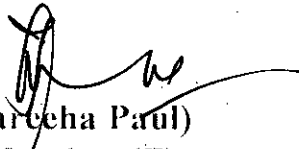


27th Mar, 2023

Clerk of learned counsel for the appellant present. Mr. Fazal Shah, Addl. A.G for respondents No. 1 to 3 present.

02. On 10.02.2023, learned counsel for the appellant was present and requested for adjournment in order to further prepare the brief. Last opportunity was granted for preliminary arguments for 27.03.2023. Today neither appellant nor his counsel is in attendance despite repeated calls. The appeal is, therefore, dismissed in default. Consign.

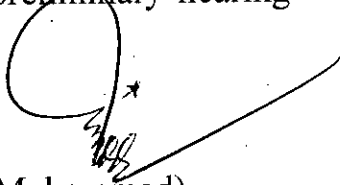
03. **Pronounced in open Court at Peshawar and given under my hand and the seal of the Tribunal on this 27th day of March, 2023.**


(Farzha Paul)
Member (E)

11.01.2023


Junior of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Safiullah Focal Person for official respondents No. 1 to 3 present.

Parawise comments on behalf of official respondents No. 1 to 3 have already been submitted. Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for preliminary hearing on 10.02.2023 before S.B.


(Mian Muhammad)
Member (E)

10.02.2023

Counsel for the appellant present and requested for adjournment in order to prepare the brief. Last chance is given. To come up for preliminary hearing on 27.03.2023 before S.B.


(Rozina Rehman)
Member (J)

SCANNED
KPST
Peshawar

SCANNED
KPST
Peshawar

02.11.2022

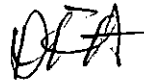
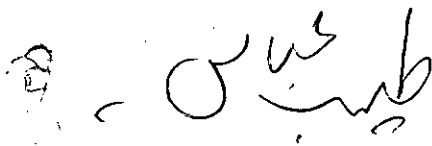
Appellant present through counsel.

Naseer Ud Din Shah, learned Assistant Advocate General for respondents present.

Reply not submitted. Learned AAG requested for time to submit reply/comments. Opportunity is granted. To come up for reply/preliminary hearing on 01.12.2022 before S.B.



(Nazim Rehman)



27th Mar. 2023

Clerk of learned counsel for the appellant present. Mr. Fazal Shah, Addl. A.G for respondents No. 1 to 3 present.

02. On 10.02.2023, learned counsel for the appellant was present and requested for adjournment in order to further prepare the brief. Last opportunity was granted for preliminary arguments ~~for~~ 27.03.2023. Today neither appellant nor his counsel is in attendance despite repeated calls. The appeal is, therefore, dismissed in default. Consign.

03. Pronounced in open Court at Peshawar and given under my hand and the seal of the Tribunal on this 27th day of March, 2023.

(Farecha Paul)
Member (E)

(Farecha Paul)
Member (E)

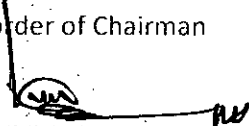

Form- A

FORM OF ORDER SHEET

SCANNED
KPST
Peshawar

Court of _____

Case No.- _____ 1283/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/09/2022	<p>The appeal of Mr. Muhammad Tayyab Abbas resubmitted today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>5-9-22</u> . Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p> <p>05.09.2022</p> <p>Appellant present through counsel.</p> <p>Let pre-admission notice be issued to the respondents for reply. To come up for reply/preliminary hearing on 02.11.2022 before S.B.</p> <p> (Rozina Rehman) Member (J)</p>


The appeal of Mr. Muhammad Tayyab Abbas Chief Drug Inspector received today i.e. on 25.08.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Addresses of respondent no. 4 & 6 are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Copy of promotion order dated.01.03.2017 mentioned in para-3 of the memo of appeal is not attached with the appeal which may be placed on it.
- 3- Affidavit may be got attested by the Oath Commissioner.

No. 2475 /S.T,

Dt. 25/8 /2022


SCANNED
KPST
Peshawar


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

R/sir,

Resubmitted after necessary
completion.


02/9/22

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO. 1283 /2022

TAYYAB ABBAS

VS

HEALTH DEPARTMENT

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APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK

Advocate, Supreme Court of Pakistan
TF-291, 292, Deans Trade Centre,
Peshawar Cantt:

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL No. 1283 / 2022

SCANNED
KPST
25/8/2022

Muhammad Tayyab Abbas Chief Drug Inspector (BS-19 a.c.b),
O/O the Services Hospital Peshawar under Promotion to the Post of Chief
Drug Inspector (BS-19).

