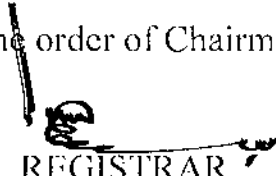


## FORM OF ORDER SHEET

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

Case No.- 318/2023

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge                                                                                                                                                                                                                                                                                                                                                             |
|-------|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1     | 2                         | 3                                                                                                                                                                                                                                                                                                                                                                                                              |
| 1-    | 13/02/2023                | <p>The appeal of Mr. Tauseef Ahmed presented today by Mr. Rehman Ullah Shah Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on _____. Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p style="text-align: right;">By the order of Chairman<br/><br/>REGISTRAR</p> |

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

S. Appeal No. 318 P/2022

TAUSEEF AHMED, SENIOR DRUG INSPECTOR, ABBOTTABAD  
APPELLANT

VERSUS

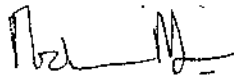
THE GOVERNMENT OF KHYBER PAKHTUNKHWA & OTHERS  
RESPONDENTS

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|        | Wakalatnama                        |          |         |

Appellant

Through:



Rehman Ullah Shah, Zeeshan Khan & Shumaila Nazli  
M.A. LL.M. M.A. LL.M.

Advocates

Ibn e Abdullah Law Associates  
11 Azam Tower University Road, Peshawar  
Phone & Fax # 091- 570 2021  
infoila56@gmail.com

①

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

S. Appeal No. 318 P/2022

Tauseef Ahmed, Senior Drug Inspector, Abbottabad

APPELLANT

VERSUS

1. Government of Khyber Pakhtunkhwa  
Through Secretary Health Department, Khyber Road, Peshawar
2. Director General Drug Controller and Pharmacy Services  
Khyber Pakhtunkhwa, Khyber Road, Secretariat at Peshawar
3. District Health Officer, Abbottabad
4. Mehtab Afsar, Senior Drug Inspector, Peshawar

RESPONDENTS

APPEAL UNDER SECTION 04 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974, AGAINST THE ORDER/ NOTIFICATION OF RESPONDENT NO. 1, DATED SEPTEMBER 13, 2022 WHEREBY THE APPELLANT WAS TRANSFERRED FROM ABBOTTABAD TO PESHAWAR, AND RESPONDENT NO. 4 FROM PESHAWAR TO ABBOTTABAD BY THE RESPONDENTS IN SHEER VIOLATION OF THE LAWS ON THE SUBJECT.

PRAYER IN APPEAL:

On acceptance of the instant Appeal, the impugned Notification bearing No SOH -111/7-262/2022 Dated 13.09.2022 regarding the transfer of the Appellant from Abbottabad to Peshawar as well as transfer of the

Respondent No.4 from Peshawar to Abbottabad {i.e. at the place of the Appellant} by directing Respondent 01 to cancel the Notification being wrong, illegal, against the law & facts, arbitrary, fanciful, perverse, against the relevant Law, Rules and Regulations as well as against the Spouse Policy. The appellant may please be restored and may please be permitted to continue his duties at Abbottabad.

Any other relief as this Hon'ble Tribunal deems fit and appropriate in the circumstances of the case may also be issued /passed.

---

Respectfully Submitted as under:

1. That Appellant was initially inducted in the health department and since his appointment, the Appellant is serving the Respondent department with great zeal and zest and there is no any stigma on the service career of the Appellant in the entire Service record.
2. That the appellant remained posted at different stations of the Province of Khyber Pakhtunkhwa, and later on was appointed as Senior Drug Inspector, Abbottabad by virtue of Notification bearing No, SOH-111/7-262/2021 dated 10 December, 2021.  
{Copy of Order dated 10.12.2021 is annexed as annexure "A"}.
3. That, the above mentioned order was passed on the basis of spouse policy as the wife of the Appellant is working in Hazara University, Dhodial, and Mansehra, and presently at Abbottabad University of Science & Technology, Abbottabad.  
{Copy of the order is annexed as annexure "B"}
4. That on the basis of the order dated 10.12.2021, the Appellant was serving the Respondents department with due diligence and in the meanwhile, the Appellant also raided the medical stores and due to negligence on the part of the store owner, the Appellant fined them on 12.08.2022. {Copies of the fine receipts are annexed as annexure "C"}.
5. That the store owners were annoyed due to the above mentioned fines, therefore, the store owners with malafide intention approached the political figure of the area and the Respondent under the political influence of the political figure, issued the impugned order/ Notification dated 13.09.2022 whereby the Appellant was transferred from

Abbottabad to Peshawar whereas the Respondent NO.4 was transferred from Peshawar to Abbottabad.i.e. at the place of the Appellant.

{Copy of the impugned order is annexed as annexure 'D'}.

6. That the Appellant being aggrieved, approached the Respondents by way of departmental appeal but the same is still unattended to by the respondents.

{Copy of the department appeal is annexed as annexure "E"}.

7. That, the Appellant filed Writ Petition before the Hon'ble Peshawar High Court, Abbottabad Bench, the same was disposed of with the direction to the Respondents to decide the Appeal of the Appellant within 15 days of the Order. {Copy annex as "F" }However, till date no response. Hence the instant appeal is filed before this Hon'ble Tribunal on the following amongst other grounds inter alias:

#### GROUNDS OF APPEAL:

- I. The impugned Notification bearing No.SOH-111/7-262/2022 dated 13.09.2022 regarding the transfer of the Appellant from Abbottabad to Peshawar and transfer of the respondent NO.4 from Peshawar to Abbottabad (i.e. at the place of Appellant) is wrong, illegal, against the law and facts, arbitrary, fanciful, perverse, against the relevant law , rules and regulation as well as against the spouse policy, hence being unconstitutional liable to be struck down.
- II. That, admittedly the Appellant was transferred as Senior Drug Inspector, Abbottabad by way of order dated 10 December, 2021 whereas the Appellant has been transferred through impugned order dated 13.09.2022 i.e. after nearly 09 months which is not in accordance with the relevant law, rules and regulations.
- III. That as per law, minimum tenure regarding posting at any station is 03 years whereas the Appellant has been transferred after only 09 months hence the impugned order being pre - mature in nature is void having no legal sanctity in the eyes of law.
- IV. That, no legal justification rests with the respondents for passing the impugned order as no legal or valid justification has been given by the respondents in support of the impugned order rather real facts have been twisted/ concealed by the

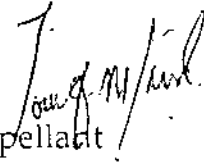
respondents whereas all the drama has been staged against the Appellant on the political influence.

- V. That it is also an admitted fact that the Appellant fined the store owners in Abbottabad due to their negligence and illegal acts on 12.09.2022 whereas the impugned notification has been passed on next day i.e. 13.09.2022 which smacks mollified on the part of the respondents and put a question mark on the passage of the impugned order.
- VI. That, the respondent while making themselves as pawn in the hands of the political figures have issued the impugned notification whereas it is well settled by now that the political figures have nothing to do with the appointment, adjustment or transfer policy and any other under the garb of the political influence has no legal sanctity in the eyes of law.
- VII. That the impugned Notification issued by the respondents amounts to create hurdles in the smooth legal duties of the Appellant as the he has been victimized due to the fine imposed by the appellant against the store owners being influential and in connection with the political figure of the locality, managed to transfer the Appellant from Abbottabad to Peshawar.
- VIII. That, the impugned order also hits the spouse policy issued by the government/ respondent's department because as per spouse, both the spouse must be transferred in one district or nearest to each other whereas in the instant case true letter and spirit of spouse policy has been violated because the wife of the Appellant is working in the Abbottabad University of Science & Technology whereas the Appellant has been transferred from Abbottabad to Peshawar which is far away.
- IX. That, the power or jurisdiction are vested in an authority to exercise it justly, fairly, honestly, judiciously and in accordance with the mandate of law, rules and regulations whereas the respondents have transgressed upon their powers while dealing with the matter in hand.
- X. Further grounds may be argued at the time of arguments with the permission of the Hon'ble Tribunal.

5

Prayer in appeal:

It is, therefore, most humbly prayed that on acceptance of the instant Appeal, impugned Notification bearing No. SOH -111/7-262/2022 dated 13.09.2022 regarding transfer of the Appellant from Abbottabad to Peshawar as well as transfer of the respondent No.4 from Peshawar to Abbottabad (i.e. at the place of the Appellant) may please be set aside as wrong, illegal, against the law and facts, arbitrary, fanciful, and perverse, against the relevant law, rules and regulations as well as against the spouse policy.

