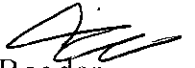


29.11.2022

Due to rush of work, this case has been deleted from the cause list. To come up for the same as before on 16.02.2023 before the D.B.


Reader

16th Feb, 2023

Counsel for the appellant present. Mr. Umair Azam, Addl: AG alongwith Mr. Safiullah Jan, Focal Person for respondents present.

2. Learned counsel for the appellant requested for withdrawal of the instant service appeal on the ground that grievance of the appellant has been redressed. As a token of admission of his submission he signed the margin of the order sheet. Dismissed as withdrawn. Consign

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 16th day of February, 2023.*



(Salah Ud Din)
Member(J)



(Kalim Arshad Khan)
Chairman

SCANNED
K.P.S.T
Peshawar

9 withdrawn this S.A
as grievance redressed

17/9/22

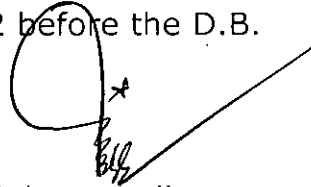
Due to summer vacation the case
is adjourned to 15. 9. 22 for the same.



15.09.2022

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

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 18.10.2022 before the D.B.



(Mian Muhammad)
Member (Executive)



(Salah-Ud-Din)
Member (Judicial)

18.10.2022

Junior to counsel for appellant present.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

File to come up alongwith connected Service Appeal No.6686/2021 titled "Dr. Ateeqa Rehman Vs. Government of Khyber Pakhtunkhwa" on 29.11.2022 before D.B.



(Fareeha Paul)
Member(E)



(Rozina Rehman)
Member (J)

21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 25.05.2022 for the same as before.




Reader.

25th May, 2022

Junior of learned counsel for the appellant present. Mr. Muhammad Rashid, DDA alongwith Safiullah, Litigation Officer for respondents present.

Junior of learned counsel for the appellant seeks adjournment on the ground that learned senior counsel is not available today. Adjourned. To come up for arguments on 14.06.2022 before D.B.



(Fareeha Paul)
Member(E)

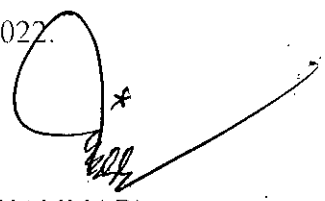


(Kalim Arshad Khan)
Chairman

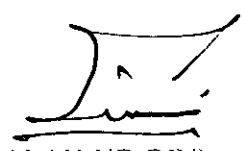
14.06.2022

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

Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B on 17.08.2022.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)

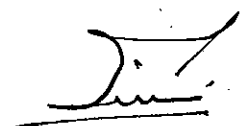


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

08.12.2021

Learned counsel for the appellant present. Mr. Safiullah, Section Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

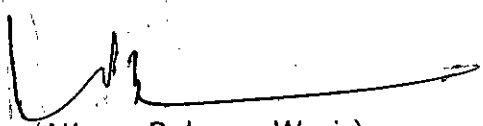
The Worthy Chairman is on leave, therefore, the bench is incomplete. Adjourned. To come up for arguments on 03.01.2022 before the D.B.


(Salah-ud-Din)
Member (J)

03.01.2022

Counsel for the appellant and Mr. Asif Masood Ali Shah, DDA alongwith Safiullah, Litigation Officer for the respondents present.

Counsel for the appellant seeks adjournment for preparation. Request accorded. Case to come up for arguments on 14.01.2022 before the D.B.



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


Chairman

14.01.2022

Mr. Javed Iqbal Gulbela, Advocate present. Mr. Muhammad Adil Butt, Additional Advocate General for respondents present.

Learned counsel for the appellant requested for time for documentation of the appeal with certain additional documents. Request accorded. To come up for arguments before the D.B on 21.02.2022.


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


Chairman

03.09.2021

Due to summer vacations, the case is adjourned to 30.09.2022 for the same as before.

B.
READER

30-9-21

DB is on Tour case to come up
For the same on Dated. 18-10-21

Reside

18.10.2021

Junior to counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Ziaullah, Deputy Secretary (Legal) for the respondents present.

Due to general strike of the bar, counsel for the appellant is not in attendance today. To come up for arguments on 11.11.2021 before the D.B. The restrain order dated 02.07.2021 shall remain operative till next date.


(Salah-ud-Din)
Member(J)

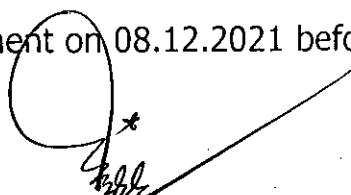

Chairman


11.11.2021

Junior to counsel for appellant present.

Muhammad Riaz Khan Paindakheil earned Assistant Advocate General alongwith Safi Ullah S.D for respondents present.

File to come up alongwith connected Service Appeal No.6686/2021 titled Dr. Ateeqa Rehman Vs. Health Department on 08.12.2021 before D.B.


(Mian Muhammad)
Member (E)


(Rozin Rehman)
Member (J)

11.08.2021

Junior to counsel for appellant present.

Kabir Ullah Khattak learned Additional Advocate General alongwith Zia Ullah Law Officer and Safeer Ullah Focal Person for respondents present.

File to come up alongwith connected Service Appeal No. 6721/2021 titled Dr. Sikander Zen Vs. Health Department on 24.08.2021 before D.B.



(Rozina Rehman)
Member (J)

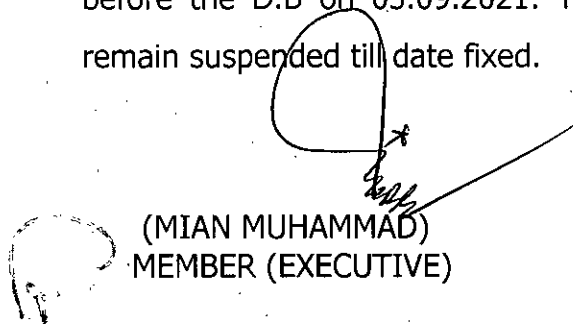


Chairman

24.08 .2021

Mr. Junaid Khan, Advocate, Junior of learned counsel for the appellant present. Mr. Muhammad Rashid, DDA alongwith Mr. Ziaullah, Law Officer for the respondents present.

Junior of learned counsel for the appellant sought adjournment on the ground that the learned counsel for the appellant is not available today due to some domestic engagement. Adjourned. Last opportunity granted. To come up for argument before the D.B on 03.09.2021. The operation of the order shall remain suspended till date fixed.



(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

27.07.2021

Appellant present through counsel.

Muhammad Adeel Butt learned Additional Advocate General alongwith Zia Ullah Law Officer for respondents present.

File to come up alongwith connected Service Appeal No.6721/2021 titled Dr. Sikander Zeb Vs. Health Department, on 04.08.2021 before D.B.



(Rozina Rehman)
Member (J)



Chairman

04.08.2021

Junior to counsel for appellant present.

Mr. Usman Ghani learned District Attorney alongwith Zia Ullah Law Officer for respondents present.