.....APPEALANT

Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 1098

Dated 25/8/2022

- 1- The Chief Secretary, Khyber Pakhtunkhwa.
- 2- The Secretary to Government of Khyber Pakhtunkhwa, Health Department, Khyber Pakhtunkhwa Peshawar.
- 3- The Director General Drug Control & Pharmacy Services, Khyber Pakhtunkhwa Peshawar.
- 4- Aurangzeb Khan Chief Drug Inspector (BS-19 a.c.b), at D.H.O office Bannu.
- 5- Imran Ullah Chief Drug Inspector (BS-19 a.c.b) currently posted as Senior Drug Analyst Drug Testing Laboratory Peshawar.
- 6- Mehtab Afsar Senior Drug Inspector Peshawar, at D.H.O office Peshawar.

Filed to-day

Registrar

.....RESPONDENTS

APPEAL UNDER SECTION -4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED PROCESS OF PROMOTION IN PERSUANCE TO LETTER VIDE DATED 18.05.2022 WHEREBY THE APPELLANT HAS BEEN IGNORED/NOT CONSIDERED FOR PROMOTION TO THE POST OF CHIEF DRUG INSPECTOR (BS-19) IN THE HEALTH DEPARTMENT IN UTTER VIOLATION OF SECTION 9 OF THE CIVIL SERVANT ACT, 1973 READ WITH RULE-7 OF APPOINTMENT, PROMOTION & TRANSFER RULES, 1989 AND AGAINST NO ACTION TAKEN ON THE DEPRATMENTL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE RESPONDENTS MAY KINDLY BE DIRECTED TO INCLUDE/ CONSIDER THE PROMOTION CASE OF THE APPELLANT FOR PROMOTION TO THE POST OF CHIEF DRUG INSPECTOR (BS-19) IN THE UPCOMING PROVINCIAL SELCETION BOARD MEETING SHEDULED TO BE HELD IN THE 1ST OF WEEK OF SEPTEMBER 2022, ON REGULAR BASIS.

ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT THAT MAY ALSO BE AWARDED IN FAVOUR OF THE APPELLANT.

Re-submitted to and filed.

Registrar 25/8/2022

R/SHEWETH:
ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- The, the appellant is employee of the respondent Department and was appointed as Drug Inspector (BS-17) through proper recommendation of the Public Service Commission vide order dated 24-05-2008.
(Copy of the order vide dated 24-05-2008 attached as Annexure -----A).
- 2- That, the appellant has its own separate Service Rules framed by the respondent Department and under that rules the KPPSC recruited Hospital Pharmacists, Chemists and Drug Inspectors in different Cadres from time to time with separate terms & conditions.
(Copies of the Service Rules attached as Annexure.....B).
- 3- That, the appellant was promoted to the post of Senior Drug Inspector (BS-18) vide order dated 01-03-2017.
(Copy of the order vide dated 01-03-2017 attached as AnnexureC).
- 4- That, subsequent to above the appellant was promoted to the Post of Chief Drug Inspector on acting charge basis vide dated 04-01-2019.
(Copy of the order vide dated 04-01-2019 attached as Annexure.....D).
- 5- That, as per provisional Seniority list issued by the DGHS vide dated 13-02-2019, the appellant falls on the third of the Serial No of (BS-19 a.c.b) Officers, while later on, the Chapter of the Drug Control & Pharmacy Services was separated from DGHS as an independent attached department after the amending of Rules of Business, 1985.
(Copy of the Seniority list issued vide dated 13-02-2019 attached as Annexure.....E).
- 6- That, the respondent Department again notified the merged Service rules for all the three separate cadres of Hospital Pharmacists, Chemists and Drug Inspectors working under the newly created attached Department under the Title of "THE KHYBER PAKHTUNKHWA DIRECTORATE GENERAL DRUG CONTROL AND PHARMACY SERVICE RULES, 2022," vide dated 17-05-2022.
(Copy of the Service Rules vide dated 17-05-2022 attached as Annexure.....F).