  
Appellant

Through:



Rehman Ullah Shah, Zeeshan Khan & Shumaila Nazli  
M.A. LLM M.A. LLM

Advocates

Ibn e Abdullah Law Associates  
11 Azam Tower University Road, Peshawar  
Phone & Fax # 091- 570 2021  
infoila56@gmail.com

6

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

S. Appeal No. \_\_\_\_ P/2022

Tauseef Ahmed, Senior Drug Inspector, Abbottabad

APPELLANT

VERSUS

The Government of Khyber Pakhtunkhwa & others

RESPONDENTS

APPLICATION FOR SUSPENSION OF THE OPERATION OF IMPUGNED ORDER DATED 13.09.2022 AND TO MAINTAIN STATUS QUO TILL FINAL DECISION OF THE CASE

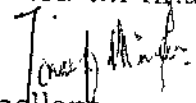
Respectfully submitted as under;

1. That the Appellant has filed the above titled appeal before this Hon'ble Tribunal and has not yet been fixed. The instant application may kindly be read as integral part of the accompanied appeal.
2. That the Appellants seeks suspension of operation of impugned order dated 13.09.2022 and to maintain status quo inter alai on the following grounds:

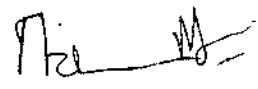
GROUND OF APPLICATION:

- A. That the Appellant has a good prima facie case and hopes it success.
- B. That balance of conveyance also lies in favour of Appellant
- C. That Appellant is in service and performing his duties and if during pendency of the instant appeal the Respondent forcibly transfers the Appellant, then he will suffer irreparable loss.

It is, therefore, most humbly prayed that on acceptance of this application, the operation of impugned order dated 13.09.2022 may kindly be suspended and status quo may kindly be maintained till final decision of the main case.

  
Appellant

Through:

  
Advocates

bn e Abdullah Law Associates  
11 Azam Tower University Road, Peshawar  
Phone & Fax # 091- 570 2021  
infoila56@gmail.com



(7)

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

S. Appeal No. \_\_\_\_ P/2022

Tauseef Ahmed, Senior Drug Inspector, Abbottabad

APPELLANT

VERSUS

The Government of Khyber Pakhtunkhwa & others

RESPONDENTS

AFFIDAVIT

I, Tauseef Ahmed S/O Pir Muhammad, Senior Drug Inspector, Abbottabad, do hereby solemnly affirm and declare that the contents of the Appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Tribunal.

Identified By:

Rehman Ullah Shah

Advocate Supreme Court

Deponent

Touseef Ahmad

13503-7184105-1

Mob. 0315 3330005

8

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

S. Appeal No. \_\_\_\_\_ P/2022

Tauseef Ahmed, Senior Drug Inspector, Abbottabad

APPELLANT

VERSUS

The Government of Khyber Pakhtunkhwa & others

RESPONDENTS

ADDRESSES OF THE PARTIES

APPELLANT

Tauseef Ahmed, Senior Drug Inspector, Abbottabad

RESPONDENTS:

1. Government of Khyber Pakhtunkhwa  
Through Secretary Health Department, Khyber Road, Peshawar
2. Director General Drug Controller and Pharmacy Service  
Khyber Pakhtunkhwa, Khyber Road, Secretariat at Peshawar
3. District Health Officer, Abbottabad
4. Mehtab Afsar, Senior Drug Inspector, Peshawar

Appellant

Through:

Advocate



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar, the 10<sup>th</sup> December, 2021.

NOTIFICATION

SOH-III/7-262/2021: The Competent Authority is pleased to order posting/transfer of the following Drug Inspectors (BS-17) & Senior Drug Inspectors (BS-18) with immediate effect in the public interest:-

Annexure  
A

| S.No | Name and Designation                                    | From                                             | To                                                                              |
|------|---------------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------------------------|
| 1    | Mr. Zakir Shah, Senior Drug Inspector (BPS-18)          | Peshawar                                         | Deputy Director (Drugs) at DG-DC & PS                                           |
| 2    | Mr. Mehtab Afsar, Senior Drug Inspector (BPS-18)        | Abbottabad                                       | Peshawar, Vice S.No.1                                                           |
| 3    | Mr. Abd-ul-Hafeez, Senior Drug Inspector (BPS-18)       | D.I.Khan                                         | Bannu, Vice S.No. 5                                                             |
| 4    | Mr. Tauseef Ahmad, Senior Drug Inspector (BPS-18)       | Kohat                                            | Abbottabad, Vice S.No: 2                                                        |
| 5    | Mr. Abd-ur-Rasheed Khan, Senior Drug Inspector (BPS-18) | Bannu                                            | D.I. Khan, Vice S.No. 3                                                         |
| 6    | Mr. Hussain Shah, Drug Inspector (BPS-17)               | Peshawar                                         | Charsadda,                                                                      |
| 7    | Mr. Rooh Ullah, Asstt. Director (Drugs)(BPS-17)         | Directorate of Drug Control & Pharmacy Services. | Peshawar, Against the vacant post.                                              |
| 8    | Mr. Hamid Rafiq, Drug Inspector (BPS-17)                | Charsadda                                        | DG-DC & PS, Vice S.No.7                                                         |
| 9    | Mr. Safi Ullah, Drug Inspector (BPS-17)                 | Peshawar                                         | Against the vacant post of Sr. Drug Inspector, Mardan in his own pay and scale. |
| 10   | Mr. Halde Ali, Drug Inspector (BPS-17)                  | Buner                                            | Malakand, Vice S.No. 11.                                                        |
| 11   | Mr. Ameer Zeb, Drug Inspector (BPS-17)                  | Malakand                                         | Mardan                                                                          |
| 12   | Mr. Naimat Saeed, Drug Inspector (BPS-17)               | Shangla                                          | Haripur, Vice S.No.13                                                           |
| 13   | Mr. Adib Ali Shah, Drug Inspector (BPS-17)              | Haripur                                          | Shangla, Vice S.No. 12                                                          |
| 14   | Muhammad Zeeshan, Drug Inspector (BPS-17)               | Hangu                                            | Peshawar, Vice S.No. 9                                                          |
| 15   | Mr. Imran Burki, Drug Inspector (BPS-17)                | Lakki Marwat                                     | Bannu, Vice S.No. 22                                                            |
| 16   | Mr. Zia-ul-Haq, Drug Inspector (BPS-17)                 | Mansehra                                         | Hangu, Vice S.No. 14                                                            |
| 17   | Mr. Imran-ul-Haq, Drug Inspector (BPS-17)               | Abbottabad                                       | Peshawar, Vice S.No. 6                                                          |
| 18   | Mr. Waqas Saleem, Drug Inspector (BPS-17)               | Mansehra                                         | Abbottabad, Vice S.No. 17                                                       |

TESTED


|    |                                                 |            |                             |
|----|-------------------------------------------------|------------|-----------------------------|
| 19 | Muhammad Shakeel Nawaz, Drug Inspector (BPS-17) | Abbottabad | Manshera, Vice S.No. 16     |
| 20 | Mr. Waheed Murad, Drug Inspector (BPS-17)       | Dir, Lower | Dir Upper, Vice S.No. 21    |
| 21 | Muhammad Hamid Ullah, Drug Inspector (BPS-17)   | Dir Upper  | Dir, Lower, Vice S.No. 20   |
| 22 | Mr. Sajid Noor, Drug Inspector (BPS-17)         | Bannu      | Lakki Marwat, Vice S.No. 15 |

Secretary to Govt. of Khyber Pakhtunkhwa Health Department

Endst of even No and Date.

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. ✓ Director General, Drug Control & Pharmacy Services, Khyber Pakhtunkhwa, Peshawar.
3. ✓ District Health Officer, concerned.
4. District Accounts Officer, concerned.
5. The Deputy Director (I.T) Health Department.
6. PS to Minister Health, Khyber Pakhtunkhwa.
7. PS to Secretary Health, Khyber Pakhtunkhwa.
8. PS to Special Secretary (E&A) Health, Khyber Pakhtunkhwa.
9. PA to Deputy Secretary (Admn) Health, Khyber Pakhtunkhwa.
10. PA to Deputy Secretary (Drugs) Health, Khyber Pakhtunkhwa.
11. Officers concerned.

