents are not required at the time of submission of application; candidates who qualify the test will have to submit their documents within one week time after announcement of the result, however in experience involved posts, all documents are required to be submitted immediately after apply.

### **AGRICULTURE, LIVESTOCK & COOPERATIVE DEPARTMENT**

- |                    |   |                    |       |
|--------------------|---|--------------------|-------|
| 1.                 | <p>ONE (01) (LEFTOVER) POST OF RESEARCH OFFICER (AGRICULTURE CHEMISTRY/ SOIL SCIENCE (MINORITY QUOTA) IN AGRICULTURE, LIVESTOCK &amp; COOPERATIVE DEPARTMENT (RESEARCH WING).<br/><b>QUALIFICATION:</b> 2<sup>nd</sup> Class M.Sc/ B.Sc (hons) Degree in Agriculture from a recognized University, Under Research Programme in the subject relating to the subject groups as specified in schedule (appended to this notification) to which the vacancy occurs.<br/><b>AGE LIMIT:</b> 21 to 32 years      <b>PAY SCALE:</b> BPS-17      <b>ELIGIBILITY:</b> Both Sexes</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 30%;"><b>ALLOCATION:</b></td> <td style="text-align: center;">Merit</td> </tr> </table> | <b>ALLOCATION:</b> | Merit |
| <b>ALLOCATION:</b> | Merit   |                    |       |

### **ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**




- |                    |   |                    |        |
|--------------------|---|--------------------|--------|
| 2.                 | <p>THREE (03) LEFTOVER POSTS OF FEMALE SUBJECT SPECIALIST PHYSICS IN ELEMENTARY &amp; SECONDARY EDUCATION DEPARTMENT.<br/><b>QUALIFICATION:</b> At least 2<sup>nd</sup> Class Master's Degree or Four Years BS Degree in the relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University.<br/><b>AGE LIMIT:</b> 23 to 35 years      <b>PAY SCALE:</b> BPS-17      <b>ELIGIBILITY:</b> Female</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 30%;"><b>ALLOCATION:</b></td> <td style="text-align: center;">Zone-1</td> </tr> </table>             | <b>ALLOCATION:</b> | Zone-1 |
| <b>ALLOCATION:</b> | Zone-1  |                    |        |
| 3.                 | <p>ONE (01) LEFTOVER POST OF FEMALE SUBJECT SPECIALIST PHYSICS (DISABLE QUOTA) IN ELEMENTARY &amp; SECONDARY EDUCATION DEPARTMENT.<br/><b>QUALIFICATION:</b> At least 2<sup>nd</sup> Class Master's Degree or Four Years BS Degree in the relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University.<br/><b>AGE LIMIT:</b> 23 to 35 years      <b>PAY SCALE:</b> BPS-17      <b>ELIGIBILITY:</b> Female</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 30%;"><b>ALLOCATION:</b></td> <td style="text-align: center;">Merit</td> </tr> </table> | <b>ALLOCATION:</b> | Merit  |
| <b>ALLOCATION:</b> | Merit   |                    |        |
| 4.                 | <p>ONE (01) LEFTOVER POST OF FEMALE LIBRARIAN (MINORITY QUOTA)<br/><b>QUALIFICATION:</b> Master's degree in Library &amp; Information Science from a recognized University.</p>   |                    |        |



	<p>(a) Thirty Five (35) posts for general quota; Nine (09) to Merit, Six (06) each to Zone-1, Zone-2, Zone-3 and Four (04) each to Zone-4 &amp; Zone-5.</p> <p>(b) Four (04) posts for Female Quota to Merit.</p> <p>(c) One (01) post for Minority Quota to Merit.</p> <p>(d) One (01) post for Disable Quota to Merit.</p> <p><b>Note: Those candidates who have applied against previous advertisement 05.2018 Sr. 43 and eligible, need not apply afresh.</b></p>		
9.	<p><b>SIX (06) POSTS OF DISTRICT SPECIALIST (TWO (02) EACH FOR NEURO SURGERY, SURGERY &amp; ORTHOPEDIC SURGERY) IN DHQ HOSPITAL PARACHINAR TRIBAL DISTRICT KURRAM.</b></p> <p><b>QUALIFICATION:</b> (a) Postgraduate degree/Fellowship in the specialty from a recognized University/Institute; OR (b) Diploma in the specialty from a recognized Institute with at least one year service after diploma in the relevant specialty.</p> <p><b>Note:</b> Candidates with the qualification at (b) shall be considered only when no suitable candidate with the qualification at (a) above is available.</p> <p><b>AGE LIMIT:</b> 22 to 40 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes</p> <table border="1"> <tr> <td><b>ALLOCATION:</b></td> <td>Merit</td> </tr> </table>	<b>ALLOCATION:</b>	Merit
<b>ALLOCATION:</b>	Merit		
10.	<p><b>FOUR (04) POSTS OF SENIOR REGISTRARS (ONE (01) EACH FOR MEDICINE, ENT, SURGERY AND PAEDS) IN SAIDU MEDICAL COLLEGE SAIDU SHARIF, SWAT.</b></p> <p><b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the PM&amp;DC; AND, (ii) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures in the respective clinical science subject or equivalent qualification recognized by PM&amp;DC.</p> <p><b>AGE LIMIT:</b> 25 to 45 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes</p> <table border="1"> <tr> <td><b>ALLOCATION:</b></td> <td>Merit</td> </tr> </table>	<b>ALLOCATION:</b>	Merit
<b>ALLOCATION:</b>	Merit		
11.	<p><b>TEN (10) POSTS OF SENIOR REGISTRARS, (TWO (02) FOR PEADS SURGERY, ONE (01) EACH FOR PLASTIC SURGERY, NEURO SURGERY, ANESTHESIA, CARDIAC SURGERY, NEPHROLOGY, ONCOLOGY, DENTISTRY AND NEUROLOGY) IN GAJJU KHAN MEDICAL COLLEGE, SWABI.</b></p> <p><b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the PM&amp;DC; AND, (ii) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures in the respective clinical science subject or equivalent qualification recognized by PM&amp;DC.</p> <p><b>AGE LIMIT:</b> 25 to 45 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes</p> <table border="1"> <tr> <td><b>ALLOCATION:</b></td> <td>Merit</td> </tr> </table>	<b>ALLOCATION:</b>	Merit
<b>ALLOCATION:</b>	Merit		
12.	<p><b>TEN (10) POSTS OF DRUG INSPECTOR (NINE (09) TO GENERAL AND ONE (01) TO FEMALE QUOTA).</b></p> <p><b>QUALIFICATION:</b> (i) Degree in Pharmacy from a recognized university and (ii) One year experience in manufacturing, sale, testing or analysis of drugs, or in the 'drug administration, or in a hospital or pharmacy.</p> <p><b>AGE LIMIT:</b> 21 to 35 years. <b>PAY SCALE:</b> BPS-17      <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b></p> <p>(a). Nine (09) Posts for General Quota; Two (02) each to Merit, Zone-1, Zone-2 &amp; Zone-3 and One (01) to Zone-5. (b). One (01) Post for Female Quota to Merit.</p>		
13.	<p><b>TWENTY ONE (21) POSTS OF PHARMACIST (EIGHTEEN (18) TO GENERAL, TWO (02) TO FEMALE, AND ONE (01) TO MINORITY QUOTA).</b></p> <p><b>QUALIFICATION:</b> (i) Pharm-D from a recognized university registered with the Pharmacy Council under the Pharmacy Act, 1967; OR (ii) B-Pharmacy from recognized university with 01 year experience in relevant field and registered with the Pharmacy Council under the Pharmacy Act, 1967.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17      <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b></p>		

	<p>(a). Eighteen (18) Posts for General Quota; four (04) each to Merit &amp; Zone-1, Three (03) each to Zone-2 &amp; Zone-3 and Two (02) each to Zone-4 &amp; Zone-5.</p> <p>(b). Two (02) Posts for Female Quota to Merit.</p> <p>(c). One (01) Post for Minority Quota to Merit.</p>		
14.	<p><b>TWO (02) (LEFTOVER) POSTS OF PROFESSORS ONE (01) EACH FOR PSYCHIATRY AND ANESTHESIOLOGY IN SAIDU MEDICAL COLLEGE SWAT.</b></p> <p><b>QUALIFICATION:</b> (a) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the Pakistan Medical &amp; Dental Council; and</p> <p>(b) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures, in the respective clinical science subject or equivalent qualification recognized by Pakistan Medical &amp; Dental Council;</p> <p><b>(ii) EXPERIENCE:-</b> Three years teaching experience as an Associate Professor in the respective subject is essential provided that total experience as Assistant Professor and Associate Professor is not less than eight years or nine years teaching experience as an Assistant Professor and Associate Professor in the respective subject calculated as per Pakistan Medical &amp; Dental Council Regulations duly certified by Pakistan Medical &amp; Dental Council in case of experience gained in private sector medical colleges; and</p> <p><b>(iii) RESEARCH PUBLICATIONS:-</b> A total of five Research Publications out of which at least two as Principal author in the relevant specialty are required. Only an original article published in a medical journal approved by the Pakistan Medical &amp; Dental Council shall be acceptable.</p> <p><b>AGE LIMIT:</b> 40 to 50 years      <b>PAY SCALE:</b> BPS-20      <b>ELIGIBILITY:</b> Both Sexes</p> <table border="1"> <tr> <td><b>ALLOCATION:</b></td> <td>Merit</td> </tr> </table>	<b>ALLOCATION:</b>	Merit
<b>ALLOCATION:</b>	Merit		
15.	<p><b>ONE (01) POST OF ASSISTANT PROFESSOR PHYSIOLOGY IN SAIDU MEDICAL COLLEGE SWAT.</b></p> <p><b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the Pakistan Medical &amp; Dental Council; and</p> <p>(ii) FCPS/Ph.D (duration of 4 years) or qualification with other nomenclatures, in respective basic science subject or equivalent qualification recognized by Pakistan Medical &amp; Dental Council; or</p> <p>(iii) M.Phil (duration of 2 years) or qualification with other nomenclature, in respective basic science subject or equivalent qualification in the respective basic science subject recognized by Pakistan Medical &amp; Dental Council having two years teaching experience as Lecturer / Demonstrator in respective basic science subject (i.e M.Phil or qualification with other nomenclature recognized by Pakistan Medical &amp; Dental Council). In case of private sector medical colleges, the experience is duly certified by Pakistan Medical &amp; Dental Council.</p> <p>(iv) FCPS/MS/MD or qualification with other nomenclature (duration of 4 year) in related clinical subjects (duration of 4 years).</p> <p><b>AGE LIMIT:</b> 27 to 45 years. <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes.</p> <table border="1"> <tr> <td><b>ALLOCATION:</b></td> <td>Merit</td> </tr> </table>	<b>ALLOCATION:</b>	Merit
<b>ALLOCATION:</b>	Merit		
16.	<p><b>ONE (01) POST OF ASSISTANT PROFESSOR ENT IN SAIDU MEDICAL COLLEGE SWAT.</b></p> <p><b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the Pakistan Medical &amp; Dental Council; and</p> <p>(ii) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures, in the respective clinical science subject or equivalent qualification recognized by Pakistan Medical &amp; Dental Council having three years teaching experience after Post Graduation in the following order of preference:</p> <ol style="list-style-type: none"> <li>1. Teaching experience; and</li> <li>2. Practical experience.</li> </ol> <p>In case of private sector medical colleges, the experience is duly certified by Pakistan Medical &amp; Dental Council.</p> <p><b>AGE LIMIT:</b> 28 to 45 years. <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes.</p> <table border="1"> <tr> <td><b>ALLOCATION:</b></td> <td>Merit</td> </tr> </table>	<b>ALLOCATION:</b>	Merit
<b>ALLOCATION:</b>	Merit		



50	40064			
ایڈوکیٹ:		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل ایسوسی ایشن نمبر:				
رابطہ نمبر: 0313-9394510				

بعدالت جناب: خیبر پختونخواہ سروسز سیکرٹریٹ پشاور

مخاطب: اسپیلانڈو	دعویٰ:
سید محمد اسد حلیمی	علت نمبر:
بنام	مورخہ:
چیف سیکرٹری کے پی کے وغیرہ	جرم:
	تھانہ:

**باعث تحریر آگہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ

آن مقام لٹیدار کیلئے اسکا سید صاحب منظور ایڈووکیٹ کو وکیل مقرر

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو

راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق

زرین پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز

دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی

کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب

مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا

دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے

باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المقوم:

DESHAWAN BAR ASSOCIATION  
KHYBER PAKHTUNKHWA

مقام لٹیدار کے لیے منظور ہے۔

Accepted

Isaied Helwini

17301-1306172-5

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

C.M No. \_\_\_\_\_/2020

IN

Service Appeal No. \_\_\_\_\_/2020

Syed Asad Halimi.....**Petitioner**

**V S**

Chief Secretary Khyber Pakhtunkhwa & others .....**Respondents**

**APPLICATION FOR CONDONATION OF DELAY**

**Respectfully Sheweth:**


1. That the captioned service appeal is being filed before this Honorable Tribunal, in which no date of hearing is yet to be fixed.
2. That the applicant has been appointed in health department through Khyber Pakhtunkhwa Public Service Commission as Drug Inspector (BPS-17) on 28.05.2008.
3. That the respondents department issued notification No. SOH(III)/HD/10-4/2017/DCPS dated 08.09.2017 for (merging of cadres) wherein the same was challenge by the Applicant alongwith other colleagues before the Hon'ble Peshawar High Court, Peshawar through Writ Petition No. 4378-P/2017 dated 26.10.2017 which was allowed on dated 11.03.2020 and resultantly the above referred notification was set aside by the Hon'ble Peshawar High Court, Peshawar.
4. That the respondent department inspite the revocation / set aside of above referred notification again issued impugned notification No. SOH(III)/7-262/2020 dated 30.04.2020 for ex-cadre transfer / posting.

5. That the applicant submitted Departmental Appeal to respondent's department against the above mentioned notification on 05.05.2020 but in vain without any proceedings.
6. That the applicant is constrained to file the instant services appeal before this Hon'ble Tribunal due to non redressal of his grievances whereas the delay in filing of this appeal is neither willful nor deliberate but due to security reasons because the applicant was threatened by their enemies at their village. It may however be submitted that the applicant is involved in a Family enmity / family grudges regarding land issues. **(Copy of court cases will be produced).**

*It is, therefore, prayed that on acceptance of this application, the delay, if any, in filing the above titled case may kindly be condoned in the best interest of justice.*

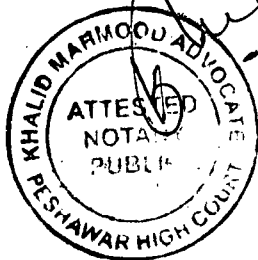
Through

Petitioner

  
**Malik Sajid Manzoor**  
Advocates, High Court  
Peshawar

### **AFFIDAVIT**

I do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application for Condonation of Delay** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



  
**DEPONENT**

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

**SERVICE APPEAL NO. 1030/2020**

Syed Muhammad Asad Halimi ..... Appellant

Versus

Govt. of Khyber Pakhtunkhwa and others..... Respondent

**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.
5. That the Appellant has filed the instant Appeal with mala-fide intention hence liable to be dismissed.
6. That the Appeal is badly time barred.
7. That the Honorable Tribunal has no Jurisdiction to adjudicate upon the matter.
8. That the instant appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.
9. The impugned transfer Notification has been issued in accordance with Section 10 of the Civil Servants Act 1973.

**ON FACTS:**

**RESPECTFULLY SHEWETH**

1. Correct.
  2. Correct to the extent of filing writ petition. The rest of the para denied.
  3. Correct to the extent that the writ petition was allowed to the extent of setting aside the impugned notification whereby various Cadres were merged in to one cadre However, it is worth-mentioning that vide
- 7/11

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Notification dated 20-11-2018, Rules of Business of the Govt. of KP was amended and a directorate was established namely "Directorate General Drugs Control and Pharmacy Services" by the competent authority with, an objective to provide carrier progressive and capacity building of the employee of unified and joint cadre named as the Drug Control and Pharmacy Services which has never been questioned by the appellant before any forum.(Copy of the Notification is Annexure A)

4. Incorrect no vested right of the appellant has been aggrieved by Notification dated 30/04/2020 hence the appellant is not an aggrieved person.
5. Pertains to record.
6. No comments. However the appellant filed a COC No 276-P/2020 against the Notification dated 30/04/2020 however the same was disposed of vide order dated 16/06/2020 ,with finding of the court that the department had implemented judgment of high court .(copy of The order is annexure B)
7. Incorrect. The appellant has been transferred within his cadre within the same directorate under section 10 of Khyber Pakhtunkhwa Civil Servants Act 1973. Even if he would have been transferred in ex-cadre, the same is also covered under the second proviso of the ibidi Act which provides as under;

"A civil servant may be posted even outside his service or cadre provided terms and conditions of his services would not be affected".

No terms and conditions of his services have been violated and a dictum laid down by Supreme Court of Pakistan in judgment repeated as 2017 SCMR 798. It has clearly mentioned that the competent authority may transfer any civil servant anywhere in exigency of services.

8. Incorrect. The replying respondents acted as per Law and Rules, principles of Natural Justice. Detailed reply has been given in Para-7. However, the instance appeal has been filed in violation of section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 with respect to limitation.

**Grounds:**

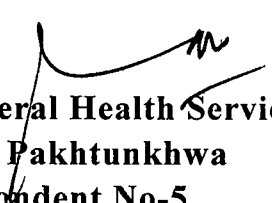
- A. Incorrect. The impugned Notification is based on law Rules, principles of Natural Justice and in accordance with dictum laid by Supreme court in various judgment. As per 2020 PLCCS 1207 Supreme Court, PLACE of service ....Prerogatives of employer...Government servant was required to serve any where his employer wanted him to serve; it
- TW


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was not a choice or prerogative of the employee to claim a right to serve at a place that he chose to serve.

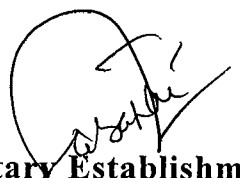
Similarly in another judgment reported as 2004 PLC (CS) 705 S.C. It has been laid down that civil servant could not claim posting at a particular station or at the place of his choice. Competent authority, under S 9 of the Punjab civil servants Act 1974, was empowered to transfer any civil servant from one place to other at anytime in exigencies of service or on administrative ground.


- B. Pertains to record however there is no concept of mercy petition or second departmental appeal under section 4 of Khyber Pukhtunkhwa service tribunal Act 1974.
- C. Incorrect. There is no mala fide on the part of respondents towards the appellant. The appellant issued the transfer Notification in accordance with law.
- D. Incorrect. The Notification dated 30/04/2020 has been issued after observing the relevant law. so far as judgment of the honorable court in writ petition no 4378/2017 date 11/03/2020 is concerned the same has been implemented in its true letters and spirit which is evident from the judgment of the Honorable court in CCC No 276-P/2020 dated 16/06/2020.

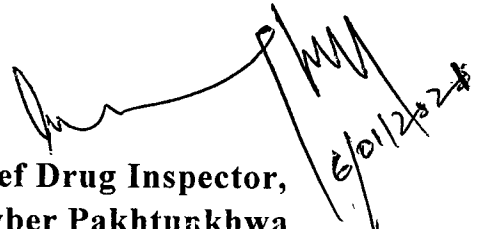
It is therefore requested that the Appeal of the Appellant may kindly be dismissed with cost.

  
**Director General Health Services  
Khyber Pakhtunkhwa  
Respondent No-5**

  
**Secretary Health Department  
Khyber Pakhtunkhwa  
Respondent No-1&2**

  
**Secretary Establishment  
Khyber Pakhtunkhwa  
Respondent No-3**

  
**Director General Drug Control &  
Pharmacy Services, Khyber  
Pakhtunkhwa  
Respondent No-6**

  
**Chief Drug Inspector,  
Khyber Pakhtunkhwa  
Respondent No-7**

7W



**GOVT. OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT & ADMN: DEPARTMENT  
(REGULATION WING)**

Dated Peshawar, the 20<sup>th</sup> November, 2018.

**NOTIFICATION**

No. SO (O&M)/E&AD/2-10/2018: In exercise of the powers conferred by Article 139 of the Constitution of the Islamic Republic of Pakistan, the Government of Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Government Rules of Business, 1985, the following further amendments shall be made, namely:

**AMENDMENTS**

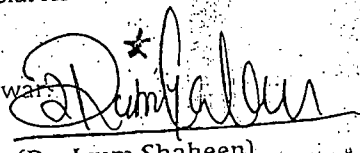
- In Schedule-I, against serial No. 8, in Columns 3 and 4, the existing entries shall be renumbered as clause (a) and thereafter the following new entries shall be added, namely:

1.	2.	3.	4.
8.	Health Department	(a) Directorate General Health Services. (b) Directorate General of Drugs Control and Pharmacy Services.	(a) Director General, Health Services. (b) Director General, Drugs Control and Pharmacy Services.

**CHIEF SECRETARY,  
GOVT. OF KHYBER PAKHTUNKHWA**

**Endst: No. & Date Even**

- All Administrative Secretaries, Khyber Pakhtunkhwa,
- Principal Secretary to Governor, Khyber Pakhtunkhwa
- Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- All Heads of Attached Departments, Khyber Pakhtunkhwa.
- Director Information, Khyber Pakhtunkhwa.
- All Divisional Commissioners/Deputy Commissioners in Khyber Pakhtunkhwa.
- Accountant General, Khyber Pakhtunkhwa.
- Registrar Peshawar High Court, Peshawar.
- Registrar Service Tribunal, Khyber Pakhtunkhwa, Peshawar.
- Secretary Public Service Commission, Khyber Pakhtunkhwa, Peshawar.
- All PSs to Provincial Ministers/Advisors/Special Assistants in Khyber Pakhtunkhwa.
- PS to Chief Secretary, Khyber Pakhtunkhwa.
- Controller, Government Printing Press Peshawar.

  
 (Dr. Irum Shaheen)  
 SECTION OFFICER (O&M)

*Handwritten notes:*  
 (E) / P/M  
 24/11

100

IN THE PESHAWAR HIGH COURT,  
PESHAWAR,  
WESTERN PROVINCE

Writ Petition No. 4378/2017  
Petitioner  
Yasir



Respondents

For petitioner: Mt. Awd Jan Dani  
Advocate

For respondents: Mr. Muhammad Rizwan Khan, DAG  
16.06.2020

**JUDGMENT**

ABRAMMOAD NAEEM ANWAR, J. Through the instant petition the petitioner has asked for initiating contempt of court proceedings against the respondents for non-compliance of direction of this court issued in the judgment rendered in W.P No. 4378/2017 on 11.03.2020.

2. Learned counsel for the petitioner submitted that this court in the judgment rendered in writ petition No. 4378-P/2017 has declared the notification bearing No. SOH (II)/HD/10-4/2017/DCPS dated 08.09.2017 as *void ab initio* against the law and illegal, however, the respondents without considering the specific direction of this court has issued notification bearing No. SOH-III/7-262/2020 dated 30.04.2020, as such, they are liable to be proceeded under the Contempt of Court Act, 2003.

