

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 715/2019

Date of Institution ... 31.05.2019
Date of Decision ... 28.06.2022

Mr. Umar Zada, JCT Anesthesia (BPS-12), DHQ Hospital Bajaur.
... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary Health
Department, Khyber Pakhtunkhwa Peshawar and four others.
... (Respondents)

Noor Muhammad Khattak,
Advocate ... For appellant.

Asif Masood Ali Shah,
Deputy District Attorney ... For respondents.

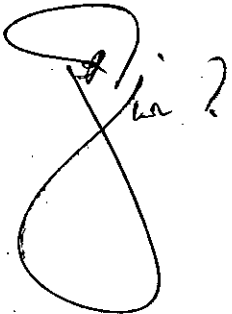
Salah Ud Din ... Member (J)
Rozina Rehman ... Member (J)

JUDGMENT

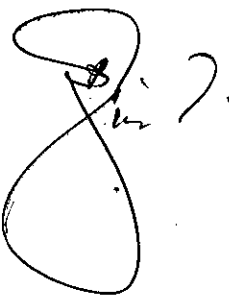
ROZINA REHMAN, MEMBER (J): The appellant has invoked the
jurisdiction of this Tribunal through above titled appeal with the prayer
as copied below:

“On acceptance of this appeal the respondents may
kindly be directed to implement the order dated
23.01.2019 and accept the arrival report of the
appellant as Anesthesia Technician (BPS-12) with all
back benefits.”

2. Brief facts of the case are that appellant was initially appointed
as X-Ray Attendant in the respondent Department on the
recommendation of Departmental Selection Committee vide order



dated 20.08.2003. In response, he submitted his charge report and started performing his duty up to the entire satisfaction of his superiors. The respondent Department issued Notification dated 28.02.2012 in the light of judgment of the august Peshawar High Court, whereby, those Class-IV employees who had acquired diploma in the relevant field from the Medical Faculty of Khyber Pakhtunkhwa, were promoted against the post of Junior Clinical Technicians (BPS-12). In the light of the above-mentioned Notification, the appellant who had acquired diploma from Medical Faculty of Khyber Pakhtunkhwa in the field of Anesthesia also submitted an application for his promotion to the post of Anesthesia Technician (BPS-12). The appellant was called for interview vide letter dated 17.01.2019. He accordingly appeared and was selected for promotion to the post of JCT Anesthesia (BPS-12) by Departmental Promotion Committee and in the light of recommendation he was promoted/adjusted against the said post vide order dated 23.01.2019. The appellant visited the concerned quarter to submit his arrival report but the same was refused to the appellant without assigning any reason. Feeling aggrieved, he filed departmental appeal but to no avail, hence, the instant service appeal.



3. We have heard Mr. Noor Muhammad Khattak Advocate, learned counsel for the appellant and Asif Masood Ali Shah learned Deputy District Attorney for the respondents and have gone through the record and the proceedings of the case in minute particulars.

4. Noor Muhammad Khattak Advocate learned counsel appearing on behalf of appellant inter-alia submitted that the inaction of the respondents by not allowing the appellant to submit his charge report

against the post of JCT Anesthesia, is against law, policy, facts and norms of natural justice; that the appellant was not treated in accordance with law and rules on the subject and as such the respondents violated Articles-4 & 25 of the Constitution of Islamic Republic of Pakistan, 1973. He further contended that the treatment meted out to the appellant by not allowing him to submit his charge report against the post of JCT Anesthesia is a clear violation of the fundamental rights of the appellant as the respondent Department acted in an arbitrary and malafide manner. It was submitted that the appellant was discriminated and as such the respondents violated the principles of natural justice. Lastly, he submitted that just like the case of those petitioners who were adjusted in the light of directions of the august Peshawar High Court, the Department may be directed to decide the departmental appeal of the appellant.

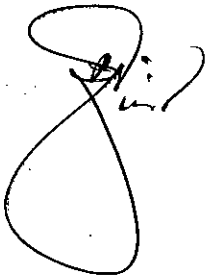
5. Conversely, learned Deputy District Attorney contended that the appellant was appointed as X-Ray Attendant in DHQ Hospital Khar, District Bajaur. He contended that the Notification dated 28.02.2012 issued in the light of Court order, whereby, adjustment of some Ward Attendants upon the post of Technicians were made by the Health Department but as per the said Notification, the concerned Ward Attendants had got diplomas and they were already working on the post of Technicians for last one or two years on general basis and due to the said experience, those petitioners were adjusted against the post of Technicians. Lastly, he submitted that the appellant was called for written test but he did not appear on due date and time and absented himself as per attendance sheet, therefore, he was not selected and the



appointment order attached with the instant appeal is fake & bogus. He therefore, requested for dismissal of the instant service appeal.

6. After hearing the learned counsel for the parties and going through the record of the case with their assistance and after perusing the precedent cases cited before us, we are of the opinion that Class-IV employees who had acquired diploma in the relevant field from Medial Faculty of Khyber Pakhtunkhwa filed Writ Petition No.102 in the august Peshawar High Court, Mingora Bench (Dar-UI-Qaza) Swat and in the light of the judgment of august Court, respondent Department issued Notification dated 28.02.2012. The competent authority was pleased to approve the adjustment of seven petitioners. The detail whereof is available on file in shape of the above-mentioned notification wherein one Munawar Said at Serial No.6 who was Ward Attendant (BPS-02) was adjusted against the post of Anesthesia Technician (BPS-09) as he was in possession of diploma in the relevant field. The present appellant has also got diploma and he also produced office orders dated 23.01.2019 vide which he was appointed/adjusted on the vacant post of Anesthesia Technician (BPS-12) under the reserved 33% quota for Class-IV. In compliance with the office order No.591/95/PF/C6/Bjr dated 23.01.2019, appellant submitted his arrival report but the same was not accepted, therefore, he filed departmental appeal on 06.02.2019. All these documents were denied by the respondents in their comments.

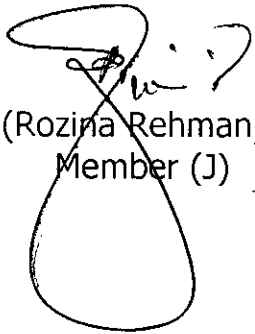
7. In the peculiar circumstances of the present case, where the grave grievances of the appellant require urgent redressal, we send the case to the departmental authority to decide the departmental appeal



of the appellant in writing rendering valid reasons thereof to be made within a period of two months from the date of receipt of copy of this judgment. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.
28.06.2022


(Salah Ud Din)
Member (J)


(Rozina Rehman)
Member (J)

ORDER

28.06.2022

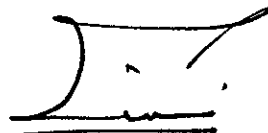
Appellant present through counsel.

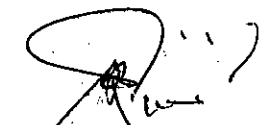
Asif Masood Ali Shah learned Deputy District Attorney for respondents present. Arguments heard. Record perused.

Vide our detailed judgment of today of this Tribunal placed on file, we send the case to the departmental authority to decide the departmental appeal of the appellant in writing rendering valid reasons thereof to be made within a period of two months from the date of receipt of copy of this judgment. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED.

28.06.2022


(Salah Ud Din)
Member (J)


(Rozina Rehman)
Member (J)

10.03.2022

Due to retirement of the Worthy

Chairman, the case is adjourned. To come
up on 27-06-2022 for the same
as before.


Reeder

27.06.2022

Appellant alongwith his counsel present. Mr. Asif
Masood Ali Shah learned Deputy District Attorney for the
respondents present.

Arguments heard. To come up for order on
28.06.2022 before the D.B.