File to come up alongwith connected Service Appeal No.671/2021 titled Sikander Zeb Vs. Health Department, on 11.09.2021 before D.B.




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



(Rozina Rehman)
Member (J)

Form-A
FORM OF ORDERSHEET

Court of _____
Case No. 6091 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	02/07/2021	<p style="text-align: center;">As per direction of the Worthy Chairman this case may be entered in the Institution Register and put to the S.Bench for preliminary hearing on <u>27.7</u>.</p> <div style="text-align: right;">  REGISTRAR </div>
	02.07.2021	<p>Counsel for the appellant present. Preliminary arguments heard.</p> <p>Alongwith the appeal, the appellant has annexed the copy of Posting and Transfers of the Government from Esta Code. According to Para xiv of the said policy, right of appeal has been given to the government servants and accordingly, if one is aggrieved due to the orders of posting/transfer of authorities, he may seek remedy from the next higher authority/the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. It is further provided in the said Para that such appeal shall be disposed of within fifteen days. As far as the office objection based on general waiting of 90 days is concerned, it is not workable in presence of a special condition of 15 days under the policy is in field for disposal</p>

Appellant Deposited
Security & Process Fee

5/17/21

of appeal. Therefore, office objection is overruled. Points raised need consideration. The appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the receipt of notices positively. If the written reply/comments are not submitted within the stipulated time, the office is directed to submit the file with a report of non-compliance. File to come up for arguments on 27.07.2021 before the D.B.

The appeal is also accompanied with an application for interim relief. Notice of the same be also given to the respondents for the date already fixed. The operation of the order shall remain suspended till date fixed.


Chairman

Sir,

The objection of this office and reply of counsel for the appellant is submitted for appropriate order, please


Registrar 27/07/2021

Worthy Chair - am

Order:

07/07/2021

Keeping the objection of office intact for settlement at the time of preliminary hearing, this appeal be instituted.



Chairman

This is an appeal filed by Dr. Bushra Ayub today on 01/07/2021 against the order dated 01.06.2021 against which she preferred/made departmental appeal/ representation on 14.06.2021 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 1139 /ST,

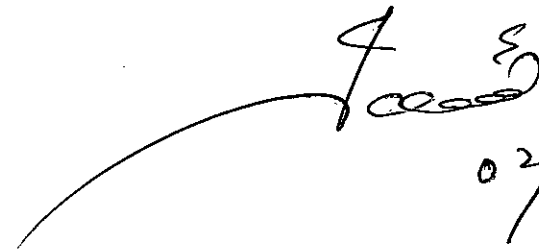
Dt. 107 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Javed Iqbal Gulbela Adv. Pesh.

Respected Sir,

As per Transfer & posting policy the instant S.O is mature & kindly place it before the Honorable Bench


02/07/2021

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In Re S.A _____/2021

Dr. Bushra Ayub

VERSUS

Secretary Health & Others

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S#	Description of Documents	Annex	Pages
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3.	Suspension Application + Affidavit		6-7
4.	Addresses of parties		8
5.	Copy of impugned Office Order Dated 01-06-2021	"A & A/I"	9-12
6.	Copy of Departmental Appeal	"B"	13
7.	Copies of Transfer & Posting Policy	"C"	14-20
8.	Other documents		21-27
9.	Wakalat Nama		28

Dated: 01/07/2021


Appellant

Through


Javed Iqbal Gulbela
Advocate Supreme Court of
Pakistan

1)

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

In S.A. 6691 /2021

Diary No. 6729

Dated 01-7-2021

Dr. Bushra Ayub, Medical Officer (BPS-17) R/o Civil Dispensary
Shaheen Muslim Town-I, Peshawar.

-----Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Health at Civil Secretariat, Peshawar.
2. Director General Health Services, Government of Khyber Pakhtunkhwa.

-----Respondents

APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT -
1974 AGAINST THE IMPUGNED TRANSFER
ORDER NO. SOH (E-II)/1-1/2021/ Dated 01-
06-2021 OF THE OFFICE OF SECRETARY
HEALTH KHYBER PAKHTUNKHWA, WHEREBY
THE APPELLANT HAS BEEN TRANSFERRED
FROM DISTRICT PESHAWAR TO DHQ HANGU
IN UTTER VIOLATION TO THE LAW AND
POLICY OF TRANSFER & POSTING
GOVERNING THE SUBJECT

Filed to-day

Registrar

01/07/2021

Respectfully Sheweth,

1. That the Appellant is a naturally born bona-fide citizen of Islamic Republic of Pakistan and hails from a respectable family of District Peshawar.
2. That after going through the mandatorily required criteria, laid down for selection of Medical Officers, the Appellant got appointed as Medical Officer years back.
3. That since induction into service and getting onto the rolls of this extremely humane and prestigious Department, the

2)

Appellant has remained the most pragmatic, devoted and dutiful fellow, who never left any stone unturned in performance of her duties and importing any responsibility that has been entrusted to the Appellant.

4. That being highly professional and pragmatic towards the responsibilities bestowed upon the shoulders of the Appellant and because of her whetted professional skills, there have never been any sort of soot or sootage upon his long career, which fact is reflected from Appellant Service record, which sans any complaint or adverse or even advisory remarks mentioned or ever communicated to the Appellant.
5. That in-spite of all this background, whereby a brief glimpse is given in the preceding paras, the Appellant has been transferred vide the impugned Office Order No. SOH (E-II)/1-1/2021/ Dated 01-06-2021, issued from the Office of Secretary Health Khyber Pakhtunkhwa, like a bolt from the blue, from Peshawar to DHQ Hangu in quiet illegal & unwarranted manner. **(Copy of impugned order dated 01-06-2021 is annexed herewith as Annexure "A & A/I" respectively).**
6. That feeling aggrieved, the Appellant preferred a Departmental Appeal but in-spite of lapse of stipulated period as postulated in Khyber Pakhtunkhwa Transfer and Posting Policy, nothing came up of the same. **(Copy of Departmental Appeal is annexed herewith as Annexure "B")**.
7. That before going to jotted down to the grounds of the instant Service Appeal, it would be appropriate to mention here that the provincial government has provided for its own Transfer and Posting Policy as visualized as Khyber Pakhtunkhwa Transfer & Posting Policy, wherein, it has provided for all sorts of conditions for posting and transfer of any Civil Servant, whereas, the same policy has also provided for approaching this Hon'ble Tribunal quiet expeditiously. **(Copy**

3)

of Transfer & Posting Policy is annexed herewith as Annexure "C").

8. That feeling aggrieved and having the only remedy available being Civil Servant, the Appellant approaches this Hon'ble Tribunal for setting aside the impugned Transfer Order Dated 01-06-2021, issued from the Office of Secretary Health Khyber Pakhtunkhwa, upon the following grounds, inter-alia;

Grounds:

- A. That the impugned Transfer & Posting Order is wrong, illegal, unwarranted, hence not tenable in the eyes of law.
- B. That the impugned Transfer & Posting is thoroughly in derogation to the principles as laid down and enumerated in the Transfer & Posting Policy.
- C. That the Appellant is Peshawar based and domicile of the Appellant is that of District Peshawar. So as per rationale Policy, the Appellant is entitled to be placed in Peshawar and not beyond Peshawar.
- D. That even the spouse policy fully covers the case fo the Appellant as the Husband of the Appellant is serving as Associate Professor in National University of Computer & Engineering Sciences Peshawar, even on this single score, the impugned transfer and posting orders are illegal and unlawful, hence is liable to be set aside.
- E. That the child of the Appellant is Physically challenged and is a patient of autism spectrum and needs special care and treatment.
- F. That the impugned transfer order is also against the normal tenure Policy, which under the law is not allowed.