7- That, the Establishment Department Khyber Pakhtunkhwa, requested all of the Administrative Secretaries to furnish the Working Paper of promotion before the upcoming PSB meeting vide letter dated 18-05-2022, before the cut off date fixed on 01-06-2022.

(Copy of the letter vide dated 18-05-2022 attached as Annexure.....G).

8- That, it is pertinent to mention that the appellant filed an application vide dated 23.05.2022 in light of RTI,s Act 2013, to the respondent No.02 to provide/communicate the working paper prepared for the promotion to the post of Chief Drug Inspector on regular basis but the same was also not replied so far.

(Copy of the application dated 23.05.2022 attached as Annexure.....H).

9- That, the appellant waited sufficient for the process of promotion in his respect but neither the seniority list was circulated / communicated to him nor the PERs were demanded in this regard. The appellant ultimately filed an appeal to the departmental authority to question the matter concerned on 26-05-2022 before the expiry of the cut off date fixed.

(Copy of appeal vide dated 26-05-2022 attached as Annexure.....I).

10- That, later on it came in the knowledge of the appellant through letters vide dated 19-07-2022 & 20-07-2022 respectively that the meeting of PSB regarding promotion cases was held on 06-07-2022, while not considering the case of appellant and the promotion cases of the employees of the Directorate General Drug Control & Pharmacy Services were returned with certain observations.

(Copies of the letters vide dated 19-07-2022 & 20-07-2022 attached as Annexures.....J& K).

11-That, the Establishment Department is now once again of the intention to hold the meeting of PSB for the consideration of the promotion cases and has issued a letter in this regard vide dated 11-08-2022, to furnish the working paper before the cut off date fixed on 20-08-2022.

(Copy of the letter vide dated 11-08-2022 attached as Annexure.....L).

12-That, the respondent department is again in the previous analogy, neither communicated the Tentative Seniority List to the appellant nor demanded the PERs regarding his promotion case in the upcoming PSB meeting.

13- That, the appellant feeling aggrieved from the unilateral proceeding of the respondent department has already preferred Departmental appeal vide dated 26-05-2022, before the authority regarding the matter concerned but the same has not been responded/decided till the expiry of statutory period of ninety days so far.

14- That, the appellant feeling aggrieved by arbitrary and discriminatory action of the respondents, having no efficacious remedy other than to prefer the instant service appeal on the following grounds amongst the others.

GROUND:

- A- That, the unilateral proceeding of the respondents regarding promotion cases of its employees without taking in loop the stakeholders to the extent of the employees of Directorate General Drug Control & Pharmacy Services while willfully ignoring the promotion case of the appellant in an arbitrary and discriminatory manner, is against the law, facts, norms of natural justice materials on the record & unconstitutional, hence not tenable and the process of promotion is liable to be set aside.
- B- That, the appellant has not been treated by the respondents in accordance with law and rules on the cited subject and as such the respondents violated the Articles 4 & 25 of the Constitution of the Islamic Republic of Pakistan, 1973.
- C- That, while processing the promotion cases of the Civil Servants in a transparent way, the Establishment Department has laid down procedure/TORs vide dated 05.03.2020, for attaching the copies of the required attested documents with working papers.
(Copy of the TORs vide dated 05.03.2020 attached as Annexure.....M)
- D- That, at sub Para "iv" of Para 1 of the TORs, it holds the Title of "**Notified Seniority List of the current year**". It means that, the Health department is required to provide the notified Seniority list in the official Gazette of the "**current year**" regarding its employees under the "**Section 8 (5)**" of "**Civil Servant Act 1973**" and also to circulate it where input for correction and NOC from the employees of the three cadres of the respondent department is mandatory. So, neither notifying the Seniority list in the official Gazette as required under Section 8 (5) of the Civil Servant Act, 1973, and nor communicating through circulation the same to the appellant amongst the others, to solicit the concurrence of its employees including the appellant shows the malafide intention of the respondents by keeping them unaware in order to avoid any objection, is a colorable exercise of powers, hence the draft seniority list does not qualify to be entitled for

promotion of the employees and is liable to be set aside such kind of practice.

(Copy of the ibid Section attached as Annexure.....N).

E- That in this context Section 20-A of the General Clauses Act is reproduced for perusal as , ***"that all rules, orders, regulations, notifications and circulars having the effect of law made or issued under any enactment shall be published in the official Gazette published under proper authority".***
"Notified declaration could take effect from date of publication in official Gazette and not from any prior date".