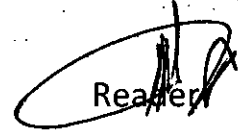
(Rozina Rehman)
Member(J)



(Salah-Ud-Din)
Member(J)

24.11.2020

Due to non-availability of D.B, the case is adjourned to 04.02.2021 for the same as before.


Reader

04.02.2021

Due to COVID-19, the case is adjourned for the same on 03.05.2021 before D.B.


READER

3.5.2021

Due to COVID-19, the case is adjourned to - 1 - 9 - 2021 for the Record.


Reader

01.09.2021

Mr. Noor Muhammad Khattak, Advocate, for the appellant present. Mr. Jaffar Ali, Assistant alongwith Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not met preparation for arguments. Adjourned. To come up for arguments before the D.B on 30.11.2021.



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



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

30.11.2021

Due to non-availability of DB, the case is adjourned to 10-03-2022.


Amir
Reader

12-5.2020

Due to COVID19, the case is adjourned to

4/8/2020 for the same as before.



Reader

04.08.2020

Due to summer vacation case to come up for the same on
05.10.2020 before D.B.



Reader


05.10.2020

Junior counsel for appellant present.

Mr. Muhammad Jan learned Deputy District Attorney
for respondents present.

Former requests for adjournment as senior counsel
for appellant is indisposed.

Adjourned to 24.11.2020 for arguments before D.B.




(Atiq ur Rehman Wazir)
Member (E)




(Rozina Rehman)
Member (J)

22.01.2020

Due to general strike on the call of the Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Adjourned to 12.03.2020 for further proceedings/arguments before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

12.03.2020

Counsel for the appellant present. Asst: AG for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 12.05.2020 before D.B.


Member


Member

715/19

27.09.2019

Counsel for the appellant and Addl. AG alongwith Shah Nawaz, Junior Clerk for the respondents present.

Representative of the respondents requests for further time for submission of written reply/comments. Adjourned to 23.10.2019 on which date the requisite reply shall positively be submitted.



Chairman

23.10.2019

Junior counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General present.

Notice be issued to respondents for submission of written reply/comments. Adjourned by way of last chance. To come up for written reply/comments on 27.11.2019 before S.B.



Chairman

27.11.2019

Junior to counsel for the appellant and Addl. AG alongwith Danyal, Store Keeper for the respondents present.

Representative of the respondents has furnished reply/comments of the respondents. Placed on record. To come up for arguments on 22.01.2020 before D.B. The appellant may furnish rejoinder, within one month, if so advised.


Chairman



03.07.2019

Counsel for the appellant Umer Zada present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was appointed as X-Ray attendant (BPS-4) vide order dated 20.08.2003. It was further contended that the appellant was adjusted on the post of Junior Clinical Technician (BPS-12) vide order dated 23.01.2019 by the competent authority but when the appellant submitted his arrival report, the competent authority did not accept his arrival report rather refused verbally without any reason. It was further contended that the appellant filed departmental appeal but the same was not responded hence, the appellant present service appeal. It was further contended that when the competent authority adjusted the appellant on the post of Junior Clinical Technician (BPS-12) then the competent authority was bound to accept the arrival report of the appellant.

The contentions raised by the learned counsel for the appellant need consideration. The appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 02.09.2019 before S.B.


(Muhammad Amin Khan Kundi)
Member

02.09.2019

Counsel for the appellant and Addl. AG for the respondents present.

No representative of the respondents is in attendance. Learned AAG is required to ensure attendance of representatives of the respondents and submission of written reply/comments on the next date.

Adjourned to 27.09.2019 before S.B.




Chairmah

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 715/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	31/05/2019	<p>The appeal of Mr. Umer Zada presented today by Mr. Noor Muhammad Khattak 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 31/5/19 </p>
2-	11/06/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>03/07/19</u></p> <p style="text-align: right;">  CHAIRMAN </p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

APPEAL NO. 715 /2019

UMAR ZADA

VS

GOVT: OF KPK & OTHERS

INDEX

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APPELLANT

THROUGH:


NOOR MOHAMMAD KHATTAK,
ADVOCATE

ROOM NO. 1, UPPER FLOOR,
NEW ISLAMIA CLUB BUILDING,
KHYBER BAZAR, PESHAWAR CITY

0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

APPEAL NO. 715 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 828

Dated 31/5/2019

Mr. Umar Zada, JCT Anesthesia (BPS-12),
DHQ Hospital Bajaur **Appellant**

VERSUS

- ✓1- The Government of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
 - ✓2- The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
 - ✓3- The Director Health Services Tribal Districts, Warsak Road, Peshawar.
 - ✓4- The District Health Officer/Surgeon, District Bajaur.
 - ✓5- The Medical Superintendent, DHQ Hospital Bajaur.
- **Respondents**

APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT IMPLEMENTING THE ADJUSTMENT/PROMOTION ORDER DATED 23.1.2019 OF THE APPELLANT NOT ACCEPTING THE ARRIVAL REPORT OF THE APPELLANT ON THE POST OF ANESTHESIA TECHNICIAN (BPS-12) AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD

PRAYER: That on acceptance of this appeal the respondents may kindly be directed to implement the order dated 23.1.2019 and accept the arrival report of the appellant as Anesthesia technician (BPS-12) with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

Filed to-day
Registrar
31/5/19

R/SHEWETH:
ON FACTS:

- 1- That initially the appellant was appointed as X-Ray attendant in the respondent Department on the proper recommendation of Departmental selection committee vide order dated 20.8.2003. That in response the appellant submitted his charge report and started performing his duty quite efficiently and up to the entire satisfaction of his superiors. Copy of the appointment order is attached as annexure **A.**

- 2- That during service the respondent Department issued Notification dated 28.2.2012 in light of this august Court judgment, whereby those class-iv employees who have acquired diploma in the relevant field from medical faculty of Khyber Pakhtunkhwa were promoted against the posts of Junior Clinical Technicians (BPS-12). Copy of the Notification is attached as annexure **B.**
- 3- That in light of the above mentioned Notification the appellant who have acquired Diploma from medical faculty of Khyber Pakhtunkhwa in the field of Anesthesia also submitted an application for his promotion to the post of Anesthesia Technician (BPS-12). Copies of the educational testimonials are attached as annexure **C.**
- 4- That vide letter dated 17.1.2019 the appellant was called for interview, accordingly the appellant appeared in the interview and has been selected/recommended for promotion to the post of JCT Anesthesia (BPS-12) by the Departmental promotion committee. That in light of the DPC recommendation the appellant was promoted/adjusted against the post of JCT anesthesia (BPS-12) vide office order dated 23.1.2019. Copies of the call letter and promotion order are attached as annexure **D & E.**
- 5- That astonishingly when the appellant visited the concerned quarter to submit his arrival report the but same was refused to the appellant without assigning any reason and clear justification. Copy of the arrival report is attached as annexure **F.**
- 6- That appellant feeling aggrieved submitted Departmental appeal before the respondent No.3 but of no avail. Copy of the Departmental appeal is attached as annexure **G.**
- 7- That the appellant having no other ray of hope but to approach this Honourable Tribunal through the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the inaction of the respondents by not allowing the appellant to submit his charge report against the post of JCT anesthesia (BPS-12) is against the Law, policy, facts and norms of natural justice.
- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject

noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.

- C-** That, the treatment meted out to the appellant by not allowing him to submit his charge report against the post of JCT anesthesia (BPS-12) is a clear violation of the Fundamental Rights of the appellant.
- D-** That, the respondent Department acted in arbitrary and malafide manner by not allowing the appellant to submit his arrival report against the post of JCT anesthesia (BPS-12).
- E-** That, the appellants has been discriminated by the respondent Department on the subject noted above and as such the respondents violated the Principle of Natural Justice.
- F-** That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

INTERIM RELIEF:

That the respondents may be restrained that not to fill up the post of JCT Anesthesia (BPS-12) till the disposal of the instant appeal.