  
 (Dr. Syed Ali Shah)  
 SECTION OFFICER-III

  
**ATTESTED**



ABBOTTABAD UNIVERSITY OF  
SCIENCE & TECHNOLOGY

Establishment Section

Ph: 0992-812118, Email: registrar@uast.edu.pk, www.uast.edu.pk

F.No Reg/AUST/2022/ 9314


Date: 16.09.2022

SERVICE CERTIFICATE

It is certified that Ms Nuzhat Jabeen W/O Toseef Muhammad, Lecturer, Department of Pharmacy is regular employee of Abbottabad University of Science & Technology, as per detail given below:

1. Hazara University, Mansehra w.e.f 26<sup>th</sup> January, 2011 to May 31, 2015
2. Abbottabad University of Science & Technology w.e.f 01<sup>st</sup> June, 2015 to till date

Issued with approval of the Vice Chancellor, Abbottabad UST.

  
DEPUTY REGISTRAR  
(Establishment)  
Abbottabad University of  
Science & Technology.

Copy to:

1. P.S to the Vice Chancellor
2. P.A to the Registrar
3. Concerned File

  
ATTESTED

12

**FORM-5**  
[See Rule-9(1)]

*Amirul*

Receipt for Stock of Drugs and other material seized under Section 18(1) of The Drug Act, 1976. The Stock of Drugs detailed below has this day been seized by me under the provision of clause (f) of sub-section (1) of Section 18 of The Drugs Act, 1976 from the premises of: Mohsin Khan S/O (Person Present)  
Shahin Khan, CNIC-# 131017-040534-7 M/S Jordon Medical Store  
situated at Banni Check - Nawabshah - Abbottabad. 1:10 PM

Date 12/08/22 Inspector of Drugs Jaqir Khan

**DETAILS OF DRUGS, OTHER MATERIALS & ARTICLES OF DRUGS SEIZED**

| S.No. | Name of Drug/Articles     | Batch No.          | Mfg. Date      | Exp. Date      | Quantity   | Manufactured by          |
|-------|---------------------------|--------------------|----------------|----------------|------------|--------------------------|
| 01    | Samporo 3mg Tablets       | 001H               | May-22         | April-25       | 30+7 Tab   | Sami pharmaceutical      |
| 02    | Valium 10mg Tab           | P06902             | 01-21          | 01-24          | 30+10 Tab  | Martin Dow               |
| 03    | Optachlor 5% eye ointment | FN019              | 04-22          | 04-25          | 06         | Remington pharmaceutical |
| 04    | Metrachlor 5ml eye drops  | M2585              | 04-22          | 04-24          | 08         | "                        |
| 05    | Optachlor eye drops 10ml  | FMO469             | 05-22          | 05-24          | 02         | "                        |
| 06    | Lexotanil 3mg             | P07997             | 05-22          | 05-25          | 150+40 Tab | Martin Dow Limited       |
| 07    | Gentacin simple Forte     | AM1007P<br>AM1008P | 07-20<br>08-20 | 06-25<br>07-25 | 50 tabs    | Pacific pharmaceutical   |
| 08    | Colospas Fibro Sachet     | EZE026             | 04-22          | 04-24          | 04 Sachet  | Nash Blason              |

Dated 12/08/22

Jaqir Khan  
Inspector of Drugs  
District: Abbottabad

**CERTIFICATE**

Certified that the items referred above were present in my premises at the time of inspection by the Inspector of Drugs and I have signed this receipt form. I have got a copy of Form "6".

Mohsin Khan  
Signature of the person present during inspection. 13101-70405  
0315-5628

Certified that the search of the premises was conducted by the Inspector of Drugs in my presence and the items referred above were recovered from the above premises:

1. Witness Tasseer Muhammad 2. Witness Amam Sajjad Khan  
SDJ, DHO Office DS Abbottabad

**ATTESTED**

13

SEALING ORDER

It is certified that J. Jagan Mohan Provincial Drug Inspector Abbottabad inspected the following premises:

M/S Moham Khan (Person Present), (NIC# 131017-040534--

M/S Jackson Medical Store situated at Banni Chowk  
Karachi - Abbottabad

on 12/08/22 at 01:10 PM and is Locked and sealed due to the contravention of the section 23(1)(c) of the Drug Act 1976 and in exercise of the powers conferred under section 1&(h) of the Drugs Act, 1976.

Certificate:

There is no Gold, Cash, Prize Bond, Weapon, and no precious items in the Medical Store/Institution. There are also no such commodities in the Medical store/Health Institution which can be deteriorated/damaged/Expired during the period of sealing. The power supply and all the electric appliances have been switched off. The Gas and Water Supply Lines have been closed. The safe custody is the responsibility of the in-charge / owner of the medical store / health facility. The damaging of the seal will be automatically converted to FIR.

Moham Khan  
Signature of Person Present  
During Inspection

Witness:

- Josef Muhammad Senior Drug Inspector Abbottabad
- Anam Sajid Khan Provincial Drug Inspector Abbottabad

Jagan Mohan  
Provincial Drug Inspector  
Abbottabad

ATTESTED

(14)

**FORM-6**  
[See Rule-9(1)]

Receipt for Stock of Drugs and other material seized under Section 18(1) of The Drug Act, 1976. The Stock of Drugs detailed below has this day been seized by me under the provision of clause (f) of sub-section (1) of Section 18 of The Drugs Act, 1976 from the premises of: Siraj Muneer s/o Muhammad Muneer Person Present at Awaizi Medical Store Barani Chalk situated at Nawanshah Abbottabad

Date 12-08-2022 Time 12:30 Senior Inspector of Drugs: Taseef Muhammad

**DETAILS OF DRUGS, OTHER MATERIALS & ARTICLES OF DRUGS SEIZED**

| S.No. | Name of Drug/Articles | Batch No. | Mfg. Date | Exp. Date | Quantity   | Manufactured by             |
|-------|-----------------------|-----------|-----------|-----------|------------|-----------------------------|
| 1)    | Bismol Tab            | 22009     | 05-22     | 04-24     | 03720      | Macleer - International     |
| 2)    | Mogiz Tab             | 8119      | 09-21     | 08-23     | 02705 Tab  | Glitz Pharma Islamabad      |
| 3)    | Lotim - NSA 5mg/5ml   | 50406     | 03-22     | 03-24     | 02         | Asiam Continental           |
| 4)    | Flexia 60mg Tab       | 21104     | 02-22     | 02-24     | 02 x 10    | Ferozjam Laboratories       |
| 5)    | Zulecta 15ml 20mg/5ml | D00904    | 04-21     | 03-23     | 02 bottles | S.J.G Fajal Elkhore Karachi |

Dated 12-08-2022

Senior Inspector of Drugs District: Abbottabad

**CERTIFICATE**

Certified that the items referred above were present in my premises at the time of inspection by the Inspector of Drugs and I have signed this receipt form. I have got a copy of Form "6".

13101-57693383  
0212 9651599

Signature of the person present during inspection.

Certified that the search of the premises was conducted by the Inspector of Drugs in my presence and the items referred above were recovered from the above cited premises:

Witness: [Signature] [Signature] Witness: [Signature] [Signature]

**ATTESTED**



(15)

### SEALING ORDER

It is certified that Toseef Muhammad Senior Drug Inspector Abbottabad inspected the following premises:

M/S Siraj Munir S/o Muhammad Munir Pasha present at Anwasi Medical store Binmi Chowk Nawshaher Abbottabad

on 12/08/2022 at 12:30 pm and is Locked and sealed due to the contravention of the section 23 1 c of the Drug Act 1975 and in exercise of the powers conferred under section 18(h) of the Drugs Act, 1976.

#### Certificate:

There is no Gold, Cash, Prize Bond, Weapon, and no precious items in the Medical Store/Institution. There are also no such commodities in the Medical store/Health Institution which can be deteriorated /damaged/Expired during the period of sealing. The power supply and all the electric appliances have been switched off. The Gas and Water Supply Lines have been closed. The safe custody is the responsibility of the in-charge /owner of the medical store / health facility. The damaging of the seal will be automatically converted to FIR.

13101-5769328-3

*[Handwritten signature]*

*[Handwritten signature]*  
Signature of Person Present  
During Inspection

#### Witness:

- Sajid Akram P.N.I. Abbottabad
- Mr. Ali Sher Additional Assistant Commissioner / Abbottabad

*[Handwritten signature]*  
AAC-2

*[Handwritten signature]*  
Toseef Muhammad  
Senior Drug Inspector  
Abbottabad

*[Handwritten signature]*  
**ATTESTED**

Person present

16



Office of  
The Drug Control  
Abbottabad

Add. DHO Office Link Road Abbottabad

Contact: 0992-415079

No: 44-DI/AD/22

Dated: 15/10/2022

To: Siraj Memon s/o Muhammad Memon Person Proprietor  
of Anwar Medical Store (Banni) Abbottabad  
Abbottabad

From: Senior Drug Inspector, Abbottabad

Subject: Show cause Notice.