- G. That by transferring the post of the Appellant, the Appellant has virtually been penalized for no wrong done and have been simply kicked out from Peshawar as in either case, the Appellant can easily be adjusted anywhere in District Peshawar, where are lying dozens of vacant posts.
- H. That from every angle, the impugned Transfer & Posting Order is wrong, illegal, unlawful and is liable to be set-aside.
- I. That any other ground not raised here may graciously be allowed at the time of arguments.


It is, therefore, most humbly prayed that on acceptance of the instant Service Appeal, the impugned Transfer & Posting Order No. SOH (E-II)/1-1/2021/ Dated 01-06-2021 of the Office of Secretary Health Khyber Pakhtunkhwa, may very graciously be set-aside.

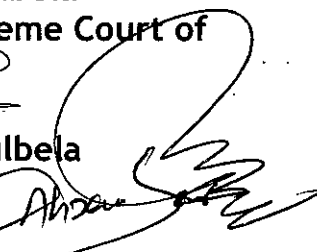
Any other relief not specifically asked for may also graciously be extended in favor of the appellant in the circumstances of the case.

Dated: 01/07/2021.


Appellant

Through


Javed Iqbal Gulbela
Advocate Supreme Court of
Pakistan


Saghir Iqbal Gulbela
&
Ahsan Sardar
Advocates, High Court
Peshawar.

NOTE:

No such like appeal for the same appellant, upon the same subject matter has earlier been filed by me, prior to the instant one, before this Hon'ble Tribunal.


Advocate

5)

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

In S.A No- _____/2021

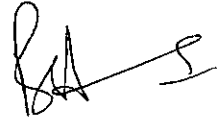
Dr. Bushra Ayub

Versus

Secretary Health Pakhtunkhwa & Others

AFFIDAVIT

I, Bushra Ayub MO (BPS-17), do hereby solemnly affirm and declare that the contents of the instant service appeal/Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Court.

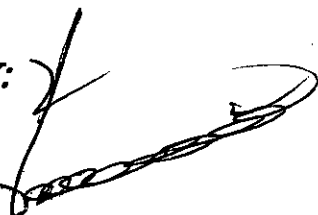


DEPONENT

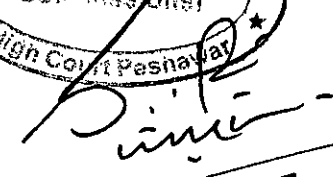
CNIC#37405-7692075-6

Mobile: 03335165024

IDENTIFIED BY:


JAVED IQBAL GULBELA
Advocate Supreme Court of
Pakistan




01-07-2021

6)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In Re S.A _____ /2021

Dr. Bushra Ayub

VERSUS

Secretary Health & Others

**Application for suspension of operation of impugned
Transfer & Posting Order Dated 01-06-2021**

Respectfully Sheweth,

1. That the Appellant / Applicant is filing the instant application, the contents of which may very graciously be considered as integral part and parcel of the instant Application.
2. That balance of convenience lies in favor of the Appellant / Applicant.
3. That if the impugned Transfer & Posting orders are not suspended, the Appellant / Applicant shall suffer irreparable loss.
4. That in given circumstances of the case, suspension of operation of the impugned Transfer & Posting Orders Dated 01-06-2021 are indispensable.

It is therefore most humbly prayed that on acceptance of the instant application, the operations of impugned Transfer & Posting Orders may very graciously be suspended, till the final disposal of the instant Service Appeal.

Dated: 01-07-2021


Javed Iqbal Gulbela
Advocate Supreme Court of
Pakistan

2)

BEFORE THE HONBLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL PESHAWAR

In S.A No- _____/2021

Dr. Bushra Ayub

Versus

Secretary Health Pakhtunkhwa & Others

AFFIDAVIT

I, Bushra Ayub MO (BPS-17), do hereby solemnly affirm and declare that the contents of the instant service appeal/Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Court.

Bushra Ayub

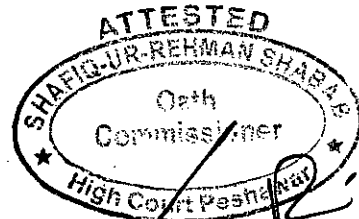
DEPONENT

CNIC#37405-7692075-6

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IDENTIFIED BY:

Javed Iqbal Gulbela
JAVED IQBAL GULBELA
Advocate Supreme Court of
Pakistan



8)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES
TRIBUNAL PESHAWAR**

In Re S.A _____/2021

Dr. Bushra Ayub

VERSUS

Secretary Health & Others

ADDRESSES OF PARTIES

APPELLANT

Dr. Bushra Ayub, Medical Officer (BPS-17) R/o Civil Dispensary
Shaheen Muslim Town-I, Peshawar.

ADDRESSES OF RESPONDENTS

1. Government of Khyber Pakhtunkhwa through Secretary Health
at Civil Secretariat, Peshawar.
2. Director General Health Services, Government of Khyber
Pakhtunkhwa.

Dated: 01/07/2021


Appellant

Through


Javed Iqbal Gulbela
Advocate Supreme Court of
Pakistan



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Dated: 1st June, 2021

Amir

NOTIFICATION

No. SOH (E-II)/1-1/2021: Upon the abolition of the posts of Medical Officers/Women Medical Officers (BPS-17) in different Civil Dispensaries in District Peshawar, the following posting/transfer is hereby ordered with immediate effect in best public interest:

#	Name of Doctor	From	To	Remarks
1	Dr. Muhammad Ali	Civil Dispensary Khalid Town, Peshawar	Placed at the disposal of DHO Hangu	Against vacant post
2	Dr. Hamayun Murtaza	Civil Dispensary SMT-1	Placed at the disposal of DHO Hangu	Against vacant post
3	Dr. Bushra Ayub	Civil Dispensary SMT-1	DHO Hospital Hangu	Against vacant post
4	Dr. Naseela Rehman	CD Bhana Mari	DHO Hospital Hangu	Against vacant post
5	Dr. Faizul Mahmood Khattak	CD Din Bahar Colony, Peshawar	DHO Hospital Karak	Against vacant post
6	Dr. Muhammad Asif	CD Rashid Gan	Placed at the disposal of DHO Karak	Against vacant post
7	Dr. Ateeqa Rehman	CD Latif Abad, Peshawar	DHO Hospital Hangu	Against vacant post
8	Dr. Zahid Imran	BHU High Court	Placed at the disposal of DHO Hangu	Against vacant post
9	Dr. Noor-e-Mubeen	CBD No. 2, Peshawar	DHO Hospital Karak	Against vacant post
10	Dr. Farqa Manzoor	CBD No. 03, Peshawar	Placed at the disposal of DGHS, Peshawar	Against vacant post
11	Dr. Syed Usman Shah	CD Sheikh Abad, Peshawar	Placed at the disposal of DHO Karak	Against vacant post
12	Dr. Arshad Raza Ullah	CD Waqar Begum, Peshawar	Placed at the disposal of DHO Karak	Against vacant post
13	Dr. Sadaf Hussain	CD Sheikh Abad at Cal-RHC Takhtabad on GD	Placed at the disposal of DHO Chitral Upper	Against vacant post
14	Dr. Shabana Fida	CD Swati Gate	Placed at the disposal of DHO Karak	Against vacant post
15	Dr. Zahra Alaudhin	CD Gulbahar	DHO Hospital Hangu	Against vacant post
16	Dr. Azam Muzahir	CD Zargabad	Placed at the disposal of DHO Chitral Upper	Against vacant post
17	Dr. Ikram-ur-Rehman	CBD No. 3 at Cal-D Garatayk	Placed at the disposal of DHO Chitral Upper	Against vacant post
18	Dr. Andreen Muhammad	CBD No. 1 on GD at RHC Regi	Placed at the disposal of DHO Chitral Upper	Against vacant post
19	Dr. Anwar Ullah	CD Sheikh Abad	DHO Hospital Karak	Against vacant post
20	Dr. Huma Zaidi	CD Bhana Mari	Placed at the disposal of DHO Chitral Upper	Against vacant post
21	Dr. Hameez Begum	CD Gulbahar	DHO Hospital Hangu	Against vacant post

**SECRETARY HEALTH
KHYBER PAKHTUNKHWA**

JAVED IOBAN Gul Beia
Daudzai Member
Advocate High Court Peshawar
Mob: 0345-9405501

Scanned with CamScanner

10)

GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Endst. No. & date even.

Copy forwarded to the:

- Director General Health Services, Khyber Pakhtunkhwa.
- Chief ISS concerned.
- PS to Minister Health, Khyber Pakhtunkhwa.
- PS to Secretary Health Department.
- PS to Special Secretary (E&A), Health Department.
- PS to Additional Secretary (E&A) Health Department.
- PS to Deputy Secretary (Admn) Health Department.
- Others concerned.


Section Officer (E-II)

JAVED IQBAL Gilgani
Daudzar Law
Advocate High
Mob. 0315-94

Handwritten initials: A/S, A/S, A/S

DIRECTORATE OF MENTAL HEALTH SERVICES
KHIBER PAKHTUNKHWA PESHAWAR



POSTING TRANSFER

As directed by the Government of Khyber Pakhtunkhwa, Peshawar, the following officers are posted to the following posts in the Directorate of Mental Health Services, Peshawar, from the date mentioned against their names in the following table:

Sl. No.	Name of Officer	Present Place	Posting to	Remarks
1	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	
2	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	
3	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	
4	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	
5	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	
6	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	
7	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	
8	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	
9	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	
10	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	
11	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	
12	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	
13	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	
14	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	
15	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	
16	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	Dr. Farid Manzoor (BPS-17) District Psychiatrist, Peshawar	
17	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	Dr. Syed Usman Shah (BPS-17) District Psychiatrist, Peshawar	
18	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	Dr. Noor e Mobeen (BPS-17) District Psychiatrist, Peshawar	
19	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	Dr. Saira (BPS-17) District Psychiatrist, Peshawar	
20	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	Dr. Ahsan Raza (BPS-17) District Psychiatrist, Peshawar	

Handwritten signature or mark



12.	Dr. Arshad Rahat Ullah MO (BPS-17) Domicile: Peshawar	CD Wazir Bagh Peshawar since 08.09.2016	At the disposal of DHO, Karak	Against the vacant post
13.	Dr. Sadaqat Hussain MO (BPS-17) Domicile: Peshawar	CD Sheikhabad at Cat-RHC Takhtabad on GD since 19.05.2016	At the disposal of DHO, Chitral Upper	Against the vacant post
14.	Dr. Shahana Fida WMO (BPS-17) Domicile: Mohmand	CD Swali Gate (from Badaber) since 11.06.2017	At the disposal of DHO, Karak	Against the vacant post
15.	Dr. Wajiba Alluddin WMO (BPS-17) Domicile: Peshawar	CD Gulbahar since 09.08.2017	DHQ Hospital Hangu	Against the vacant post
16.	Dr. Azeem Muzahir MO (BPS-17) Domicile: Peshawar	CD Zargarabad since 01.08.2017	At the disposal of DHO, Chitral Upper	Against the vacant post
17.	Dr. Ikram-ur-Rehman MO (BPS-17) Domicile: Peshawar	CBD NO.3 at Cat-D Garatajik since 22.08.2017	At the disposal of DHO, Chitral Upper	Against the vacant post
18.	Dr. Ambreen Muhammad WMO (BPS-17)	CBD No.1 on GD at RHC Regi since 12.10.2017	At the disposal of DHO, Chitral Upper	Against the vacant post
19.	Dr. Saima Tahir WMO (BPS-17) Domicile: Mardan	CD Sheikhabad since 16.10.2017	DHQ Hospital Karak	Against the vacant post
20.	Dr. Maria Afaq WMO (BPS-17)	CD Bhana Mari since 12.12.2017	At the disposal of DHO, Chitral Upper	Against the vacant post
21.	Dr. Ranaz Begum WMO (BPS-17) Domicile: Mohmand	CD Gulbahar since 18.01.2018	DHQ Hospital Hangu	Against the vacant post

It is therefore requested that necessary orders of the Govt. may please be conveyed in the matter.

DIRECTOR GENERAL HEALTH
 SERVICES KHYER PAKHTUNKHWA PESHAWAR

[Signature]
01/01/2018

JAVED IOP
 Daudza Lay Kamb
 Advocate High Court Peshawar
 Mob: 03/5-9405501

13) Ann⁴ B⁴

14/Jun/2021

To Secretary health
Department of Health
Khyber Pakhtunkhwa

Through Proper Channel

Subject Request for Cancellation of Transfer Orders

Diary number

9204

14-6-2021

Sir,

It is submitted that my transfer orders have been given vide No. SOH (E-II)/1-1/2021 dated 1/June/2021 from my current posting of Civil Dispensary Shaheen Muslim Town I, to DHQ Hospital Hangu, against a vacant post. It is submitted that:

1. I have been fulfilling my services as Women Medical Officer at SMT-I with full dedication, energy, and honesty since my appointment. Till date, I have no negative comment on my ACR's.
2. My husband is serving as an Associate Professor on Regular Basis at the National University of Computer and Emerging Sciences, Peshawar, since 1st of January 2014 (details attached).
3. I have an 8 year old son (Ghazi Omar Khan) who has been diagnosed to be on the Autism Spectrum. As such, he requires specialized behavioral, speech, and occupational therapy on regular basis. This therapy is just recently available in Peshawar (since 2018), and not available in the rest of Khyber Pakhtunkhwa. Before that, I had to avail this therapy from Lahore (details attached).