Dated: 27.5.2019

APPELLANT

UMAR ZADA

THROUGH:

NOOR MOHAMMAD KHATTAK

MOHAMMAD MAAZ MADNI
ADVOCATES

A-4

**OFFICE OF THE AGENCY SURGEON BAJAUR
AT KHAR**

Appointment letter

Consequent upon the approval of Departmental Selection Committee held on 7/7/2003 and 8/7/2003.

Mr/Miss. **Umar Zada** S/O **Faqir Mohammad**
Resident of: **Village. Tangi** Tehsil: **Salarzai Bajaur Agency**

Is hereby appointed as **X-ray Attendant (BPS No. 02)** plus usual allowances as admissible under the rules.

His/ Her appointment will be subject to the following terms and conditions:-

1. That your appointment is on contract basis for period of three years and your services are liable to be terminated at any time with out any notice or resign being assigned.
2. That you are declared medically fit for Govt. service.
3. The post is not transferable, and you must serve for three years on the said post.
4. That you will be governed by such and orders as may be issued by the government of NWFP, from time to time for the category of the Government servant to which he/she belong.
5. That if you wish to resign, at any time, your will resign in written within 30 days notice or you will be forfeit one month pay in lieu thereof and will continue to serve the government till the acceptance of your resignation by the competent authority.
6. That you will be posted any where in Bajaur agency.
7. That you will not be entitled to any TA/DA for Medical examination and joining the first appointment.
8. The offer is subject to the availability of vacant post.
9. If you accept the post the post on above terms and conditions you should report to the **Office of Agency Surgeon Bajaur at Khar** Within 15 days. The offer will be cancelled if you fail to report for duty.

Sd/.....
AGENCY SURGEON
BAJAUR AT KHAR

No. 8087-91 /G-5/BJR

Dated. 20 /8/2003

Copy forwarded to the:-

1. Political Agent Bajaur Chairman Departmental Selection Committee.
2. Deputy Director (Admn) Directorate Health Services FATA NWFP Peshawar.
3. DMS AHQ, Hospital Khar.
4. Agency Account Officer Bajaur at Khar.
5. Official Concerned.

For information please

ATTESTED

AGENCY SURGEON
BAJAUR AT KHAR

To

1. The Director General,
Health Services, Khyber Pakhtunkhwa,
Peshawar
2. The Executive District Officer-Health,
Dir Lower

Subject:-

COMPLIANCE OF PESHAWAR HIGH COURT'S ORDERS IN WP
NO.102/11 & PROCEEDINGS IN CONTEMPT PETITION NO.01/2012.

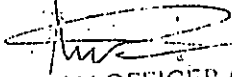
I am directed to refer to the Peshawar High Court's orders passed in WP No.102/11 filed Azizur Rehman etc. Versus Government of Khyber Pakhtunkhwa Health Secretary and others dated 13/10/11 and subsequent orders of the apex court in contempt petition No. 01/2012 dated 4/1/2012 wherein the apex court has directed the Provincial Government, Health Department to resolve the issue within a period of one month positively. Copies of the aforesaid orders are enclosed.

To comply the superior court's orders in letter and spirit, the competent authority has been pleased to approve the adjustment of petitioners as under:-

S.No.	S.No., name & designation of petitioners in WP No.102/11	Required adjustment against the posts	Remarks/Justification
1.	Petitioners at S.No. 1 to 5 (excluding S.No. 2) are Muslim Sweepers in BPS-01	Ward Attendant (BPS-02)	Adjustment/appointment to be made on the basis of Establishment & Admn.Deptt. Notification No.SOIV/4(4)89/Vol.II dated 13/5/90. Copy enclosed for ready reference.
2.	Petitioner at S.No.2 also a Muslim Sweeper in BPS-01.	Driver (BPS-03)	Petitioner is in possession of a valid driving licence plus experience/ commendation certificate awarded by MS DHQ Hospital Dir Lower and also working as Driver for the last one year.
3.	Petitioner at S.No.3 Amjid Ali Mali (BPS-01)	Junior Clerk (BPS-07)	Petitioner is in possession of FA certificate plus experience certificate awarded by MS DHQ Hospital Dir Lower and also working as Junior Clerk for the last one year.
4.	Petitioner at S.No.7 (Javed Khan) Ward Attendant (BPS-02)	Dental Technician (BPS-09)	Petitioner is in possession of diploma in the relevant field awarded by the KPK Medical Faculty plus experience/commendation certificate awarded by MS DHQ Hospital Dir Lower and also working as Dental Technician for the last 03 years.
5.	Petitioner at S.No.8 Umar Sadeq Ward Attendant (BPS-02)	Laboratory Technician (BPS-09)	Petitioner is in possession of diploma in the relevant field awarded by the KPK Medical Faculty plus experience/commendation certificate awarded by MS DHQ Hospital Dir Lower and also working as such for the last one year.
6.	Petitioner at S.No.9 Munawar Saad Ward Attendant (BPS-02)	Anesthesia Technician (BPS-09)	Petitioner is in possession of diploma in the relevant field awarded by the KPK Medical Faculty plus experience/commendation certificate awarded by MS DHQ Hospital Dir Lower and also working as Anesthesia Technician for the last two years.
7.	Petitioner at S.No.10 Noor Khatib Ward Attendant (BPS-02)	Health Technician (BPS-09)	Petitioner is in possession of diploma in the relevant field awarded by the KPK Medical Faculty plus experience/commendation certificate awarded by MS DHQ Hospital Dir Lower and also working as such for the last one year.

ATTESTED


The competent authority desires to adjust/appoint the aforesaid petitioners against the posts mentioned in Col. 03 of the table above under initiation to this department enabling us to apprise the Hon'able Peshawar High Court Mingora Bench (Daru Quza), Swat without further loss of time.


SECTION OFFICER (LIT.I) 29/02/012

Encl. No. & Date. EVEN

1. Copy forwarded to the-
Additional Registrar, Peshawar High Court, Mingora Bench Swat with reference to his letter No. 910/Judl
2. Additional Advocate General, Peshawar High Court Mingora Bench, Swat.
3. P.S to Secretary Health, Khyber Pakhtunkhwa Peshawar.
4. Deputy Secretary-II, Health Department, Peshawar..

SECTION OFFICER (LIT.I)

ATTESTED


Board Of Intermediate & Secondary Education

MALAKAND

DETAILED MARKS CERTIFICATE
Secondary School Certificate Examination

(SCIENCE GROUP)

Session 2003 (Annual/Supplementary)



S.No 03217

Name Umar Zada

Father's Name Ragbir Mohammad Roll No. 222224

SUBJECTS	Total number of marks allotted						
	Theory	Practical	Total Marks	Theory	Practical	Total in Figures	In words
1. English	150		150			68	
2. Urdu	150		150			66	
3. Islamiat Comp.	75		75			41	
4. Pak. Studies	75		75			27	
5. Mathematics	100		100			49	
6. Physics	75	25	100	37	19	56	
7. Chemistry	75	25	100	25	20	45	
8. Biology	75	25	100	40	20	60	
Total	775	75	850			412-0	

Errors/omissions excepted

Four hundred and twelve

Prepared by JL

Checked by _____

Date _____

[Signature]
Controller of Examinations


Board of intermediate & Secondary Education
MALAKAND

ATTESTED
[Signature]

SNO: 04844

Roll No: 222224

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION MALAKAND



MALAKAND N.W.F.P. PAKISTAN
PROVISIONAL CERTIFICATE
SECONDARY SCHOOL CERTIFICATE EXAMINATION
SESSION 2003 ANNUAL/SUPPLEMENTARY
Science Group

THIS IS TO CERTIFY THAT Umar Zada
Son/Daughter of Faqir Muhammad
and a candidate of Bye Agency
has passed the Secondary School Certificate Examination of the
Board of Intermediate and Secondary Education, Malakand held in March 2003
as a Regular/Private candidate. He/She obtained 412 marks out of 850 and has
been placed in Grade (D) Representing Fair

The Candidate passed in the following subjects.