On 13/10/2022 the undersigned inspected your premises and found you indulged in the following activities.

- Sale/stock of Allopathic drugs without Drug Sale li
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

You are hereby directed to explain your position in writing to the undersigned within seven days of issuance of this notice, failing which legal action will be taken against you under the Drugs Act, 1976.

Taseef Memon  
Senior Drug Inspector  
Abbottabad

[Signature]  
ATTESTED

(17)

**FORM-6**

[See Rule-9(1)]

Receipt for Stock of Drugs and other material seized under Section 18(1) of The Drug Act, 1976. The Stock of Drugs detailed below has this day been seized by me under the provision of clause (f) of sub-section (1) of Section 18 of The Drugs Act, 1976 from the premises of: Zaeshan Ali Bin Raja

Mubammad Asraf Prop Zaeshan Medicose Near old National Bank main Bazar Rawan Sher Abbotabad  
situated at: Airina Khan D/o Khushal Khan (D.P)

Date 12-08-2022

Inspector of Drugs

**DETAILS OF DRUGS, OTHER MATERIALS & ARTICLES OF DRUGS SEIZED**

| S.No. | Name of Drug/Articles | Batch No. | Mfg. Date | Exp. Date | Quantity | Manufactured by                            |
|-------|-----------------------|-----------|-----------|-----------|----------|--------------------------------------------|
| 01)   | Optachlor eye drops   | FM0438    | 07-2021   | 07-2023   | 1 X 1    | Remington Pharmaceutical Industries Lahore |
| 02)   | Pimix tabs 0.25 mg.   | 68        | 05-2021   | 05-2024   | 30 X 3   | Adamjee Pharmaceuticals Karachi            |
| 03)   | Alp tabs 0.25 mg      | 138495    | 04-2021   | 04-2024   | 30 X 2   | Hilton Pharma (Pvt) Ltd. Karachi           |
| 04)   | Prednicol eye drops   | P0884     | 08-2021   | 08-2023   | 1 X 2    | Remington Pharma Lahore                    |
| 05)   | Nalbin inj 10mg/1ml   | 20M014    | 12-2020   | 11-2022   | 1 X 7    | Global Pharmaceuticals Islamabad           |
| 06)   | optachlor eye drops   | FM0434    | 07-2021   | 07-2023   | 1 X 2    | Remington Pharmaceutical Industries Lahore |
| 07)   | Alp tabs 0.5 mg       | 138937    | 05-2021   | 05-2024   | 30 X 3   | Hilton Pharma Karachi                      |
| 08)   | Alp tabs 0.25 mg      | 138841    | 05-2021   | 05-2024   | 30 X 1   |                                            |

Inspector of Drugs

District: Abbotabad

Dated 12-08-2022

**CERTIFICATE**

Certified that the items referred above were present in my premises at the time of inspection by the Inspector of Drugs and I have signed this receipt form. I have got a copy of Form "6".

12101-6185209-9  
123138700400

Signature of the person present during inspection.

Certified that the search of the premises was conducted by the Inspector of Drugs in my presence and the items referred above were recovered from the above-cited premises:

**ATTESTED**

Witness

2. Witness

Amam Sajjad Khan PDI

**FORM-6**

[See Rule-9(1)]

Receipt for Stock of Drugs and other material seized under Section 18(1) of The Drug Act, 1976. The Stock of Drugs detailed below has this day been seized by me under the provision of clause (f) of sub-section (1) of Section 18 of The Drugs Act, 1975 from the premises of: Zeshan Ali s/o Kaji  
Muhammad Ashraf, Prop Zeshan Medicare, Near old National Bank  
situated at Main Bazar, Nawanshah, Abbottabad & Amin's Khya, D/O  
Khushal Khan (G.P.)

Date 12-08-22

Inspector of Drugs [Signature]

**DETAILS OF DRUGS, OTHER MATERIALS & ARTICLES OF DRUGS SEIZED**

| S.No. | Name of Drug/Articles      | Batch No. | Mfg. Date | Exp. Date | Quantity | Manufactured by                        |
|-------|----------------------------|-----------|-----------|-----------|----------|----------------------------------------|
| 09)   | Beflam 75mg tab            | A845      | 12-2021   | 11-2024   | 20 X 40  | Edal Pharmacia<br>Gujrawala            |
| 10)   | Beflam 75mg tab            | B141      | 02-2022   | 01-2025   | 20 X 20  | "                                      |
| 11)   | Beflam 75mg tab            | A999      | 01-2022   | 12-2024   | 20 X 20  | "                                      |
| 12)   | Praz 0.5mg tab             | 343T21    | 10-2021   | 10-2023   | 30 X 3   | Sci-te<br>pharma<br>Karachi            |
| 13)   | Sumbro 3mg tab             | 0396      | July-2021 | June-2024 | 30 X 3   | Sami Pharm<br>Cheelal Karachi          |
| 14)   | Nervin Tab 0.5mg           | NV260     | 06-2021   | 06-2024   | 30 X 3   | Werrich<br>Pharmaceutical<br>Islamabad |
| 15)   | Lexotanil tab 3mg          | P07192    | 05-2021   | 05-2024   | 30 X 2   | Martin Dow<br>Limited<br>Karachi       |
| 16)   | TOVir tab 0.5mg            | 33        | 05-2021   | 05-2023   | 30 X 2   | Adamee<br>Pharmaceutical<br>Karachi    |
| 17)   | Optachlor eye ointment 5g  | FN017     | 04-2022   | 04-2025   | 1 X 1    | Remington<br>Pharmaceutical<br>Lahore  |
| 18)   | Methchloro eye ointment 3g | U0621     | 01-2021   | 02-2024   | 1 X 2    | "                                      |
| 19)   | Conindyl tab               | B1896     | 05-2022   | 05-2024   | 10 X 40  | olive laboratories<br>Rawal Kandi      |

Dated 12-08-22

Inspector of Drugs  
District: Abbottabad

**CERTIFICATE**

Certified that the items referred above were present in my premises at the time of inspection by the Inspector of Drugs and I have signed this receipt form. I have got a copy of Form "6"

0313-878460  
13101-6185209-9

Signature of the person present during inspection

[Signature]  
**TESTED**

Certified that the search of the premises was conducted by the Inspector of Drugs in my presence and the items referred above were recovered from the above cited premises.

1. Witness \_\_\_\_\_ 2. Witness [Signature] P.D.S.  
R.K.

19

27

INVOICE

Customer: 64-ZEESHAN MEDICAL STORE  
Address: NAWASHER ATD (0)  
Salesman: 0/General

Inv No: 12904  
Date: 13-Jun-2022  
Time: 10:37:39 AM

Previous Balance : 45440.00

| S# | Qty | Bon | Product Description | Batch# | Price   | Disc  | S.Ta | Amount  |
|----|-----|-----|---------------------|--------|---------|-------|------|---------|
| 1  | 2   | 0   | AMOXIL 500MG CAP    | 0      | 1055.70 | 0.00  | 0.00 | 2111.40 |
| 2  | 2   | 0   | AMOXYCLLIN 500MG    | 0      | 630.00  | 0.00  | 0.00 | 1260.00 |
| 3  | 20  | 0   | NILSTATE DROP       | 0      | 110.16  | 0.00  | 0.00 | 2203.20 |
| 4  | 10  | 0   | DOMAX INJ           | 0      | 45.00   | 0.00  | 0.00 | 450.00  |
| 5  | 2   | 0   | COLDREX TAB         | 0      | 256.78  | 0.00  | 0.00 | 511.56  |
| 6  | 100 | 0   | BEFLAM TAB          | 0      | 34.00   | 0.00  | 0.00 | 3400.00 |
| 7  | 6   | 0   | EGAR 40MG CAP       | 0      | 283.05  | 10.00 | 0.00 | 1528.47 |
| 8  | 6   | 0   | EGAR 20MG CAP       | 0      | 154.70  | 10.00 | 0.00 | 835.38  |
| 9  | 10  | 0   | NEUPRED SYP         | 0      | 78.20   | 2.00  | 0.00 | 766.36  |
| 10 | 2   | 0   | VIBRAMICIN          | 0      | 878.90  | 0.00  | 0.00 | 1757.80 |
| 11 | 2   | 0   | PONASTAN PROT TAB   | 0      | 567.35  | 0.00  | 0.00 | 1114.70 |
| 12 | 6   | 0   | OMNIDOL TAB         | 0      | 570.00  | 0.00  | 0.00 | 3420.00 |
| 13 | 10  | 0   | GIXIM CAP           | 0      | 140.00  | 0.00  | 0.00 | 1400.00 |