Sir, I am career focussed and understand compulsions of the department in the best interest of public. However, given my circumstances, which directly affects the well being of my son, I am sure the department will understand the difficult position I am in with respect to this transfer. It is requested that my transfer order may please be cancelled, and I be transferred to another location in Peshawar in the best interest of public so that my son's treatment is not affected.

I would be obliged for your consideration of my request on above grounds.

Dr. Bushra Ayub
Women Medical Officer
Shaheen Muslim Town - I

RA

14/6/2021

JAVED IORAI, Gil Bela
Daudzai, Law
Advocate
Mob: 999-999-999

(4)

Annexure - "C"

JAVED IQBAL Gul Falt
JAVED IQBAL
Advocate
A-999, H-10, Islamabad
Aero Mob: 9945-9405501
Home: 4545 55 1111

(Regulation Wing)

2^{POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT}

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posing/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.

15)

- v) { }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, KHYBER PAKHTUNKHWA needs to be obtained
- ²While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary KHYBER PAKHTUNKHWA needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor KHYBER PAKHTUNKHWA shall be obtained.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.
- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement
- ³DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the KHYBER PAKHTUNKHWA Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column2 thereof;

- 1 Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the KHYBER PAKHTUNKHWA Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules.
- 2 Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004
- 3 Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005.

JAVED IQBAL, Gul Bela
 Daudzar Law Office
 Advocate H
 Mob. 3333 3333

16

JAVED IQBAL, Gul Bela
Dombai Law Chamber
Advocate High Court Peshawar
Mob: 34645501

Khyber Pakhtunkhwa Services Laws

1333

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Dept in consultation with Head of Attached Department concerned. Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:
- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.

17)

b) Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the Khyber Pakhtunkhwa District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

.....

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No: SOR-VI/ERAD/11/12007}

JAWED ALI BELA
 Douzdar Law Chamber
 Advo. & Solicitor
 Moh. Jinnah Road, Peshawar
 Mob. No. 99985001

(18)

JAVED IQBAL Gilgani
Daudzai Law Chambers
Advocate High Court Peshawar
Mob: 0343-9405507

Khyber Pakhtunkhwa Services Laws

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It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

SPECIMEN NOTIFICATION.

GOVERNMENT OF KHYBER PAKHTUNKHWA
NAME OF ADMINISTRATIVE
DEPARTMENT

Dated Peshawar, _____

NOTIFICATION

NO. The Competent Authority is pleased to order the transfer of Mr. _____
Department and to post him as _____ in the
interest of public service, with immediate effect.

**CHIEF SECRETARY
GOVERNMENT OF KHYBER**

PAKHTUNKHWA
Endst. No. and date even.
Copy forwarded

- 1.
- 2.
- 3.
- 4.
- 5.

**(NAME)
SECTION OFFICER
Administrative Department**

{Authority: Letter No. SO (E-I) E&AD/9-12/2006 dated 22-12-2006}.

The competent authority has been pleased to direct that Para 1(v) of the Posting/Transfer Policy contained in this Department letter No:SOR-I (E&AD) 1-1/85 Vol-II, dated 15-2-2003 shall stand deleted, with immediate effect, consequently allowing the authorities, competent under the KHYBER PAKHTUNKHWA Government Rules of Business, 1985 and the District Government Rules of Business, 2001 or any other rules for the time being in force, to make posting/transfers of Government servants, any time during the year, in genuinely deserving and necessary cases, in public interest, subject to strict observance of all other provisions of posting/transfer policy contained and notified vide circular letter under reference. Hence there will be no ban on posting/transfer of Government Servants in any part of the year while carrying out postings/transfers of Government Servants.

18)

The authorities concerned will ensure that no injustice whatsoever is caused to any civil servant, public work is not suffered and service delivery is improved.

I am therefore directed to request that the provisions of posting/transfer policy, as amended to the extent above, may kindly be followed in letter and spirit in future so as to keep good governance standard in this regard.

{**Authority:** Letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008.}

.....
According to the policy of the provincial Government, maximum tenure on a post is three years. Contrary to the Policy, Store Keepers, Cashiers, Accountants and other ministerial staff remains posted in their particular field for long time, which may result in misuse of this position, due to which not only public exchequer may sustain loss but general public also suffers. The Provincial Government has taken serious notice of this situation & decided that all Administrative Secretaries and DCOs may submit a certificate within one month to the effect that above mentioned officials, having completed three years on their posts, have been adjusted on posts other than those they held previously.

{**Authority:** Urdu circular No: SOR-VI (E&AD)/05 dated 28th Oct, 2005.}

.....
The Chief Minister: KHYBER PAKHTUNKHWA has directed that:-

- i) Submission of summary would not be required in case of mutual transfer.
- ii) Posting/transfer shall be made according to the policy;
- iii) Government Servants shall avoid direct submission of applications to the Chief Minister;
- iv) In genuinely deserving case, they should approach the Administrative Secretaries who could process the case according to policy;
- v) In case of direct submission of application to the Chief Minister Secretariat for Posting/ Transfer, the concerned govt servants shall be proceeded against under the prevalent rules and regulations.

{**Authority:** Urdu circular No; SOR-VI/E&AD/1-4/2003, dated 86-2004. Urdu Letter No: SOR-VI/E&AD/Misc./2005, dated 3-1-2005.}

It has been decided with the approval of the competent authority that:-

- i) Mutual transfer would be allowed if both the concerned employees agree; except the Government Servants holding Administrative posts;
- ii) KHYBER PAKHTUNKHWA Government Rules of Business' 1985 shall be observed while issuing posting/transfer orders.

{**Authority:** - Urdu circular letter No: SOR (E&AD)/1-4/2005, dated 9-9-2005}

.....
The competent authority has decided that in order to maintain discipline, enhance performance of the departments and ensure optimum service delivery to the masses, the approved /prevalent policy of the posting/transfer shall be strictly followed. Government Servants violating the policy and the KHYBER PAKHTUNKHWA Govt Servants (Conduct)

JAVED IQBAL Gil Bela
Daudzar Law Chamber
Advocate High Court Peshawar
Mob. 99-99-248-551

Service (Special Powers) Ordinance
 Govt Rules of Business 1985, the Administrative Secretaries shall ensure
 policy and defaulting offices/officials be taken to task & entries to this effect shall be made
 in their PERs/ACRs. In case subordinate officers are working on sites or proceeding for the
 purpose of inspection, they shall submit inspection Report to their Administrative
 Secretaries. Administrative Secretaries shall ensure submission of such reports.
Authority: - Urdu circular No: SOR-VI (E&AD)/1-4/06, dated, 29-6-2007.