- | | | | |
|---------------|--------------|---------------|---------------------|
| 1. English | 2. Urdu | 3. Islamiyat. | 4. Pakistan Studies |
| 5. <u>Ma.</u> | 6. <u>Ph</u> | 7. <u>Ch</u> | 8. <u>Bio</u> |

Internal assessment Grade by the institution concerned is (_____)

Date of birth according to admission form is Twenty October
One thousand nine hundred and Eighty Five (20-10-1985)

Prepared by _____

Checked by _____

Date of Preparation _____

Nam Kh
Asstt. Secy. (Certificates)
(CERTIFICATE)
Board of Intermediate & Secondary
Education, Malakand

ATTESTED

[Signature]

S.No. 010379

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Roll No. 222224

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION

Marks Improved



MALAKAND N.W.F.P PAKISTAN
Secondary School Certificate Examination
Session Annual/ Supply 2003

Science Group

Umar Zada

This is to certify that Mr/Mrs/Miss
Son/Daughter of Faqir Muhammad and
a student of the Bajaur Agency,
Registered No 54-B/KBA-1999

Has passed the Secondary School Certificate Examination of the Board of
Intermediate and Secondary Education, Malakand held in March: 2003 as a
Regular / Private candidate. He/She obtained 412 Marks out of 850/1050
and has been placed in Grade D Representing Fair

The Candidate passed in the following subjects.

- | | | | |
|------------|---------------------|--------------|------------|
| 1. English | 3. Islamyat | 5. Maths | 7. Physics |
| 2. Urdu. | 4. Pakistan Studies | 6. Chemistry | 8. Biology |

Date of birth according to admission form is Twentieth October,

One Thousand nine hundred & Eighty Five. (20.10.1985)

Date of Issue. 27.03.2008

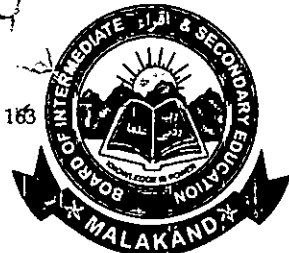
This certificate is issued without alteration or erasure.

Asstt: Secretary

ATTESTED

Secretary

20 10



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION MALAKAND

Reg. No. 58692-B/BJR-2014
Khyber Pakhtunkhwa, Pakistan

DETAILED MARKS & PROVISIONAL CERTIFICATE



HIGHER SECONDARY SCHOOL CERTIFICATE EXAMINATION

S.No.MB 004233

INTERMEDIATE (ANNUAL PART-II) EXAMINATION, 2017

Roll No: 253969

Group: Humanities

Umar Zada Son of Faqir Muhammad

Private Candidate of Bajaur Agency

has secured the marks shown against each subject in the Higher Secondary School Certificate Examination held in the month of April/May The Examination was taken in parts.

Subjects	Marks	Marks Obtained						
		Part-I		Part-II		Total	Marks in Words	
		Theory	Pract	Theory	Pract			
English	200	37	--	37	--	74	Seventy-Four	
Urdu	200	28	--	47	--	75	Seventy-Five	
Islamic Education	50	23	--	--	--	23	Twenty-Three	
Pakistan Studies	50	--	--	25	--	25	Twenty-Five	
Civics	200	59	--	62	--	121	One Hundred Twenty-One	
Islamic Studies	200	47	--	53	--	100	One Hundred Only	
Pashto	200	62	--	55	--	117	One Hundred Seventeen	
Total : 1100						Marks :	535-D	Five Hundred Thirty-Five Only
						Remarks :		

Checked By :

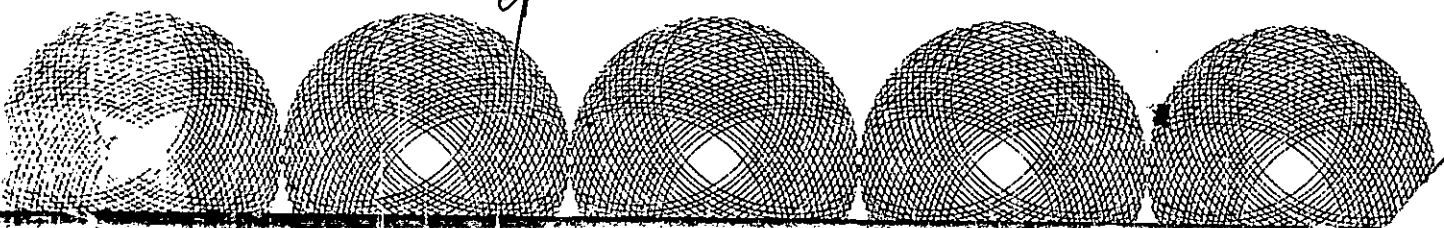
Note: Errors / Omissions excepted. Any mistake in Name etc must be intimated within 30 days after receiving the above certificate.

Computer Cell BISE, Malakand.

Print Date : 01-AUG-17 12:37:14

Controller of Examinations
B.I.S.E, Malakand.

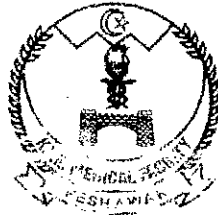
ATTESTED



S.No. 3061

KHYBER PAKHTOONKHWA MEDICAL FACULTY

PESHAWAR - PAKISTAN



(JIMS)

Name: UMAR ZADA

Father Name: FAQIR MUHAMMAD

Anaesthesia Technology

1st SEMESTER

SESSION. 10/2010 (ROLL.NO 5098)

Subject/paper	Total Marks	Obtained Marks	Passing Marks	Result
Anatomy	100	56	50	Passed
Pathology	100	50	50	Passed
Pharmacology	100	50	50	Passed
Physiology/ Biochemistry	100	50	50	Passed
Result	400	206		

2nd SEMESTER

SESSION. 10/2010 (ROLL.NO 5098)

Subject:/paper	Total Marks	Obtained Marks	Passing Marks	Result
Paper A	100	50	50	Passed
Paper B	100	50	50	Passed
English	100	50	50	Passed
Islamiat	50	25	25	Passed
Result	350	175		

3rd SEMESTER

SESSION. 10/2010 (ROLL.NO 5098)

Subject:/paper	Total marks	Obtained Marks	Passing Marks	Result
Paper A	100	50	50	Passed
Paper B	100	50	50	Passed
Public Health	100	50	50	Passed
Result	300	150		

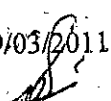
4th SEMESTER

SESSION. 10/2010 (ROLL.NO 5098)

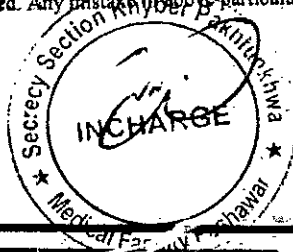
Subject:/paper	Total marks	Obtained Marks	Passing Marks	Result
Paper A	100	50	50	Passed
Paper B	100	50	50	Passed
English	100	50	50	Passed
Pak-Study	50	25	25	Passed
Result	350	175		
Grand Total	1400	706		

Error(s) & Omission(s) excepted. Any mistake in above particulars must be intimated within 30 days of the issuance of this certificate.