TOTAL: Items: 13

*Recd*

20,759.00

|                     |                 |
|---------------------|-----------------|
| Previous Balance:   | 45440.00        |
| Grand Total:        | 66199.00        |
| Amount Received:    | 0.00            |
| <b>Net Balance:</b> | <b>66199.00</b> |

*[Signature]*  
ATTESTED

20

INVOICE

Customer: 64-ZEESHAN MEDICAL STORE  
Address: NAWASHER ATD (0)  
Salesman: 0/General

Inv No: 12693  
Date: 06-Jun-2022  
Time: 10:44:38 AM

Previous Balance : 45438.00

| S# | Qty | Bon | Product Description  | Batch# | Price   | Disc | S.Ta | Amount  |
|----|-----|-----|----------------------|--------|---------|------|------|---------|
| 1  | 60  | 0   | CAC 1000 N           | 0      | 189.47  | 4.00 | 0.00 | 9761.47 |
| 2  | 10  | 0   | CAC 1000 PLUS LARGE  | 0      | 317.90  | 2.00 | 0.00 | 3115.42 |
| 3  | 2   | 0   | NEUROBION INJ        | 0      | 509.98  | 0.00 | 0.00 | 1019.96 |
| 4  | 2   | 0   | AMOXYCLLIN 500MG     | 0      | 630.00  | 0.00 | 0.00 | 1260.00 |
| 5  | 2   | 0   | EVION CAP 400MG      | 0      | 610.00  | 0.00 | 0.00 | 1220.00 |
| 6  | 2   | 0   | UNIJECT 3CC          | 0      | 800.00  | 0.00 | 0.00 | 1600.00 |
| 7  | 2   | 0   | SURGE SYRINGE 5CC    | 0      | 800.00  | 0.00 | 0.00 | 1600.00 |
| 8  | 50  | 0   | IV SET LASSANI       | 0      | 20.00   | 0.00 | 0.00 | 1000.00 |
| 9  | 2   | 0   | DANIDOL CF           | 0      | 290.00  | 0.00 | 0.00 | 580.00  |
| 10 | 2   | 0   | COLDREX TAB          | 0      | 255.78  | 0.00 | 0.00 | 511.56  |
| 11 | 25  | 0   | CALAMOX 150MG SYP    | 0      | 81.60   | 2.00 | 0.00 | 1999.20 |
| 12 | 80  | 0   | ANTACID 240ML        | 0      | 55.00   | 0.00 | 0.00 | 4400.00 |
| 13 | 32  | 0   | REX TAB              | 345    | 12.00   | 0.00 | 0.00 | 384.00  |
| 14 | 1   | 0   | AMPICLOX 500MG NEW   | 0      | 899.00  | 0.00 | 0.00 | 899.00  |
| 15 | 20  | 0   | OEM LEMON (ORS)      | 0      | 286.62  | 5.00 | 0.00 | 5065.71 |
| 16 | 6   | 0   | IROFOLIC SYP         | 0      | 43.00   | 0.00 | 0.00 | 258.00  |
| 17 | 10  | 0   | SCANLUX 250MG TAB    | 0      | 72.00   | 0.00 | 0.00 | 720.00  |
| 18 | 10  | 0   | SCANLUX 500MG TAB    | 0      | 85.00   | 0.00 | 0.00 | 850.00  |
| 19 | 6   | 0   | LOSANTA 50MG         | 0      | 251.98  | 2.00 | 0.00 | 1481.68 |
| 20 | 6   | 0   | LOSANTA OIU TAB      | 0      | 339.15  | 2.00 | 0.00 | 1994.20 |
| 21 | 1   | 0   | VOREN INJ 75MG 100SS | 0      | 3016.02 | 2.00 | 0.00 | 2955.77 |
| 22 | 20  | 0   | BIO GRAN SCH         | 0      | 50.00   | 0.00 | 0.00 | 1000.00 |

TOTAL: Items: 22

*paid* 43,676.00

|                   |          |
|-------------------|----------|
| Previous Balance: | 45438.00 |
| Grand Total:      | 89114.00 |
| Amount Received:  | 0.00     |
| Net Balance:      | 89114.00 |

*paid*  
*6/6/22*

*[Signature]*  
ATTESTED

(21)

29

# RS Pharma

Silk Plaza, Supply, Manshra Road Abbottabad  
Ph: 0311-1536229, 0323-9938361

Code 1,072  
Name **ZEESHAN MEDICOSE**  
Address **NAWA SHEHR**  
Area **ABBOTTABAD**

Invoice No. **2126**  
Date **20-May-2022**  
Salesman

| Qty | Box | Product Name     | Pack   | Batch | Rate + S. Tax | Gross Amount | Discount Disc % | Amount | S. Tax | Amou  |
|-----|-----|------------------|--------|-------|---------------|--------------|-----------------|--------|--------|-------|
| 60  |     | LECORD 250MG TAB | 10 TAB |       | 75.00         | 4,500.00     | 0.00            | 0.00   | 0.00   | 4,500 |

**WARRANTY:**

We RS Pharma being a Distributor in Pakistan, carrying on business at Silk Plaza, Supply, Manshra Road Abbottabad, under the name of RS Pharma do hereby give this warranty that the drugs described as sold in this Invoice do not contravene in any way the provisions of Section 23 of the Drugs Act 1978.

- NOTE: (1) For dated items we must be informed four months prior to expiry.  
(2) Herbal & Homeopathic items are not covered under this warranty.  
(3) All order subject to availability of stock.

Software Developed by: SAJJAM I.T. SERVICES  
Contact: 051-3521154

|                             |        |
|-----------------------------|--------|
| <b>GROSS TOTAL :</b>        | 4,500. |
| <b>DISCOUNT :</b>           | 0.     |
| <b>SALES TAX :</b>          | 0.     |
| <b>NET PAYABLE AMOUNT :</b> | 4,500. |

**For RS Pharma**

  
**ATTESTED**

(22)  
**RS Pharma**

Silk Plaza, Supply, Mansehra Road Abbottabad  
Ph: 0311-1526229, 0323-9939381

Code 1,072

Name **ZEESHAN MEDICOSE**

Address **NAWA SHEHR**  
Area **ABBOTTABAD**

Invoice No. **2300**  
Date **15-Jul-2022**  
Salesman

| Qty | Boh | Product Name     | Pack   | Batch | Rate + S. Tax | Gross Amount | Discount Disc % | Amount | S. Tax | Amc      |
|-----|-----|------------------|--------|-------|---------------|--------------|-----------------|--------|--------|----------|
| 10  |     | CIP-RX 500MG TAB | 10 TAB |       | 100.00        | 1,000.00     |                 | 0.00   | 0.00   | 1,000.00 |

**WARRANTY:**

We RS Pharma being a Distributor in Pakistan, carrying on business at Silk Plaza, Supply, Mansehra Road Abbottabad, under the name of RS Pharma do hereby give this warranty that the drugs described as sold in this invoice do not contravene in any way the provisions of Section 23 of the Drugs Act 1975.

- NOTE: (1) For dated items we must be informed four months prior to expiry.  
(2) Herbal & Homeopathic items are not covered under this warranty.  
(3) All order subject to availability of stock.