~~ABRAMMOAD NAEEM ANWAR~~  
JUDGE  
Peshawar High Court



We have heard learned counsel for the petitioners and perused the record.

Perusal of the record would reveal that in the writ petition No. 4378-P/2017, notification dated 29.01.2005 was challenged as the same was issued against the Standing Services Rules Committee (SSRC). The operative part of the judgment is reproduced as under:-

Admittedly, the impugned notification of merger of three cadres of Drug Inspectors, Pharmacists and Chemists and Drug Analysts have been issued on the recommendation of Standing Service Rules Committee (SSRC) but while perusing minutes of the Committee, so constituted, the persons, who had attended the meeting, are not in accordance with the notification NO. SOR. VICE & AD. 2-69/2003 dated 29<sup>th</sup> January, 2005 produced by the learned counsel for the petitioners during the course of hearing, placed on file, vide which, the Committee would comprising of Administrative Secretary concerned (Chairman), Additional Secretary (Regulation) E & A Department, Additional Secretary (Regulation) Finance Department, Additional Secretary, Law Department, Head of the attached Department concerned and Deputy Secretary (Admin) of the Department concerned (Members); so, keeping in view the above fact, the impugned notification

4/3

ATTESTED  
By  
P. Narayana Murthy  
Principal Officer

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... 11.03.2020 was discussed in ...

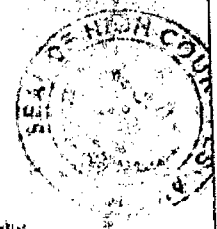
... impugned notification of ...  
 ... of Drug  
 ... and Chemists  
 ... Analysts have been issued on  
 ... recommendation of Standing Service  
 ... Committee (SSRC) but while  
 ... minutes of committee, so  
 ... consulted, the persons, who had  
 ... attended the meeting, are not in  
 ... accordance with the notification  
 ... No. SOH.VI(E&AD)/2-69/2003 dated 29<sup>th</sup>  
 ... January, 2005 produced by the learned  
 ... counsel for the petitioners during the  
 ... course of hearing, placed on file, vide  
 ... which, the committee would comprising  
 ... of Administrative Secretary concerned  
 ... (Chairman), Additional Secretary  
 ... (Regulation) E&A Department, Additional  
 ... Secretary (Regulation) Finance  
 ... Department, Additional Secretary Law  
 ... Department, Head of the attached  
 ... department concerned (Members), so,  
 ... keeping in view the above fact, the  
 ... impugned notification issued by the  
 ... respondents is illegal, void ab-initio and  
 ... the same is thus, liable to be set aside.

ATTESTED  
 EXAMINER  
 Professor High C

In view of the above, the writ petition  
 is allowed and the impugned notification  
 No. SOH(III)/HD/10-4/2017/DCPS dated  
 08.09.2017, is set aside".

(Attested copy of judgment dated 11.03.2020 is attached  
 as Annexure "A").

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issued by the respondents is illegal, void ab initio and the respondents have no right to be set aside.

4. In view of the direction of the Hon'ble petition, the respondents have issued notification dated 30.06.2020, whereby the petitioner No.1 was transferred and posted against the vacant post as Chief Pharmacist (BPS-19) at DMQ hospital, KDA Kohat, petitioner No.2 as Chief Pharmacist (BS-19) at Govt. Naseerullah Khan Bebut Memorial Hospital, Peshawar, and petitioner No. 3 as Chief Pharmacist (PS-19) at Services hospital, Peshawar, regarding which no such direction has ever been issued by this court, insofar as the matter regarding notification dated 29.01.2005 is concerned, the same has already been declared as void ab initio. The petitioners may challenge the notification vide which certain posting and transfers were made through separate petition before appropriate forum, if they so desired.

5. In this view of the matter, this petition is dismissed being not maintainable.

Announced  
16.06.2020.  
1422/2020

  
CHIEF JUSTICE

  
JUDGE

(DD: Hon'ble Mr. Justice Waqar Ahmad Seth, HCJ & Hon'ble Mr. Justice Muhammad Nazeem Arif)

  
-EMANATED TO BE TRUE-

263  
 Date of receipt after 20/6/2020  
 7/7  
 Date of copy 23/6/2020  
 Date of copy 23/6/2020  
 J. S. Arif

23 JUN 2020

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

**APPEAL NO. 1030- P/2020.**

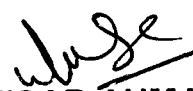
Syed Muhammad Asad Halimi.....Appellant

**Versus**

Government of Khyber Pakhtunkhwa & others .....Respondents

**INDEX**

S.No.	Description of Documents	Annexure	Pages
1.	Comments on behalf of Secretary Health Respondent No. 02		1-3
2.	Affidavit		4
3.	Authority Letter		5
4.	Notification of Establishment and Administration Department dated 20-11-2018	A	06
5	Judgment of the Hon'ble Peshawar high Court Peshawar dated 16-06-2020	B	07-10

  
**(NISAR AHMAD)**  
ASSISTANT (LIT-II)  
GOVT: OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

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

**APPEAL NO. 1030- P/2020.**

Syed Muhammad Asad Halimi.....**Appellant**

**Versus**

Government of Khyber Pakhtunkhwa & others .....**Respondents**

**Affidavit**

I, **Nisar Ahmad**, Assistant (Litigation-II), Government of Khyber Pakhtunkhwa, Health Department do hereby solemnly affirm and declare that the contents of the Comments at Page 1-3 is submitted on behalf of Secretary Health is true and correct to the best of my knowledge, belief and that nothing has been concealed from this Hon'ble Court.



**(NISAR AHMAD)**  
**ASSISTANT (LIT-II)**  
**GOVT: OF KHYBER PAKHTUNKHWA**  
**HEALTH DEPARTMENT**  
**C.N.I.C No. 17201-6115361-7**  
**Mob: No. 0313-9694088**

**Identified by**

**Advocate General**  
**Khyber Pakhtunkhwa**

**VAKALATNAMA**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

S.A 1030 — P OF 2020

S.M Asad Halimi & A

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Health Department & Others

(RESPONDENT)  
(DEFENDANT)

I/We S.M Asad Halimi

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_/\_\_\_/2020

Asad Halimi  
S.M. ASAD HALIMI  
CLIENT(S)

**ACCEPTED**  
**NOOR MOHAMMAD KHATTAK**  
15401-0705985-5  
BC-08-0853  
&

**SHAHZULLAH YOUSAFZAI,**  
ADVOCATES

**OFFICE:**

Flat No.4, Upper Floor,  
Juma khan plaza near (FATA) Secretariat  
Warsak road Peshawar.  
Mobile No. **0345-9383141**

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

**APPEAL NO.1030/2020**

**S.M ASAD HALEEMI**

**VERSUS**

**GOVT. OF KP & OTHERS**

**REJOINDER ON BEHALF OF THE APPELLANT IN  
RESPONSE TO THE REPLY OF THE RESPONDENTS**

**R/SHEWETH:**

**Preliminary Objections from 1 to 9:**

All the preliminary objections raised by the respondents are incorrect, baseless and not in accordance with law & Rules rather the respondents are stopped due to their own conduct to raise any objection at this stage of the appeal.

**ON FACTS:**

1- Incorrect and not replied accordingly. That the appellant is a competent and committed employee of the respondent Department. That right from appointment till date he is serving the respondent Department quite efficiently and up to the entire satisfaction of his superiors. So for the allegation of poor performance and unwilling worker is concern in this regard the appellant did not received any show cause notice nor explanation from the competent authority the appellant committed any illegality or irregularity during his entire service.

2- Incorrect and not replied accordingly. In fact the impugned transfer Notification dated 30.4.2020 was issued by the respondents in light of the merger Notification dated 8.9.2017 which was declared by the august Peshawar High Court as Void ab anitio/illegal from the very beginning through judgment dated 11.3.2020, therefore in light of the ibid scenario the impugned transfer Notification dated 30.4.2020 is having no legal force. Copies of the Notification dated 8.9.2017 and Judgment of the PHC are attached as annexure

..... **R and R1.**

3- Incorrect and not replied accordingly. That section-10 of the Civil servant Act, 1973 has been further regulated by the Transfer/posting policy of the Provincial Government where in clause it has been specifically elaborated that "all the

posting/transfers shall be strictly in the public interest and shall not be abused/misused to victimize the Government Servants" as per clause XIII " considering posting/transfer proposals all the concern authorities shall keep in mind the following (a) to ensure the posting of proper persons on proper posts the PER's/ACR's, past and present record of service performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered", therefore in light of the ibid clauses of the transfer/posting policy the impugned Notification dated 30.4.2020 is not tenable and liable to be set aside. Copies of the record are attached as annexure ..... R3.

4- Incorrect and not replied accordingly hence denied.

5- Incorrect and not replied accordingly hence denied.

**ON GROUNDS:**

**From A to H:**

All the grounds of main appeal of the appellant are correct and in accordance with law and rules and that of the respondents are incorrect and baseless and having no force of law. That the appellant is serving the respondent Department quite efficiently and up to the entire satisfaction of his superiors. Moreover the transfer/posting Notification issued by the respondents in pursuance of the annulled Notification dated 8.9.2017 is not in accordance with law and rules, therefore the same is not tenable and liable to be set aside. That the impugned Notification dated 30.4.2020 is issued by the respondents on malafide and arbitrary basis therefore the same is not tenable and liable to be set aside. That the said Notification is also violative of clauses I and XIII of the transfer/posting policy of the provincial Government.

It is therefore most humbly prayed that on acceptance of this rejoinder the appeal of the appellant may please be accepted as prayed for.

**APPELLANT**

  
**S.M ASAD HALEEMI**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK  
ADVOCATE**





GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar the 8<sup>th</sup> September, 2017

NOTIFICATION:

No: SOH (III)/HD/10-4/2017/DCPS: Consequent to the recommendations of the SSRC and to improve the human resource management, the Chief Minister Khyber Pakhtunkhwa is pleased to approve the following arrangements for Pharmacists, Drug Inspectors, Chemists & Drug Analysts cadres of Health Department Khyber Pakhtunkhwa.

- 1) These cadres are declared dying cadres with the existing incumbents to continue under the existing service rules, seniority and promotion prospects which shall stand protected for each cadre within their own lines of hierarchy till last incumbent is in service.
- 2) For the new recruitment at the initial stage, since basic qualifications of the above mentioned cadres are the same, therefore all the three cadres are hereby merged into a single cadre for which rules shall be framed as per procedures.
- 3) All the three cadres are hereby declared as pool posts for posing/transfer only.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Endst. of oven number & date:

Copy forwarded for information to:

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. PSO to Chief Secretary, Khyber Pakhtunkhwa.
3. Secretary Public Service Commission, Khyber Pakhtunkhwa.
4. Manager Govt. Printing Press, Khyber Pakhtunkhwa with the request to publish in the official Gazette.
5. Director General Health Services, Khyber Pakhtunkhwa.
6. All DHOs in Khyber Pakhtunkhwa
7. Incharge MMC, DGHS, Khyber Pakhtunkhwa, Peshawar.
8. PS to Secretary Establishment, Khyber Pakhtunkhwa.
9. PS to Secretary Law, Khyber Pakhtunkhwa.
10. PS to Secretary Health, Khyber Pakhtunkhwa.
11. PA to Deputy Secretary (Drugs), Health Department

SECTION OFFICER (E-III)

4  
1

BEFORE THE HON'BLE PESHAWAR HIGH COURT PESHAWAR



Writ Petition No. \_\_\_\_\_ P/ 2017  
(Against merging of cadres)

ANNEXURE R/1

1. S. M. Assad Halimi S/O Syed Tanzeemul Haq Halimi.
  2. Rehmat Gul S/O Sher Ahmad.
  3. Akbar Jan S/O Muzafar.
  4. Dil Naweaz S/O Sarfaraz Khan.
  5. S. Wilayat Shah S/O S. Kiramat Shah.
  6. Muhammad Yunus Khattak S/O Fakhr-uz- Zaman.
  7. Muhammad Tayyab Abbas S/O Faqir Muhammad.
  8. Aurangzeb Khan S/O Sher Bahadar.
  9. Imran Ullah Khan S/O Hakim Shah.
  10. Mehtab Afsar S/O Khan Afsar.
  11. Abdul Hafeez S/O Waliullah.
  12. Zakir Shah S/O Haji Husain Muhammad.
  13. Nazir Ahmad S/O Fazal Ghani.
  14. Toseef Muhammad S/O Pir Muhammad.
  15. Aminul Haq S/O Abdul Haq.
  16. Zial Ul Haq S/O Abdul Hai.
  17. Ibrar Khan S/O Dil Nawaz.
  18. Muhammad Zeeshan S/O Muhammad Aslam.
  19. Ziaullah S/O Zamin Gul.
  20. Ameer Zeb S/O Jehanzeb.
  21. S.Aqib Ali S/O S. Shujaat Hussain Shah.
  22. Gohar Ali S/O Musafar Khan.
  23. Saif Ullah S/O Sahib Zada Gran.
  24. Imran Khan Barki S/O Haibat Khan Barki.
  25. Haider Ali S/O Akhtar Ali.
  - ~~26.~~ Waheed Murad S/O Shan Ul Mulk.
  27. Muhammad Irfan Wazir S/O Matiullah.
  28. Naeem Khan S/O Nisar Khan.
  29. Tariq Ali S/O Muhammad.
  30. Shehzada Mustafa Anwar S/O Mukamil Shah
- All are Drug Inspectors Health Department, KPK.

..... Petitioners

VERSUS

1. Chief Secretary to the Government of Khyber Pakhtunkhwa  
Civil Secretariat, Peshawar
2. Chairman,  
Khyber Pakhtunkhwa, Public Service Commission  
Peshawar.

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3. Secretary to Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariat, Peshawar. (2)
4. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat, Peshawar.
5. Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Civil Secretariat, Peshawar.
6. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Chief Minister House, Peshawar.
7. Secretary to Govt. of Khyber Pakhtunkhwa, Law Department, Civil Secretariat, Peshawar.
8. Director General, Health Department, Civil Secretariat, Khyber Road, Peshawar.

..... Respondents.

**WRIT PETITION UNDER ARTICLE-199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973 AGAINST THE NOTIFICATION NO.SOH-(III)/HD/10-4/2017DCPS DATED 8.9.2017 THEREBY MERGING THREE CADRES OF DRUG INSPECTORS, PHAMACISTS AND DRUG ANALYST OF HEALTH DEPARTMENT.**

Respectfully Shweth:-

- 1) That the petitioners have been inducted in service of the Health Department through Khyber Pakhtunkhwa Public Service Commission as Drug Inspectors (B-17) on the dates noted against each.
- 2) That four amongst the petitioners were firstly promoted to the posts of Senior Drug Inspectors (B-18); and then to the posts of Chief Drug Inspectors (B-19); on the dates given against their names, whereas three amongst them were promoted to the ranks of Senior Drug Inspectors (B-18) on the mentioned dates in annexure "A" against their names and still in B-18 and 24 petitioners are in B-17.
- 3) That in the health department of Khyber Pakhtunkhwa, the Drug Inspectors, Pharmacists and Chemists and Drug Analysts are working in separate cadres having the same basic qualifications (Bachelor in Pharmacy) with different job descriptions as well as expertise in accordance to their respective fields and duties for initial recruitment. The

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employees of one cadre does not possess the requisite experience required for the other cadre. The cadre wise details of Post were given in Table No. 1. (3)

- 4) That the provincial government under the agenda to improve the human resources management and to minimizing the transfer and posting problems faced by the Health department in other sub-cadres having minimum choice, proposed the merging of three cadres of Drug Inspectors, Pharmacists and Chemists and Drug Analysts; and for this purpose, constituted a six members " **Standing Service Rules Committee**" (hereinafter to be called as "SSRC" ), comprising of one of the stake-holder (In-charge Drug Testing Laboratory namely Mr. Abid Hayat) from the merging Cadre (Pharmacists). The SSRC committee composition is clear from the minutes of the meeting held on 26.12.2016.
- 5) That the Health department proposed to combine the three cadres into one as per structure given in para (ii) of the minutes of meeting held 26.12.2016 under the Chairmanship of Secretary Health (Muhammad Abid Majeed); and SSRC inter-alia raised certain observations in para (iii) to (v), which were as under:-
- iii) *It is important to note that there are employees in these cadres who have stakes in the respective cadres as far as their career progression is concerned in terms of their length of services, seniority etc. Therefore, unification of cadre in Toto will affect the seniority of employees. To resolve this, these cadres may be declared as dying cadres with protection to initial structure till the last employee of each cadre passes out.*
  - iv) *The Health Department may administratively take approval of the competent authority for declaring the three cadres post as pool post for the purpose of posting/transfer.*
  - v) *Health Department may also obtain views/concurrence of Khyber Pakhtunkhwa Public Service Commission in accordance with the laid down rules/policy.*
  - vi) *The Administrative department may also obtain views of Finance Department preferably through a summary en-route to competent authority.*
- 6) That the Cadres wise strength of the posts in the Pharmacists Cadre is 24 have 4 posts in B-20, 4 posts in B-19, 4 posts in B-18 and 12 posts in B-17, while the Analysts of Drug Testing Laboratory have total 7 cadre posts amongst which in B-20 one, B-19 one, B-18 two and only three in B-17.

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7) That the comparative position of posts gradation in these three cadres are summed up as under:-

Table-1

S #	Name of cadre	B-20	B-19	B-18	B-17	Total
1.	Drug Analysts in Drug Testing Laboratory	1	1	2	3	7
2.	Pharmacists.	4	4	4	12	24
3.	Drug Inspectors.	-	8	8	22	31

As may be perused from the above comparative position of posts hierarchy, the cadre of the petitioners i.e. Drug Inspectors have been subjected to step motherly attitude in that in the ratio of posts on the basis of total strength three cadres are entitled for the posts in different grades as under:-

Table-2

S #	Name of cadre	B-20	B-19	B-18	B-17	Total
1.	Drug Analysts in Drug Testing Laboratory	1	1	2	3	7
2.	Pharmacists.	4	4	4	12	24
3.	Drug Inspectors.	6	8	8	22	44

8) That the Respondents without removing the observations raised by the SSRC and observing codal formalities issued the impugned Notification No. SOH(III)HD/10-4/2017/DCPS dated: 08.09.2017 of merger of three cadres. The petitioners having no other efficacious remedy to get redressal of their grievance, comes to this Hon'ble Court under its constitutional jurisdiction to impugn the acts of respondents on the following grounds amongst others:-

GRUNDS

- A. That the impugned notification is based on the minutes of SSRC which is a Coram non iudice in cases of merger of service cadres, therefore the proceedings and recommendations of the SSRC have no binding force and can be made basis for the merger of cedres.
- B. That the proper Coram for the impugned issue is the Provincial Cabinet which would consider the case after proper examination of the matter by the Health Department, Establishment Department, Finance Department and Law Department at secretariat level in

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consultation with the Director General Health Services and without taking into confidence the actual stakeholders of the merging cadres was an exercise without jurisdiction and against the principles of justice.

- C. That no new name/nomenclature has been proposed for the merged cadres. If at all the three cadres so merged will be the dying cadres, than what would be the name of the cadre remained alive after the funeral ceremony of the dying cadres? It is a big sign of interrogation which has not been answered in the impugned notification or by the so called SSRC.
- D. That the job description of the three cadres are quite distinct from each other despite the fact that the basic qualification is the same, but experience and field of functioning are distinct according to their specific field, experience in a specific field and specific training. No other justification except sameness of basic qualification has been given; Basic qualification of lecturers, PCS/PMS officers/ and many other posts are Master degree but their functions and job descriptions are quite different from each other which cannot justify for merger. Similar is the case of instant three cadres which have been merged together.
- E. That all the three cadres of Drug Inspectors, Pharmacists and Drug Analysts have their distinct job descriptions and specialized task with specific experience, therefore, the merger of the three cadres is void ab initio, not practically possible and implementable. Therefore, the recommendations of SSRC and the impugned Notification are against the principles of merger regarding different cadres.
- F. That all the above three cadres have their separate notified rules (**Annexure-B**) and hierarchal ladders for upward elevation and most of them have selected their respective cadres opting for distinct life/service career of their choice according to their aptitude, inclination and family circumstances and by merging of cadres into one will open way for posting/transfer horizontally which will adversely affect their entire life edifice built for their household/children career, for example, the Drug Analyst would have selected this career due to being a local post without botheration of posting/transfer from one station to others and as such shifting of residences, educational institutions of children and so on which must naturally inflict a negative impact on his planned and dreamed life style for himself and his family members. He would have missed many good chances of higher position outside the locality of his choice whereas under para-3 of the

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(9)

(6)

impugned notification, he would be subjected to be posted outside even to a far flung area which will be detrimental to his life career and futuristic plan of his children up-liftment. Thus a clear violation of Article 2A, 9, 38 of the Constitution.

- G. That in the impugned notification, the merger has been made in a very unfamiliar, naval and somewhat illegal way in that in merger of two or three cadres, no cadre so integrated is declared as dying cadre as the cadres so integrated are always restructured with a new name with settled hierarchical ladder and the incumbents of the posts in the cadres so merged are placed in common/joint seniority list with reference to their respective dates of appointment/promotion to the posts in their previous cadres.
- H. That the approving authority of merger/integration of certain service cadres or disintegration of a cadre into different sub-cadres is the CABINET not the SSRC. The Standing Service Rules Committee (SSRC) is only meant for framing of recruitment rules for posts to the prescribe qualifications, experience, age limit and method of appointment only in terms of rule 3(2) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Posting and Transfer) Rules, 1989 (**Annexure-C**).
- I. The SSRC is too lower forum particularly in the instant case, which was also not properly constituted (**Annexure-D**). The Finance Department have a very important role, and Finance Department was represented by a Superintendent who is not competent to participate in SSRC as a member. Similarly the Establishment Department has also been represented by a Section Officer (B-17) and no representation from the Law Department (as required under the Rule 5 & 12 of the Government Rules of Business 1972 & 1985). The Administrative Department has been represented by Deputy Secretary (Drugs) who is a Pharmacist and Mr. Abid Hayat who is also a pharmacist. Both these officers are the stakeholders being members of one cadre amongst the three merging cadres. Their participation in SSRC is highly objectionable in absence of the members of other two other cadres. Besides this whole process has been carried out for adjustment of some favorites against some lucrative posts.

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That the respondent failed to get concurrence of Khyber Pakhtunkhwa Public Service Commission. It appears that either concurrence of the Public Service Commission has not been obtained in the matter as proposed by the so called SSRC in clause-V of its minutes; or that

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commission, if concurred; the Commission has also not examined/scrutinized the case in the clearest perspective. It appears that the entire episode was two men play and used their personal influence, and therefore the matter has not been scrutinized and perused not according to the laid down norms/procedural formalities required for such like cases, thus all recommendation and orders, notifications made were colorful exercise of jurisdiction not so vested.