Date: 09/03/2011

Prepared by: 

Checked by:



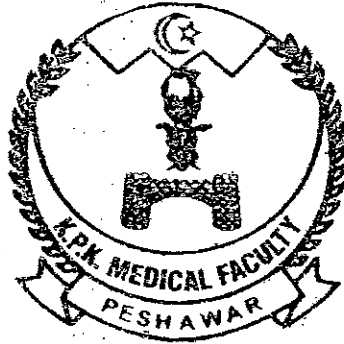
Secretary

Khyber Pakhtoonkhwa Medical Faculty
Peshawar.

Serial No. 894

Roll No. 5098

KHYBER PAKHTUNKHWA MEDICAL FACULTY PESHAWAR PAKISTAN



Diploma In Medical Technology

ANAESTHESIA TECHNOLOGY

SESSION 2008-2009

This is to certify that Mr. Miss. Mrs. UMAR ZADA Son / Daughter of

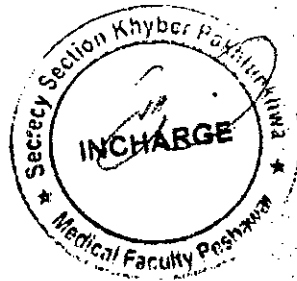
Mr. FAOIR MUHAMMAD Of 7th Batch bearing Registration No

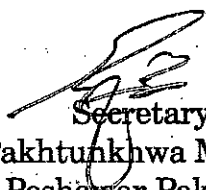
MF/14/AT/JUMS Has passed the examination of diploma in Medical Technology

In the year 10/2010 He / She obtained 796 Marks out of 1400

He / She has been Placed in C Grade.

ATTESTED




Secretary,
Khyber Pakhtunkhwa Medical Faculty
Peshawar Pakistan

(13)


Serial No 655 Roll No 5098
Batch No 7th Examination Session 10/2010
Technology Anaesthesia

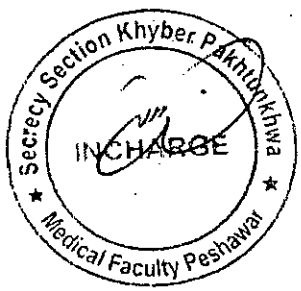



Renewal Of Diploma
REGISTRATION / ENROLMENT VALID
FOR FIVE YEARS ~~2011-2016~~ 2011-2016

The Diploma registration of Mr. Miss. Mrs. Umar Zada Son Daughter of
Faqir Muhammad hearing Registration No. MF/14/AT/JIM Enrolment Provisional
Diploma Serial No. 804 Dated 10-3-2011 is hereby renewed for the period of five
years with effect from 3/2011 to 2/2016

ATTESTED

Prepared by: 
Checked by:




SECRETARY
Khyber Pakhtoonkhwa
Medical Faculty Peshawar

Jinnah Institute of Medical Sciences

Registered (Reg. No. 01MF) with Govt. of NWFP Medical Faculty
Warsak Road, Peshawar

Ref No: 492/02/09/JIMS.

Date: 07-02-09

COURSE COMPLETION CERTIFICATE

This is certified that Mr.



No. FAQIR MUHAMMAD

Academic Rec. No.

Session 2006-08

has completed

his training of

ANESTHESIA TECHNOLOGY

Course Duration TWO YEARS

from

Jinnah Institute of Medical Sciences.

Dr. Mohammad Ishaq
MBBS (Peshawar) FRCS (Glasgow) FRCS (Ireland)
Chairman & Founder
Jinnah Institute of Medical Sciences (JIMS) NWFP

Principal
Jinnah Institute of Medical Sciences
Warsak Road, Peshawar

This certificate is issued without alteration or erasure.

ATTESTED

(7)

DOMICILE CERTIFICATE

15

I solemnly affirm that I, Umar Zada

Son of Fazir Mohammad Tribe Tarkani

Section Salazai Sub-Section Lande Khel

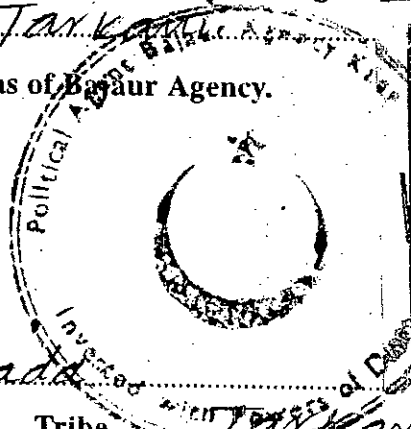
Village Tangai Salazai Tehsil Salazai

belongs to a recognised tribe of Tarkani

that my father is a bonafide resident of the Tribal Areas of Bajaur Agency.

Umar Zada
Signature / L.T.I. of applicatn.

Date.....



Certified that Umar Zada

Son of Fazir Mohammad Tribe Tarkani

Section Salazai is a bonafide resident of village Tangai Salazai

Tehsil Salazai Bajaur Agency as verified by his Sectional

Maliks and is of

CATEGORY.....

Verified to be correct.....

Signature of A.P.A.....

Name (Hassan Mohammad Yanzu)

Bajaur Agency at Khan

Dated:.....

(Court Seal) 12/5/2001

Signature of P.T.I. / P.N.T. rect

Name

Tehsil

Dated: 12/5/2001

No. 248/DE

COUNTERSIGNED

Dated/Bajaur Agency.

18-05-2001

(MUHAMMAD SAKIM KHAN).
POLITICAL AGENT,
BAJAUR AGENCY

(Handwritten signature and text)

D-16

**OFFICE OF THE MEDICAL SUPERINTENDENT
DHQ, HOSPITAL BAJAUR AT KHAR.**

Phone Office 0942-221200

No. 239 /C-6/MS Dated Khar the 17 / 01 /2019.

To,

Mr. Umar Zada s/o Faqir Muhammad

R/O _____


Subject: - CALL LETTER.

Memo:-


Reference your application for the post of Anesthesia

You are directed to attend this office on Wednesday dated 23/01/2019 at 10:00 Am for written test.

No TA/DA will be granted.


Medical Superintendent, 17/01/19
DHQH, Bajaur at Khar.

ATTESTED



E- (19) (17)

**OFFICE OF THE
MEDICAL SUPERINTENDENT DHQ, HOSPITAL
TRIBAL DISTRICT BAJAUR AT KHAR.**

OFFICE ORDER.

Under the power delegated to me vide Director General Health Services Khyber Pakhtunkhwa vide letter No.4647-714/Personal dated 20.04.2015 and Secretary Health Govt: of Khyber Pukhtunkhwa letter NoSOH-IV/4-4/Class-IV/DHS FATA/18 dated 02-04-2018, Mr. Umar Zada s/o Faqir Mohammad, X-Ray Attendant of this hospital is hereby appointed/adjusted on the vacant post of Anesthesia Technician (BPS-12) (13320-960-42120) plus usual allowances as admissible under the reserved 33 % quota for Class-iv, on the terms and conditions laid down below:-

1. If he declared medically fit for this job.
 2. His appointment / adjustment is purely on temporary basis (prescribed under Govt of KPK) and can be terminated at any time without any notice.
 3. If he wants to resign from service, he will resign in written within 30 days notice or will forfeit one month pay in lieu thereof or will continue to serve the Government till the acceptance of his resignation by the competent authority.
 4. He will be governed with such rules and regulations belong to such category of staff.
 5. He shall not indulge in any trade, business or any other activity what so ever which has been declared prohibited for the Government servant in elaboration of civil servant Act 1973.
 6. He will not be entitle for any TA/DA for joining service and the offer shall be automatically held cancelled if he failed to join the service in 15 days after the receipt of this offer.
 7. The recruited employee will perform Eight hours duty in any shift assign to him (Morning, Evening and Night).
- If he accept the above terms and condition, he is directed to report to this office for duty.

-sdxxxxxxxxxxxxx
Medical Superintendent,
DHQH, Bajaur at Khar.
dated 23 / 01 / 2019.