**GROSS TOTAL :**

**DISCOUNT :**

**SALES TAX :**

**NET PAYABLE AMOUNT :**

*For RS Pharma*

Software Developed by: SALMAN I.T. SERVICES  
Contact: 031-5521134

*[Signature]*  
**ATTESTED**



# RS Pharma

Silk Plaza, Supply, Mansehra Road Abbottabad  
Ph: 0311-1536229, 0323-9939361

Code 1,072

Name ZEEZHAN MEDICOSE

Address NAWA SHEHR  
Area ABBOTTABAD

Invoice No. 2235

Date 27-Jun-2022

Salesman

| Qty | Box | Product Name     | Pack   | Batch | Rate + S. Tax | Gross Amount | Discount Disc % | Amount | S. Tax | Am  |
|-----|-----|------------------|--------|-------|---------------|--------------|-----------------|--------|--------|-----|
| 15  |     | CIP-RX 250MG TAB | 10 TAB |       | 75.00         | 1,125.00     | 0.00            | 0.00   | 0.00   | 1.1 |
| 15  |     | CIP-RX 500MG TAB | 10 TAB |       | 100.00        | 1,500.00     | 0.00            | 0.00   | 0.00   | 1.5 |
| 15  |     | CIXIM SYP        | 60ML   |       | 100.00        | 1,500.00     | 0.00            | 0.00   | 0.00   | 1.5 |
| 12  |     | CIXIM CAP        | 5 CAP  |       | 160.00        | 1,920.00     | 0.00            | 0.00   | 0.00   | 1.2 |
| 10  |     | HYZITH 250 TAB   | 6 TAB  |       | 120.00        | 1,200.00     | 0.00            | 0.00   | 0.00   | 1.2 |
| 10  |     | HYZITH 500MG TAB | 6 TAB  |       | 200.00        | 2,000.00     | 0.00            | 0.00   | 0.00   | 2.0 |
| 6   |     | OCTA 50MG TAB    | 10 TAB |       | 85.00         | 510.00       | 0.00            | 0.00   | 0.00   | 0.6 |
| 40  |     | PULMODRILL SYP   | 30ML   |       | 45.00         | 1,800.00     | 0.00            | 0.00   | 0.00   | 1.8 |
| 40  |     | ROZEN TAB        | 10 TAB |       | 19.00         | 760.00       | 0.00            | 0.00   | 0.00   | 0.4 |

**WARRANTY:**

We RS Pharma being a Distributor in Pakistan, carrying on business at Silk Plaza, Supply, Mansehra Road Abbottabad, under the name of RS Pharma do hereby give this warranty that the drugs described as sold in this invoice do not contravene in any way the provisions of Section 23 of the Drugs Act 1975.

- NOTE: (1) For dated items we must be informed four months prior to expiry.  
(2) Herbal & Homeopathic items are not covered under this warranty.  
(3) All order subject to availability of stock.

GROSS TOTAL : 12  
DISCOUNT :  
SALES TAX :  
NET PAYABLE AMOUNT :

Software Developed by: SALMAN LT. SERVICES  
Contact: 031-5521154

For RS Pharma

ATTESTED

(24)

32

### SEALING ORDER

It is certified that Toseef Muhammad Senior Drug Inspector Abbottabad inspected the following premises

M/S Zeehan Ali s/o Raja Muhammad Ashraf Prop Zeehan Medicose Near old National Bank main bazar Nawansher Abbottabad

on 12/08/2022 at 12:40 PM and is Locked and sealed due to the contravention of the section 23(a)(vi)(x) & c of the Drug Act 1976 and in exercise of the powers conferred under section 18(h) of the Drugs Act, 1976.

#### Certificate:

There is no Gold, Cash, Prize Bond, Weapon, and no precious items in the Medical Store/Institution. There are also no such commodities in the Medical store/Health Institution which can be deteriorated /damaged/Expired during the period of sealing. The power supply and all the electric appliances have been switched off. The Gas and Water Supply Lines have been closed. The safe custody is the responsibility of the in-charge / owner of the medical store / health facility. The damaging of the seal will be automatically converted to FIR.

Signature of Person Present During Inspection

#### Witness:

- Anam Sajjad Khan PDI Abbottabad
- Sgt. Shauq PDI Abbottabad
- Ali Sher AAC Abbottabad

*[Handwritten signature]*

Toseef Muhammad  
Senior Drug Inspector  
Abbottabad

AAC-F  
12/08  
2022

*[Handwritten signature]*  
**ATTESTED**

(25)



Office of  
The Drug Control  
Abbottabad

53

Add: DHO Office Link Road Abbottabad

Contact: 0992-415079

No: 017-DHAD/22

Dated: 15/08/2022

To: Hamad Khan s/o Jahangzeb Khan (Prop)  
Bismillah Medical Store Banni Chowk near  
Suzuki stand Newmarket Abbottabad.

From: Senior Drug Inspector, Abbottabad

Subject: Show cause Notice.

On 12/08/2022 the undersigned inspected your premises and found you indulged in following activities.

- Sale/stock of Suspected Spurious drugs (Omnidol)
- Sale/stock of Suspended/Unregistered/Banned drugs.
- Sale/stock of Un-authorized Drugs.
- Sale/stock of Narcotics without maintaining record
- Sale/stock of Temperature Sensitive medicine at room temp.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

No. 1477

For Insurance Notices see reverse. Stamps affixed except in case of RGL94681877 from more than the initial value described in the Post Office Guide or on which no acknowledgement is due.

in writing to the undersigned within seven days of this notice taken against you under the Drugs Act, 1976.

Received & registered\* addressed to Hamad Khan Date Stamp

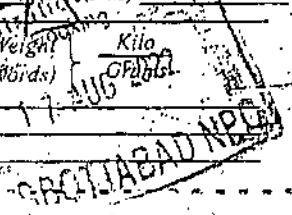
Initials of Receiving Officer \_\_\_\_\_ Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before if and where necessary. (Insured for Rs. (in figures) \_\_\_\_\_ (in words) \_\_\_\_\_)

Insurance fee Rs. \_\_\_\_\_ Ps. \_\_\_\_\_ (in words) \_\_\_\_\_ Kilo Grams

Name and address of sender \_\_\_\_\_

Taseef Ahmad  
Senior Drug Insp  
Abbottabad

Q. Khan  
ATTESTED



(26)

34

SEALING ORDER

It is certified that Taseef Muhammad Senior Drug Inspector Abbottabad inspected the following premises

M/S Hammad Khan s/o Jahanzeb Khan Bop Bismillah  
Medical Store Barani Chowk near Suzuki stand Nawasha Abd

on 12/08/2022 at 12:10pm and is Locked and sealed due to the contravention of the section 23 i & c of the Drug Act 1976 and in exercise of the powers conferred under section 18(h) of the Drugs Act, 1976.

Certificate:

There is no Gold, Cash, Prize Bond, Weapon, and no precious items in the Medical Store/Institution. There are also no such commodities in the Medical store/Health Institution which can be deteriorated /damaged/Expired during the period of sealing. The power supply and all the electric appliances have been switched off. The Gas and Water Supply Lines have been closed. The safe custody is the responsibility of the in-charge / owner of the medical store / health facility. The damaging of the seal will be automatically converted to FIR.

HAMMAD KHAN JAHANZEB KHAN  
Signature of Person Present During Inspection

0313833383

Witness:

- Sara Shariq PDI- Abbottabad
- Anam Sajjad Khan PDI Abbottabad

Taseef Muhammad  
Senior Drug Inspector  
Abbottabad

ATTESTED

JAHANZEB KHAN during inspection.

Certified that the search of the premises was conducted by the inspector of Drugs in my presence and the items referred above were recovered from the above cited premises:

1. Witness Sara Shariq  
2. Witness Anam Sajjad Khan PDI

**FORM-6**

[See Rule-9(1)]

35

Receipt for Stock of Drugs and other material seized under Section 18(1) of The Drug Act, 1976. The Stock of Drugs detailed below has this day been seized by me under the provision of clause (f) of sub-section (1) of Section 18 of The Drugs Act, 1976 from the premises of: Hammad Khan S/o Jabanzeh Khan Prop Bismillah Medical Store & Hina Wahed situated at Q.P Bismillah Medical Store Banni Chowk near Suzuki stand Nawansher, Abbottabad.