- K. That prior to merger of the three cadres into one; the Administrative Department had not work out modalities with regard to issue of seniority of different employees, nor has assigned any Nomenclature to the new cadre nor been proposed. The last employee in the cadre of Drug Inspector will be retired in 2049, and till then the new merger policy shall not affect their applicable service rules as per recommendations and impugned notification, which made redundant the application of policy in near future except the transfer and posting of the employee intra cadre, thus the new merger policy will not be fruitful as proposed by the respondent/health department, but disturb the already applicable rules and seniority, and affect the performance of the employees only.
- L. That the respondents with mala fide intentions, ignored the observations and summary was moved without rectification of these observations. The summary was again turned down with the same observations (**Annexure E**) but it was got approved from the Authority without fulfilling all the stipulated conditions for merging of cadres.
- M. That the summary submitted enrooted gone through the Finance Department as required under sub para-VI of the minutes whereon that Department had furnished their no objection as there are no financial implications involved in the matter, therefore that Department has no role to play. This gesture of the Finance Department is absolutely wrong in that the posts of Assistant Drug Controller (B-17), Deputy Drug Controller (B-18), Additional Drug Controller (B-19) and Drug controller (B-20) are non-existed and these posts as proposed in the minutes of the SSRC in column-2 of the table wherein the posts of the three cadres have been tagged will require creation and these will have huge financial implications. As such that Department stopped by their own conduct.
- N. That the petitioner may kindly be allowed to raised any other ground during the course of arguments in circumstances of the case.

**ATTESTED**

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Peshawar High Court



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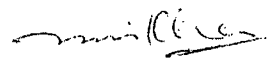
(3)

In view of the aforesaid submissions, it is humbly prayed that an appropriate writ may kindly be issued in favour of the petitioners in the following terms:-

- i. Declare that the impugned notification No. SOH(III)/HD/10-4/2017/DCPS is void ab initio, therefore the respondents may kindly be directed to withdraw the impugned notification as well as the posting/transfers orders made in pursuant to the impugned notification may kindly be withdrawn;
- ii. To reconsider the matter in light of the logic, rationale and requirements of the rules/relevant law in the matter.
- iii. The proportionate ratio of higher posts of B-18, B-19 and B-20 in the Drug Inspector cadre may be equated to that of Drug Analysts and Pharmacists cadres as indicated in para-5 (table-2) above of the petition.
- iv. Direction be issued to respondents that in case the merger is required to be carried out, it be done in a rationale manner as per the prevailing procedure and renamed the so merged cadre with a new name and joint seniority of the employees of the so merged cadres be caused with reference to their respective dates of appointment or promotion to a particular post /grade. No cadre so merged should be dying cadre as this method is not applicable in the instant case.
- v. Grant any other relief which is deemed appropriate by this Hon'ble Court in the circumstances of the case.

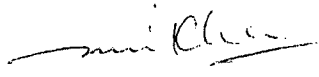
**Interim Relief:-**

The Notification No. SOH(III)/HD/10-4/2017/DCPS dated: 08.09.2017 regarding the merger of the cadres may kindly be suspended till the decision of the instant writ petition.

Through   
Petitioner's  
Counsel(s)

**List of Books:-** :

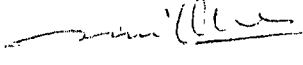
- i. Constitution of Pakistan, 1973
- ii. Government Rules of Business, 1972 & 1985
- iii. Any other book according to need.

  
Counsel

**NOTE:-**

- i. That no other writ petition is filed on the subject matter by the petitioners in this Hon'ble Court.

**ATTESTED**  
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Peshawar High Court

  
Counsel

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**JUDGMENT SHEET**  
**PESHAWAR HIGH COURT, PESHAWAR**  
**(JUDICIAL DEPARTMENT)**

WP No. 4378-P/2017

S.M. Assad Halimi and others

Vs

Chief Secretary to Govt. of KP and others



**JUDGMENT.**

Date of hearing: 11.03.2020

Petitioner (s): By: m/s Abdul Latif Afridi - Advocate & Counsel  
(Chen J. Khan)

Respondent (s): By: Mr. F. H. Khan

**WAQAR AHMAD SETH, CJ:-** Petitioners,

through the instant Writ Petition, seeks issuance of an appropriate writ with the following prayer:-

*"In view of the aforesaid submissions, it is humbly prayed that an appropriate writ may kindly be issued in favour of the petitioners in the following terms:-*

- i. Declare that the impugned notification No. SOH(III)/HD/10-4/2017/DCPS is void ab initio, therefore the respondents may kindly be directed to withdraw the impugned notification as well as the posting/transfers orders made in pursuant to the impugned notification may kindly be withdrawn.
- ii. To reconsider the matter in light of the logic, rationale and requirements of the rules/relevant law in the matter.
- iii. The proportionate ratio of higher posts of B-18, B-19 and B-20 in the Drug Inspector cadre may be

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Peshawar High Court

*equated to that of Drug Analysts and Pharmacists cadres as indicated in para-5 (table-2) above of the petitioner.*

- iv. *Direction be issued to respondents that in case the merger is required to be carried out, it be done in a rationale manner as per the prevailing procedure and renamed the so merged cadre with a new name and joint seniority of the employees of the so merged cadres be caused with reference to their respective dates of appointment or promotion to a particular post/grade. No cadre so merged should be dying cadre as this method is not applicable in the instant case.*
- v. *Grant any other relief which is deemed appropriate by this Hon'ble Court in the circumstances of the case".*

2. Brief facts of the case are that the petitioners have been inducted in service of the Health Department through Khyber Pakhtunkhwa Public Service Commission as Drug Inspectors (BPS-17). According to the petitioners, Drug Inspectors, Pharmacists and Chemists and Drug Analysts are working in the Health Department Government of Khyber Pakhtunkhwa in separate cadres having same basic qualifications but with different job descriptions. The Provincial Government under the Agenda to improve the human resources management and to

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minimizing the transfer and posting problems face by the Health Department in other sub-cadres having minimum choice, proposed the merging of three cadres of Drug Inspectors, Pharmacists and Chemists and Drug Analysts and for this purpose, a meeting of "Standing Service Rules Committee" was held on 26.12.2016 wherein it was proposed to combine the three cadres into one as per structure given in para-ii of the minutes of the meeting and as such, the respondents have issued the impugned Notification No. SOH(III)/HD/10-4/2017/DCPS dated 08.09.2017, which reads as under:-

***"Consequent to the recommendations of the SSRC and to improve the human resource management, the Chief Minister Khyber Pakhtunkhwa is pleased to approve the following arrangements for Pharmacists, Drug Inspectors, Chemists & Drug Analysts cadres of Health Department Khyber Pakhtunkhwa.***

- 1) *These cadres are declared dying cadres with the existing incumbents to continue under the existing service rules, seniority and promotion prospects which shall stand protected for each cadre within their own lines of hierarchy till last incumbent is in service.*
- 2) *For the new recruitment at the initial stage, since basic qualifications of the above mentioned cadres are the same, therefore, all the three cadres are*

**ATTESTED**  
**EXAMINER**  
 Peshawar High Court

*hereby merged into a single cadre for which rules shall be framed as per procedures.*

3) *All the three cadres are hereby declared as pool posts for "posting/transfer only".*

3. Aggrieved from the aforesaid Notification, the petitioners have filed the instant Writ Petition.
4. Respondents have furnished their comments and opposed the writ of petitioners.
5. Arguments heard and record perused.
6. Admittedly, the impugned notification of merger of three cadres of Drug Inspectors, Pharmacists and Chemists and Drug Analysts have been issued on the recommendation of Standing Service Rules Committee ("SSRC") but while perusing minutes of the Committee, so constituted, the persons, who had attended the meeting, are not in accordance with the Notification No. SOR.VI(E&AD)2-69/2003 dated 29<sup>th</sup> January, 2005 produced by the learned counsel for the petitioners during the course of hearing, placed on file; vide which, the Committee would comprising of Administrative Secretary concerned (Chairman),

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Peshawar High Court

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Additional Secretary (Regulation) E&A Department,  
 Additional Secretary (Regulation) Finance Department,  
 Additional Secretary Law Department, Head of the  
 attached Department concerned and Deputy Secretary  
 (Admn) of the Department concerned (Members); so,  
 keeping in view the above fact, the impugned  
 notification issued by the respondents is illegal, void ab-  
 initio and the same, is, thus, liable to be set aside.

7. In view of the above, the Writ Petition is  
 allowed and the impugned Notification No.  
 SOH(III)/HD/10-4/2017/DCPS dated 08.09.2017, is set  
 aside.

**ANNOUNCED.**  
**Dated: 11.03.2020**

Chief Justice

Judge

No. 14364  
 Date of Presentation of Application 27/10/2020  
 No of Pages 137  
 Copying fee 500  
 Total 500  
 Date of Preparation of Copy 27/10/2020  
 Date of Delivery of Copy 27/10/2020  
 Received By A. A. Hussain

**CERTIFIED TO BE TRUE COPY**  
 EXAMINER  
 Peshawar High Court, Peshawar  
 Authorised Under Article 87 of  
 the Constitution of Pakistan

27 OCT 2020

Read para-30 of this judgment of SHC  
CPA attached on the judgment. (17)

IN THE HIGH COURT OF SINDH AT KARACHI.

CP D-No. 3206 /2013

Presented on

1-8-2013

Deputy Registrar (Writ)

Zakir Hussain S/o Muhammad Hashim Samoo  
R/o A-16, Al-Mustafa Phase-II, Qasimabad,  
Hyderabad.....Petitioner

VERSUS

1. Province of Sindh  
through Chief Secretary Sindh  
at Karachi,
2. Secretary Health,  
Government of Sindh,  
at Karachi
3. Mrs. Sahar Afshan,  
Divisional Drug Inspector, presently posted  
at Hyderabad. ....Respondents

**CONSTITUTION PETITION UNDER ARTICLE 199  
OF THE CONSTITUTION OF ISLAMIC REPUBLIC  
OF PAKISTAN 1973**

That petitioner above named respectfully submits as under:-

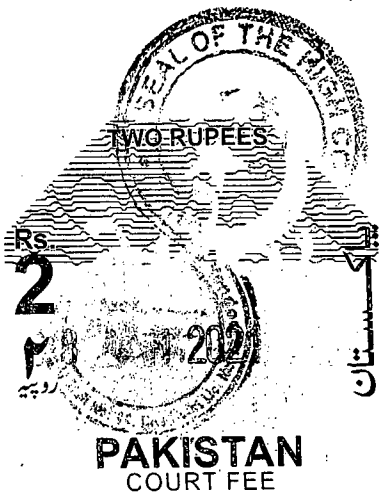
1. That the petitioner is law abiding citizen of Pakistan.
2. That the petitioner is a Drug Inspector and is working as District Drug Inspector at District Tando Allahyar.

*Copy of the Notification dated 23/7/2013  
is enclosed herewith and marked as  
annexure A.*

That prior to the notification dated 23-07-2013 the petitioner was posted at Provisional Drug Inspector at District Hyderabad, vide Notification dated 7/12/2012.

*Copy of the Notification dated 07/12/2012 is  
enclosed herewith and marked as annexure B.*

That the respondent No.3 was initially appointed as Pharmacists in BPS-17 as the post of Pharmacists was upgraded/re-designated to post of Senior Pharmacists in BPS-18 vide notification dated 24/2/2011, as



such the respondent No.3 was promoted to the post of BS-18 Senior Pharmacists.

*Copy of notification dated 24/2/2011 is attached herewith and marked as annexure C*

5. That the respondent No.2 vide notification dated 24/1/1984 specified criteria for method of appointment/qualification/age and other conditions for the post of Drug Inspector and Junior Pharmacists and other course in the Health Department.

*Copy of notification dated 24/1/1984 is enclosed herewith and marked as annexure-D*

6. That the Health department issued/communicated letter to the Medical Superintendents wherein specified the job description of Pharmacists working in the Civil Hospitals and other major Hospitals in Sindh, whereby the Pharmacists were assigned their job descriptions.

*Copy of Job description of Pharmacists are attached and marked as annexure-E*

7. That on 15-03-2013 the respondent No.2 in utter disregard of the judgment of the Honourable Supreme Court issued Notification bearing No.NO SOCI(H)S-32/2007, whereby the respondent No.3 was/is absorbed/inducted as Drug Inspector BS-18 with immediate effect, which is not only against the judgment of the Honourable Supreme Court of Pakistan but also is against the fundamental rights guaranteed by Constitution.



*Copy of the notification dated 15/3/2013 is attached herewith and marked as annexure-F*

Hence this petition with the following prayers:

**P R A Y E R:**

It is therefore prayed that this Honourable Court may be pleased to:

- a). Declare that the notification dated 15-03-2013 is illegal, void ab initio and has no legal force.



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- b). Direct the respondent No.1 and 2 to withdraw the notification dated 15-03-2013 whereby the respondent No.3 was/is absorbed/inducted as Drug Inspector BS-18.
- c). Declare that the holding of office by respondent No.3 as Drug Inspector is without legal justification and is against the provisions of law and the fundamental rights guaranteed by the Constitution.
- d). Suspend the operation of notification dated 15-03-2013 whereby the respondent No.3 has been absorbed/inducted as Drug Inspector till the final disposal of the instant petition.
- e). Any other relief this Honourable Court may deem fit and proper in the circumstances of the case.

Karachi  
Dated 31-07-2013

*[Signature]*  
Petitioner

*[Signature]*

ADVOCATE FOR THE PETITIONER



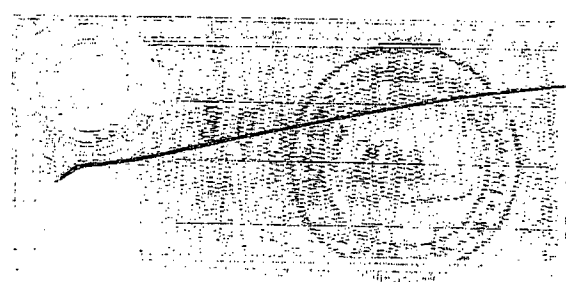
**VERIFICATION**

I, Zakir Hussain S/o Muhammad Hashim Samoo Muslim, adult R/o A-16, Al-Mustafa Phase-II, Qasimabad, Hyderabad, do hereby state on oath that whatever stated above is true and correct to the best of my knowledge and belief.

*[Signature]*

ASSISTANT REGISTRAR-IV  
AFFIDAVIT & IDENTITY BRANCH  
HIGH COURT OF SINDH

*[Signature]*  
DEPONENT



To be attached with Affidavit as last Page

7 (20)

**IN THE HIGH COURT OF SINDH AT KARACHI**

Const. P. No: D- of 2013

Zakir Hussain

PETITIONER

VERSUS

Pro. of Sindh & ors

RESPONDENT

**AFFIDAVIT IN SUPPORT OF VERIFICATION OF PETITION**

Mr. Zakir Hussain Son of Muhammad Hashim Samoo, resident of House No.A-16 Al Mustafa Phase II Qasimabad Hyderabad., affirmed on oath before me at Karachi on this 31-JUL-2013 in the 'Identity Section' of this court.

Photograph of Deponent



Signature of Deponent

*Zakir Hussain*

CNIC: 41306-7067092-9

Cell No. 0300-3028075



*Sh*

ASSISTANT REGISTRAR-IV  
AFFIDAVIT & IDENTITY BRANCH  
HIGH COURT OF SINDH

**COMMISSIONER FOR TAKING AFFIDAVIT**

Tag ID: 31071339475

No. of Affidavit : 1/4

Cost received : Rs. 30

Printed on: 31-JUL-2013 at 12:13 pm

- Original CNIC verified by Bar Code Reader
- Photo taken at I.S.
- Biometric Attendance done at I.S.
- Video recording done at I.S.
- CNIC verified through NADRA
- Finger Prints verified through NADRA



Electronic Finger Print taken at I.S.

21

IN THE HIGH COURT OF SINDH AT KARACHI.

CP No.D- 3206 /2013

Zakir Hussain .....Petitioner

VERSUS

Province of Sindh & others .....Respondents

AFFIDAVIT

I, Zakir Hussain S/o Muhammad Hashim Samoo Muslim, adult R/o A-16, Al-Mustafa Phase-II, Qasimabad, Hyderabad, do hereby state on oath do hereby state on oath as under;

1. That I am deponent of this affidavit hence fully conversant with the facts of the case.
2. That accompanying petition has been drafted and filed under my specific instruction the contents thereof have been read over to me which are true and correct and the same may be treated as part and parcel of this affidavit for the sake of brevity.
3. That unless the accompanying petition is granted I shall seriously prejudiced and shall suffer irreparable loss.
4. That whatever stated above is true and correct to the best of my knowledge and belief.

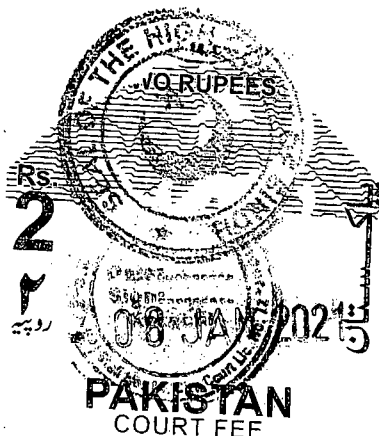
Karachi

Dated 31/07/2013

DEPONENT

ADVOCATE

*[Signature]*  
 ASSISTANT REGISTRAR-IV  
 AFFIDAVIT & IDENTITY BRANCH  
 HIGH COURT OF SINDH



To be attached with Affidavit as last Page

22

**IN THE HIGH COURT OF SINDH AT KARACHI**

Const. P. No: D- of 2013

Zakir Hussain

-----

PETITIONER

VERSUS

Pro. of Sindh & ors

-----

RESPONDENT

**AFFIDAVIT IN SUPPORT OF AFFIDAVIT IN SUPPORT OF PETITION**

Mr. Zakir Hussain Son of Muhammad Hashim Samoo, resident of House No.A-16 Al Mustafa Phase II Qasimabad Hyderabad., affirmed on oath before me at Karachi on this 31-JUL-2013 in the 'Identity Section' of this court.

Photograph of Deponent



Signature of Deponent

*Zakir Hussain*

CNIC: 41306-7067092-9

Cell No. 0300-3028075



*Sh*  
ASSISTANT REGISTRAR-IV  
AFFIDAVIT & IDENTITY BRANCH  
HIGH COURT OF SINDH

Original CNIC verified by Bar Code Reader

Photo taken at I.S.

Biometric Attendance done at I.S.

Video recording done at I.S.

CNIC verified through NADRA

Finger Prints verified through NADRA



Electronic Finger Print taken at I.S.

**COMMISSIONER FOR TAKING AFFIDAVIT**

Tag ID: 31071339475

No. of Affidavit :2/4

Cost received : Rs. 30

Printed on: 31-JUL-2013 at 12:13 pm

23

IN THE HIGH COURT OF SINDH AT KARACHI.

Presented on 1-8-2013

CP D-No. 3206 /2013

*[Signature]*

Deputy Registrar (Writ)

Zakir Hussain S/o Muhammad Hashim Samoo  
R/o A-16, Al-Mustafa Phase-II, Qasimabad,  
Hyderabad.....Petitioner

VERSUS

1. Province of Sindh  
through Chief Secretary Sindh  
at Karachi,
2. Secretary Health,  
Government of Sindh,  
at Karachi
3. Mrs. Sahar Afshan,  
Divisional Drug Inspector, presently posted  
at Hyderabad. .... Respondents

**CONSTITUTION PETITION UNDER ARTICLE 199  
OF THE CONSTITUTION OF ISLAMIC REPUBLIC  
OF PAKISTAN 1973**



*[Signature]*

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IN THE HIGH COURT OF SINDH, KARACHI  
CP No.D-3206 of 2013

Date \_\_\_\_\_ Order with Signature of Judge \_\_\_\_\_

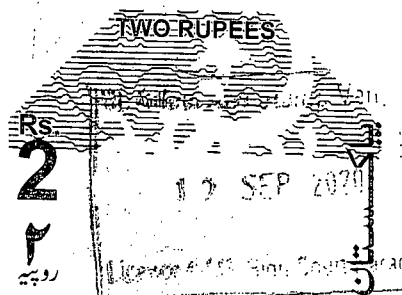
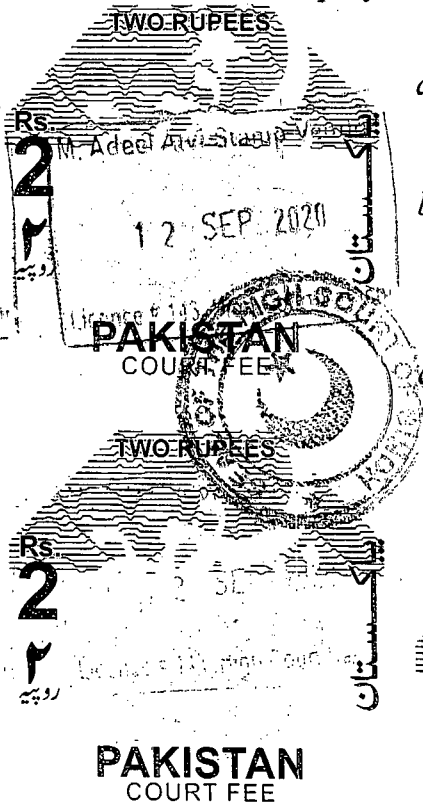
[Zakir Hussain v. Province of Sindh & Ors]

For Petitioner : Mr. Wazir Hussain Khoso  
For Respondent No.1&2 : Mr. Abdul Jalil Zubedi,  
AAG  
For Respondent No.3 : Mr. Ghulam Sarwar Thebo,  
Advocate  
Date of hearing : 11.08.2014

JUDGMENT

AZIZ-UR-REHMAN, J-- Through the instant Constitution Petition filed on 01.08.2013 under Article 199 of the Constitution of Islamic Republic of Pakistan 1973, the Petitioner has questioned the Notification dated 15.03.2013 [Annexure 'F' to the MoP] issued by Respondent No.2 whereby the Respondent No.3 viz Mrs. Sahar Afshan Memon, Senior Pharmacists [BPS-18] posted as Divisional Drug Inspector [BPS-18] at Hyderabad, was absorbed/inducted as Drug Inspector [BPS-18] with immediate effect. The prayers sought in the above petition reads as follows:-

- declare that the notification dated 15.03.2013 is illegal, void ab initio and has no legal force.*
- direct the Respondents No.1&2 to withdraw the notification dated 15.03.2013 whereby the Respondent No.3 was/is absorbed/inducted as Drug Inspector BS-18.*
- declare that the holding of office by Respondent No.3 as Drug Inspector is without legal justification and is against the provision of law and the fundamental rights guaranteed by the Constitution.*



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- d. *Suspend the operation of notification dated 15.03.2013 whereby the Respondent No.3 has been absorbed/inducted as Drug Inspector till the final disposal of the instant petition.*
- e. *Any other relief this Honourable Court may deem fit and proper in the circumstances of the case.*

2. The brief facts requisite for the disposal of this petition are :-

3. The Petitioner is a Drug Inspector [BPS- 17] and posted as Provincial Drug Inspector at Hyderabad vide Notification dated 07.12.2012. [Annexure 'B' to the MoP]. Subsequently, however, vide Notification dated 23.07.2013 [Annexure 'A' to the MoP] issued by Respondent No.2, the Petitioner was transferred with immediate effect & posted as Drug Inspector [BPS-17], District Tando Allahyar until further orders.