No. 591-95 /PF/C-6/BJR

Copy to the:-

1. Director Health Services Merged areas Secretariat, Peshawar for information Please.
2. Director General Health Services Khyber Pakhtunkhwa Peshawar for information please.
3. District Accounts Officer Bajaur at Khar for information and necessary action please.
4. Official concerned for information and compliance.


Medical Superintendent,
DHQH, Bajaur at Khar. 

F - 18

The M.S
DHQ Hospital Khar Bajaur

Subject: Arrival Report

Respected Sir,

In compliance with your good office order NO.591-95/PF/C-6BJR dated 23/01/2019 I Umar zada S/O Faqir Muhammad submit my arrival report as Anesthesia Technician (BPS-12) in your honor today on 23/01/2019

It is therefore requested to please accept my arrival report for duty. I shall be very thankful to you for this act of kindness.

Yours Obedient

Umar zada Anesthesia Technician
DHQ Hospital Khar Bajaur

ATTESTED



To

The Director Health Services Tribal Districts,
Warsak Road, Peshawar.

Subject:

DEPARTMENTAL APPEAL FOR ACCEPTANCE OF ARRIVAL
REPORT OF THE APPLICANT AGAINST THE POST OF JUNIOR
CLINICAL TECHNICIAN ANESTHESIA (BPS-12)

Respected Sir,

It is most humbly stated that initially I was appointed as X-Ray attendant before your good self Department on 20.8.2003 and after appointment I was started performing my duty quite efficiently and upto the entire satisfaction of my superiors. During service the concerned authority issued Notification dated 28.2.2012 in light of the Honorable Peshawar High Court Judgment, whereby those class-iv employees who have acquired diploma in the relevant field from medical faculty of Khyber Pakhtunkhwa were promoted against the posts of Junior Clerk Technicians (BPS-12). I have acquired Diploma from medial faculty of Khyber Pakhtunkhwa in the field of Anesthesia submitted an application for my promotion to the post of Anesthesia Technician (BPS-12) in light of the above mentioned Notification. That vide letter dated 17.1.2019 I was called for interview, accordingly I was appeared in the interview and has been selected/recommended for promotion to the post of JCT Anesthesia (BPS-12) by the Departmental Promotion committee. In light of the DPC recommendation I was promoted/adjusted against the post of JCT Anesthesia (BPS-12) vide order dated 23.1.2019 but when I visited the concerned quarter to submit my arrival report the same was refused without assigning any reason.

Dear Sir,

I am feeling aggrieved from the inaction of the concerned authority by not accepting my arrival report filed this Departmental appeal before your good self for redressal of my grievances.

It is therefore, most humbly prayed that on acceptance of this Departmental appeal the concerned authority may be directed to accept my arrival report against the post of Junior Clinical Technician Anesthesia (BPS-12) with all back benefits.

Dated: 06.02.2019.

YOUR SENCERELY

UMAR ZADA (JCT Anesthesia)
DHQ Hospital, Bajaur

VAKALATNAMA

Before the Khyber Pakhtunkhwa Service Tribunal
Peshawar

No. _____ /2019

Umar Zada

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Govt. of KP & Others

(RESPONDENT)
(DEFENDANT)

I/We *Umar Zada*

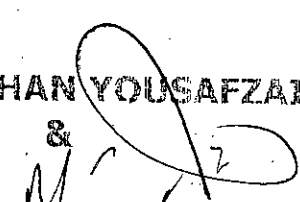
Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate 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. _____ / _____ /2019


CLIENT


ACCEPTED
NOOR MOHAMMAD KHATTAK

SHAHZULLAH KHAN YOUSAFZAI


&
MIR ZAMAN SAFI
ADVOCATES

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.
Phone: 091-2211391

BEFORE THE SERVICES TRIBUNAL

KHYBER PAKHTUNKHWA, PESHAWAR

APPEAL NO. 715 / 2019

Umar Zada

DHQ Hospital, Bajaur at Khar----- Appellant

VERSES

Govt of Khyber Pakhtunkhawa, and others----- Respondents

S NO.	DETAIL	PAGE NO.	Description
1	Para wise Comments	1-2	
2	Letter for written test	3	A
3	Attendance sheet	4-5	B

BEFORE THE SERVICES TRIBUNAL

KHYBER PAKHTUNKHWA, PESHAWAR

APPEAL NO. 715 / 2019

Umar Zada

DHQ Hospital, Bajaur at Khar----- Appellant

VERSES

Govt of Khyber Pakhtunkhwa, and others----- Respondents

Reply / comments on behalf of the Respondents

Respected Sheweth

Preliminary objections

1. That the appellant has got no locus standi to file the instant appeal.
2. That the appellant has not come to this Honorable Court with clean hands.
3. That the appellant has got no cause of action to file the instant appeal.
4. That, the appellant is not an "AGGRIEVED" person within the meaning of Article 199 of the Constitution of Pakistan.

FACTS


1. Correct. The petitioner was appointed as X-Ray Attendant in DHQ Hospital Khar, District Bajaur.
2. Correct to the extent of Notification dated 28.02.2012 in light of court order dated 13.10.2011 wherein adjustment of some Ward Attendants upon the posts of Technicians BPS-12, were made by the Health Department Khyber Pakhtunkhwa. But as per ~~remarks of~~ the said Notification, the concerned Ward Attendants had got diplomas and they were already working on the posts of Technicians for the last one or two years on general basis and due to the said experience, the petitioners were adjusted against the posts of Technicians. The plea of the appellant to be adjusted against the post of BPS-12, without experience, is not justified.
3. Incorrect, the application of the appellant has not yet ^{been} received in this Department. Furthermore, being regular employee of the Health Department, the appellant has obtained 2 years Diploma without leave / NOC of the Department which is against the ethics of rules and regulations of Govt. Service.


4. Incorrect, the appellant is misguiding the Honorable Court because the appellant was called for written test vide letter at **Annex-A**, but the appellant did not appear for written test on due date and time and absented himself as per attendance sheets at **Annex-B** wherein the appellant can be seen at **S.No. 43**. Hence, the appellant was not selected and the appointment order attached with the instant appeal is fake and bogus.
5. Correct, on the basis of fake and bogus appointment order, the arrival report cannot be accepted and is not justified.
6. Incorrect, the appellant did not submit department appeal.
7. Incorrect, the appellant has not right to file the instant appeal on the basis of fake and bogus appointment order.

GROUNDS


- A- Incorrect, the arrival report on the basis of fake and bogus appointment order cannot be accepted under the rules.
- B- Incorrect, as stated above.
- C- Incorrect, as stated in Para 1 to 7 above.
- D- Incorrect, as stated in Para -A above.
- E- Incorrect, as stated in Para 1 to 7 above.
- F- No comments.

As the appointment order has not been issued by the respondents, therefore, it is humbly prayed that the appeal may please be dismissed with cost.



Director Health Services
Merged Areas Peshawar
Respondent No. 3


Medical Superintendent,
DHQ Hospital Bajaur.

Respondent No. 4 & 5


Director General Health Services,
Khyber Pakhtunkhwa Peshawar.

Respondent No. 2


Secretary Health,
Khyber Pakhtunkhwa Peshawar.

Respondent No. 1

D-1010

**OFFICE OF THE MEDICAL SUPERINTENDENT
DHQ, HOSPITAL BAJAUR AT KHAR.**

Phone Office 0942-221200

No. 239 /C-6/MS

Dated Khar the 17 / 01 /2019.

To,

Mr. Umar Jada s/o Faqir Muhammad

R/O _____

Subject: -

CALL LETTER.

Memo:-

Reference your application for the post of Anesthesia

You are directed to attend this office on Wednesday dated 23/01/2019 at 10:00 Am for
written test.