F- That in this regard the essence of notifications in official Gazette for the purpose of carrying out the legal official business, the Superior Court has held in case cited **2008 SCMR 1148** that,

"Notification not published in official Gazette would be invalid. Notified declaration could take effect from the date of publication in Gazette and not from any prior date.

Similarly in another case cited **PLJ 2017 SC (AJ&K) 47**, the Superior Court has held that,

"Without publishing Notification in official Gazette same will be termed as non-existent and superstructure built upon same shall automatically fall.

G- That, while processing the promotion cases of Civil Servants, it is mandatory to avail the NOC from the Head of the attached as well as endorsement of the Administrative Department. In this regard, the then Director General Health Services & the then Secretary Health, issued NOC and made a note for the Chief Secretary respectively, which highlights the ibid Section of Civil Servant Act 1973, at Para 2 under the Title of subject **"FINAL SENIORITY LISTS OF PRINCIPAL PHARMACISTS, CHIEF PHARMCISTS, SENIOR PHARMCISTS & PHARMACISTS IN HEALTH DEPARTMENT, KHYBER PAKHTUNKHWA AS STOOD ON 01-01-2020.**

In the current scenario, there is no NOC issued by the Head of the attached Department regarding seniority list issued while endorsing by the Administrative Department and hence the working paper initiated are highly objectionable having no mandate of law and this exercise may not be considered as fair & judicious.

(Copies of NOC issued by the then of Head of the attached Department & note put by the then Secretary Health attached as Annexures....."O & P").

- H- That as per dictum laid down by the Honorable Supreme Court of Pakistan in the case cited as **PLD 2011 SC 927**, the Honorable Supreme Court of Pakistan has dilated upon the principle of administration of justice as under,
"when a procedure has been provided for doing a thing in a particular manner that thing should be done in that matter and in no other way or it should not be done at all; indeed it impliedly prohibits doing of thing in any other manner; the compliance of such thing in no way could be either ignored or dispensed with. If the act complained of is without jurisdiction or is in excess of authority conferred by statute or there is abuse or misuse of power, court can interfere.
- I- That, the impugned exercise of respondents regarding the initiating of promotion cases of the personnel of Director General Drug Control & Pharmacy Services has neither been in the larger interest of public nor in exigency of service, hence non-sustainable and liable to be set aside.
- J- That, the impugned exercise of the respondents regarding initiating the promotion cases is nothing but just to harass the appellant and to accommodate their blue eyed in the form of out of turn promotion.
- K- That, at sub Para "**vi**" of Para 1 of the TORs, refers about the "**PERs**": it means that the PERs enclosed to the working papers of the officers must be of the relevant cadre as per requirement of notified Service Rules while the PERs of the Officers working on deputation/Ex-Cadre or on leave will be not entertained/considered being violative of the notified Service Rules. In the current scenario, some officers like Mr. Imran Ullah Chief Drug Inspector posted Ex-Cadre as Senior Drug Analyst , Mr. Zahid Ali Khan Chief Pharmacist formerly posted Ex-Cadre as Chief Drug Inspector & Miss Naila Jabeen who is Senior Hospital Pharmacist and posted Ex- Cadre as Drug Analyst including the appellant are unable to qualify/earn PERs in their respective Cadres and hence do not entitle to be promoted in their respective Cadres being deficient of PER,s and violative of the notified Service Rules in their respective Cadres in light of cited judgment **2016 PLC (C.S) 891**.
(Copy of the cited judgment attached as Annexure....."Q")
- L- That, at sub Para "**viii**" of Para 1 of the TORs, holds the Title of the "**Court Judgments**". The current promotion case is also highly disputed due to various judgments of the Court. Although the cases of validity & non-existence of the Directorate General of Drug Control & Pharmacy Services and appointment/posting of Director General & Pharmacy Services on non-existent entity while not notified in the Official Gazette are under question by the

Honorable Peshawar High Court from the Worthy Chief Secretary and undoubtedly his office will be having the preferred option to reply back and address the matter on merit strictly in adherence with law within month positively as per Para 3 of WP. No.1560 announced vide dated 29/04/2022. Due to non-compliance in the instant case, the COC has been filed, which has been noticed vide dated -6-07-2022, by directing the respondents to file their reply to the petition within a fortnight.