JAVED IQBAL Gul Bela
 Daudzai Law Chamber
 Advocate High Court Peshawar
 Mob: 0345-9405501



Pwr/Admin/401/01
Date: 29th April 2021

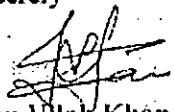
To Whom it may concern

Subject: Covering Letter for HEC Approved Supervisor / Experience Certificate of Dr. Omar Usman Khan

It is certified that Dr. Omar Usman Khan is an employee of the Peshawar campus of the National University of Computer and Emerging Sciences, on regular basis as an Associate Professor in the Department of Computer Science. Date-wise breakdown of his service is given below:

Description	From	To
Employment Service	1/Jan/2014	Date
Tenure as Graduate Studies Coordinator	1/Aug/2015	30/Aug/2017
Tenure as HoD Computer Science Department	1/Sep/2016	30/Aug/2019
Tenure as Director of Campus	1/Jan/2021	Date

Sincerely


Irfan Ullah Khan
Manager (HR/Admin/Finance)

JAVED IORN, Gul Bela
Daudzar Law Chamber
Advocate High Court Peshawar
Mob: 0345-4195501

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22)

Prof. Dr. Shazia Maqbool

M.B.B.S. (Pb), MD Paediatrics (UK), FRCPCH (London)
Consultant Paediatrician in Developmental &
Behavioural Paediatrics
Ph: 042 - 99230449 Mob: 0333 - 4206580

Ref: _____

Dated: 20-03-2017

To Whom It May Concern

Name: Ghazi Khan

D.O. Birth: 14-09-2012

C. A: 4 years 5 months

D.O. Assessment: 15-02-2017

Lives in: Peshawar

Ghazi Khan was referred to the SCORE Developmental & Behavioural Clinic by Dr. Bilal with presenting complaints of speech and social issues.

He was born at full term by elective C-Section with birth weight of 3.2 kg and with no history of delayed cry. There was no history of fits and jaundice. There was history of diarrhea at one year of age. There was history of pyrexia of unknown origin. There was history of antenatal depression in mother and she was on antidepressants during pregnancy. His vaccination was upto date and he did not eat fruits and salads at all.

He achieved all his developmental milestones at the following age levels.

Neck holding	=	3 - 4 months
Sitting	=	9 months
Standing	=	10 - 11 months
Walking	=	1 year
Social smile	=	2 months
Vocalization	=	3 months
Babbling	=	6 - 7 months
1 word	=	1 year (tt)

JAVED IORAI
Daudzaal Law Chamber
Advocate High Court Peshawar
W.P.O. 2015-1104-0211

Consultation: By Appointment Only Tel: 0300-4856400, 0333-4206580

2 words = 2 years (ک-۲)
3 words = 2.6 years (د-۲.۶)
Current level = 5 – 6 words sentence
(Now can tell short story)

He was born to non-consanguineous parents and had one elder sister. There was history of severe autism in paternal uncle and history of schizophrenia in father's uncle.

He started going to school at 2.6 years of age in a Day Care in Peshawar. He went in play group at 3 years of age in Kidy Kingdom in Peshawar. He repeated his play group and was going in the same class at present.

Clinical Observation & Examination:

During consultation, he gave moderate eye contact through Response to name was good. Echolalia was present and he was reported to have and he was reported to have no sensory issue. He was a selective eater and did not eat raw food. Angling of eyes and stereotypic sounds were present. He could follow only one step instructions and had started pointing at 1 year of age.

Mother reported that he did not smell things. It was reported that he used I-Pad, T.V & computer for 6 hours / day till 6 months ago but now it was 1 hour / day. He had Cartoonish language. He sometimes asked some constructive questions from his mother. Self talk was present. Mother reported that he did not play with children interactively. Mother reported that he was hit by children in family when he was 1.9 years old.

Assessment:

For assessment purposes Ms. Zunaira Rashid (Clinical Psychologist) was advised to administer the following tests.

1. Developmental Profile
2. Childhood Autism Rating Scale (CARS)
3. Functional Behaviour Analysis (FBA)

Informal Assessment:

During assessment, his eye contact was moderate and but response to name was good. He could name colours and shapes. He could read A – Z and 1 – 11 by rote learning through it was mood dependent. Echolalia was present and mother reported that he did parallel play with other kids but played interactively only with his sister.

Mother reported that he sang and danced to music when he was 1.6 years old but now he did not do this. He was not toilet trained and he had fear of fan. He was not cooperative during assessment. He kept on shouting and pulling his mother to grab attention of his mother during assessment. Mother reported that he used to do this when his mother attended someone else. Self talk was also present.

1. Developmental Profile:

Portage Early Education Program (PEEP) was administered to assess his developmental level in different areas:

Date of Testing = 15-02-2017
Chronological Age = 4.5 years

Areas	Developmental Age Levels
Socialization	3 years
Self Help	2 years 8 months (lack of exposure)
Cognition	3 years 8 months
Motor	3 years 7 months

2. Childhood Autism Rating Scale (CARS):

Areas	Score
Relating to people	2.5
Imitation	1.5
Emotional Response	1.5
Body Use	2
Object Use	2
Adaptation to Change	2.5
Visual Response	2
Listening Response	1.5
Taste, Smell and Touch Response and Use	1
Fear or Nervousness	2.5
Verbal Communication	2
Non Verbal Communication	1.5

JAVED IQBAL
Daudpalla
Advocate
Member
Sindh Bar Council

Activity Level	3.5
Level and Consistency of Intellectual Response	2.5
General Impression	2.5
Total	31
Category	Mild Autism

Speech Assessment:

Ms. Shaista Tariq (Speech Therapist) was advised to do speech assessment.

Relevant History:

On presentation, Ghazi Khan used 3 – 4 words sentence to communicate with his parents and with the therapist. His recognition and comprehension was not age appropriate. His verbal imitation was good. His response to name and eye contact was variable. Mother reported that he keeps on asking same questions repeatedly. He could only demand his desirables from Mama, Baba and sister. Mother also reported that he had fixation of fans and exhaust fans. His mode of communication was both verbal and non-verbal. Echolalia was also present.

Assessment and Results:

Portage language was administered and results were as follows:

Areas	Functioning Level
Language	3.6 years
Expressive Speech	3.5 years
Receptive Speech	3.9 years

Oral Motor Mechanism Examination (OMME):

Showed no structural or functional abnormality

Picture Exchange Communication System (PECS):

Phase-IV “I want ----- sentence structure”

JAVED IQBAL, Gul Bela
 Deedai Law Chamber
 Advocate High Court Dera Ismael
 Mob. 0345-941551

24)

Occupational Therapist:

Ms. Mariam Farooq (Occupational Therapist) was advised to do occupational assessment.

- Moved around constantly
- Put objects into his mouth
- Chewed his shirt collar & sleeves
- Fidgeted while sitting on the chair
- Liked spinning objects
- Sideways glance
- Eye blinking and shoulder shrugging was present
- Produced different sounds
- Avoided wearing on socks
- Did not eat raw food i.e vegetables and fruits also avoided textured food
- Played with hands
- Got upset with fast rides
- Could hold pencil properly

4. Functional Behaviour Analysis (FBA):

Behaviors	Parent's Rating	Psychologist's Rating
Eye contact	10	6
Pointing	10	7
Imitation	10	6
Socialization	5	4
Instruction following	2	2
Interactive play	2	Not seen
Stereotypic behaviour (Angling of eyes)	5	6
Stereotypic sounds	8	8
Fear of fan	10	10
Self talk	8	8
Echolalia	6	7

JAVI
 Daudza Ley
 Advocate High Court, Peshawar
 Member
 Mob: 0245-9495501

Conclusion:

On the basis of above history, clinical observation & examination and test results Ghazi Khan was diagnosed as having Autism Spectrum Disorder.