No TA/DA will be granted.


Medical Superintendent, 17/1/19
DHQH, Bajaur at Khar.

ATTACHED



LIST OF ANESTHESIA TECHNICIAN CANDIDATE FOR ATTENDANCE

S#	NAME	F/NAME	CNIC	ATTENDANCE
1.	Shafiullah	Pinda Khan	21104-6406614-9	
2.	Kashif Zeshan	Kifayatullah	16202-7481588-9	
3.	Nasir Iqbal	Muhammad Amin Khan	15304-4117764-1	
4.	Muhammad Wajid	Rashid Ullah	14203-1091177-5	
5.	Amratullah Khan	Kashmali Khan	11101-7621151-1 - Bannu	<i>Rashid</i>
6.	Ishtiq Ahmad	Asadullah Jan	17101-9407635-7 Charsadda	<i>Rashid</i>
7.	Izaz Sami	Sami Ullah Jan	17103-0427830-7 Peshawar	<i>Sami</i>
8.	Zahid Anwar Syed	Dilawar Khan	24203-6846711-7	
9.	Nidar Khan	Anwar Khan	16102-9292975-7	
10.	Masbah Ullah	Anwar Zeb	17301-9310729-1 17301-6310729-1 Peshawar	<i>Masbah</i>
11.	Umad Wali	Waliullah	16202-4148304-5	
12.	Zer Ali	Perviz Rauf	17301-0988599-9	<i>Zer</i>
13.	Samiullah Jan	Muhammad Jan	17101-4046284-3	<i>Muhammad</i>
14.	Nabi Shah	Umar Badshah	15402-4231610-5	
15.	Said Jamal Shah	Abdul Akbar Khan	21405-020139377 Mardan	<i>Said</i>
16.	Hazrat Bilal	Amanullah	17301-5955438-7 Peshawar	<i>Bilal</i>
17.	Rehman ul Haq	Amin ul Haq	17301-5500750-3 Mohmand Agency	<i>Rehman</i>
18.	Usman Ali	Iqbal Hussain	15401-4510527-3	
19.	Abdullah Shah	Akbar Shah	17301-4064778-3 Peshawar	<i>Abdullah</i>
20.	Hameed Ullah	Fairzo Shah	15307-5373328-7	
21.	Amir Shehzad	Badshah Gul	17301-6072323-5	
22.	Asad Ali Shalmani	Hayat Khan	21203-6911056-7	
23.	Wajid Imran	Muhammad Imran	14203-1951005-9	
24.	Aamir Khan	Shaukat Hayat	17201-0484015-1 نوشهرو	<i>Aamir</i>
25.	Muddasir Shah	Kamal Shah	17103-0415579-9	
26.	Hazrat Younas	Sher Zamin	21106-9871504-3	
27.	Yaseen Akhtar	Amir Razaq	15401-5772945-5	
29.	Zakir Hussain	Muhammad Gul	15602-6696659-5 سوات	
30.	Muhammad Ashiq	Muhammad Afzal Khan	21103-3397170-7	<i>Ashiq</i>

31.	Zahid Ali	Wahid Jalal	15101-1646204-9	<i>Zahid</i>
32.	Sami Ullah	Faiz Muhammad	15602-7940379-1	
33.	Alamgir Shah	Tahir Shah		
34.	Sajid Ali	Roohulamin	16101-8474382-1	
35.	Zahid Akbar	Amir Akbar	15101-7446445-7	
36.	Habib Ullah	Nasir Ullah	17301-6405339-5	
37.	Burhan Uddin	Bahauddin	15601-6842497-3	<i>- Badshah</i>
38.	Ziaullah	Musa Khan	21105-3501026-9	<i>- Ziaullah</i>
39.	Muhammad Israr Khan	Ghufran	153074461632-1	<i>- Israr</i>
40.	Amjad Ali	Said Badshah	21103-8439216-9	<i>- Amjad</i>
41.	Janzeb Khan	Bacha Muhammad	21102-6992658-9	<i>- (JMK) 15</i>
42.	Muhammad Adil	Sar Anjam Khan	215062276985-1	
43.	Umar Zada ✓	Faqir Muhammad ✓		
44.	Nawaz Khan	Aslam Khan	17301-1062214-5	
45.	Khair Muhammad	Gul Muhammad	15101-90433719	<i>- Khair</i>
46.	Jan Muhammd	Dil Muhammad	153074156667-7	
47.	Samiullah	Sahib Jan	21106-7899202-5	<i>- Sahib</i>
48.	Nabil Ahmad	Maqbool Ahmad	17301-5857752-3	
49.	Tawsef	Sardar Jehan	17301-5555037-3	<i>- Tawsef</i>
50.	Iftikhar	Syed Muhammad	16102-7890444-5	<i>- Iftikhar</i>
51.	Ibad Ur Rahman	Abdul Ghafor	15302-7078595-3	
52.	Muhammad Younas	Fazal Hassan	15305-9338285-3	
53.	Ziaul Haq	Wazir Muhammad	15302-6178181-7	<i>- Zia</i>
54.	Salim	Ghulam Badshah	16101-5477811-5	
55.	Rehan Ullah	Zara Khan	15307-7705342-1	
56.	Muhammad Yaqub	Sabir Rahman	17301-9059370-5	
57.	Muhammad Navid Khan	Khadim Muhammad	15402-4040-157-3	
58.	Abdul Hadi	Ihsanuddin	17301-2624225-3	<i>- Hadi</i>
59.	Atif Ali	Zar Ali	17301-0756200-9	
60.	Saz Khan	Ghafoor Khan	11102-5035660-5	<i>- Saz Khan</i>
61.	Muhammad Ilyas	Sahib Razaq	15302-8299845-7	<i>- Ilyas</i>
62.	Tahir Muhammad	Issa Khan <i>Muhammad</i>	211105-9072453-5	<i>- Tahir</i>
63.	Aqai Nawaz	Masood Nawaz	142035849809-7	<i>- Masood</i>



OFFICE OF THE DISTRICT HEALTH OFFICER
Dir Lower at Timergara

DHODIRLOWER
Ph: 0945-9250098

Fax: 0945-9250176

@DHODIRLOWER
Email: dhodirl@gmail.com

To,

No. 484 /Inq, Dated. 27 / 01 /2020.

The Director General Health Services
Khyber Pakhtunkhwa Peshawar.

Subject: OFFICE ORDER-INQUIRY REPORT

Memo:

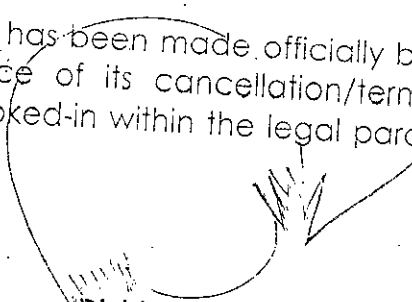
With reference to your office order No. 14326-28/Personnel, dated 31-12-2019, on the subject cited above.

It is humbly submitted that:

1. Mr. Umar Zada S/O Faqir Muhammad, X-Ray Attendant DHQ Hospital Bajaur was appointed/adjusted against the vacant post of Anesthesia Technician (BS-12) in the said Hospital vide MS DHQ Hospital Bajaur Office Order No. 591-95/PF/C-6/BJR, dated 23-01-2019.
2. The appointment order has expressed that this appointment/adjustment is carried out under the reserved 33% quota for the Class-IV employee.
3. The applicant has claimed that his arrival be accepted against the said post, enabling him to continue his services as Anesthesia Technician (BS-12).
4. When the then MS of DHQ Hospital Bajaur Dr. Muhammad Noor was heard, he expressed complete denial to the instant order and termed it as Bogus/Fake.
5. When office dispatch record was checked, the office order was issued with the same dispatch number and the office staff including Head Clerk and Dispatch Clerk told the said order was an original one and the Dispatch Number 591-95/PF/C-6/BJR, dated 23-01-2019 was issued. (Copy of Dispatch Register is attached as Annexure-A).
6. Moreover, the then MS of the Hospital on the other hand told that the said order has been cancelled as in ab-initio, when he was asked that this statement goes in contrast to Para No. 4, he replied that complete inquiry has been conducted by the DHS FATA in this regard and also complete record has been handed over to Services Tribunal as well.