(Copies of the ibid judgment along with order sheet of COC vide dated 29/04/2022 & 06/07/2022 respectively attached as Annexures....."R & S")

M- That, functioning of an attached department in a unilateral way, the validity of which is already under question before the Honorable High Peshawar vide WP No.1560-P/2022, without waiting outcome of the adjudicated case, and the processing of the working papers in such circumstances for promotion render the whole exercise futile & infructuous. The covering letter enclosing seniority list prepared and forwarded by the Director General Drug Control & Pharmacy Services vide dated 28-06-2022 for consideration of promotion cases, who is not legally eligible for doing so, has a big controversy in the seniority list prepared by the ancestral attached (DGHS) in respect of Mr. Abdur Rshaid by enlisting him junior to Mr. Muhammad Ibrahim regarding their date of appointments.

(Copy of the letter vide dated 28-06-2022 attached as Annexure....."T")

N- That, the colorable and unilateral exercise of powers by the respondents regarding the promotion case to deprive the appellant from his legal right of promotion is totally based on discrimination, favoritism, nepotism and also being annoyed from a Service Appeal of the appellant which was complied/implemented by the respondents through an execution petition vide order dated 22.08.2022.

(Copy of the order vide dated 22-08-2022 attached as Annexure....."U")

O- That, the appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

Appellant

Muhammad Tayyab Abbas

THROUGH:

**NOOR MOHAMMAD KHATTAK
ADVOCATE**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

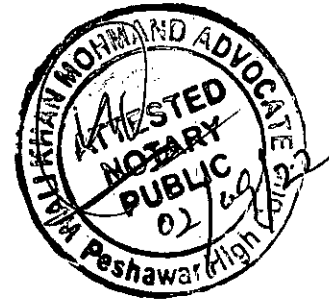
SERVICE APPEAL NO. _____/2022

MUHAMMAD TAYYAB ABBAS VS HEALTH DEPTT:

AFFIDAVIT

I, Muhammad Tayyab Abbas, chief Drug Inspector health department Khyber pakhtunkhwa Peshawar, do hereby solemnly affirm that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

M. Tayyab
DEPONENT



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

C.M NO. _____/2022

IN

SERVICE APPEAL No. _____/2022

MR. TAYYAB ABBAS

VS

HEALTH DEPARTMENT

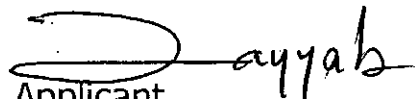
APPLICATION FOR RESTRAINING THE RESPONDENTS THAT NOT TO SCHEDULE THE PROVINCIAL SELCTION BOARD FOR THE EMPLOYEES OF THE DIRECOTRATE GENERAL DRUG CONTROL & PHARMACY SERVICES TILL THE FINAL DISPOSAL OF THE ABOVE MENTIONED SERVICE APPEAL.

R/SHEWETH:

- 1- That, the above mentioned appeal along with this application has been filed by the appellant before this august Service Tribunal in which no date has been fixed so far.
- 2- That, the appellant filed the above mentioned appeal against the impugned process of promotion of the employees of Directorate General Drug Control & Pharmacy Services whereby the appellant has been totally ignored/dropped from his legal right of promotion.
- 3- That, all the three ingredients necessary for the stay is in the favor of the appellant.
- 4- That, the action & inaction of the respondents by issuing the impugned letter vide dated 18.05.2022 & 11.08.2022 respectively and by not sending/considering the name of the appellant in the upcoming Provincial Selection Board is violative of Law & Rules.

It is therefore, most humbly prayed that on acceptance of this application the respondents may kindly be restrained not to schedule the Provincial Selection Board to the extent of employees of Directorate General Drug Control & Pharmacy Services working under the control of Health Department till the final disposal of the above titled service appeal.