4. Initially, the Respondent No.3 was appointed as Pharmacist [BPS-16], however, the post of Respondent No.3 was up-graded/re-designated as Sr. Pharmacist in BPS-18 vide Notification No.SO [PM-1] Seniority [Pharmacists]/09 dated 24.02.2011. In terms of the aforementioned Notification [Annexure 'C' to the MoP] issued by Secretary Health, Health Department, Government of Sindh, the Respondent No.3 was promoted to the up-graded/re-designated post of Pharmacist [PBS-18] on regular basis with immediate effect till further orders.

5. Per assertions, under the Notification dated 24.01.1984 [Annexure 'D' to the MoP], the method of appointment and qualification/experience/age etc. for the post of Drug Inspector [BPS-17] and Pharmacist [BPS-16] amongst others in the Health Department have been fully specified.

6. Per Petitioner's stand, Respondent No.2, *inter alia* in utter disregard of the judgment of the Hon'ble Supreme Court of Pakistan, issued on 15.03.2013 a Notification bearing No.SOCI(H)S-32/2007 [Annexure 'F' to the MoP], whereunder the Respondent No.3, was absorbed/inducted as Drug Inspector in BPS-18 with immediate effect. Such Notification of absorption/induction, according to the Petitioner, is not only un-lawful but also against the

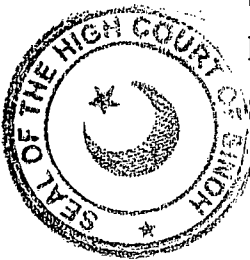


fundamental rights of the Drug Inspectors having been guaranteed under the Constitution of Islamic Republic of Pakistan, 1973, Act 1973 [Act XIV of 1973] and rules framed thereunder.

7. Upon service of notice, comments on behalf of Respondents No.2&3 have been filed on 28.10.2013 and 19.11.2013 respectively. In the comments so filed it has been averred that there exit no distinction in the job description and criteria for appointment of 'Drug Inspectors' and 'Pharmacists'. According to 'the Respondents' contention the Drug Inspector requires only one year experience in Drug Control Administration or in a Hospital of pharmacy. Respondent No.3, however, is a senior Pharmacist in BPS-18 having 18 years' experience as 'Pharmacist' as such in view of this position, she was absorbed/inducted by the competent authority/Chief Minister after observing all codal formalities. Such absorption/induction is in accordance with Paragraph 16 of the job description of Pharmacist.

8. Moreover, the performance of Respondent No.3 is also satisfactory as such was found entitled for the post of Drug Inspector [PBS-18]. The impugned Notification bearing No. SOCI(H)S-32/2007 dated 15.03.2013 [Annexure 'F' to the MoP], per Respondents' contention, besides being lawful has been validly issued by the competent authority/Chief Minister, Sindh, that is to say, in accordance with law and rules. Respondent No.3, is a qualified person, therefore, in terms of paragraph 16 of the job description [Annexure 'E' to MoP] she was absorbed/inducted as Drug Inspector [BPS-18]. The Petitioner, according to the Respondent No.3, is not a qualified person for the post of Drug Inspector [PBS-18] as per Rule 4 of the Sindh Drug Rules, 1979. The Notification No. SOCI(H)S-32/2007 dated 15.03.2013, according to respondent No.3's belief is lawful. In view of this position, the Petitioner is not entitled for any relief as claimed in the present Petition.

9. On 11.8.2014, when the above petition came-up before us we heard Mr. Wazeer Hussain Khoso, learned counsel for the Petitioner, Mr. Ghulam Serwar Thebo learned counsel for respondent No.3 and Mr. Abdul Jalil



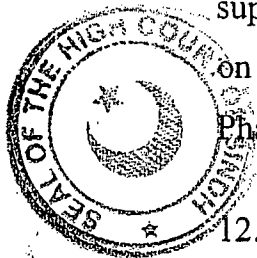




Zubedi learned A.A.G. and with their valuable assistance also scanned the available record before us.

10. Per learned counsel for the petitioner, Respondent No.3 was initially appointed as Pharmacist, however, she amongst other pharmacists was promoted to the post of Sr. Pharmacists [BPS-18] on regular basis vide Notification dated 24.02.2011. [Annexure 'E' to the MoP]. Notwithstanding such promotion, Respondent No.3, however, does not deserve and/or entitle to be absorbed/inducted as Drug Inspector [PBS-18]. Learned counsel for the Petitioner thus vehemently contended that the impugned Notification No. SOCI(H)S-32/2007 dated 15.03.2013 [Annexure 'F' to the MoP] whereby the Respondent No.3 was absorbed/inducted as Drug Inspector [BPS-18] is not only illegal but also against the spirit of law and judgment passed by the Honourable Supreme Court of Pakistan in the case of contempt proceedings against the Chief Secretary and others [2014 PLC (C.S.) 82]. The impugned Notification, is thus liable to be declared as illegal, void ab initio and of no legal effect.

11. Conversely, Mr. Ghulam Serwar Thebo, learned counsel for Respondent No.3 and Mr. Abdul Jalil Zubedi, learned AAG forcefully supported the aforesaid Notification No. SOCI(H)S-32/2007 dated 15.03.2013 on the basis and strength of *Paragraph 16* of the job description of Jr. Pharmacists i.e. working in Civil Hospitals and other hospitals in Sindh.



12. Heard.

13. For better understanding at this juncture, it would be advantageous to reproduce herein THE 'JOB DESCRIPTION OF JR. PHARMACISTS [BPS-16] WORKING IN THE CIVIL HOSPITALS AND OTHER MAJOR HOSPITALS IN SIND' as follows :-

1. *He shall be responsible to the Civil Surgeon/Medical Superintendent of the Hospital.*
2. *He shall be Incharge of the Pharmaceutical Stores and Dispensing Section of the Hospital and shall be responsible for maintenance of their record and Book Keeping.*

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3. He shall supervise the working of all those dealing with/handling the Pharmaceuticals such as Nursing Staff and Dispensers and shall be responsible for maintenance and supply of the Pharmaceuticals to all the Services.
4. He shall supervise the dispensing of Drugs, Chemicals and all pharmaceutical preparations.
5. He shall supervise the filling and labeling of all Drug Containers, issued to services from which medications are to be administered.
6. He shall carry out inspection of all pharmaceutical supplies to all Hospital Services.
7. He shall be responsible for maintenance of approved stocks of antidotes and other emergent and life saving drugs.
8. He shall be responsible for dispensing of all narcotic drugs and maintenance of their perpetual inventory.
9. He shall prepare and submit Annual requirement of Drugs and medicines from the approved Hospital formulary, keeping budgetary allocation in view from time to time to the Administration of the Hospital.
10. He shall assist the Administration in preparation of specifications as to quality and source for purchase of all the Pharmaceuticals.
11. He shall be responsible for production of the requisite record to the auditors of Health Directorate and of the office of Accountant General for the purpose of audit, whenever conducted.
12. He shall assist the administration in teaching the paramedics and others as and when required.
13. He shall prepare the periodical reports required by the Hospital and higher ups and submit to the Administrator of the Hospital.
14. He shall maintain Hospital formulary and up-date from time to time.
15. He shall report to the Administrator regarding fast moving, slow moving drugs and drugs nearing expiry date.



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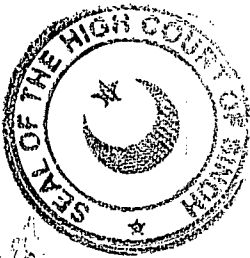
16. He shall perform any other duty relevant to his job and when assigned by the Health administration. [Underlining is ours].

14. From bare perusal of the 'Job Description' reproduced hereinabove, it is crystal clear that even *Paragraph No.16* does not permit Respondents No.1&2 to change the cadre of the Respondent No.3 and absorb/induct her as Divisional Drug Inspector [PBS-18]. Divisional Drug Inspectors [PBS-18] are appointed by promotion from amongst Drug Inspectors having at least 5 years' service in PBS-17 or length of service as prescribed by government from time to time. In view of this position paragraph 16 besides being irrelevant does not protect the alleged stand taken by the Respondents.

15. To appreciate the contention of the learned counsel for the parties we would like to reproduce herein the impugned Notification No. SOCI(H)S-32/2007 dated 15.03.2013 as under :-



"GOVERNMENT OF SINDH  
HEALTH DEPARTMENT  
Karachi dated 15<sup>th</sup> March 2013



NOTIFICATION

No.SOCI(H)S-32/2007:- With the approval of Competent Authority i.e. Chief Minister, Sindh, Mrs. Saher Afshan Memon, Senior Pharmacist (BS-18) presently posted as Divisional Drug Inspector (BS-18), Hyderabad is hereby absorbed/inducted as Drug Inspector (BS-18) with immediate effect. [Underlining is ours].

II

She is allowed to continue to work as Divisional Drug Inspector, Hyderabad till further orders.

SECRETARY TO GOVT. OF SINDH

NO.SOCI(H) S-32/2007

Karachi dated the 15<sup>th</sup> March 2013

16. Moreover, the Notification No.SOVIII/8-614/83 dated 24.01.1984 issued by Secretary Health, Health Department, Government of Sindh [Annexure 'D' to the MoP] specifies the method/qualification and other requisite conditions for the appointment to the various posts in Health Department including Drug Inspectors [BPS-17] and Junior Pharmacists/Pharmaceutical chemist [BPS-16]. In terms of the Notification herein below the Drug Inspector as well as Junior Pharmacist/Chemical Chemist are appointed by initial recruitment. The relevant Notification dated 24.01.1984 and requisite specifications therefrom for the post of 'Drug Inspector' and 'Junior Pharmacists/ Pharmaceutical Chemist' therefrom reads as follows :-

**"GOVERNMENT OF SINDH  
HEALTH DEPARTMENT**

**NOTIFICATION**

*NO.SOVIII/8-614/83: In pursuance of sub-Rule(2) of Rule 3 of Sind Civil Servants (Appointment, Promotion and Transfer) Rules 1974, and with the concurrence of the Services and General Administration Department and Sind Public Service Commission, the method/qualification and other conditions for appointment to the various posts in Health Department, shall be specified as below :-*

S.No	Name of the Post and Basic Pay Scale	Method of Appointment	Minimum Academic Qualification/ Experience necessary for appointment to the post.	Age Limit For Appointment- By initial Recruitment Min:Max.
1.	...	...	...	...
2.	...	...	...	...
3.	...	...	...	...
4.	...	...	...	...
5.	Drug Inspector BPS-17	By initial Recruitment	B. Pharmacy with one year's experience in the manufacture, sale, testing or analysis of drugs/or in Drug Control Administration or in Hospital Pharmacy.	21 : 30
6.	Junior Pharmacist / Pharmaceutical Chemist BPS-16	By initial Recruitment	B. Pharmacy	21 : 30



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DR. M. ARSHAD MALIK  
SECRETARY HEALTH

NO.SO.VIII/8-614/83 Pt.I

Karachi, dated the 24 Jan., 1984

17. Per the aforesaid Notification dated 24.1.1984 the minimum academic qualification/necessary experience for the initial appointment to the post of Drug Inspectors [BPS-17] is B. Pharmacy with one year's experience in manufacture, sale, testing or analysis of Drugs Control Administration or in Hospital Pharmacy. As far as the qualification for the initial appointment to the post of Jr. Pharmacists/ Pharmaceutical Chemist [BPS-16] is concerned, it is B-Pharmacy without any requisite experience.

18. As far as the appointments to the post of Divisional Drug Inspectors [BPS-18] is concerned, it is worth to note that the Secretary Health, Health Department, Government of Sindh has issued a Notification dated 16.12.1984 [Page 23 of the Court file] whereunder the appointment of Divisional Drug Inspector [BPS-18] is to be made by promotion from amongst Drug Inspectors with atleast of five years' service in BPS-17 or length of service as prescribed by Government of Sindh from time to time. The relevant part of the aforesaid Notification dated 16.12.1984 is reproduced as below:-



"NOTIFICATION"

*Civil Servants (Appointment, Promotion and Transfer) Rules, 1974 and with the concurrence of the Services & General Administration Department and Sind Public Service Commission, the method/qualification and other conditions for appointment to the post of Divisional Drug Inspector, BPS-18 in the Health Department, are hereby specified as below:-*

Sr. No.	Name of the post & pay scale	Method of Appointment	Minimum Academic Qualification/ Experience for appointment to the post	Age limit for appointment by initial recruitment Min : Max
1.	Divisional Drug Inspector	<u>By Promotion from amongst Drug Inspector having</u>	-	-

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	BPS-18	<u>atleast 5 years service as such in BPS-17 or length of service as prescribed by the Government from time to time [Underlining is ours].</u>		
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PROF: M. SALEH A. MEMON  
SECRETARY HEALTH

NO.S.O.VIII/8—787/84

Karachi, dated, the 16 Dec, 1984

19. Notwithstanding the above, in the Summary placed before the worthy Chief Minister a request for the change of cadre of the Respondent No.3 from the post of Sr. Pharmacists [BPS-18] to Divisional Drug Inspector was made and thereafter, approved by the Chief Minister, Sindh on 13.3.2013. The summary for the Chief Minister reads as follows:-



"GOVERNMENT OF SINDH  
HEALTH DEPARTMENT

### SUMMARY FOR CHIEF MINISTER SINDH

SUBJECT:- REQUEST FOR CHANGE OF CADRE FROM SENIOR PHARMACIST INTO DIVISIONAL DRUG INSPECTOR

On an application submitted by Mrs. Saher Afshan Memon, Senior Pharmacist (BS-18), Health Department, presently posted as Divisional Drug Inspector, Hyderabad for change of cadre from Senior Pharmacist (BS-18) to Divisional Drug Inspector, the Honourable Chief Minister, Sindh has been pleased to pass the following orders (Annexure-I):-

"If there is no distinction in the job description,  
The request may be allowed"

Sd/-

13.03.2013

Chief Minister, Sindh

2. In her application Mrs. Saher Afshan Memon has submitted that she has eight years experience of working in the Drug Inspectorate, Health Department. She has further submitted that the qualification and nature of job for the post of Drug Inspector and Pharmacist are same. Besides, at present, she is posted as Divisional Drug Inspector, Hyderabad. [Underlining is ours].

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3. It is submitted that there is no distinction in the job description of the post of Drug Inspector (BS-18) and Senior Pharmacist (BS-18) in Health Department, Government of Sindh. Beside, for both the posts the requisite qualification is B-Pharmacy. Thus, Mrs. Saher Afshan Memon, fully qualifies for the post of Drug Inspector (BS-18).

4. In view of the above position, Mrs. Saher Afshan Memon, Senior Pharmacist (BS-18) presently posted as Divisional Drug Inspector, Hyderabad may be absorbed/inducted as Drug Inspector (BS-18) and she may be allowed to continue against the post of Divisional Drug Inspector, Hyderabad.

5. The Chief Minister Sindh is requested to approve the proposal para-4 above.

Sd/- 14/03/13  
(DR. SURESH KUMAR)  
SECRETARY HEALTH

CHIEF SECRETARY, SINDH

Para 4 may be approved  
Sd/- 14/3/13

CHIEF MINISTER, SINDH

C.S.

Sd/-

SECY (S)

Sd/-14/3"

20. Consequently, the cadre of Respondent No.3 viz. Mrs. Sahar Afshan Memon was changed from Senior Pharmacist [BPS-18] to Drug Inspector [PBS-18] evidently in violation of Summary and Notification dated 16<sup>th</sup> December, 1984 reproduced hereinabove.

21. So also Rule 4 of the Sindh Drugs Rules, 1979 does not cover the case of Respondent No.3. Rather it supports the stand taken by the Petitioner. Being relevant Rule 4 of the Sindh Drugs Rules, 1979 [Annexure 'A' to the Comments/Written reply of Respondent No.3] is reproduced here-in-below :-

"[4. **Qualification of Inspectors and Analyst.**—(1) No person shall be appointed as Inspector unless he possesses a degree in Pharmacy from a Pakistani University or any other institution recognized by the pharmacy Council of Pakistan and has at least one year's experience in the manufacture, sale, testing or analysis of drugs or has worked at least for the same period in the drug control administration or a hospital or Pharmacy.

(2) No person shall be appointed an Analyst he possesses a degree in Pharmacy from a Pakistan University or any other institution



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*recognized by the pharmacy Council of Pakistan and has at least five year's experience in the manufacture, testing and analysis of drugs or has worked at least for the same period in the drug control administration;*

*Provided that if a person of the above qualification is not available, a person possessing a degree in Medicine or possessing Master's degree in Pharmaceutical Chemistry or Microbiology or Pharmacology with five year's experience in testing of drugs and medicine may be appointed as inspector or Analyst;*

*Provided further that the person holding the posts of Inspector or Analyst immediately before the coming into force of these rules shall, notwithstanding the above qualifications or experience continue to hold such posts.]”*

22. Manifestly, the above rule speaks about Inspector and Analyst and does nothing with Divisional Drug Inspectors and/or Drug Inspectors [BPS-18]. It is significant to note that the Sindh Civil Servant Act, 1973 [Act XIV of 1973], under Section 5 thereof provides mode of appointments. In order to carry out the purpose of the Act 1973, Rules have also been framed under Section 26 of the said Act of 1973 [Act XIV of 1973] by Sindh Government. The Rules so framed are called Sindh Civil Servants [Appointment, Promotion and Transfer] Rules, 1974. The procedure provided for appointments of civil servants under the Rules so framed are:-

*“(i) Recruitment by initial appointment, (ii) Appointment by promotion and (iii) Appointment by transfer. 'Absorption' itself is an appointment by transfer and could only be made under Rule 9A of the Rules of 1974.”*

23. No doubt 'absorption' by itself is an appointment by transfer under Rule 9-A of Sindh Civil Servant [Appointment, Promotion & Transfer] Rules, 1974, however, subject to certain conditions i.e. if a person, who has been rendered surplus on account of abolition of his post in any office or Department of the government or autonomous body and or on account of permanently taking over of the administration of such autonomous body wholly or partially by the Government, can be appointed by transfer to any post in a Department or office in the Government subject to (i) he possesses such qualifications as laid down under Rule 3(2) for appointment to such post, (ii) he shall be appointed to a post of equivalent or comparable scale and in case, if such post is not available then to a post of lower scale and (iii) his seniority shall be reckoned from the date of appointment in that cadre with a





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further rider that his previous service, if not pensionable, shall not be counted for pension and gratuity.

24. Bare perusal of the above would show that absorption of respondent No.3 vide Notification No. No. SOCI(H)S-32/2007 dated 15.03.2013 [Annexure 'F' to the MoP] does not fall within the specified criteria. Manifestly, it is not the case of Respondent No.3 that either she has been rendered surplus or otherwise, she possesses the requisite qualification.

25. Moreover in terms of Notification No.SOVIII/8-614/83 dated 24.01.1984 [Annexure 'D' to the MoP] Junior Pharmacist/Pharmaceutical Chemist [BPS-16] is required to be made by initial recruitment. The requisite 'academic qualification' is B-Pharmacy only. The 'minimum' age limit is 21 years and maximum age limit is 30 years. Likewise, Drug Inspector [BPS-17] is also appointed by initial recruitment. The requisite academic qualification for Drug Inspector is B-Pharmacy with one years' experience in the manufacture, sale, testing or analysis of drug in drug control administration or in hospital pharmacy. Evidently, under the aforesaid Notification dated 24<sup>th</sup> January, 1984, for the initial appointment of Drug Inspector BPS-17 one year's experience is also necessary. However, such experience in the case of Pharmacist/Pharmaceutical Chemist is not necessary. In view of this position, even the criteria for the appointment of Drug Inspector and Pharmacist is different.



The Civil Servants as being citizen of Islamic Republic of Pakistan manifestly under the mandate of the Constitution of the Islamic Republic of Pakistan, 1973 have been guaranteed their fundamental rights. Per Article 4 of the Constitution of Pakistan mandates that no person could be prevented from or be hindered in doing that which is not prohibited by law. All citizens of Pakistan are not only entitled to enjoy equal of protection of law but also to be treated in accordance with law which of course, is their in-alienable right. The Sindh Civil Servant Act [Act XIV of 1973] under the command of Articles 240 and 242 of the Constitution of the Islamic Republic of Pakistan, 1973 and the rules framed pursuant to Section 26 of the said Act also provide and ensure the full protection to all civil servants viz-a-viz their rights.

27. Besides, any law passed by the Parliament, Provincial Assemblies and/or Notifications/Circulars having been issued by any authority is subject to the Constitution of Pakistan, 1973. The phrase "subject to Constitution" having been used as pre-fix to Article 240 is of great importance. In fact such phrase "subject to Constitution" imports the idea that the Assemblies cannot legislate law much-less against the service structure as provided in Part XII of Chapter I of the Constitution of Islamic Republic of Pakistan, 1973. Moreover, as being citizen of Pakistan a civil servant is also fully protected under Article 9 of the Constitution of Pakistan, 1973. Of course, a citizen cannot be deprived of his 'right of reputation' and 'status'. The term 'life' and 'liberty' as used in Article 9 of the Constitution of Pakistan, 1973 is of very significance and covers all facets of human existence. No doubt, the term 'life' also includes 'reputation', 'status' and all other ancillary privileges.

28. The 'absorption'/'induction' of Respondent No.3 by changing her cadre as Drug Inspector [BPS-17] has not only deprived the other civil servants including the Petitioner of their seniority and progression of career. If such kind of meritless absorption of an employee from 'non-cadre' post to 'cadre' post is allowed then practically it would cease differentiations that being existed between various cadre posts and services. The Civil Servant Act [XIV of 1973] and Rules framed thereunder which provide transparency in the process of in appointments, no doubt, would also disappear, if such meritless practice of promotions/absorption is allowed. A civil servant on 'non-cadre' post could not be transferred and absorbed to a 'cadre' post without fulfilling and honestly observing the pre-requisites of the competitive process provided under the law and rules. Indeed, such kind of practice, if allowed, would encourage corrupt culture of like, dis-like and bad governance. The prestige, honour, status, reputation and integrity of a civil servant ought to be maintained by observing the law and rules in its' letter and spirit. On this aspect of the matter I would like to refer to the case of **Syed Mehmood Akhtar Naqvi and others v. Federal of Pakistan and others [PLD 2013 SC 195]** wherein the Hon'ble Supreme court of Pakistan has observed as follows:-

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"10. It is worth noting that the Constitution of 1956 and 1962 contained chapters outlining certain safeguards for the civil services. In the 1973 Constitution, the framers omitted a similar chapter from the Constitution and shifted the onus to ordinary legislation. The Law Minister at the time, who was steering the Constitution Bill informed the Constituent Assembly that in the past, constitutional protection for civil servants had been granted "because those who served came from outside and they needed these protections in respect of service". However, since now "this country [was] being run by the leaders of the people" such protections were no more deemed necessary. The purpose of this change therefore, was to "[break] away from the past colonial traditions" and to emphasize the point that civil servants were not entitled to "any superior or higher status" compared to other citizens. Another reason the Law Minister gave was that the "Constitution is the basic document providing the fundamentals and this matter was not so fundamental as to be provided in the Constitution." (Parliamentary Debates, 31st December, 1972 and 19th February, 1973). It was therefore decided that, as stated in Articles 240, 241 and 242 of the Constitution, the matter would be dealt with through statutes. Such statutes were subsequently passed and include the Civil Servants Act, 1973. It may be emphasized that whatever else the intent behind these changes may have been, it could not have been meant to subjugate of civil servants to constantly changing political imperatives. The intent of the Constitution cannot but be a fuller realization of the goal set out in the speech of the country's founding father quoted earlier: " fearlessly, maintaining [the] high reputation, prestige, honour and the integrity of [the civil] service." [Underlining is ours].