Date 12-08-22

Inspector of Drugs

**DETAILS OF DRUGS, OTHER MATERIALS & ARTICLES OF DRUGS SEIZED**

| S.No. | Name of Drug/Articles  | Batch No. | Mfg. Date  | Exp. Date  | Quantity | Manufactured by        |
|-------|------------------------|-----------|------------|------------|----------|------------------------|
| 01.   | Tab Biflam 75mg.       | 11149     | 11-2021    | 12-2024    | 20x10    | Pathe Pharmaceuticals  |
| 02.   | Tab Biflam 75mg.       | 11795     | 11-2021    | 11-2024    | 20x10    | do                     |
| 03.   | Tab Biflam 75mg.       | A452      | 11-2021    | 12-2024    | 20x10    | do                     |
| 04.   | Tab Biflam 75mg.       | A334      | 10-2021    | 09-2024    | 20x10    | do                     |
| 05.   | Tab Levetiracetam 25mg | D07425    | 21-05-2020 | 19-05-2025 | 10x7     | Martin Dow Limited     |
| 06.   | Zivretol 2.5mg/ml      | M1948     | 04-2020    | 04-2025    | 1x10     | Korngi                 |
| 07.   | Tab Nalbin 10mg        | P07043    | 03-2021    | 03-2024    | 2x30     | do                     |
| 08.   | Tab Amnidol            | B1897     | 05-22      | 05-2024    | 60x10    | Alfa Laboratories      |
| 09.   | Tab Amnidol            | B1846     | 05-22      | 05-2024    | 60x10    | do                     |
| 10.   | Tab Amnidol            | B1942     | 06-22      | 06-2024    | 60x10    | do                     |
| 11.   | Tab Amnidol            | B1774     | 03-22      | 03-2024    | 30x10    | do                     |
| 12.   | Tab Sambro 3mg         | 00311     | 05-22      | 04-25      | 04x10    | Sana Pharmaceuticals   |
| 13.   | Tab Nalbin 10mg        | 22B034    | 09-20      | 01-24      | 1x3      | Global Pharmaceuticals |
| 14.   | ALP 0.5mg              | 138437    | 05-2021    | 05-2024    | 10x3     | Wafiqe and Bismillah   |
| 15.   | ALD 0.25mg             | 138841    | 05-2021    | 05-2024    | 10x4     | Mittler Pharma         |
| 16.   | Xanax 0.5mg            | FM7548    | 12-2021    | 11-2024    | 06x10    | Pfizer Pakistan        |
| 17.   | Tab Naga 2.5mg         | NS-130    | 05-22      | 05-24      | 10x10    | The Schering Plough    |
| 18.   | Sudocrem               |           |            | 03-2025    | 1x2      |                        |
| 19.   | Cap. N. Amnidol 25mg   | 0017      | 07-2022    | 01-2023    | 1x2      | Herrington Pharma      |
| 20.   | Drop Methachlor. Sm    | M2560     | 04-2022    | 04-2024    | 1x3      | do                     |
| 21.   | Optichlor drops        | FM0471    | 05-2022    | 05-2020    | 1x6      | do                     |
| 22.   | Methachlor Eye Drops   | FN019     | 04-2022    | 04-2025    | 1x4      | do                     |

Dated 12-08-22

Inspector of Drugs  
District: Abbottabad

**CERTIFICATE**

Certified that the items referred above were present in my premises at the time of inspection by the Inspector of Drugs and I have signed this receipt form. I have got a copy of Form "6".

Signature of the person present during inspection.

JAHANZEB KHAN

**ATTESTED**

Witnessed that the search of the premises was conducted by the Inspector of Drugs in my presence and the items referred above were recovered from the above cited premises:

1. Witness Jana Khan  
2. Witness Arun Sajid Khan  
P.D.I - Abbottabad



(28)

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar, the 13<sup>th</sup> Sep. 2022

Annexure  
D

**NOTIFICATION**

SOH-III/7-262/2022 The Competent Authority is pleased to order posting/transfer of the following Officers with immediate effect in the public interest:-

| S.NO | Name of Officers                                            | From       | To         |
|------|-------------------------------------------------------------|------------|------------|
| 1.   | Mr. Mehtab Afsar,<br>Senior Drug<br>Inspector (BS-18).      | Peshawar.  | Abbottabad |
| 2.   | Mr. Tauseel<br>Ahmad, Senior<br>Drug Inspector,<br>(BS-18). | Abbottabad | Peshawar.  |

Secretary to Govt. of Khyber Pakhtunkhwa  
Health Department

End of even No and Date.

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Drug Control & Pharmacy Services, Khyber Pakhtunkhwa, Peshawar.
3. District Account Officer, Abbottabad.
4. District Health Officer, Abbottabad.
5. The Deputy Director (H.T) Health Department.
6. PS to Secretary Health, Khyber Pakhtunkhwa.
7. PS to Special Secretary (E&A) Health, Khyber Pakhtunkhwa.
8. PA to Additional Secretary (E&A) Health, Khyber Pakhtunkhwa.
9. PAs to Deputy Secretaries (Admin/Drugs) Health, Khyber Pakhtunkhwa.
10. Officers concerned.

  
SECRETARY OFFICER-III

  
ATTESTED

(29)

Annexure  
E

To,

CHIEF SECRETARY,  
Khyber Pakhtunkhwa, Peshawar.

Subject:

DEPARTMENT APPEAL AGAINST THE  
IMPUGNED NOTIFICATION BEARING  
NO.SOH-III/7-262/2022 DATED 13.09.2022  
REGARDING THE TRANSFER OF THE  
APPELLANT FROM ABBOTTABAD TO  
PESHAWAR AS WELL AS TRANSFER  
OF THE RESPONDENT NO.4 FROM  
PESHAWAR TO ABBOTTABAD (I.E.  
AT THE PLACE OF THE APPELLANT).

Respectfully Sheweth!

1. That, the appellant was initially inducted in the Health Department and since his appointment, the appellant is serving the respondents' department with great zeal and zest and there is no any stigma on the service career of the appellant.
2. That, the appellant remained posted at different stations and later on, the appellant was appointed as Senior Drug Inspector, Abbottabad by virtue of bearing No. SOH-III/7-262/2021 dated 10<sup>th</sup> December, 2021.

ATTESTED

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*(Copy of the order dated 10.12.2021 is annexed herewith).*

3. That, the above mentioned order was passed on the basis of spouse policy as the wife of the appellant is working in Hazara University, Dhodial, Mansehra.

*(Copy of the order is annexed herewith).*

4. That, on the basis of the order dated 10.12.2021, the appellant was serving the respondents' department with due diligence and in the meanwhile, the appellant also raided the medical stores and due to negligence on the part of the store owners, the appellant fined them on 12.08.2022.

*(Copies of the fine receipts are annexed herewith).*

5. That, as the store owners were annoyed due to the above mentioned fines, therefore, the store owners with mala fide intention approached the political figure of the area and the respondents under the political influence of the political figure, issued the impugned order dated

*[Signature]*  
**ATTESTED**



13.09.2022 whereby the appellant was transferred from Abbottabad to Peshawar whereas the respondent No.4 was transferred from Peshawar to Abbottabad i.e. at the place of the appellant.

*(Copy of the impugned order is annexed herewith).*

- 6. That, the appellant being aggrieved from the impugned notification is filing the instant departmental appeal for your kind consideration, inter-alia, on the following grounds:-

**GROUND**

- 1. That, impugned notification bearing No.SOH-III/7-262/2022 dated 13.09.2022 regarding the transfer of the appellant from Abbottabad to Peshawar as well as transfer of the respondent No.4 from Peshawar to Abbottabad (i.e. at the place of the appellant) is wrong, illegal, against the law and facts, arbitrary, fanciful, perverse, against the relevant law, rules and regulations as well as against the spouse policy, against

*Qus*

the fundamental rights of the appellant hence being unconstitutional, liable to be struck down.

- ii. That, admittedly, the appellant was transferred as Senior Drug Inspector, Abbottabad by way of order dated 10<sup>th</sup> December, 2021 whereas the appellant has been transferred through impugned order dated 13.09.2022 i.e. after nearly 09 months which is not in accordance with the relevant law, rules and regulations.
- iii. That, as per law, minimum tenure regarding appointment at any station is 03 years whereas the appellant has been transferred after only 09 months hence the impugned order being pre-mature in nature is void having no legal sanctity in the eyes of law.
- iv. That, no legal justification rests with the department for passing the impugned order as no legal or valid justification has been given by the respondents in support of the impugned order rather real facts have been twisted/concealed by the

*[Signature]*  
ATTACHED

department whereas all the drama has been staged against the appellant on the political influence.