Dated 24-08-2022


Applicant

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

Amended
"A"

P. (10)

NOTIFICATION

NO SOH-III/2-58/2007(Drug Inspectors). Consequent upon the recommendations of the NWFP Public service commission, the competent authority has been pleased to appoint the following candidates as Drug Inspectors (BPS-17) on regular basis and to post them in the districts noted against their names with immediate effect:-

S.No	Name of Officer	Place of posting	Remarks
1	Muhammad Yunas Khattak S/o Fakhir uz Zaman	Drug Inspector Shangla	Against vacant post
2	Aurangzeb S/o Sher Bahadar	Drug inspector Karak	Against vacant post
3	Muhammad Tayyab Abbass S/o Faqir Muhammad Khan	Drug inspector Dir Upper	Against vacant post
4	Abbass Khan S/o Ghulam sarwar Khan	Drug inspector Mardan	Against vacant post
5	Zia Ahmed S/o Sajjad Ahmed	Drug inspector Kohistan	Against vacant post
5	Imran Ullah Khan S/o Hakim Shah	Drug inspector Hangu	Against vacant post
7	Mehtab Afsar S/o Khan Afsar	Drug inspector Buner	Against vacant post
8	Nasrullah Khan S/o Hidayatullah Khan	Drug inspector Lakki Marwat	Against vacant post

2. Their services will be governed under NWFP Civil Servants Act 1973 as amended vide Civil Servants (Amendment) Act, 2005 and rules made there under and other relevant laws and rules

3. They are directed to assume charge within 30 days after the issuance of this notification failing which their appointment shall be treated as cancelled.

SECRETARY HEALTH

Encls. No. & Date Even

Copy forwarded to

- 1 The Accountant General NWFP, Peshawar
- 2 The Director General Health Services, NWFP, Peshawar
- 3 The Chairman Drug Court NWFP, Peshawar.
- 4 The Incharge, Government Drug Testing Laboratory, NWFP, Peshawar
- 5 The Executive District Officers Health Shangla, Mardan, Karak, Hangu, Kohistan, Buner, Lakki Marwat and Dir Upper.
- 6 The Director Recruitment, NWFP, Public Service Commission Hayatabad, Peshawar, with reference to his letter No. PSC/SRD/50665 dated 04-12-2007
- 7 The District Accounts Officers, Shangla, Mardan, Karak, Hangu, Kohistan Buner, Lakki Marwat and Dir Upper
- 8 P.S. to Secretary Health
- 9 The Manager Printing Press NWFP, Peshawar with the request to publish the notification in official gazette
- 10 Muhammad Yunas Khattak S/O Fakhir Uz Zaman, Husson Abad Colony Village & P.O. Letambar Tehsil & District Karak.
- 11 Aurangzeb S/O Sher Bahadur, Village Lakkerey Daryaba Agency F.R Bannu
- 12 Muhammad Tayyab Abbass S/O Faqir Muhammad Khan, Village Achini Payan P.O Peshawar University Tehsil & District Peshawar.
- 13 Abbass Khan S/O Ghulam Sarwar Khan, R-18 University Campus Peshawar NWFP, House Atpotlshad
- 14 Zia Ahmed S/O Sajjad Ahmad, House No. UIM-44 Upper Malk Pura Dhakki Mohallah, Near Quaili Khan Peshawar
- 15 Imranullah Khan S/O Hakeem Shah, H.No 297, Street No. 14 Sector II, D-3 Phase-I Hayatabad Peshawar
- 16 Mehtab Afsar S/O Khan Afsar, H No 331, Street No. 09, N-1, Phase 4, Hayatabad NWFP, Peshawar.
- 17 Nasrullah Khan S/O Hidayatullah Khan, House No. 450/D, Mohallah Ahari Near Lady Park Bannu City

(ILAM KHAN KHATTAK)
Section Officer-III

ATTESTED

SECRETARY
HEALTH
NWFP
PESHAWAR

Annexure B

(11)

GOVERNMENT OF NWFP
HEALTH DEPARTMENT

Dated Peshawar the 14 April, 2008



NOTIFICATION

WHEREAS, in pursuance of the provisions contained in sub-section (1) of section 5 of the North-West Frontier Province Civil Service (Appointment, Promotion and Transfer) Rules, 1949, and in pursuance of an advisory notification issued by the Health Department, in consultation with the Establishment Department and Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts specified in column 2 of the said Appendix:

APPENDIX				
1	2	3	4	5
Sl. No.	Post	Minimum qualification for by initial recruitment	Period for initial recruitment	Method of recruitment
	Chief Drug Inspector			By promotion on the basis of seniority, capability and fitness from amongst the Divisional Drug Inspectors with 12 years service in SPS.
	Drug Inspector	Degree in Pharmacy from a recognized university or a diploma in Pharmacy from a recognized institution, or a diploma in Pharmacy from a hospital or dispensary.	2 to 3 years	By initial recruitment.