Recommendations.

1. The Appointment/Adjustment of X-Ray Attendant to Anesthesia Technician made vide MS DHQ Hospital Bajaur Order No. 591-95/PF/C-6/BJR, dated 23-01-2019 is not covered by the rules referred in the appointment order.
2. Since the appointment/adjustment has been made officially by MS of DHQ Hospital with no evidence of its cancellation/termination under the rules, it may kindly be looked-in within the legal parameters and may be decided accordingly.


District Health Officer,
Dir Lower

[Faint markings and lines at the top left of the page]

1947-48

Monthly statement of the State of Karnataka - 1947-48

Particulars	1947-48	1946-47	1945-46	1944-45
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DDP Cell



DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUN KHW PESHAWAR

E-Mail Address: dgshs@kpk.gov.pk Office Ph# 091-9210269 Exchange# 091-9210187, 9210196 Fax# 091-9210220

1794/19

OFFICE ORDER

Dr. Shoukat DHO Lower Dir is hereby nominated as Enquiry Officer to conduct an enquiry to probe the matter as mentioned in the application of Mr. Umar Zada X-Ray Attendant attached to DHQ Hospital Khar District Bajuar (copy attached).

The enquiry report must be submitted within 15-days positively.

Sd/XXXXXXXXXX
DIRECTOR GENERAL HEALTH
SERVICES, Khyber
Pakhtunkhwa, PESHAWAR.

No. 14326/2 /Personnel.

Dated 31 /12/2019.

Copy forwarded to the:-

1. Dr. Shoukat DHO Lower Dir.
2. MS DHQ Hospital Khar at Bajuar.
3. P.A to DGHS KP Peshawar.

For information and necessary action.

DIRECTOR GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR.

(-) for S.No.1

31/12/19

کراچی ڈائریکٹر جنرل ہیلتھ KPH

Dr. Sk...
D. M. L. D. I. T.
K. P. H.
K. P. H.

دفعہ نمبر 2003
23/1/2019

ص 11

موردہ گذارش کیجانی کہ بندہ حکومت کا وٹارہ
ہیں۔ اور علاج باجوڑ کا رہائشی ہے۔

سے 2003 سے دستخط سید انوار شہید ہسپتال فار
علاج باجوڑ میں سیکورٹری فور ڈیپارٹمنٹ سہرا تھام
دیلا گیا ہے۔

23/1/2019 کو MS فار ہسپتال نے بطور

Anesthesia ٹیکس مہرا آرڈر جاری کیا جو کہ
دفعہ نمبر کے ساتھ منسلک ہے۔ ابھی تک مہرا

Arrival دفعہ نمبر قبول نہیں کرتے۔

گند آپ صاحبان سے معدودہ کنٹریوشن کیجانی
ہے کہ بندہ کے حال پر رحم کریں۔

2019.9.11/2 = 2019

توغین خوارش ہوئی

Handwritten signature

X-Ray Abdomen = عذر دارہ

Handwritten mark

OFFICE OF THE
MEDICAL SUPERINTENDENT AT DHO HOSPITAL
DISTRICT BAJOUR AT KHAI.

OFFICE ORDER

In exercise of the power delegated to me vide Director General Health Services
K.P.K. letter No.4647-714 Personal dated 20.04.2015 and Secretary
Health Care of Khyber Pakhtunkhwa letter No.5041-IV-4-11/10-IV-DHS PATA/18 dated
02.04.2015 Mr. Umar Zohaib Umar Zohaib Muhammad, X-Ray Attendant of this hospital is
appointed on the vacant post of Anesthesia Technician (BPS-12) (13320-
2014) with all allowances as admissible under the reserved 33% quota for Class-
IV, on the terms and conditions laid down below:-

1. If he declared medically fit for this job.
2. His appointment / adjustment is purely on temporary
basis prescribed under Govt of K.P.K. and can be
terminated at any time without any notice.
3. If he wants to resign from service, he will resign in written
within 30 days notice or will forfeit one month pay in lieu
thereof or will continue to serve the Government till the
acceptance of his resignation by the competent authority.
4. He will be governed with such rules and regulations belong
to such category of staff.
5. He shall not indulge in any trade, business or any other
activity whatsoever which is declared prohibited
for the Government servant in Constitution of civil servant
Act 1973.
6. He will not be entitled for any TA, DA for joining service and
the offer shall be automatically held cancelled if he failed
to join the service in 15 days after the receipt of this offer
from the employer will perform Eight hours duty in
morning, afternoon, Evening and Night.
If he accept the above terms and condition, he is directed to
report to this office for duty.

XXXXXXXXXXXXXXXXXXXX
Medical Superintendent,
DHO, BAJOUR AT KHAI.
dated 01/04/2019.

U. Z. UBER

Copy to:-

1. Director Health Services Merger area, Secretariat, Peshawar for
information Please
2. Director General Health Services, Khyber Pakhtunkhwa Peshawar for
information please.
3. District Accounts Officer Bajor at Khai for information and necessary
reply please
4. Official concerned for information and compliance

XXXXXXXXXXXXXXXXXXXX
Medical Superintendent,
DHO, BAJOUR AT KHAI.

GOVERNMENT OF NAGALAND
SERVICES (GENERAL ADMINISTRATION) DEPARTMENT
(REGULATIONS UNIT)

NOTIFICATION.

Dated Pasanwar, the 16th Sept, 1996.

No. SCR-IV(SAGAD)1-1/95(D) - In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North East Frontier Province Civil Servants (Appointment, Promotion, Transfer) Rules 1989, the Services (General Administration) Department, in consultation with the Finance Department, hereby directs that in this department Notification No. SCR-I(SAGAD)4-2/90(S) dt. 21-12-1992 the following further amendments shall be made namely:-

AMENDMENTS.

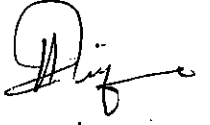
In the Appendix, Ser. No. 9 of the Rules, the following shall be substituted namely:

- (a) Not less than 33% by promotion from amongst the Daffaries, Geothere, Operators, Wadis and other equivalent posts in the Secretariat who possess Secondary School Certificate, are under 5-years of age and have 10 years service; and
- (b) Not more than 67% by recruitment

CHIEF SECRETARY TO
GOVERNMENT OF NAGALAND

10-03-2022

Due to retirement of the Hon'ble
Chairman the case is adjourned to come
up for the same as before on 27-6-2022


Roder

27.06.2022

Appellant alongwith his counsel present. Mr. Asif Masood
Ali Shah, Deputy District Attorney for the respondents present.

Arguments heard. To come up for order on 28.06.2022

before the D.B.



(Rozina Rehman)
Member (J)

(Salah-ud-Din)
Member (J)

Department of Revenue

ORDER

28.06.2022

Appellant present through counsel.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present. Arguments heard. Record perused.

Vide our detailed judgment of today of this Tribunal placed on file, we send the case to the departmental authority

~~to decide the departmental appeal of the appellant's decision.~~

~~to be decided by the departmental authority.~~

~~period of time. The date of receipt of the appeal.~~

~~to be decided by the departmental authority.~~

~~to be decided by the departmental authority.~~

~~to be decided by the departmental authority.~~

~~to be decided by the departmental authority.~~

~~to be decided by the departmental authority.~~