29. Needless to say no action can be taken which adversely affects the terms and conditions of a civil servant i.e. the tenure of their employment; the pay and grade earned by them through years of labour and hard work; the right to promotion including the legitimate expectancy of future advancement in their respective careers; the retirement benefits such as pension, the gratuity and provident funds etc. and all other relevant terms and conditions provided under the Act, 1973 and rules/regulations framed thereunder. A civil servant is fully protected under Article 9 of the Constitution of Islamic Republic of Pakistan, 1973 thus in no event can be deprived of his fundamental rights in violation of law and rules.



30. The gist of the above discussion is that the absorption/induction of the Respondent No.3 as Drug Inspector [BPS-18] and her posting as Divisional Drug Inspector [BPS-18] by changing her cadre from Pharmacist to Drug

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Inspector [BPS-18] vide Notification No.SOCI(H)S-32/2007 [Annexure 'F' to the MoP] besides illegal, unlawful, void ab initio is against the fundamental rights of the Drug Inspectors including the Petitioner. Accordingly the same is declared as illegal and of no legal force.

31. The petition stands disposed of and the office objections stand over-ruled.

Karachi

Dated: 25 .08.2014

Sd/- Asiz-ur-Rahman  
Judge  
Sd/- Syed Hasnain Zahar Rizvi  
Judge



CERTIFIED TO BE TRUE COPY

APPLY APPLIED FOR ON 26-01-2014  
FEES ESTIMATED ON 28-01-2014  
ESTIMATED FEES DEPOSITED ON 28-01-2014  
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107/30  
SP.No-3546/2021

*Case*

39

**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**PRESENT:**  
**MR. JUSTICE AMIR HANI MUSLIM**  
**MR. JUSTICE QAZI FAEZ ISA**

**CIVIL PETITION NO. 327-K OF 2014**  
(On appeal from the judgment/order dated  
15.08.2014 in CP No. D-3206/2013 passed by  
the High Court of Sindh, Karachi)

Mrs. Sahar Afshan ..... Petitioner

Versus

Province of Sindh through Chief Secretary & others  
..... Respondents

For the Petitioner : Mrs. Abida Perveen Channer, ASC  
Mr. Ghulam Qadir Jatoy, AOR

For the Respondents : Mr. M. Sarwar Khan, Addl. A.G.  
Mr. Sohail Qureshi, Addl. Secretary.

Date of Hearing : 4<sup>th</sup> February 2015

**ORDER**

**AMIR HANI MUSLIM, J.** During hearing of the matter a notification dated 3<sup>rd</sup> February 2015 has been placed before us in which the Secretary Health has ordered repatriation of the petitioner, who is Senior Pharmacist in BS-18 and was working as Drug Inspector in Hyderabad, to his parent wing.

2. The background of this case is that this Court by its judgment dated 12<sup>th</sup> June 2013 in the case of Contempt Proceedings against the Chief Secretary, Sindh and others (2013 SCMR 1752) has ordered that all those civil servants who were absorbed in the different wings and/or departments against the recruitments rules, shall be repatriated and absorption of the nature was declared violative of the Constitutional provisions. Three weeks time was granted to the Sindh Government to comply with the judgment. The

**ATTESTED**

Senior Court Associate  
Supreme Court of Pakistan  
Karachi.

*[Signature]*

*[Signature]*

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Sindh Government sought extension of time for compliance of judgment for a few police officers. In the said application it was stated that the judgment in letter and spirit has been complied with by the Sindh Government. Since I was Member of the Bench I recalled that thirty days time was granted. A review was filed by the Sindh Government which too was dismissed by the judgment of this Court on 5<sup>th</sup> January 2015. In the intervening period, the petitioner who was absorbed against the recruitment rules as Drug Inspector continued to hold that office.

3. On 1<sup>st</sup> August 2013 a Constitution Petition was filed before the Sindh High Court challenging the office of the petitioner as Drug Inspector on the ground that she was a Pharmacist and initially recruited as such and cannot hold the office of the Drug Inspector. This petition was heard and by the impugned judgment dated 25<sup>th</sup> August 2014 the Petitioner was ordered to be repatriated to Health Wing as Pharmacist. The Petitioner preferred this Civil Petition for Leave to Appeal before this Court. The judgment of the High Court also holds the field, but the petitioner continued as Drug Inspector. On 3<sup>rd</sup> February 2015 this Court had ordered repatriation of the petitioner and today a Notification of 3<sup>rd</sup> February 2015 has been placed before us where the Petitioner has been ordered to join her parent Wing as Senior Pharmacist.

ATTESTED

  
Senior Court Associate  
Supreme Court of Pakistan  
Karachi.

4. We enquired from the Additional Secretary as to how the petitioner continued to be retained as Drug Inspector. We have been informed that on 2<sup>nd</sup> September 2014 the Petitioner was repatriated, but on 23<sup>rd</sup> December 2014 she was reposted as Drug Inspector Hyderabad under the orders of Secretary Health Alamuddin Bullo and continued in that office. We take serious exception that in spite of the judgment of this Court and thereafter



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the judgment of the High Court, the petitioner continued in the office as Drug Inspector and the then Secretary Health Alamuddin Bullo in willful defiance has posted her. Prima-facie a case of contempt is made out, therefore issue show cause notice to Alamuddin Bullo, the then Secretary Health calling upon him to submit his explanation as to why he willfully defied the judgment of this Court dated 12<sup>th</sup> June 2013 and dated 5<sup>th</sup> January 2015 by reposting the Petitioner after her repatriation as Drug Inspector Hyderabad. Office is directed to make a separate file as Criminal Original Petition and fix the proposed contempt proceedings against Mr. Alamuddin Bullo the then Secretary Health in the Next Session.

5. As far as the present petition is concerned, the absorption has already been decided in the case of Contempt Proceedings against the Chief Secretary, Sindh and others (2013 SCMR 1752), therefore, this petition has no merit which is dismissed and leave to appeal is declined.



Karachi  
4.2.2015  
(Zulfiqar)

*[Handwritten signature]*

Not Approved for Reporting

*8/11/15 Hon. Justice - O*  
*8/11/15 Justice - D*

**CERTIFIED TO BE TRUE COPY**  
*[Signature]*  
Senior Court Associate  
Supreme Court of Pakistan  
Karachi

Case No ..... CP-327-K/2014  
Date of presentation ..... 2-4-2015  
No. of words ..... 800  
No. of Folios ..... 12  
Requisition Fee Rs. ..... 400  
Copying Fee in ..... 500  
Court Fee stamps .....  
Date of completion of copy ..... 4-2-2015  
Date of delivery of copy ..... 11-3-2015  
Compared by / Prepared by .....  
Received by ..... *Messiah Sind*

42

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated, Peshawar, the 15-10-2012.

**NOTIFICATION.**

**No.SO(D)Health/3-8/2012/Duties/Pharmacists.** The Provincial Government of Khyber Pakhtunkhwa, in substitution of duties of Hospital Pharmacists assigned earlier vide letter No. even, dated 27-03-2001, is pleased to re-assign the duties/job description to Hospital Pharmacists at different levels in Health Department of the Province as under and with immediate effect.

**A). PRINCIPAL PHARMACIST (BPS-20)**

**i) Administrative duties and responsibilities.**

The Principal Pharmacist shall possess overall administrative control of the Pharmacy Department of the Hospital and shall be answerable to the Head of the Hospital/Institution regarding pharmacy services. He shall ensure performance of assigned duties of all pharmacists working in different disciplines/areas of the Teaching Hospitals. The following shall be his/her administrative duties/responsibilities.

01. The Principal Pharmacist shall;
  - a) Have principal/directive role.
  - b) Conduct developmental programs to strengthen the pharmacy/pharmaceutical services.
  - c) Allocate the duties/responsibilities/assignments to the staff working in pharmacy department.
  - d) Generate the progress report of pharmacy department and communicate it to the Head of Institution as well as to the Health Department on Provincial level.



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e) Have all official correspondence with the Health Department.

- 02. He/She shall attend, where required, meetings with administration of the institution and govt. /other departments at Federal/Provincial level outside the institution.
- 03. He/She shall be responsible to plan and organize the implementation of the policy/procedure in accordance with the established policies of the hospital/government for the procurement, receiving, storage and distribution of drugs and maintenance of inventory.
- 04. As a member of the Senior Management Team, he/she shall be responsible for delivering integrated, safe, legal and high quality pharmaceutical services within the hospital.
- 05. He/She shall provide positive and inspirational leadership to the team of pharmacists, technicians/supporting staff and shall deliver expert advices on pharmaceutical matters to ensure that safe and modern medicine management services are provided to the patients.
- 06. He/She shall be the secretary/member of the "Pharmacy and Therapeutic Committee" of the hospital. He shall manage/convene meetings of the Committee with approval of the Chairman of the Committee, shall record minutes and implement the decisions of the meetings.
- 07. He/She shall make a round with head of the institution (Chief Executive/Medical Superintendent) to check the dispensing of required drugs as per policy and rationality of the prescription.
- 08. He/she shall also evolve the professional mechanism and policy for the drugs procurement/dispensing and distribution to the admitted and ambulatory patients.
- 09. He/She shall coordinate with the administration of the hospital in the implementation of entry card policy of the government for

*Basir Ahmad*

medical representatives in order to rationalize drugs marketing in the hospital.

10. He/She shall assign any special duty to the subordinate pharmacists and other staff working in pharmacy in the best interest of the department and patients.
11. He/She shall establish the Satellite Pharmacy Chain System in the hospital's setting to facilitate the safe drugs use.

ii) **Professional duties and responsibilities.**

01. Principal Pharmacist shall prepare and maintain the hospital formulary/approved drugs list and recommend timely addition/deletion of drugs after consultation with different consultants of the hospital.
02. He/She shall be responsible for rational procurement of drugs/disposables from the hospital approved budget in different heads of accounts and shall make a demand of funds as and when required.
03. He/She shall prepare written guidelines/SOPs for safe drugs use within the hospital, prepare drugs bulletins and implement hospital regulation.
04. He/She shall be responsible for all the matters pertaining to drugs selection, procurement, distribution, etc and shall establish clinical pharmacy services at ward level through a team of Pharmacists/Senior Pharmacists.
05. He/she shall ensure procurement of quality drugs and shall send samples for test/analysis to the Drugs Testing Laboratory through the Drug Inspector concerned to ascertain legal actions against manufacturers of spurious/substandard drugs or any other contravention of the Drugs Act, 1976.
06. He/She shall prepare and facilitate a rational and economic drugs

*Prof. A. S. S. S.*

therapy to the patients during selection, procurement and distribution of drugs.

- 07. He/She shall establish Drug & Poison Control Center and Drugs Information Center in the hospital with internet/online facility for the provision of informations on adverse drug reactions, drug interactions etc to the public and medical professionals, round the clock.

**iii) Teaching & Research Duties**

*Asif Ahmad*

- 01. Principal Pharmacist shall facilitate teaching and training activity of pharmacy (Pharm-D/B. Pharm) students, pharmacy internees and other staff, related to pharmacy services.
- 02. He/She shall keep a liaison with physicians, nurses and other health care professionals to ensure the delivery of safe, effective and economic drugs to the patients.
- 03. He/She shall brief the clinicians, chief executive/medical superintendent on setting up the clinical trials and evaluation of new drugs/medications for safety and efficacy, for the individual patient's need.
- 04. He/She shall be responsible for teaching, holding seminars and symposiums for Continuous Medical Education of the Pharmacists.
- 05. He/She shall perform any other duty, assigned by the Competent Authority.

**Note:-** The ACR of Principal Pharmacist shall be initiated by the Chief Executive of the institution and countersigned by the Secretary Health, Govt. of Khyber Pakhtunkhwa.

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**B). CHIEF PHARMACIST (BPS-19)**

**i) Administrative duties and responsibilities**

01. Chief Pharmacist shall be answerable to the Principal Pharmacist towards his/her duties for smooth running of the Pharmacy Department. He/She shall assist the Principal Pharmacist in administrative affairs of the Pharmacy Department as and when assigned by the Principal Pharmacist.
02. He/She shall be responsible for all the duties and responsibilities of the Principal Pharmacist when he/she is on leave or if the post of the Principal Pharmacist does not exist in the institution.
03. He/She shall consult the Principal Pharmacist on matters of the Main Pharmacy i.e. drugs storage, distribution and record keeping etc and shall execute all the relative policies and guidelines in this regard, passed by the Principal Pharmacist.

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**ii) Professional duties and responsibilities**

01. Chief Pharmacist shall supervise/coordinate the working of all the professionals such as registrars, nursing staff and dispensers etc who deal with the drugs & other pharmaceuticals and shall be responsible for smooth maintenance of the supply of medicines & pharmaceuticals to all services areas of the hospital.
02. He/She shall be responsible for matters pertaining to the Main Pharmacy i.e. drugs storage, distribution and record keeping etc.
03. He/She shall assist the Principal Pharmacist in proceedings of the Pharmacy and Therapeutic Committee of the hospital.
04. He/She shall consolidate and prepare a demand of drugs/surgical disposables and all other pharmaceuticals needed for the institution in consultation with the consultants and head of the units and shall monitor the utilization and distribution of drugs

and submit a detailed report to the Principal Pharmacist.

05. He/She shall manage within the institution, the execution of approved relative policy and be responsible for the provision of drugs/surgical disposables to the Bait-ul-Mal/Zakat patients and will look after the Prime Minister's Program or any other special program launched time to time by the Govt. for the control of different diseases as per laid down policy and procedure.
06. He/She shall verify all the supplies received and forward all the bills/invoices to the Principal Pharmacist for onward submission to the Medical Superintendent/Finance Director/DDO of the hospital for payment.
07. He/She shall manage the drugs recall system for those drugs which are declared un-satisfactory or sub-standard by the drug testing laboratory and shall be responsible for monitoring the ADRs/interactions etc.
08. He/She shall conduct a periodical physical verification of the drugs in the main pharmacy/sub-pharmacies and wards of the hospital and shall also supervise proper entries of the delivered drugs at these levels and shall implement an efficient drugs distribution system.
09. He/She shall ensure that the supplied stocks of medicines are properly labeled as per Drugs Act, 1976 and all other conditions of the contract and Govt. policy are necessarily observed. Verification shall be carried out on the warranty to ascertain that the Rules of the Govt. are not contravened.
10. He/She shall be responsible for the control and maintenance of approved stocks of Narcotics, their dispensing and proper record keeping.
11. He/She shall observe and maintain a policy to carry out a proper check system at every stage of drugs dispensing processes.

*Muhammad Aslam*

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iii) Teaching & Research.

01. Chief Pharmacist shall be an important pillar in the clinical pharmacy practice and medicine information services/poison control services.
02. He/She shall assist the Principal Pharmacist to brief the clinicians, on setting up the clinical trials and evaluation of new drugs/medications for safety and efficacy, for the individual patient's need.
03. He/She shall perform any other duty, assigned by the hospital administration.

**Note:-** The ACR of Chief Pharmacist shall be initiated by the Principal Pharmacist and countersigned by the Chief Executive of the institution. In institution where the post of Principal Pharmacist does not exist, the ACR of Chief Pharmacist shall be initiated by the Medical Superintendent & countersigned by the Chief Executive of the institution/Director General Health Services, Khyber Pakhtunkhwa.

**C). SENIOR PHARMACIST (BPS-18)**

01. Senior Pharmacist shall be responsible for all the duties and responsibilities of the Principal Pharmacist/Chief Pharmacist in health care facility where the post of Principal Pharmacist/Chief Pharmacist does not exist.
02. He/She shall report to Chief Pharmacist in performance of the professional duties in Teaching Hospitals.
03. He/She shall supervise the satellite pharmacies in his/her respective area i.e. medical and allied units or surgical and allied units or operation theatre satellite pharmacy or outdoor satellite pharmacy in the hospital's setting.

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04. All the Pharmacists shall report to the Senior Pharmacist of their respective area in terms of duties as per standing SOPs of the Pharmacy Department.
05. He/She shall ensure the maintenance and proper issuance of drugs, surgical disposables and suturing materials etc to the patients from the respective satellite pharmacies and shall also supervise and ensure their inventory/record.
06. He/She shall be responsible for floor stock checking of medicines/surgical disposables and shall submit a report to the Principal Pharmacist through Chief Pharmacist.
07. He/She shall ensure the proper issuance of drugs or available drugs of the same formula to the OPD patients as per SOPs on proper prescription of a doctor, in outdoor satellite pharmacy.
08. He/She shall scrutinize the demand for LP from his/her work area, submitted by the Pharmacist and shall forward to the Chief Pharmacist for further sanction/approval by the Principal Pharmacist/Medical Superintendent.
09. He/She shall be involved in monitoring and reporting of ADRs/interactions and shall prepare clinical efficacy report of different drugs in coordination with the area Pharmacist and ward consultant for record.
10. He/She shall establish and run the clinical pharmacy service and shall be involved in preparation and monitoring of TPN Program in wards/units.
11. He/She shall check and supervise the stocks received in the satellite pharmacy and/or main pharmacy and shall ensure that their expense is properly carried out.
12. Senior Pharmacist shall perform any other duty, assigned by the hospital administration.

**Note:-** The ACR of Senior Pharmacist shall be initiated by the Chief Pharmacist and countersigned by the Principal Pharmacist of the institution. In case of unavailability of Principal Pharmacist, the ACR of Senior Pharmacist, initiated by the Chief Pharmacist shall be countersigned by the Chief Executive

of institution and in case of unavailability of the Chief Pharmacist, the ACR of Senior Pharmacist shall be initiated by the Principal Pharmacist and countersigned by the Chief Executive of the institution. In institution where both the Principal Pharmacist & Chief Pharmacist are not available, the ACR of Senior Pharmacist shall be initiated by the Medical Superintendent and countersigned by the Chief Executive of the institution/ Director General Health Services, Khyber Pakhtunkhwa.

**D). PHARMACIST (BPS-17)**

Pharmacist is the integral part of the Pharmacy Department and shall perform duties under the supervisory control of Head of the Pharmacy Department. Pharmacist shall work as an incharge of different satellite pharmacies, wards/units, main pharmacy, outpatient department or accident & emergency services department pharmacies in the hospital's setting for better drugs delivery to the patients. He/She shall perform the following duties.

01. At district/tehsil level hospital where the higher grade posts of the pharmacist cadre do not exist, Pharmacist shall be the overall incharge of the Pharmacy and shall perform all such duties of Principal/Chief/Senior Pharmacists, where applicable. He shall be answerable to the Head of the Hospital regarding pharmacy matters.
02. In the secondary and tertiary/teaching health care facilities, the Pharmacist shall be responsible for the availability of drugs/surgical disposables in wards/units of his/her area and shall supervise their distribution and dispensing to the inpatients/outpatients.
03. He/She shall provide advice/counseling on medicines to the individual patients, particularly those who require complex drugs therapy.
04. He/She shall ensure that the drugs received at pharmacy on daily



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LP basis/regular basis, meet all the specifications i.e. required brand etc and check that these are properly stamped/labeled under the law and entered in the LP book/receipt book. He/She shall ensure that the batch numbers, expiry dates of such drugs and signature of the receiving authorized person are properly recorded in the LP book/receipt book.

05. He/She shall ensure appropriate and secure storage of medicines as per specifications/SOPs at ward/unit satellite pharmacy and/or main pharmacy.
06. He/She shall be involved in clinical pharmacy practice at ward/unit and outpatients department and shall work in close collaboration with clinical staff in the hospital.
07. He/She shall make necessary substitution in the prescription in consultation with the prescribing doctor through Senior Pharmacist as and when required, keeping in view the available stocks in the hospital.
08. He/She shall check and prepare "Emergency Tray" in his/her respective ward/unit with the help of registrar and charge nurse and shall check its proper utilization with record.
09. He/She shall supervise the work of less experienced and less qualified staff working in pharmacy or dealing in pharmaceuticals at any level in the hospital.
10. He/She shall check the expiry date of each drug/related items in the main and satellite pharmacies and shall inform the Chief Pharmacist for early replacement as per policy.
11. He/She shall be responsible for production of the requisite record etc of his/her relevant satellite pharmacies to the audit party for the purpose of audit, whenever required.
12. He/She shall send the samples through the Drug Inspector concerned, of drugs received at Main Pharmacy, to the Drug Testing Laboratory at random, for the purpose of test/analysis and maintain their record. The Drug Inspector shall take legal action if the sample is declared spurious/sub-standard etc.

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13. He/She shall run the online drug information service and poison control center in the hospital's setting, under supervision of the Head of Pharmacy Department.
14. Pharmacist shall perform any other duty, assigned by the hospital administration.

**Note:-** The ACR of Pharmacist shall be initiated by the Senior Pharmacist and countersigned by the Chief/Principal Pharmacist in Teaching/Tertiary Care Hospitals and if the posts of Chief/Principal Pharmacists do not exist, the ACR of the Pharmacist shall be countersigned by the Medical Superintendent of the Hospital. In hospitals where the posts of Senior/Chief/Principal Pharmacists do not exist, the ACR of the Pharmacist shall be initiated by the Medical Superintendent of the institution and countersigned by the Director General Health Services, Khyber Pakhtunkhwa.

Pharmacist shall initiate the ACR of the supporting staff working under his/her control and countersigned by the Senior Pharmacist where available. In case of unavailability of the Senior Pharmacist, the ACR of supporting staff shall be countersigned by the Medical Superintendent of the hospital.

-sd-  
SECRETARY HEALTH.

Endst: NO. & Date Even.

Copy forwarded to:-

- 01-The Director General Health Services, Khyber Pakhtunkhwa, Peshawar for information & implementation please.
- 02-All Chief Executives of the Teaching Hospitals in Khyber Pakhtunkhwa.
- 03-All Medical Superintendents of the DHQ Hospitals in Khyber Pakhtunkhwa.
- 04-The Officers concerned.
- 05-PS to Minister for Health, Khyber Pakhtunkhwa.
- 06-PS to Secretary Health, Govt. of Khyber Pakhtunkhwa.
- 07-PA to Additional Secretary (E & A) Health Department.
- 08-PA to Deputy Secretary (Drugs) Health Department.