- v. That, it is also an admitted fact that the appellant fined the store owners in Abbottabad due to their negligence and illegal acts on 12.09.2022 whereas the impugned notification has been passed on next day i.e. 13.09.2022 which smacks malafide on the part of the department and put a question mark on the passage of the impugned order.
- vi. That, the department while making themselves as pawn in the hands of the political figures have issued the impugned notification whereas it is well settled by now that the political figures have nothing to do with the appointment, adjustment or transfer policy and any other under the garb of the political influence has no legal sanctity in the eyes of law.
- vii. That, the impugned notification issued by the department amounts to create hurdles in the smooth legal duties of the appellant as the appellant has been victimized due to

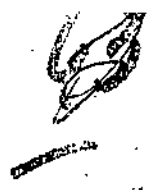
*[Handwritten Signature]*  
**ATTESTER**

the fine imposed by the appellant against the store owners and the store owners being influential and in connection with the political figure of the locality, managed to transfer the appellant from Abbottabad to Peshawar.

viii. That, the impugned order also hits the spouse policy issued by the government/respondents department because as per spouse, both the spouses must be transferred in one District or nearest to each other whereas in the instant case, true letter and spirit of spouse policy has been violated because the wife of the appellant is working in Hazara University whereas the appellant has been transferred from Abbottabad to Peshawar which is far away from District Mansehra.

ix. That, the impugned order offends all norms of justice, fair play, equity, good conscious and also encroaches upon the fundamental rights of the appellant as guaranteed by the Constitution of Islamic Republic of Pakistan, 1973.

*Qam*  
REQUESTED



x. That, it is very dangerous trend to transfer any employee who is serving with due diligence and with honesty on the behest of the political figures which must be curbed otherwise, no honest officer could perform his duties under the law rather the honest officer would remain at the mercy of the influential and influential persons hence the interference of this Honourable Court is being sought by way of instant Writ Petition.

xi. That, the powers or jurisdiction are vested in an authority to exercise it justly, fairly, honestly, judiciously and in accordance with the mandate of law, rules and regulations whereas the department have transgressed upon their powers while dealing with the matter in hand.

xii. That, it is an inalienable right of the appellant to enjoy the protection of law and to be treated in accordance with law, rules and regulation but such right of the appellant is being infringed by the department in a sheer malafide manner.

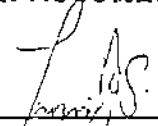
*[Handwritten Signature]*  
**ATTESTED**

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.....PRAYER.....

It is, therefore, most humbly prayed that on acceptance of the instant appeal, impugned notification bearing No.SOH-III/7-262/2022 dated 13.09.2022 regarding the transfer of the appellant from Abbottabad to Peshawar as well as transfer of the respondent No.4 from Peshawar to Abbottabad (i.e. at the place of the appellant) may please be set aside and the order bearing No. SOH-III/7-262/2021 dated 10<sup>th</sup> December, 2021 may please be restored and the appellant may please be permitted to continue his duties at Abbottabad.

Dated 15.09.2022

  
Tauseef Ahmed  
Drug Inspector,  
Abbottabad.  
.....Appellant

  
ATTESTED

Annex "F" (1)



BEFORE THE PESHAWAR HIGH COURT,  
BENCH ABBOTTABAD

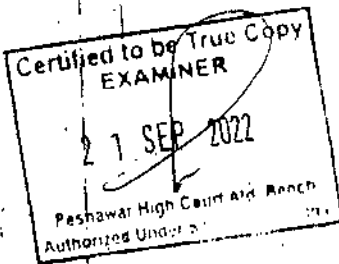
W.P No. 1194A of 2022

Tauseef Ahmed, Senior Drug Inspector,  
Abbottabad ..... PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Health Department, Peshawar.
2. Director General, Drug controller and Pharmacy Services, Khyber Pakhtunkhwa, Peshawar.
3. District Health Officer, Abbottabad.
4. Mehtab Afsar, Senior Drug Inspector, Peshawar ..... RESPONDENTS.

WRIT PETITION UNDER ARTICLE 199  
OF THE CONSTITUTION OF ISLAMIC  
REPUBLIC OF PAKISTAN, 1973 FOR A  
DECLARATION TO THE EFFECT  
THAT THE PETITIONER IS ENTITLED  
TO CONTINUE/CARRY ON HIS  
SERVICES AS SENIOR DRUG  
INSPECTOR, ABBOTTABAD ON THE  
BASIS OF NOTIFICATION BEARING  
NO.SOH-III/7-262/2021 DATED 10<sup>TH</sup>  
DECEMBER, 2021 AS WELL AS ON  
THE BASIS OF SPOUSE POLICY.



ADDITIONAL REGISTRAR  
PESHAWAR HIGH COURT  
ABBOTTABAD BENCH

ATTORNEY

IMPUGNED NOTIFICATION BEARING  
NO.SOH-III/7-262/2022 DATED 13.09.2022  
REGARDING THE TRANSFER OF THE  
PETITIONER FROM ABBOTTABAD  
TO PESHAWAR AS WELL AS  
TRANSFER OF THE RESPONDENT  
NO.4 FROM PESHAWAR TO  
ABBOTTABAD (I.E. AT THE PLACE  
OF THE PETITIONER) IS WRONG,  
ILLEGAL, AGAINST THE LAW AND  
FACTS, ARBITRARY, FANCIFUL,  
PERVERSE, AGAINST THE RELEVANT  
LAW, RULES AND REGULATIONS AS  
WELL AS AGAINST THE SPOUSE  
POLICY, AGAINST THE FUNDAMENTAL  
RIGHTS OF THE PETITIONER HENCE  
BEING UNCONSTITUTIONAL, LIABLE  
TO BE STRUCK DOWN.

PRAYER: -

On acceptance of the instant Writ  
 Petition, impugned notification  
 bearing No.SOH-III/7-262/2022  
 dated 13.09.2022 regarding the  
 transfer of the petitioner from  
 Abbottabad to Peshawar as well as  
 transfer of the respondent No.4 from  
 Peshawar to Abbottabad (i.e. at the  
 place of the petitioner) may please be  
 declared as wrong, illegal, against

Certified to be True Copy  
 EXAMINER  
 27 SEP 2022  
 Peshawar High Court and Bench  
 Abbottabad

FILED TODAY  
 ADDITIONAL REGISTRAR  
 PESHAWAR HIGH COURT  
 ABBOTTABAD BENCH

ATTORNEY



(39)

PESHAWAR HIGH COURT,  
ABBOTTABAD BENCH  
FORM 'A'  
FORM OF ORDER SHEET



|                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Date of Order or Proceedings | ORDER OR PROCEEDINGS WITH SIGNATURE OF JUDGE/JUDGES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 1                            | 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 20.09.2022                   | <p><u>WP No. 1194-A/2022</u></p> <p>Present:- Mr. Junaid Anwar Khan, Advocate for the petitioner.</p> <p>****</p> <p>WIQAR AHMAD, J.-Learned counsel for the petitioner, after arguing the case for a while, submitted that he would be satisfied if direction be issued for early disposal of departmental appeal, filed by the petitioner to the worthy Chief Secretary, Khyber Pakhtunkhwa, Peshawar.</p> <p>2. In view of above, this petition stands disposed of. However, the departmental appeal filed by the petitioner, shall be decided, positively within fifteen days of receipt of this order.</p> <p style="text-align: right;">JUDGE</p> <p style="text-align: right;">JUDGE</p> <p style="text-align: center;"><b>ATTESTED</b></p> |

Certified to be True Copy  
EXAMINER  
27 SEP 2022  
Peshawar High Court Atd Bench  
Authorized Under Sec 79 Evid Ordns

Tofail\*

Hon'ble Justice, Wiqar Ahmad  
Hon'ble Justice Faizal Subhan

WAKALATNAMA

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

S. Appeal No. \_\_\_\_\_ P/2022

Tauseef Ahmed, Senior Drug Inspector, Abbottabad

APPELLANT

VERSUS

The Government of Khyber Pakhtunkhwa & others

RESPONDENTS

I, Touseef Ahmad, Senior Drug Inspector, Abbottabad in the above case, do hereby appoint the Advocates namely, Rehman Ullah Shah, & Shumaila Nazli Advocates in the above mentioned case, to do all or any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct prosecution or defence of the said case at all its stages.
3. To receive payment of and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

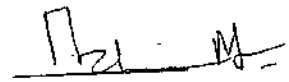
And hereby agree: -

- a) That the advocates shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

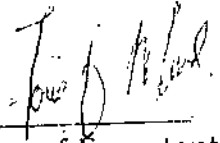
In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this ---  
08/10/2022

Attested & Accepted by:

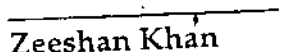
(Subject to the term regarding payment of fee)

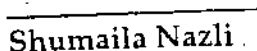


Rehman Ullah Shah,



Signature of Executant

  
Zeeshan Khan

  
Shumaila Nazli

Advocates, Peshawar

Ibn e Abdullah Law Associates  
11 Azam Tower University Road Peshawar  
Phone & Fax # 091- 570 2021  
infoila56@gmail.com