Recommendations:

1. Start structured sessions incorporating Developmental Therapy leading to Applied Behaviour Analysis (ABA).
2. Start Speech Therapy & Picture Exchange Communication System (PECS).
3. Start Occupational Therapy.
4. Parental Psychoeducation.
5. Review after 12 sessions!



PROF. DR. SHAZIA MAQBOOL
MBBS, MD Paediatrics, FRCPCH (London)
Consultant Paediatrician in Developmental
& Behavioural Paediatrics
E-mail: drshazimaq@yahoo.com
drshamaq@gmail.com

JAVED IQBAL Gil Bela
Daudpuri Law Chambers
Advocate High Court Daudpuri
Mob: 9999999999

0202
2471
817
91

25)



PHYSICAL THERAPY CARD

10 days

Name	Ghazi Khan	
PR No.	18	04100548
Date	24/12	Age 8 Gender <input checked="" type="checkbox"/> M <input type="checkbox"/> F
Occupation		
Address		
Diagnosis		
Referred By	Farukh Beg	

20 MAR 2021

Speech

JAVED IQR 11, Gul Bela
Daud
Advocate High Court Peshawar
Mob: 99999405501



Daudzai Lav Center
 Advocate High Court Position
 Mob: 0345-9428501

Assessment

Present Complaints

Objective Examination

Treatment Plan

Referred to

Physical Therapist Name

Sign.

Daily Visits

10 Days

Date	Session	Signature
20/1/2021	1	[Signature]
21/1/2021	2	[Signature]
22/1/2021	3	[Signature]
23/1/2021	4	[Signature]
24/1/21	5	[Signature]
29/1/21	6	[Signature]
2/2/21	7	[Signature]
4/2/21	8	[Signature]
15/2/21	9	[Signature]
18/2/21	10	[Signature]
_____ X _____		

Home Advice

JAVED IQBAL Gu/Beta
Daudzai Law Chamber
Advocate High Court Peshawar
Mob: 0345-9495501

RMI
REHMAN MEDICAL INSTITUTE

PHYSICAL THERAPY CARD

JAVED IQBAL Gu/Beta
Daudzai Law Chamber
Advocate High Court Peshawar
Mob: 0345-9495501

Behaviour Therapy

15 Days Package

Name	Ghous Khan		
PR No.	1804100548		
Date	16/11/20	Age	5
Gender	M		
Occupation			
Address			
Diagnosis			
Referred by	H. Farid		

Physical Therapy & Rehabilitation
PACKAGE EXPIRY
16 DEC 2020
RMI Rehman Medical Institute
Hayatabad Peshawar Pakistan



S/B-2 Phase - 5 Hayatabad Peshawar Pakistan
Tel: +92-91-5838000 | Fax: +92-91-5838333 | Appointment: +91-91-5838666
healthcare@rmi.edu.pk

REHMAN
www.rmi.edu.pk

26)

Assessment

Present Complaints

Objective Examination

Treatment Plan

MR. DAUD HANIF
 Advocate High Court Peshawar
 0345-9405501
 Daud
 Advocate High Court Peshawar
 0345-9405501

Physical Therapy & Rehabilitation

PACKAGE EXPIRY

RMI Rehman Medical Institute
Hayatabad Peshawar Pakistan

Referred to

Physical Therapist Name

Sign

Daily Visits

Date	Session	Signature
13-11-20	1	[Signature]
16-11-20	2	[Signature]
18-11-20	3	[Signature]
20-11-20	4	[Signature]
23-11-20	05 today new	[Signature]
25-11-20	1	[Signature]
27-11-20	2	[Signature]
2-12-20	3	[Signature]
4-12-20	4	[Signature]
9-12-20	5	[Signature]
14-12-20	6	[Signature]
15-12-20	6	[Signature]
18-12-20	7	[Signature]
26-12-20	8	[Signature]
4/1/21	9	[Signature]
6/1/21	10	[Signature]
Home Advice		

27)

- Calendar - days months
- street, house num keys
- earning money
- Red/green - spinning wheel
- own address
- mama/baba - number
- ...

RMI
REHMAN MEDICAL INSTITUTE

PHYSICAL THERAPY CARD

Physical Therapy & Rehabilitation
PACKAGE EXPIRY
RMI Rehman Medical Institute
Hayatabad Peshawar Pakistan

Speed

Name: Ghazi Khan
 PR No: 1804100548
 Date: 11/1/2021 Gender: M
 Occupation:
 Address:
 Diagnosis:
 Referred By: Abdul ...

JAVED IORAL Sultana
 Daudza: Law Center
 Advocate High Court Peshawar
 Mob: 0345-945569

Physical Therapy & Rehabilitation
PACKAGE EXPIRY
17 JAN 2021
Rehman Medical Institute
Hayatabad Peshawar Pakistan



5/B-2 Phase - 5 Hayatabad Peshawar Pakistan
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 healthcare@rmi.edu.pk

III-REHMAN
 www.rmi.edu.pk

DUNDAS LAW CENTER
 ADVOCATE HIGH COURT PESHAWAR
 MOBILE: 0345-84-5501

Assessment

Present Complaints

Objective Examination

Treatment Plan

Referred to

Physical Therapist Name

Sign

Spouse dumped child

Daily Visits

10 Days

Date	Session	Signature
11-11-20	1	[Signature]
13-11-20	2	[Signature]
18-11-20	3	[Signature]
20-11-20	4	[Signature]
23-11-20	05	[Signature]
25-11-20	06	[Signature]
27-11-20	7	[Signature]
2-12-20	8	[Signature]
4-12-20	9	[Signature]
9-12-20	10 Day	[Signature]
14-12-20	1	[Signature]
16-12-20	2	[Signature]
18-12-20	3	[Signature]
21-12-20	4	[Signature]
23-12-20	5	[Signature]
28-12-20	10	[Signature]
Home Advice		[Signature]
29/12/20	7	[Signature]
31/12/20	8	[Signature]
1/1/20	9	[Signature]
2/1/20	10	[Signature]

وکالت نامہ

بعد البتہ: ڈائریکٹر انچارج بنام گورنمنٹ آف پاکستان
 منجانب Appellant دعویٰ 2021-2022

2021/2022/1742-11-11-BC

باعتبار حریر آنکہ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و کلامی
 بمقام کیلئے جاوید اقبال گل بیلہ ایڈووکیٹ ہائی کورٹ کو بدین شرط وکیل

مقرر کیا ہے۔ کہ میں ہر پیشی کا خود یا بزرگوار یا بزرگوار خاص رو برو عدالت حاضر ہوتا ہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل
 صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا، اگر پیشی پر من مظهر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے
 کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر
 مقام پکھری کی کسی اور جگہ یا پکھری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے۔ اگر
 مقدمہ علاوہ صدر مقام پکھری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر
 من مظهر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی
 صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھے کوکل ساختہ پر داختہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور

صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و
 تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرانے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل
 کرنے اور ہر قسم کے بیان دینے اور سپروٹاشی و راضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور

بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم اتناعی یا قرقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف
 کو بشرط ادائیگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا
 اس کے کسی جزو کی کارروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا پیر سٹر کو بجائے اپنے یا اپنے ہمراہ
 مقرر کریں اور ایسے مشیر قانون کے ہر امر وہی اور ویسے ہی اختیارات حاصل ہوں گے جیسے کے صاحب موصوف کو حاصل
 ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو
 پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت
 میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا کہ سند ہے۔

مضمون مختار نامہ من لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Accd

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BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 6691/2021

Dr. Bushra Ayub..... Appellant

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary and others..... Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS

Respectfully Sheweth ;

PRELIMINARY OBJECTIONS:-

1. That the Appellant has got neither cause of action nor locus standi to file the instant Appeal.
2. That the Appellant has filed the instant appeal just to pressurize the respondents.
3. That the instant Appeal is against the prevailing Law and Rules.
4. That the Appeal is not maintainable in its present form.
5. That the Appellant has filed the instant Appeal with mala-fide intention hence liable to be dismissed.
6. That the Appeal is badly time barred.
7. That the Honourable Tribunal has no Jurisdiction to adjudicate upon the matter.
8. That the instant appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.
9. The impugned transfer Notification has been issued in accordance with Section 10 of the Khyber Pakhtunkhwa Civil Servant Act 1973.

FACTS

1. Pertains to record.
2. Pertains to record.
3. Pertains to record, however, being a Civil Servant he is to serve with devotion and punctuality, however, his performance is not above the mark.
4. Subject to proof.
5. Correct to the extent that the appellant was transferred vide notification dated 01.06.2021 which was issued by the Competent Authority in accordance with Section-10 of the Khyber Pakhtunkhwa Civil Servant Act 1973.
6. Pertains to record however the instant appeal has been filed prematurely in utter violation of Section-4 of Civil Servant Act 1974 and the dictum laid down by apex Court as well as Service Tribunal in various judgements, hence the same is not maintainable.
7. Pertains to record, however, the maintainability of premature appeals has already been adjudicated by the larger bench of this Honourable Tribunal in case of titled "ArifAbbasi versus of Government of Khyber Pakhtunkhwa" Service Appeal No1648/2013 dated 10.10.2014 as well as Supreme Court in various judgments.
8. Incorrect the appellant has been transferred in accordance with Section-10 of the Khyber Pakhtunkhwa Civil Servant Act 1973 as transfer and posting comes within terms and conditions of service, therefore, no vested right of the appellant has been violated by the respondents. It is worth to mention that the instant appeal has been filed before this Honourable Tribunal prematurely in utter violation of Section-4 of Service Tribunal Act 1974.

GROUND:



- A. Incorrect the impugned notification dated 01.06.2021 is in accordance with law rules and principal of natural justice.
- B. Incorrect the impugned notification has been issued in accordance with law and transfer and posting policy of the Provincial Government policy and in accordance with Section-10. As per Section-10 of the Khyber Pakhtunkhwa Civil Servant Act 1973 a Civil Servant may be posted anywhere even outside of his cadre where the Competent Authority wants to utilize his services.

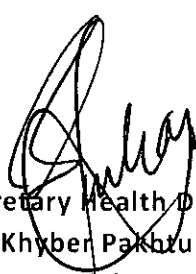
- C. Incorrect the appellant being a member of Provincial cadre post is liable to be posted, anywhere, by the Competent Authority under law and he is bound to serve where she is posted.
- D. Incorrect the spouse policy is applicable where both spouses are civil servant however in the instant case husband of the appellant is not civil servant.
- E. The para is based on mala fide, misleading, concocted hence denied. The appellant has been transferred vide a general transfer posting order in accordance with law. No clause of policy has been mentioned by the appellant which has been violated by respondents in fact respondents acted as per law, rules and policy.
- F. Incorrect the appellant has not been penalized. She has been transferred which is terms and conditions of her service and is not penalty.
- G. Incorrect already replied above
- H. Incorrect the competent authority has been empowered by Section 10 of the Khyber Pukhtunkhwa Civil Servant Act 1973 to transfer a Civil servant at anytime to any other post even outside his cadre or province provided his terms & conditions of service is not affected (As per dictum, laid down by the apex court, in 2020 PLCCS 1207 Supreme Court).

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

- I. Legal however the respondents also seek permission of this honorable tribunal to adduce other grounds during final hearing.

It is therefore requested that the appeal of the appellant may kindly be dismissed with cost.


Director General Health Services
Khyber Pakhtunkhwa
Respondent No-3



Secretary Health Department
Khyber Pakhtunkhwa
Respondent No-1&2

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 6691/2021

Dr. Bushra Ayub..... Appellant

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary and others..... Respondents

VERIFICATION

I, Mr. Ziaullah Deputy Secretary (Lit) Health Department hereby verify that the contents of the Petition are correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal.

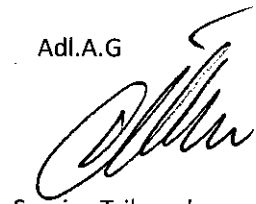
Deponent


(Ziaullah)

Deputy Secretary (Lit) Health Department

Identified by

Adl.A.G



Service Tribunal.

**Additional Advocate General
Khyber Pakhtunkhwa
Service Tribunal Peshawar**

BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWA

In Re S.A _____/2021

Dr. Bushra Ayub

VERSUS

Secretary Health & Others

Application for issuing directions to release the Salary of the Appellant

Respectfully Sheweth,

1. That the captioned case is pending before this Hon'ble Court and is fixed for today, i.e. 27-07-2021.
2. That the impugned transfer and posting order dated 01-06-2021 has already been suspended by this Hon'ble Tribunal vide Order Dated 02-07-2021.
3. That as an act of retaliation, the Respondents have with-held the salary of the Appellant and are reluctant in releasing the same.
4. That in given circumstances, releasing of the salary of the Appellant is indispensable.

It is therefore most humbly prayed that on acceptance of the instant application, the respondents be directed to release the salary of the Appellant forthwith.

Dated: 27-07-2021

Appellant

Through

Javed Iqbal Gulbela
Advocate Supreme Court of
Pakistan

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

In S.A No-_____/2021

Dr. Bushra Ayub

VERSUS

Secretary Health & Others

AFFIDAVIT

I, Dr. Bushra Ayub, M.O (BPS-17) at Shahēen Muslim Town Peshawar, do hereby solemnly affirm and declare on oath that the contents of the instant application is correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Bushra
DEPONENT

Identified by:

Javed Iqbal Gulbela

Javed Iqbal Gulbela
Advocate, Supreme Court of
Pakistan



Shafiq
27-07-2021