*Naseer Ahmad*  
15/10/11  
(Naseer Ahmad)  
Section Officer (Drugs)

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DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR.  
NO. 6273-632/CDI/DGHS.  
Dated Peshawar the 10/07/2011

To

1. All Executive District Officers (Health) in Khyber Pakhtunkhwa.
2. All Drug Inspectors in Khyber Pakhtunkhwa.

Subject:

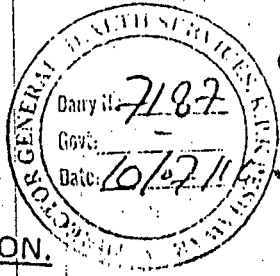
Memo:

DUTIES / JOB DESCRIPTION NOTIFICATION BY THE GOVERNMENT.

I am directed to refer to the subject noted above and to enclose herewith Job description / Duties of Chief Drug Inspector Khyber Pakhtunkhwa, Chief Drug Inspectors Regional, Senior Drug Inspectors and Drug Inspectors for favour of information and strict compliance please.

(SABIR ALI)  
Chief Drugs Inspector.

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated, Peshawar, the 05-07-2012.

NOTIFICATION.

No.SO(D)H/2-80/2012/Duties. The Provincial Government of Khyber Pakhtunkhwa is pleased to assign the following duties/job description to the Drug Inspectors of different levels in Health Department, Khyber Pakhtunkhwa, with immediate effect.

(A) DUTIES/JOB DESCRIPTION OF CHIEF DRUG INSPECTOR  
BPS-19 AT DIRECTOR GENERAL HEALTH SERVICES OFFICE IN  
KHYBER PAKHTUNKHWA.

The Chief Drug Inspector at Directorate General Health Services, (BPS-19) shall:-

- 01 Ensure implementation of the Drugs Act, 1976 and the rules framed there-under through the field force i.e. Chief Drug Inspector (Regional) BPS-19, Senior Drug Inspector BPS-18 and Drug Inspector BPS-17 in the province.
- 02 Exercise powers of Drug Inspector under section 18 of the Drugs Act, 1976 and Khyber Pakhtunkhwa Drugs Sale Rules, 1982 there-under.
- 03 Monitor, guide and supervise the field Officers (Drug Inspectors) for enforcement of Drugs Laws more effectively.
- 04 Evaluate working and performance of Drug Inspectors in the province.
- 05 Compile data on the working/actions of the Drug Inspectors in the Province and also of the Drug Court.
- 06 Submit progress report of the Drug Inspectors to the Director General Health Services, Secretary Health and anywhere else when required.
- 07 Be the Principal Staff Officer to the Director General Health Services Khyber Pakhtunkhwa, for the implementation of the Drugs Act, 1976 and rules framed there-under. The existing section related to Drug Control/Pre-Qualification and Registration etc at Directorate General Health Service will be under his supervision and control.
- 08 Ensure implementation of Government policies, decisions and directives through field formation.
- 09 Technically supervise all matters pertaining to drugs on behalf of Directorate General Health Services Khyber Pakhtunkhwa/Provincial Government, and ensure availability of quality drugs to the general public at/below the approved prices.
- 10 Coordinate with the Provincial Quality Control Board/Provincial Government and shall suggest ways and means to ensure availability of quality drugs in the province. He shall also be the member of the Provincial Quality Control Board.

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- 11 Act as liaison officer between different law enforcement agencies and Provincial and Federal Government on the matters of Quality Control of drugs.
- 12 Coordinate with the Drug Court of the Province on different legal/technical issues.
- 13 Act as Departmental Prosecuting Officer in the Drug Court.
- 14 Ensure pursuance of cases in the Drug Court by the Drug Inspectors.
- 15 Keep a ready reckoning record with regard to drug control and quality control of drugs and medicines in the province.
- 16 Keep up-to-date list of Drugs Sale Licenses issued in the Province with name and address of the Qualified Person Incharge and the Proprietor.
- 17 Be provided with transport facility by the Government/DG Health Services, for ensuring effective control on the quality of drugs through supervision of the Provincial Drugs Inspectors Network.
- 18 Perform such other duties as may be entrusted.
- 19 Be the DDO for the budget allocated under the relevant head of account Drug Control Administration at DG Health Services Office.

Note:- His ACR will be initiated by the Director General Health Services, Khyber Pakhtunkhwa and countersigned by the Secretary Health, Khyber Pakhtunkhwa.

**(B) DUTIES/JOB DESCRIPTION OF CHIEF DRUG INSPECTOR BPS-19 (REGIONAL) AT EDO (H) OFFICE IN KHYBER PAKHTUNKHWA.**

The Chief Drug Inspector (BPS-19) at EDO (H) office shall be Regional Drug Inspector within the meaning of Action Plan of the Government approved by the august Supreme Court of Pakistan. He shall:-

- 01 Ensure implementation of the Drugs Act, 1976 and the rules framed there-under through the field force i.e. Senior Drug Inspectors BPS-18 and Drug Inspectors BPS-17 in districts to be termed as regions to be notified by Provincial Government in Health Department under section 17 of the Drugs Act, 1976.
- 02 Exercise powers of Drug Inspector under section 18 of the Drugs Act, 1976 and Khyber Pakhtunkhwa Drug Sale Rules, 1982 there-under.
- 03 Monitor, guide and supervise the field officers (Drug Inspectors) for enforcement of Drug Laws more effectively.
- 04 Evaluate working and performance of Drug Inspectors in the Region.
- 05 Compile data on the working/actions of the Drug Inspectors of the Region.
- 06 Submit progress report of the Drug Inspectors in the Region to the Chief Drug Inspector, DG Health Office, Khyber Pakhtunkhwa.

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- 07 Be the Principal Staff Officer to the EDO (Health) Services, for the implementation of the Drugs Act, 1976 and rules framed there-under.
- 08 Attend meetings with District Administration in the District of his posting with regard to Drug Control activities.
- 09 Ensure implementation of Government policies, decisions and directives through field formation.
- 10 Technically supervise all matters pertaining to drugs in the area of his jurisdiction and ensure availability of quality drugs to the general public at/below the approved prices.
- 11 Coordinate with the District Administration and shall suggest ways and means to ensure availability of quality drugs in the Region.
- 12 Coordinate with different law enforcement agencies on the matters of Quality Control of drugs.
- 13 Ensure pursuance of cases of the Drug Inspectors of the Region referred to the Quality Control Board/Drug Court.
- 14 Keep a ready reckoning record with regard to drug control and quality control of drugs and medicines in the Region.
- 15 Sign drugs sale licenses on form "10" in his area of jurisdictions after obtaining report from the Drug Inspector concerned.
- 16 Keep up-to-date list of Drugs Sale Licenses issued in the Region with the name and address of the Qualified Person Incharge and the Proprietor.
- 17 Be provided with transport facility by the District Administration concerned, for ensuring effective control on the quality of drugs through supervision of the Drug Inspectors in the Region
- 18 Perform such other duties as may be entrusted.
- 19 Be the DDO for the budget allocated under the relevant head of account Drug Control Administration in the District of his posting.

Note:- His ACR will be initiated by the Chief Drug Inspector Khyber Pakhtunkhwa at DGHS Office and countersigned by the Director General Health Services, Khyber Pakhtunkhwa.

(C) DUTIES/JOB DESCRIPTION OF SENIOR DRUG INSPECTOR  
BPS-18 AT EDO (H) OFFICE IN KHYBER PAKHTUNKHWA.

The Senior Drug Inspector (BPS-18) at EDO (H) office shall:-

- 01 Ensure implementation of the Drugs Act, 1976 and the rules framed there-under by performing duties as Drug Inspector under the Drugs Act and through the field force [Drug Inspector(s) BPS-17] in the District.
- 02 Exercise powers of Drug Inspector under section 18 of the Drugs Act, 1976 and Khyber Pakhtunkhwa Drugs Sale Rules, 1982 there-under.

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- 03 Ensure that the conditions of the licenses are being observed in his area of jurisdiction.
- 04 Take samples of the drugs, send for test or analysis and may seize the drug or any other article or equipment where he has reasons to believe that a drug is being manufactured, sold, stocked or exhibited for sale in contravention of a provision of the Act or the Rules. He shall submit report immediately, not later than 48 hours excluding public holidays in this behalf to the licensing authority/Provincial Quality Control Board.
- 05 Investigate any complaint made to him in writing against a person and submit a report of his investigation to the Licensing Authority or Provincial Quality Control Board.
- 06 Initiate prosecution on the direction of the Provincial Quality Control Board and to pursue cases in the Court.
- 07 Maintain record of actions taken by him in the performance of his duties, including taking of the samples and seizure of drugs or equipments etc, and submit reports of such record to the Provincial Quality Control Board and the Licensing Authority immediately not later than 48 hours excluding public holidays.
- 08 Attend meetings with District Administration in the District of his posting with regard to Drug Control/related activities where Chief Drug Inspector (Regional) is not available).
- 09 Ensure implementation of Government policies, decisions and directives through field formation.
- 10 Technically supervise all matters pertaining to drugs in the area of his jurisdiction and ensure availability of quality drugs to the general public at/below the approved prices.
- 11 Coordinate with the District Administration and shall suggest ways and means to ensure availability of quality drugs in the District where Chief Drug Inspector (Regional) is not available).
- 12 Coordinate with different law enforcement agencies on the matters of Quality Control of drugs.
- 13 Ensure pursuance of cases of the Drug Inspectors of the District referred to the Quality Control Board/Drug Court.
- 14 Keep a ready reckoning record with regard to drug control and quality control of drugs and medicines in the District.
- 15 Sign drugs sale licenses on form "09" in his area of jurisdictions after obtaining report from the Drug Inspector concerned.
- 16 Keep up-to-date list of Drugs Sale Licenses issued in the District with the name and address of the Qualified Person Incharge and the Proprietor.
- 17 Be provided with transport facility by the District Administration concerned, for ensuring effective control on the quality of drugs through supervision of the Drug Inspectors in the District.
- 18 Perform such other duties as may be entrusted.

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- 19 Be the DDO for the budget allocated under the relevant head of account Drug Control Administration in the District where Chief Drug Inspector (Regional) BPS-19 is not available.

Note:- His ACR will be initiated by the Chief Drug Inspector (Regional), countersigned by the Chief Drug Inspector (Provincial) at Directorate General Health Services, Khyber Pakhtunkhwa and in case of non availability of Chief Drug Inspector (Regional), his ACR will be initiated by the Chief Drug Inspector (Provincial) and countersigned by the Director General Health Services, Khyber Pakhtunkhwa.

(D) DUTIES/JOB DESCRIPTION OF DRUG INSPECTOR BPS-17 AT EDO (H) OFFICE IN KHYBER PAKHTUNKHWA.

The Drug Inspector (BPS-17) at EDO (H) office shall:-

- 01 Ensure implementation of the Drugs Act, 1976 and the rules framed there-under in the district/area of jurisdiction.
- 02 Exercise powers of Drug Inspector under section 18 of the Drugs Act, 1976 and the Khyber Pakhtunkhwa Drugs Sale Rules, 1982 there-under.
- 03 Ensure that the conditions of the licenses are being observed in his area of jurisdiction.
- 04 Take samples of the drugs, send for test or analysis and may seize the drug or any other article or equipment where he has reasons to believe that a drug is being manufactured, sold, stocked or exhibited for sale in contravention of a provision of the Act or the Rules. He shall submit report immediately, not later than 48 hours excluding public holidays in this behalf to the licensing authority/Provincial Quality Control Board.
- 05 Investigate any complaint made to him in writing against a person and submit a report of his investigation to the Licensing Authority or Provincial Quality Control Board.
- 06 Initiate prosecution on the direction of the Provincial Quality Control Board and to pursue cases in the Court.
- 07 Maintain record of actions taken by him in the performance of his duties, including taking of the samples and seizure of drugs or equipments etc, and submit reports of such record to the Provincial Quality Control Board and the Licensing Authority immediately not later than 48 hours, excluding holidays.
- 08 Stop manufacture or sale of drugs being carried out in contravention of the Act and the rules framed there-under.
- 09 Compile data on the working/actions taken by him.
- 10 Submit monthly progress report in the District to the Senior Drug Inspector of the District/Provincial Quality Control Board.



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- 11 Attend meetings with District Administration in the District of his posting with regard to Drug Control/related activities.
- 12 Ensure implementation of Government Policies, decisions and directives through field formation.
- 13 Coordinate with the District Administration and shall suggest ways and means to ensure availability of quality drugs in the District where Senior Drug Inspector BPS-18 is not available.
- 14 Coordinate with different law enforcement agencies on the matters of Quality Control of drugs.
- 15 Keep a ready reckoning record with regard to drug control and quality control of drugs and medicines in the district/area of his jurisdiction.
- 16 Sign drugs sale licenses on form "09" in his area of jurisdictions in case of unavailability of Senior Drug Inspector BPS-18.
- 17 Keep up-to-date list of Drugs Sale Licenses issued in the District with the name and address of the Qualified Person Incharge and the Proprietor.
- ✓ 18 Be provided with transport facility by the District Administration concerned for ensuring effective control on the quality of drugs in the District.
- 19 Perform such other duties as may be entrusted.
- 20 Be the DDO for the budget allocated under the relevant head of account Drug Control Administration where Senior Drug Inspector BPS-18 and Chief Drug Inspector BPS-19 (Regional) are not available.

Note:- His ACR will be initiated by the Senior Drug Inspector BPS-18 and countersigned by the Chief Drug Inspector (Regional). In case of non availability of Senior Drug Inspector, his ACR will be initiated by the Chief Drug Inspector (Regional) and countersigned by the Chief Drug Inspector (Provincial) at DGHS Office.

— Sd —  
SECRETARY HEALTH.

Endst: NO. & Date even.

Copy forwarded to:-

- 01 The Accountant General, Khyber Pakhtunkhwa.
- ✓ 02 The Director General Health Services, Khyber Pakhtunkhwa, Peshawar for information & implementation please.
- 03 The Deputy Secretary (Budget), Health Department for information & with the request to process the case for necessary notification with regard to DDO powers of the Drug Inspectors please.
- 04 All Executive District Officers (H).
- 05 All District Accounts Officers.
- 06 The Officers Concerned.
- 07 PS to Secretary Health.
- 08 PA to Additional Secretary (E&A) Health Department
- 09 PA to Additional Secretary (Dev) Health Department.
- 10 PA to Deputy Secretary (Drugs)/Secretary PQCB.

(Naseer Ahmad)  
Section Officer (Drugs)

05/07/

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**NAWAZ KHOSA ADVOCATE**

—SERVICE LAWS CONSULTANT—

**Change of Cadre**

محکمہ کسی بھی ملازم کا Cadre تبدیل نہیں  
کر سکتا۔

**2018 PLCN 162 P154**



Seat No.84 New Blocks District Courts, DGKHAN



nawaz.lawyer



Adv.nawazkhosa@gmail.com

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**NAWAZ KHOSA ADVOCATE**

—SERVICE LAWS CONSULTANT—

ایک دفعہ جب ملازم بھرتی ہو جائے تو محکمہ نوکری  
کی شرائط و ضوابط میں بعد میں ایسی تبدیلی نہیں  
کر سکتا جس سے ملازم کو نقصان ہو۔

**2018 PLC (C.S) 657**

Office No. 123 Metro Plaza, Multan Cantt



Seat No. 84, New Blocks District Courts, DGKHAN



nawaz.lawyer



Adv.nawazkhosa@gmail.com

NWFP PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: [www.nwfppsc.gov.pk](http://www.nwfppsc.gov.pk)

Tele: Nos. 091-9214131, 9213563, 9213750, 9212897

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Dated: 26.02.2010

**A** ADVERTISEMENT **N** o. 02 / 2010.

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of N.W.F.P / F.A.T.A by 27-03-2010 (candidates applying from abroad by 10-04-2010). Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected without intimation to the candidates.

<b>BOARD OF REVENUE</b>	
1.	<b>ONE (01) POST OF COMPUTER OPERATOR</b>  <b>QUALIFICATION:</b> 2 <sup>ND</sup> Class Bachelor Degree in Computer Science from a recognized University/ Institution. <b>AGE LIMIT:</b> 18 to 32 years. <b>PAY SCALE:</b> BPS-12 <b>ELIGIBILITY:</b> Male. <b>ALLOCATION:</b> Zone-2.
<b>CIVIL SECRETARIAT/ E &amp; A DEPARTMENT</b>	
2.	<b>THREE (03) POSTS OF FEMALE COMPUTER OPERATOR/ DEO</b>  <b>QUALIFICATION:</b> 2 <sup>ND</sup> Class Bachelor Degree in Computer Science from a recognized University/ Institution. <b>AGE LIMIT:</b> 18 to 32 years. <b>PAY SCALE:</b> BPS-12 <b>ELIGIBILITY:</b> Female. <b>ALLOCATION:</b> Open Merit.
3.	<b>ONE (01) POST OF COMPUTER OPERATOR/ DEO (DISABLED QUOTA)</b>  <b>QUALIFICATION:</b> 2 <sup>ND</sup> Class Bachelor Degree in Computer Science from a recognized University/ Institution. <b>AGE LIMIT:</b> 18 to 32 years. <b>PAY SCALE:</b> BPS-12 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.
<b>HEALTH DEPARTMENT</b>	
4.	<b>TWELVE (12) POSTS OF PROFESSOR</b> <b>TWO (02) EACH IN ANATOMY, PHYSIOLOGY, &amp; BIOCHEMISTRY AND ONE (01) EACH IN MICROBIOLOGY, CHEMICAL PATHOLOGY, HEMATOLOGY, PHARMACOLOGY, FORENSIC MEDICINE &amp; COMMUNITY MEDICINE IN BANNU MEDICAL COLLEGE BANNU</b>  <b>QUALIFICATION:</b> (a) MBBS or equivalent medical qualification recognized by the Council & (b) D.Sc/Ph.D/FCPS/MS/MD/M.Phil (Pak) in the respective basic subject OR FCPS/MD/MS in the related clinical subject or equivalent qualification recognized/registered by the Council with at least two papers on research work of original nature published in a standard Medical Journal within three years before appointment. <b>EXPERIENCE:-</b> (a) Three years teaching experience as an Associate Professor in the respective subject and a total teaching experience of eight years as an Assistant Professor and Associate Professor OR (b) Nine years teaching experience as an

	<p>(C). Registration of Pakistan Medical and Dental Council (PM&amp;DC) for post graduate qualification.</p> <p><b>NOTE:</b> candidates with the qualification at (b) shall be considered only when no suitable candidate with the qualification at (a) above is available.</p> <p><b>AGE LIMIT:</b> 22 to 40 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> Merit.</p>
19.	<p><b>ONE (01) POST OF WORKSHOP ENGINEER.</b></p> <p><b>QUALIFICATION:</b> B.Sc. Engineering in Electronic/ Electrical or Mechanical Engineering from a recognized University</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Male.</p> <p><b>ALLOCATION:</b> Merit.</p>
20.	<p><b>SIX (06) POSTS OF DRUG INSPECTORS.</b></p> <p><b>QUALIFICATION:</b> (i) Degree in Pharmacy from a recognized University. (ii) One year experience in the manufacturing, sales testing or analysis of drug or in the drug Administration or in hospital or pharmacy.</p> <p><b>AGE LIMIT:</b> 21 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> One each to Merit, Zone-1, 2, 3, 4 &amp; 5.</p>
21.	<p><b>ONE (01) POST OF LIBRARIAN FOR SAIDU MEDICAL COLLEGE</b></p> <p><b>QUALIFICATION:</b> Diploma in Library Science from a recognized University.</p> <p><b>AGE LIMIT:</b> 21 to 30 years. <b>PAY SCALE:</b> BPS-16 <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> Zone-2.</p>
<b>HOME &amp; TRIBLE AFFAIRS DEPARTMENT</b>	
22.	<p><b>ONE (01) POST OF FEMALE PAYROLL / PROBATION OFFICER (BPS-16) IN DIRECTOR OF RECLATION &amp; PROBATION</b></p> <p><b>QUALIFICATION:</b> 2<sup>ND</sup> Class Master Degree in Social Work/ Sociology or equivalent qualification.</p> <p><b>AGE LIMIT:</b> 21 to 30 years. <b>PAY SCALE:</b> BPS-16 <b>ELIGIBILITY:</b> Female.</p> <p><b>ALLOCATION:</b> Zone-1.</p>
<b>LAW &amp; PRLIAMENTARY AFFAIRS DEPTT:</b>	
23.	<p><b>ONE (01) POST OF ASSISTANT LEGAL DRAFTER</b></p> <p><b>QUALIFICATION:</b> 2<sup>ND</sup> Class Bachelor Degree in Law (LLB) from a recognized University with three years experience as Practicing Lawyer.</p> <p><b>AGE LIMIT:</b> 25 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> Zone-2.</p>
24.	<p><b>ONE (01) POST OF FEMALE ADDITIONAL GOVT PLEADER</b></p> <p><b>QUALIFICATION:</b> Degree in Law from any recognized University and five years standing at the Bar preferably on Civil Side.</p> <p><b>AGE LIMIT:</b> 28 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Female.</p> <p><b>ALLOCATION:</b> Merit.</p>

	<p><b>QUALIFICATION:</b> FA. / F.Sc. and One year diploma in Computer Science from Board of Technical Education.</p> <p><b>AGE LIMIT:</b> 18 to 32 years. <b>PAY SCALE:</b> BPS-11 <b>ELIGIBILITY:</b> Male.</p> <p><b>ALLOCATION:</b> One each to Zone-2, 3 and 4.</p>
<b><u>SCIENCE AND TECHNOLOGY AND I.T. DEPARTMENT</u></b>	
27.	<p><b>ONE (01) POST OF ASSISTANT</b></p> <p><b>QUALIFICATION:</b> Graduate (B.A./ B.Sc), skill in writing/ drafting and well versed with Govt up to date Rules and regulations.</p> <p><b>AGE LIMIT:</b> 25 to 35 years. <b>PAY SCALE:</b> BPS-14 <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> Zone-1.</p>
28.	<p><b>ONE (01) POST OF COMPUTER OPERATOR</b></p> <p><b>QUALIFICATION:</b> FA/ F.Sc. from recognized Board with one year Computer Course DIT-Diploma from Govt: Technical Board or recognized Institution. One year past qualification experience. Well versed with MS Office, MS Excel, Tools, Coral Draw Scanning, Windows Installation with 30 words per minute speed in typing.</p> <p><b>AGE LIMIT:</b> 25 to 30 years. <b>PAY SCALE:</b> BPS-11 <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> Zone-4.</p>
<b><u>WORKS AND SERVICES DEPARTMENT</u></b>	
29.	<p><b>SIXTY (60) POSTS OF ASSISTANT ENGINEER (CIVIL) IN C&amp;W DEPARTMENT</b></p> <p><b>QUALIFICATION:</b> Degree in Engineering (Civil) from a recognized University.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> 15 to Merit, 10 each to Zone-1,2 and 3, 08 to Zone-4 and 07 to Zone-5.</p>
30.	<p><b>SEVEN (07) POSTS OF ASSISTANT ENGINEER CIVIL (WOMEN QUOTA) IN C&amp;W DEPARTMENT</b></p> <p><b>QUALIFICATION:</b> Degree in Engineering (Civil) from a recognized University.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Female.</p> <p><b>ALLOCATION:</b> Merit.</p>
31.	<p><b>ONE (01) POST OF ASSISTANT ENGINEER (CIVIL) (DISABLED QUOTA) IN C&amp;W DEPARTMENT</b></p> <p><b>QUALIFICATION:</b> Degree in Engineering (Civil) from a recognized University.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> Merit.</p>

**GENERAL CONDITIONS**

The posts of Assistant Professor Physiology Advertised in this Commission Advertisement No.01/ 2010 at S.No.19 may be read as **one** instead of two posts.

**GENERAL CONDITIONS**

candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt Servants, general or disabled candidates, whichever is relevant and applicable to them.

- (ii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted. However, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective Institution but candidates shall produce original degrees / certificates before their selection. Detail Marks Certificates for all the examinations shall necessarily be required and these should be attached with the application forms.
- (iii) Ex-armed Forces Personnel must send copy of Discharge Certificate with their applications. Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (iv) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK OF PAKISTAN. Application Fee is Rs.285/- (Rupees Two Hundred Eighty Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs.15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall also be ignored.
- (v) Applications must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.
- (vi) Applicants married to Foreigners are considered only on production of the Govt: Relaxation Orders.
- (vii) No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
- (viii) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (ix) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (x) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xi) In case the number of applications of candidates is disproportionately higher than the number of posts, short listing will be made in anyone of the following manner: -
  - (a) Written Test in the Subject.
  - (b) General Knowledge or Psychological General Ability Test.
  - (c) Academic and/or Professional record as the Commission may decide.

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**SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.****Main Branches of:**

- (i) Parachinar, Mardan, Swabi, Malakand, Shangla, Chitral, Timargara, Daggar, D.I.Khan, Bannu, Karak, Kohat, Hangu, Lakki Marwat, Abbottabad, Haripur, and Mansehra.
- (ii) Saddar Road Branch, Tehkal Payan Branch, and G.T Road (Nishtar Abad) Branch Peshawar.
- (iii) Tehsil Bazar Branch Charsadda, Nowshera Cantt: Branch, Bank Square Branch Mingora and city Branch Tank.

**Note: -** The candidate who apply for the post(s) are advised to make sure that they are eligible for the post in all respects because eligibility of the candidate will be determined strictly according to the rules after conduct of all essential tests.

(ATTA-UR-REHMAN)  
Secretary  
NWFP Public Service Commission  
Peshawar



**KHYBER PAKHTUNKHWA PUBLIC SERVICE  
COMMISSION**

**2- Fort Road Peshawar Cantt:**

**Website: [www.kppsc.gov.pk](http://www.kppsc.gov.pk)**

**Tele: Nos. 091-9214131, 9213563, 9213750, 9212897**

**Dated: 16.06.2016**

**ADVERTISEMENT No. 03 / 2016.**

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa / F.A.T.A by 15.07.2016. Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected.

<b>AGRICULTURE LIVESTOCK &amp; COOPERATIVE DEPTT:</b>	
1.	<p><b>ONE (01) POST OF ASSISTANT FODDER BOTANIST IN LIVESTOCK &amp; DAIRY DEVELOPMENT DEPARTMENT (RESEARCH)</b></p> <p><b>QUALIFICATION:</b> M.Sc Agriculture preferably in Agronomy or equivalent qualification from a recognized University.</p> <p><b>AGE LIMIT:</b> 25 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Zone-1.</p>
2.	<p><b>TWO (02) POSTS OF VETERINARY OFFICER (HEALTH) (WOMEN QUOTA) IN DIRECTORATE OF LIVESTOCK &amp; DAIRY DEVELOPMENT (EXTENSION).</b></p> <p><b>QUALIFICATION:</b> Doctor of Veterinary Medicine (DVM) or equivalent qualification in Veterinary Science from recognized University and registered with Pakistan Veterinary Medical Council (PVMC).</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Female. <b>ALLOCATION:</b> Merit.</p>
3.	<p><b>FOUR (04) POSTS OF MALE LIVESTOCK PRODUCTION OFFICER (HEALTH) IN LIVESTOCK &amp; DAIRY DEVELOPMENT DEPARTMENT (EXTENSION).</b></p> <p><b>QUALIFICATION:</b> (i) B.Sc (Hons) Animal Husbandry from a recognized University; Or (ii) Doctor of Veterinary Medicine (DVM) or equivalent qualification in Veterinary Science from a recognized University and registered with Pakistan Veterinary Medical Council (PVMC).</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Male. <b>ALLOCATION:</b> One each to Merit Zone-1, 2 and 3.</p>
<b>COMMUNICATION &amp; WORKS DEPARTMENT</b>	
4.	<p><b>FOUR (04) POSTS OF ASSISTANT ENGINEER CIVIL IN C&amp;W DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> Degree in B.E/B.Sc Engineering (Civil) from a recognized University.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> One each to Merit, Zone-1, 2 &amp; 5.</p>

24.	<p><b>TWENTY ONE (21) POSTS OF MEDICAL OFFICER (DISABLED QUOTA) IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) MBBS or equivalent qualification from a recognized University and (b) Completion of House Job Training.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
25.	<p><b>THIRTY TWO (32) POSTS OF MEDICAL OFFICER (MINORITY QUOTA) IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) MBBS or equivalent qualification from a recognized University and (b) Completion of House Job Training.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
26.	<p><b>TWENTY (20) POSTS OF DENTAL SURGEON FOR HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) BDS or equivalent qualification from a recognized University. (b) Completion of House Job Training.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> 05 to Merit, 03 each to Zone1, 2, 3, 4 &amp; 5.</p>
27.	<p><b>TWO (02) POSTS OF DENTAL SURGEON (FEMALE QUOTA) FOR HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) BDS or equivalent qualification from a recognized University. (b) Completion of House Job Training.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Female. <b>ALLOCATION:</b> Merit.</p>
28.	<p><b>TWENTY EIGHT (28) POSTS OF PHARMACISTS IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (i) Pharm-D from a recognized university and registered with the Pharmacy Council under the Pharmacy Act, 1967; or (ii) B-Pharmacy from a recognized University with one year experience in the relevant field and registered with Pharmacy Council under the Pharmacy Act, 1967.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> 07 to Merit, 04 each to Zone-1, 2, 4 &amp; 5 and 05 to Zone3.</p>
29.	<p><b>THREE (03) POSTS OF PHARMACISTS (WOMEN QUOTA) IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (i) Pharm-D from a recognized university and registered with the Pharmacy Council under Pharmacy Act, 1967; or (ii) B-Pharmacy from a recognized University with one year experience in the relevant field and registered with Pharmacy Council under the Pharmacy Act, 1967.</p> <p><b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Female. <b>ALLOCATION:</b> Merit.</p>
30.	<p><b>TWO (02) LEFTOVER POSTS OF HEAD NURSE IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) Registered "A" grade Nurse. (b) Registered Midwife, or in the case of Male Nurse, training in specialized post</p>

64.	<p><b>ONE (01) POST OF COMPUTER OPERATOR (MINORITY QUOTA) IN TRANSPORT DEPARTMENT</b></p> <p><b>QUALIFICATION:</b> (a) At least 2<sup>nd</sup> class Bachelor's Degree in Computer / Information Technology (BGS / BIT Four years) from recognized university. Or (b) At least 2<sup>nd</sup> class Bachelor's from recognized University with one year Diploma in information Technology from a recognized Board of Technical Education.</p> <p><b>AGE LIMIT:</b> 18 to 30 years. <b>PAY SCALE:</b> BPS-12. <b>ELIGIBILITY:</b> Both Sexes.</p> <p><b>ALLOCATION:</b> Merit.</p>
65.	<p><b>ONE (01) LEFT OVER POST OF MOTOR VEHICLE EXAMINATION (WOMEN QUOTA) IN TRANSPORT DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> Diploma of Associate Engineer in Automobile Technology (DAE) from recognized College of Technology (Three Years Diploma)</p> <p><b>AGE LIMIT:</b> 20 to 32 years. <b>PAY SCALE:</b> BPS-11. <b>ELIGIBILITY:</b> Female.</p> <p><b>ALLOCATION:</b> Merit.</p>

### **CORRIGENDUM**

It is for information for all concerned that the 103 posts of Pharmacist (B-17) of General Quota, 11 posts of Pharmacist (B-17) of Women Quota, 03 posts of Pharmacist (B-17) of Disabled Quota and 02 posts of Pharmacist (B-17) of Minority Quota in Health Department advertised in this Commission's Advt: No.06/2015, Sr. No.25, 26, 27 & 28 respectively stand withdrawn upon the request of the Department through the Establishment Department.

### **GENERAL CONDITIONS**

- (i) Age shall be reckoned on **15.07.2016**. Maximum age limit as prescribed in the recruitment rules shall be relaxed upto 10 years for Disabled persons and Govt Servants who have completed 2 years continuous service and upto 3 years for candidates belonging to backward areas specified in the appendix attached to the Khyber Pakhtunkhwa Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 2008. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt: Servants, general or disabled candidates, whichever is relevant and applicable to them. Employees or ex-employees of development projects of the Government of Khyber Pakhtunkhwa and employees or ex-employees of development projects of the Federal Government under the administrative control of the Government of Khyber Pakhtunkhwa shall also be entitled to age relation equal to the period served in the projects, subject to a maximum limit of ten years provided that this age relaxation shall not be available in conjunction with any other provisions of the age relaxation rules.
- (ii) Only the qualification possessed on the closing date of the advertisement fixed for the incountry candidates shall be taken into consideration.
- (iii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted, however, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective institution. The candidates shall produce original degrees / certificates before their selection. Detail Marks Certificates for all the examinations shall necessarily be required and these should be attached with the application forms.
- (iv) Candidates applying against disabled posts must attach with their application forms a disability certificate from the Provincial Council for Rehabilitation of Disabled Persons as well as disability certificate from the respective Medical Superintendent/ Medical Board showing therein the specific disability.

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- (v) Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (vi) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK OF PAKISTAN. Application Fee is Rs.285/- (Rupees Two Hundred Eighty Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs.15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall not be accepted which shall be rejected. Candidates can also apply online through the Commission's website (www.kpppsc.gov.pk). However the application fee needs to be deposited in State Banks of Pakistan or a National Bank of Pakistan Branch under head of account No. C02101- Organs of State-Examination Fee of KP PSC through Chailan on or before the closing date. The same alongwith attested copies of all the documents need to be submitted to the Commission within 10 days.
- (vii) Applications must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.
- (viii) Applicants married to Foreigners are considered only on production of the Govt: Relaxation Orders.
- (ix) No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
- (x) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (xi) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (xii) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xiii) The candidates applying for posts requiring experience are advised to fill in the requisite proforma and provide the experience certificate available on the Commission's website and submit it alongwith the application form. The application form without this proforma and certificate shall not be accepted/ processed.
- (xiv) In case the number of applications of candidates is disproportionately higher than the number of posts, short listing will be made in anyone of the following manner: -
- Written Test in the Subject.
  - General Knowledge or Psychological General Ability Test.
  - Academic and/or Professional record as the Commission may decide.

**SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.**

- (1) Main Branches of:  
Parachinar, Mardan, Swabi, Malakand, Shangla, Chitral, Timargara, Daggar, D.I.Khan, Bannu, Karak, Kohat, Hangu, Lakki Marwat, Abbottabad, Haripur, and Mansehra
- (2) Saddar Road Branch, Tehkal Payan Branch, G.T Road (Nishtar Abad) Branch and University Campus Branch Peshawar.
- (3) Tehsil Bazar Branch Charsadda, Nowshera Cantt: Branch, Bank Square Branch Mingora and City Branch Tank

**Note:** -The candidate who apply for the post(s) are advised to make sure that they are eligible for the post in all respects because eligibility of the candidate will be determined strictly according to the rules after conduct of all essential tests.

(Sharif Hussain)  
Secretary  
Khyber Pakhtunkhwa  
Public Service Commission  
Peshawar

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**KHYBER PAKHTUNKHWA PUBLIC SERVICE  
COMMISSION**

**2- Fort Road Peshawar Cantt:**

**Website: [www.kppsc.gov.pk](http://www.kppsc.gov.pk)**

**Tele: Nos. 091-9214131, 9213563, 9213750, 9212897**

Dated: 02.09.2016

**ADVERTISEMENT No. 04 / 2016.**

Applications, on prescribed form, are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa / F.A.T.A by **30.09.2016**. Incomplete applications and applications without supporting documents required to prove the claim of the candidates shall be rejected.

<b>AGRICULTURE LIVESTOCK &amp; COOPERATIVE DEPTT:</b>	
<b>1.</b>	<p><b>TWO (02) POSTS OF SENIOR RESEARCH OFFICER/SENIOR BIOCHEMIST IN LIVESTOCK &amp; DAIRY DEVELOPMENT DEPARTMENT (RESEARCH).</b></p> <p><b>QUALIFICATION:</b> (a) Ph.D in Veterinary/Animal Sciences/Bio-Chemistry, after basic degree of D.V.M or equivalent qualification recognized by PVMC, OR (b) M.Sc (Honss) / M/Phil / M.S in Veterinary/Animal Sciences / Bio-Chemistry, after basic degree of DVM or equivalent qualification recognized by PVMC having two years research Experience with at least two research Publications, OR (c) Doctor of Veterinary Medicine or equivalent qualification in Veterinary Sciences recognized by PVM having five years experience in the relevant field (Research) with at least two Research Publications.</p> <p><b>AGE LIMIT:</b> 28 to 45 years. <b>PAY SCALE:</b> BPS-18 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
<b>2.</b>	<p><b>ONE (01) (LEFTOVER) POST OF VETERINARY OFFICER (HEALTH) (MINORITY QUOTA) IN LIVESTOCK &amp; DAIRY DEVELOPMENT DEPARTMENT (EXTENSION).</b></p> <p><b>QUALIFICATION:</b> Doctor of Veterinary Medicine (DVM) or equivalent qualification in Veterinary Sciences from a recognized university and registered with Pakistan Veterinary Medical Council (PVMC).</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
<b>3.</b>	<p><b>ONE (01) POST OF ASSISTANT IN AGRICULTURAL ENGINEERING WING.</b></p> <p><b>QUALIFICATION:</b> Degree from a recognized University.</p> <p><b>AGE LIMIT:</b> 18 to 32 years. <b>PAY SCALE:</b> BPS-16 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
<b>4.</b>	<p><b>ONE (01) POST OF OFFICE ASSISTANT IN ON FARM WATER MANAGEMENT, AGRICULTURE DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> At least 2<sup>nd</sup> class Bachelor's Degree from a recognized University.</p> <p><b>AGE LIMIT:</b> 20 to 30 years. <b>PAY SCALE:</b> BPS-16 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>

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24.	<p><b>SIXTY FOUR (64) POSTS OF MEDICAL OFFICER (DISABLED QUOTA) IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) MBBS or equivalent qualification from recognized university and (b) Completion of House Job Training.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p> <p><b>Note:</b> - (21) posts of Medical Officer (Disabled Quota) advertised vide Advt: No.03/2016 S.No. 24 have been merged in the above 64 posts. Candidates who have applied earlier for the said 21 posts need <b>NOT</b> apply again.</p>
25.	<p><b>SEVENTY THREE (73) POSTS OF DENTAL SURGEON IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) BDS or equivalent qualification from recognized university. (b) Completion of House Job Training.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> 19 to Merit, 12 each to Zone-1, 2 &amp; 3, 09 each to Zone-4 &amp; 5.</p> <p><b>Note:</b> - Twenty (20) posts of Dental Surgeon (General Quota) advertised vide Advt: No.03/2016 S.No. 26 have been merged in the above 73 posts. Candidates who have applied earlier for the said 20 posts need <b>NOT</b> apply again.</p>
26.	<p><b>EIGHT (08) POSTS OF DENTAL SURGEON (WOMEN QUOTA) IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) BDS or equivalent qualification from recognized university. (b) Completion of House Job Training.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Female. <b>ALLOCATION:</b> Merit</p> <p><b>Note:</b> - Two (02) posts of Dental Surgeon (Women Quota) advertised vide Advt: No.03/2016 S.No. 27 have been merged in the above (08) posts. Candidates who have applied earlier for the said (02) posts need <b>NOT</b> apply again.</p>
27.	<p><b>TWO (02) POSTS OF DENTAL SURGEON (MINORITY QUOTA) IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) BDS or equivalent qualification from recognized university and (b) Completion of House Job Training.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
28.	<p><b>ONE (01) POST OF DENTAL SURGEON (DISABLED QUOTA) IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) BDS or equivalent qualification from recognized university. (b) Completion of House Job Training.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
29.	<p><b>FIFTEEN (15) POSTS OF DRUG INSPECTOR IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (1) Degree in Pharmacy from a recognized University and; (2) One year experience in manufacturing, sale, testing or analysis of Drugs, or in the Drug Administration or in a hospital or Pharmacy.</p> <p><b>AGE LIMIT:</b> 21 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> 04 to Merit, 02 each to Zone-1, 2, 3 &amp; 5 and 03 to Zone-4.</p>

30.	<p><b>ONE (01) POST OF DRUG INSPECTORS (WOMEN QUOTA) IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (1) Degree in Pharmacy from a recognized University and; (2) One year experience in manufacturing, sale, testing or analysis of Drugs, or in the Drug Administration or in a hospital or Pharmacy.</p> <p><b>AGE LIMIT:</b> 21 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Female. <b>ALLOCATION:</b> Merit.</p>
31.	<p><b>ONE (01) (LEFTOVER) POST OF CHEMIST IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (i) M-Pharmacy; OR (b) B-Pharmacy from a recognized university with at least one year's experience in the manufacturing, testing or analysis of drugs or in drug control administration.</p> <p><b>AGE LIMIT:</b> 22 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Merit.</p>
32.	<p><b>ONE (01) (LEFTOVER) POST OF SISTER TUTOR IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) Registered "A" Grade Nurse. (b) Registered Midwife. (c) Qualified Sister Tutor from recognized Institute; OR (d) Five years experience as Head Nurse or Public Health Supervisor or Midwifery Supervisor excluding training period, or in case of charge nurse / male nurse, eight years experience as charge nurse or male nurse excluding training period.</p> <p><b>AGE LIMIT:</b> 25 to 40 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Zone1.</p>
33.	<p><b>ONE (01) (LEFTOVER) POST OF NURSING SUPERINTENDENT IN HEALTH DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> (a) Registered "A" Grade Nurse. (b) Registered Midwife or in case of male nurse Training in specialist post basic course in lieu of Midwifery training. (c) Certificate or Diploma in Ward Administration or Sister Tutor Course from a recognized Institute. (d) Five years experience as Head Nurse or Public Health Supervisor or Midwifery excluding training period.</p> <p><b>AGE LIMIT:</b> 25 to 40 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Zone1.</p>
<b>HIGHER EDUCATION, ARCHIVES &amp; LIBRARIES DEPTT</b>	
34.	<p><b>FIVE (05) (LEFTOVER) POSTS OF MALE ASSISTANT PROFESSORS, ONE (01) EACH IN BIOLOGY, GEOGRAPHY &amp; ENGLISH AND TWO (02) IN LAW IN HIGHER EDUCATION DEPARTMENT.</b></p> <p><b>QUALIFICATION:</b> 1. Ph.D in the relevant subject from a recognized University with two years Teaching / Research experience in a recognized College / University; OR 2. M.Phil in the relevant subject from a recognized University with five years Teaching / Research experience in a College / University; OR 3. Second Class Master Degree in the relevant subject from recognized University with seven (07) years Teaching experience in College / University or in Education Administration Management.</p> <p><b>AGE LIMIT:</b> 25 to 40 years. <b>PAY SCALE:</b> BPS-18 <b>ELIGIBILITY:</b> Male. <b>ALLOCATION:</b> Merit.</p>

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<b>SERVICE TRIBUNAL</b>	
<b>47.</b>	<p><b>TWO (02) POSTS OF JUNIOR SCALE STENOGRAPHER IN KHYBER PAKHTUNKHWA SERVICE TRIBUNAL.</b></p> <p><b>QUALIFICATION:</b> (i) Intermediate from a recognized Board and. (ii) Speed of 50 word per minute in English Shorthand and 35 words per minute in Typing with knowledge of Computer in using MS Word and MS Excel.</p> <p><b>AGE LIMIT:</b> 18 to 25 years. <b>PAY SCALE:</b> BPS-12 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> One each to Zone- 2 &amp; 3.</p>
<b>ZAKAT, USHER, SOCIAL WELFARE &amp; WOMEN DEV: DEPARTMENT</b>	
<b>48.</b>	<p><b>ONE (01) POST OF GENDER ANALYST IN ZAKAT &amp; USHER DEPARTMENT</b></p> <p><b>QUALIFICATION:</b> (i) 2<sup>nd</sup> Class Master's Degree in Gender Studies OR (ii) Master's Degree in Social Work/Sociology / Anthropology / Social Sciences with at least three (03) years experience in relevant field.</p> <p><b>AGE LIMIT:</b> 22 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes. <b>ALLOCATION:</b> Zone-1.</p>

### **GENERAL CONDITIONS**

- (i) Age shall be reckoned on **30.09.2016**. Maximum age limit as prescribed in the recruitment rules shall be relaxed upto 10 years for Disabled persons and Govt: Servants who have completed 2 years continuous service and upto 3 years for candidates belonging to backward areas specified in the appendix attached to the Khyber Pakhtunkhwa Initial Appointment to Civil Posts (Relaxation of Upper Age Limit) Rules, 2008. However, a candidate shall be allowed relaxation in age in one of the above categories provided that the candidates from backward areas, in addition to automatic relaxation of three years shall be entitled to one of the relaxations available to Govt: Servants, general or disabled candidates, whichever is relevant and applicable to them. Employees or ex-employees of development projects of the Government of Khyber Pakhtunkhwa and employees or ex-employees of development projects of the Federal Government under the administrative control of the Government of Khyber Pakhtunkhwa shall also be entitled to age relation equal to the period served in the projects, subject to a maximum limit of ten years provided that this age relaxation shall not be available in conjunction with any other provisions of the age relaxation rules.
- (ii) Only the qualification possessed on the closing date of the advertisement fixed for the incountry candidates shall be taken into consideration.
- (iii) Degrees / Diploma / Experience Certificates / Testimonials of unrecognized Institution are not accepted. Only original Degrees / Certificates are accepted, however, the candidates can apply on provisional certificate signed by the Controller of Examination of the respective institution. The candidates shall produce original degrees / certificates before their selection. Detail Marks Certificates for all the examinations shall necessarily be required and these should be attached with the application forms.
- (iv) Candidates applying against disabled posts must attach with their application forms a disability certificate from the Provincial Council for Rehabilitation of Disabled Persons as well as disability certificate from the respective Medical Superintendent/ Medial Board showing therein the specific disability.
- (v) Govt. / Semi Govt. / Autonomous / Semi Autonomous Bodies employees may apply direct but their Departmental Permission Certificates should reach within 30 days of the closing date.
- (vi) Applications should be on the prescribed application form obtainable from the listed below branches of the NATIONAL BANK OF PAKISTAN. Application Fee is Rs.285/- (Rupees Two Hundred Eighty Five only) for all the candidates. In addition to the application fee, the candidates will have to pay Rs.15/- (rupees fifteen only) on account of Bank Charges. Separate application form will be required for each advertised category of posts. Application forms obtained other than the specified branches of the National Bank will be considered invalid and such applications will



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not be entertained. The applications on plain paper or Photostat shall not be accepted. Incomplete and late applications shall not be accepted which shall be rejected. Candidates can also apply online through the Commission's website ([www.kpppsc.gov.pk](http://www.kpppsc.gov.pk)). However the application fee needs to be deposited in State Banks of Pakistan or a National Bank of Pakistan Branch under head of account No. C02101- Organs of State-Examination Fee of KP PSC through Challan on or before the closing date. The same alongwith attested copies of all the documents need to be submitted to the Commission within 10 days.

- (vii) Applications must be submitted within time as no extra time is allowed for postal transit. The applications if submitted on the last date for receipt of applications must reach the Commission's office by the closing hours.
- (viii) Applicants married to Foreigners are considered only on production of the Govt: Relaxation Orders.
- (ix) No applicant shall be considered in absentia on paper qualifications unless, he/she possesses exceptionally higher qualifications than the minimum prescribed qualification for a particular post(s).
- (x) Govt. reserves the right not to fill any or fill more or less than the advertised post(s).
- (xi) Candidates who have already availed three chances by physical appearance before the Commission and have failed for the post(s) having one and the same qualifications and scale of pay shall be ineligible.
- (xii) Experience wherever prescribed shall be counted after the minimum qualifications for the post(s), if not specifically provided otherwise against the advertised post(s).
- (xiii) The candidates applying for posts requiring experience are advised to fill in the requisite proforma and provide the experience certificate available on the Commission's website and submit it alongwith the application form. The application form without this proforma and certificate shall not be accepted/ processed.
- (xiv) In case the number of applications of candidates is disproportionately higher than the number of posts, short listing will be made in anyone of the following manner: -
  - (a) Written Test in the Subject.
  - (b) General Knowledge or Psychological General Ability Test.
  - (c) Academic and/or Professional record as the Commission may decide.

### **SPECIFIED BRANCHES OF THE NATIONAL BANK OF PAKISTAN.**

- (1) Main Branches of:  
Parachinar, Mardan, Swabi, Malakand, Shangla, Chitral, Timargara, Daggar, D.I.Khan, Bannu, Karak, Kohat, Hangu, Lakki Marwat, Abbottabad, Haripur, and Mansehra
- (2) Saddar Road Branch, Tehkal Payan Branch, G.T Road (Nishtar Abad) Branch and University Campus Branch Peshawar.
- (3) Tehsil Bazar Branch Charsadda, Nowshera Cantt: Branch, Bank Square Branch Mingora and City Branch Tank

**Note:** -The candidate who apply for the post(s) are advised to make sure that they are eligible for the post in all respects because eligibility of the candidate will be determined strictly according to the rules after conduct of all essential tests.

(Akbar Ali Khan)  
Secretary  
Khyber Pakhtunkhwa  
Public Service Commission  
Peshawar

Before the Judgment of 11/03/2020

# KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION

2- Fort Road Peshawar Cantt:

Website: [www.kppsc.gov.pk](http://www.kppsc.gov.pk)

Tele: Nos. 921-9214131, 9213563, 9213750, 9212897

Dated: 16.03.2020

## ADVERTISEMENT No. 02/2020

Online applications are invited for the following posts from Pakistani citizens having domicile of Khyber Pakhtunkhwa by **03.04.2020**.

- Applications other than online will not be accepted. To apply, visit any Jazz Cash & Easy Paisa Agent, deposit application fee of RS.500/- excluding service charges up to official timing of the closing date (05:00 PM) and get transaction I.D through SMS. Visit PSC website [www.kppsc.gov.pk](http://www.kppsc.gov.pk) and apply online.
- Candidates are advised to fill in all the columns carefully as change(s) will not be allowed after submission. Unclaimed qualification, experience etc will not be accepted later on.
- Incomplete applications will be summarily rejected.
- Only one application is required for one serial, however the candidates applying for various quotas should mention serial number of (1)a, (1)b or (1)c in the application form specifically.
- Documents are not required at the time of submission of application; candidates who qualify the test will have to submit their documents within one week time after announcement of the result, however in experience involved posts, all documents are required to be submitted immediately after apply.

### AGRICULTURE, LIVESTOCK & COOPERATIVE DEPARTMENT

1. ONE (01) (LEFTOVER) POST OF RESEARCH OFFICER (AGRICULTURE CHEMISTRY/ SOIL SCIENCE (MINORITY QUOTA) IN AGRICULTURE, LIVESTOCK & COOPERATIVE DEPARTMENT (RESEARCH WING).  
**QUALIFICATION:** 2<sup>nd</sup> Class M.Sc/ B.Sc (hons) Degree in Agriculture from a recognized University, Under Research Programme in the subject relating to the subject groups as specified in schedule (appended to this notification) to which the vacancy occurs.  
**AGE LIMIT:** 21 to 32 years      **PAY SCALE:** BPS-17      **ELIGIBILITY:** Both Sexes
- |                    |       |
|--------------------|-------|
| <b>ALLOCATION:</b> | Merit |
|--------------------|-------|

### ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

2. THREE (03) LEFTOVER POSTS OF FEMALE SUBJECT SPECIALIST PHYSICS IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.  
**QUALIFICATION:** At least 2<sup>nd</sup> Class Master's Degree or Four Years BS Degree in the relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University.  
**AGE LIMIT:** 23 to 35 years      **PAY SCALE:** BPS-17      **ELIGIBILITY:** Female
- |                    |        |
|--------------------|--------|
| <b>ALLOCATION:</b> | Zone-1 |
|--------------------|--------|
3. ONE (01) LEFTOVER POST OF FEMALE SUBJECT SPECIALIST PHYSICS (DISABLE QUOTA) IN ELEMENTARY & SECONDARY EDUCATION DEPARTMENT.  
**QUALIFICATION:** At least 2<sup>nd</sup> Class Master's Degree or Four Years BS Degree in the relevant subject with Bachelor of Education or M.Ed or Master of Education (Industrial Arts or Business Education) or M.A Education or Equivalent Qualification from recognized University.  
**AGE LIMIT:** 23 to 35 years      **PAY SCALE:** BPS-17      **ELIGIBILITY:** Female
- |                    |       |
|--------------------|-------|
| <b>ALLOCATION:</b> | Merit |
|--------------------|-------|
4. ONE (01) LEFTOVER POST OF FEMALE LIBRARIAN (MINORITY QUOTA)  
**QUALIFICATION:** Master's degree in Library & Information Science from a recognized University.  
**AGE LIMIT:** 21 to 35 years      **PAY SCALE:** BPS-17      **ELIGIBILITY:** Female
- |                    |       |
|--------------------|-------|
| <b>ALLOCATION:</b> | Merit |
|--------------------|-------|

### FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

5. TWO (02) POSTS OF MONITORING INSPECTOR (FEMALE & MINORITY QUOTA) IN ENVIRONMENT PROTECTION AGENCY (FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT).  
**QUALIFICATION:** (a) At least second Class Bachelor's of Science Degree with Chemistry, Botany, Agriculture, Forestry and Physics as one of the subjects or equivalent qualification from a recognized University with one year experience in data collection or laboratory work in Government or Semi Government Organizations; OR  
(b) At least second class Master's Degree in Environmental Sciences or Environmental Planning and Management or Bachelor of Studies (four years) in Environmental Sciences.  
**AGE LIMIT:** 21 to 35 years      **PAY SCALE:** BPS-14      **ELIGIBILITY:** Minority Quota(Both Sexes)  
Female Quota (Only Female)
- ALLOCATION:**
- (a) One (01) post for Female Quota to Merit.  
(b) One (01) post for Minority Quota to Merit.

**HEALTH DEPARTMENT**

6.	<p><b>ONE HUNDRED &amp; FORTY EIGHT (148) LEFTOVER POSTS OF MEDICAL OFFICERS (ONE HUNDRED (100) TO MINORITY QUOTA &amp; FORTY EIGHT (48) TO DISABLE QUOTA) IN HEALTH DEPARTMENT.</b>  <b>QUALIFICATION:</b> (a) MBBS or equivalent qualification from recognized university and (b) Completion of House Job Training.  <b>AGE LIMIT:</b> 22 to 35 years      <b>PAY SCALE:</b> BPS-17      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>                  1. One Hundred (100) posts for Minority Quota to Merit                  2. Forty Eight (48) posts for Disable Quota to Merit.</p>
7.	<p><b>NINETY FOUR (94) (LEFTOVER) POSTS OF CHARGE NURSE (EIGHTY (80) TO GENERAL, SIX (06) TC FEMALE, AND FOUR (04) EACH TO MINORITY &amp; DISABLE QUOTA).</b>  <b>QUALIFICATION:</b> (i) B.Sc Nursing four years Degree; OR Diploma in General Nursing and one year specialized post basic Diploma; AND (ii) Equal for both male and female candidates duly registered with Pakistan Nursing Council.  <b>AGE LIMIT:</b> 21 to 35 years      <b>PAY SCALE:</b> BPS-16      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>                  (a) Eighty (80) posts for General Quota; forty four (44) to Zone-1, four (04) to Zone-2, nineteen (19) to Zone-4 and thirteen (13) to Zone-5.                  (b) Six (06) posts for Female Quota to Merit.                  (c) Four (04) posts for Minority Quota to Merit.                  (d) Four (04) posts for Disable Quota to Merit.</p>
8.	<p><b>FORTY ONE (41) POSTS OF MEDICAL ENTOMOLOGISTS IN HEALTH DEPARTMENT.</b>  <b>QUALIFICATION:</b> (i) At least Second Division Bachelor of Science in Biology, Zoology, Microbiology, Molecular Biology, Environmental Health Agriculture (Entomology), Pharmacy, Medical Technology or Biotechnology from recognized university and Post Graduate qualification in Medical Entomology and Disease Vector Control.   <b>Note:</b> Working in Dengue surveillance field entomology may be preferred; (ii) If no one is available with the above qualification, then at least Second Class Master of Science in Zoology, Bachelor of Science in Agriculture entomology or Bachelor of Science (Hons;) in Zoology subject to the condition to acquire the postgraduate qualification in Medical Entomology and Disease Vector Control within three years of the appointment.  <b>AGE LIMIT:</b> 25 to 32 years      <b>PAY SCALE:</b> BPS-17      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>                  (a) Thirty Five (35) posts for general quota; Nine (09) to Merit, Six (06) each to Zone-1, Zone-2, Zone-3 and Four (04) each to Zone-4 &amp; Zone-5.                  (b) Four (04) posts for Female Quota to Merit.                  (c) One (01) post for Minority Quota to Merit.                  (d) One (01) post for Disable Quota to Merit.   <b>Note: Those candidates who have applied against previous advertisement 05.2018 Sr. 43 are not eligible, need not apply afresh.</b></p>
9.	<p><b>SIX (06) POSTS OF DISTRICT SPECIALIST (TWO (02) EACH FOR NEURO SURGERY, SURGERY OR ORTHOPEDIC SURGERY) IN DHQ HOSPITAL PARACHINAR TRIBAL DISTRICT KURRAM.</b>  <b>QUALIFICATION:</b> (a) Postgraduate degree/Fellowship in the specialty from a recognized University/Institute; OR (b) Diploma in the specialty from a recognized Institute with at least one year service after diploma in the relevant specialty.  <b>Note:</b> Candidates with the qualification at (b) shall be considered only when no suitable candidate with the qualification at (a) above is available.  <b>AGE LIMIT:</b> 22 to 40 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>      <b>Merit</b></p>
10.	<p><b>FOUR (04) POSTS OF SENIOR REGISTRARS (ONE (01) EACH FOR MEDICINE, ENT, SURGERY AND PAEDIATRICS) IN SAIDU MEDICAL COLLEGE SAIDU SHARIF, SWAT.</b>  <b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the PM&amp;DC AND, (ii) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures in the respective clinical science subject or equivalent qualification recognized by PM&amp;DC.  <b>AGE LIMIT:</b> 25 to 45 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>      <b>Merit</b></p>
11.	<p><b>TEN (10) POSTS OF SENIOR REGISTRARS, (TWO (02) FOR PEDIATRIC SURGERY, ONE (01) EACH FOR PLASTIC SURGERY, NEURO SURGERY, ANESTHESIA, CARDIAC SURGERY, NEPHROLOGY, ONCOLOGY, DENTISTRY AND NEUROLOGY) IN GAJJU KHAN MEDICAL COLLEGE, SWABI.</b>  <b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the PM&amp;DC AND, (ii) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures in the respective clinical science subject or equivalent qualification recognized by PM&amp;DC.  <b>AGE LIMIT:</b> 25 to 45 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>      <b>Merit</b></p>

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**HEALTH DEPARTMENT**

6.	<p><b>ONE HUNDRED &amp; FORTY EIGHT (148) LEFTOVER POSTS OF MEDICAL OFFICERS (ONE HUNDRED (100) TO MINORITY QUOTA &amp; FORTY EIGHT (48) TO DISABLE QUOTA) IN HEALTH DEPARTMENT.</b>  <b>QUALIFICATION:</b> (a) MBBS or equivalent qualification from recognized university and (b) Completion of House Job Training.  <b>AGE LIMIT:</b> 22 to 35 years      <b>PAY SCALE:</b> BPS-17      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>  1. One Hundred (100) posts for Minority Quota to Merit  2. Forty Eight (48) posts for Disable Quota to Merit.</p>
7.	<p><b>NINETY FOUR (94) (LEFTOVER) POSTS OF CHARGE NURSE (EIGHTY (80) TO GENERAL, SIX (06) TO FEMALE, AND FOUR (04) EACH TO MINORITY &amp; DISABLE QUOTA).</b>  <b>QUALIFICATION:</b> (i) B.Sc Nursing four years Degree; OR Diploma in General Nursing and one year specialized post basic Diploma; AND (ii) Equal for both male and female candidates duly registered with Pakistan Nursing Council.  <b>AGE LIMIT:</b> 21 to 35 years      <b>PAY SCALE:</b> BPS-16      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>  (a) Eighty (80) posts for General Quota; forty four (44) to Zone-1, four (04) to Zone-2, nineteen (19) to Zone-4 and thirteen (13) to Zone-5.  (b) Six (06) posts for Female Quota to Merit.  (c) Four (04) posts for Minority Quota to Merit.  (d) Four (04) posts for Disable Quota to Merit.</p>
8.	<p><b>FORTY ONE (41) POSTS OF MEDICAL ENTOMOLOGISTS IN HEALTH DEPARTMENT.</b>  <b>QUALIFICATION:</b> (i) At least Second Division Bachelor of Science in Biology, Zoology, Microbiology, Molecular Biology, Environmental Health Agriculture (Entomology), Pharmacy, Medical Technology or Biotechnology from recognized university and Post Graduate qualification in Medical Entomology and Disease Vector Control.  <b>Note:</b> Working in Dengue surveillance field entomology may be preferred; (ii) If no one is available with the above qualification, then at least Second Class Master of Science in Zoology, Bachelor of Science in Agriculture entomology or Bachelor of Science (Hons;) in Zoology subject to the condition to acquire the postgraduate qualification in Medical Entomology and Disease Vector Control within three years of the appointment.  <b>AGE LIMIT:</b> 25 to 32 years      <b>PAY SCALE:</b> BPS-17      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>  (a) Thirty Five (35) posts for general quota; Nine (09) to Merit, Six (06) each to Zone-1, Zone-2, Zone-3 and Four (04) each to Zone-4 &amp; Zone-5.  (b) Four (04) posts for Female Quota to Merit.  (c) One (01) post for Minority Quota to Merit.  (d) One (01) post for Disable Quota to Merit.  <b>Note: Those candidates who have applied against previous advertisement 05.2018 Sr. 43 are not eligible, need not apply afresh.</b></p>
9.	<p><b>SIX (06) POSTS OF DISTRICT SPECIALIST (TWO (02) EACH FOR NEURO SURGERY, SURGERY ORTHOPEDIC SURGERY) IN DHQ HOSPITAL PARACHINAR TRIBAL DISTRICT KURRAM.</b>  <b>QUALIFICATION:</b> (a) Postgraduate degree/Fellowship in the specialty from a recognized University/Institute; OR (b) Diploma in the specialty from a recognized Institute with at least one year service after diploma in the relevant specialty.  <b>Note:</b> Candidates with the qualification at (b) shall be considered only when no suitable candidate with the qualification at (a) above is available.  <b>AGE LIMIT:</b> 22 to 40 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>      <b>Merit</b></p>
10.	<p><b>FOUR (04) POSTS OF SENIOR REGISTRARS (ONE (01) EACH FOR MEDICINE, ENT, SURGERY AND PAEDIATRICS) IN SAIDU MEDICAL COLLEGE SAIDU SHARIF, SWAT.</b>  <b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the PM&amp;DC AND, (ii) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures in the respective clinical science subject or equivalent qualification recognized by PM&amp;DC.  <b>AGE LIMIT:</b> 25 to 45 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>      <b>Merit</b></p>
11.	<p><b>TEN (10) POSTS OF SENIOR REGISTRARS, (TWO (02) FOR PEDIATRIC SURGERY, ONE (01) EACH FOR PLASTIC SURGERY, NEURO SURGERY, ANESTHESIA, CARDIAC SURGERY, NEPHROLOGY, ONCOLOGY, DENTISTRY AND NEUROLOGY) IN GAJJU KHAN MEDICAL COLLEGE, SWABI.</b>  <b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the PM&amp;DC AND, (ii) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures in the respective clinical science subject or equivalent qualification recognized by PM&amp;DC.  <b>AGE LIMIT:</b> 25 to 45 years      <b>PAY SCALE:</b> BPS-18      <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b>      <b>Merit</b></p>

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12.	<p><b>TEN (10) POSTS OF DRUG INSPECTOR (NINE (09) TO GENERAL AND ONE (01) TO FEMALE QUOTA).</b>  <b>QUALIFICATION:</b> (i) Degree in Pharmacy from a recognized university and  (ii) One year experience in manufacturing, sale, testing or analysis of drugs, or in the drug administration, or in a hospital or pharmacy.  <b>AGE LIMIT:</b> 21 to 35 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes.  <b>ALLOCATION:</b>  (a). Nine (09) Posts for General Quota; Two (02) each to Merit, Zone-1, Zone-2 &amp; Zone-3 and One (01) to Zone-5.  (b). One (01) Post for Female Quota to Merit.</p>
13.	<p><b>TWENTY ONE (21) POSTS OF PHARMACIST (EIGHTEEN (18) TO GENERAL, TWO (02) TO FEMALE, AND ONE (01) TO MINORITY QUOTA).</b>  <b>QUALIFICATION:</b> (i) Pharm-D from a recognized university registered with the Pharmacy Council under the Pharmacy Act, 1967; OR  (ii) B-Pharmacy from recognized university with 01 year experience in relevant field and registered with the Pharmacy Council under the Pharmacy Act, 1967.  <b>AGE LIMIT:</b> 21 to 32 years. <b>PAY SCALE:</b> BPS-17 <b>ELIGIBILITY:</b> Both Sexes.  <b>ALLOCATION:</b>  (a). Eighteen (18) Posts for General Quota; four (04) each to Merit &amp; Zone-1, Three (03) each to Zone-2 &amp; Zone-3 and Two (02) each to Zone-4 &amp; Zone-5.  (b). Two (02) Posts for Female Quota to Merit.  (c). One (01) Post for Minority Quota to Merit.</p>
14.	<p><b>TWO (02) (LEFTOVER) POSTS OF PROFESSORS ONE (01) EACH FOR PSYCHIATRY AND ANESTHESIOLOGY IN SAIDU MEDICAL COLLEGE SWAT.</b>  <b>QUALIFICATION:</b> (a) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the Pakistan Medical &amp; Dental Council; and  (b) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures, in the respective clinical science subject or equivalent qualification recognized by Pakistan Medical &amp; Dental Council;  (ii) <b>EXPERIENCE:-</b> Three years teaching experience as an Associate Professor in the respective subject is essential provided that total experience as Assistant Professor and Associate Professor is not less than eight years or nine years teaching experience as an Assistant Professor and Associate Professor in the respective subject calculated as per Pakistan Medical &amp; Dental Council Regulations duly certified by Pakistan Medical &amp; Dental Council in case of experience gained in private sector medical colleges; and  (iii) <b>RESEARCH PUBLICATIONS:-</b> A total of five Research Publications out of which at least two as Principal author in the relevant specially are required. Only an original article published in a medical journal approved by the Pakistan Medical &amp; Dental Council shall be acceptable.  <b>AGE LIMIT:</b> 40 to 50 years <b>PAY SCALE:</b> BPS-20 <b>ELIGIBILITY:</b> Both Sexes  <b>ALLOCATION:</b> Merit</p>
15.	<p><b>ONE (01) POST OF ASSISTANT PROFESSOR PHYSIOLOGY IN SAIDU MEDICAL COLLEGE SWAT.</b>  <b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the Pakistan Medical &amp; Dental Council; and  (ii) FCPS/Ph.D (duration of 4 years) or qualification with other nomenclatures, in respective basic science subject or equivalent qualification recognized by Pakistan Medical &amp; Dental Council; or  (iii) M.Phil (duration of 2 years) or qualification with other nomenclature, in respective basic science subject or equivalent qualification in the respective basic science subject recognized by Pakistan Medical &amp; Dental Council having two years teaching experience as Lecturer / Demonstrator in respective basic science subject (i.e M.Phil or qualification with other nomenclature recognized by Pakistan Medical &amp; Dental Council). In case of private sector medical colleges, the experience is duly certified by Pakistan Medical &amp; Dental Council.  (iv) FCPS/MS/MD or qualification with other nomenclature (duration of 4 year) in related clinical subjects (duration of 4 years).  <b>AGE LIMIT:</b> 27 to 45 years. <b>PAY SCALE:</b> BPS-18 <b>ELIGIBILITY:</b> Both Sexes.  <b>ALLOCATION:</b> Merit</p>
16.	<p><b>ONE (01) POST OF ASSISTANT PROFESSOR ENT IN SAIDU MEDICAL COLLEGE SWAT.</b>  <b>QUALIFICATION:</b> (i) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the Pakistan Medical &amp; Dental Council; and  (ii) FCPS/MS/MD (duration of 4 years) or qualification with other nomenclatures, in the respective clinical science subject or equivalent qualification recognized by Pakistan Medical &amp; Dental Council having three years teaching experience after Post Graduation in the following order of preference:  1. Teaching experience; and  2. Practical experience.  In case of private sector medical colleges, the experience is duly certified by Pakistan Medical &amp; Dental Council.  <b>AGE LIMIT:</b> 28 to 45 years. <b>PAY SCALE:</b> BPS-18 <b>ELIGIBILITY:</b> Both Sexes.  <b>ALLOCATION:</b> Merit</p>