Director General Health
Peshawar

Director General Health
Peshawar

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12

GOVERNMENT OF NWFP
HEALTH DEPARTMENT

Dated Peshawar the 1-April 2006

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NOTIFICATION

No: SOH (III) / 10-4/05 (CDI) : in Pursuance of the provision contained in sub rule (2) of rule 3 of the North-West Frontier Province Civil Servant (Appointment, Promotion and Transfer) Rules 1989 and in supersession of all provisions notification on this behalf the Health Department in consultation with the Establishment Department and Finance Department, hereby lays down the method of recruitment qualification and other conditions specified in column 3 to 5 of the appendix to this Notification which shall be applicable to the posts specified in column of 2 of the said Appendix.

S. No	Nomenclature	Minimum Qualification initial recruitment	Age limit for initial recruitment	Method of Recruitment.
1	Chief Drug Inspector			By promotion on the basis of seniority cum-fitness from amongst the Divisional Drug Inspector with 12 years service in BPS 17 and above
2	Division Drug Inspector			By promotion on the basis of Seniority-cum-Fitness from amongst the Drug inspectors in BPS 17 with 3 year service
3	Drug Inspector	1) Degree Pharmacy from a recognized university and 2) One year experience in manufacturing sales testing or analysis of drugs or in the drug administration or in a hospital Pharmacy	in 21 - 35 years	By Initial Recruitment

SECRETARY HEALTH

[Handwritten Signature]

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Copy to:

- 1) The Assistant General, NWFP, Peshawar.
- 2) The Secretary to Govt. of NWFP, Establishment Department.
- 3) The Secretary to Govt. of NWFP, Finance Department.
- 4) The Chairman, NWFP, Public Service Commission.
- 5) The Director, General Health Services, NWFP, Peshawar.
- 6) The Director, Provincial Health Services Academy, NWFP, Peshawar.
- 7) All Chief Executives of Teaching Hospitals/Hospitals, in NWFP.
- 8) The Manager, Govt. Printing Press, Peshawar, with the request to notify the Service Rules in the next issue of Govt. Gazette and to request that 20 copies of the Gazette in which the notification is published may kindly be supplied to this Department for official use.
- 10) The Section Officer (General), Health Department.
- 11) PS to Secretary Health.

Attested
[Signature]
 Assistant Director (P-3)
 Director General Health
 Services, Khyber Pakhtunkhwa

[Signature]
 Assistant Director (P-3)
 Director General Health
 Services, Khyber Pakhtunkhwa

[Signature]
 Assistant Director (P-3)
 Director General Health
 Services, Khyber Pakhtunkhwa

[Signature]
 SECTION OFFICER-III
 Govt. of Khyber Pakhtunkhwa
 Health Department

ATTESTED

[Signature]

ATTESTED

Endst: No and date Even

Copy to :

1. The Accountant General NWFP, Peshawar
2. The Secretary to Govt of NWFP, Establishment Department
3. The Secretary to Govt of NWFP, Finance Department
4. The Secretary to Govt of NWFP, Law Department
5. The Chairman NWFP Public Service Commission.
6. Director General Health services, NWFP Peshawar.
7. The director Provincial Health services academy NWFP Peshawar
8. All Chief executives of Hospital in NWFP
9. The Manager Govt Printing Press Peshawar with the request to notify the service rule in the existence of Govt Gazetteer and to request that 20 copies of the in which the notification is published may kindly be supplied to this Department for official use.
10. The Section officer (General) Health Department
11. PS to Secretary Health.

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GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

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NOTIFICATION.

Peshawar dated the 11th October, 2017

No. SOH-III/10-4/2017. In pursuance of the provisions in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all Notifications issued in this behalf, the Health Department in consultation with the Establishment Department and the Finance Departments, hereby lays down the method of recruitment, qualifications and other conditions specified in columns No 1 to 5 of the Appendix to this Notification which shall be applicable to the posts specified in column No. 2 of the said Appendix.

APPENDIX

S.No	Nomenclature	Minimum qualification for appointment by initial recruitment	Age Limit	Method of recruitment
1.	Chief Drugs Analyst (BS-20)			By promotion on the basis of seniority cum-fitness from amongst the Senior Drug Analysts having seventeen years' service in BS-17 & above.
2.	Senior Drug Analyst (BS-19)			By promotion on the basis of seniority cum-fitness from amongst the Drug Analysts having at least Twelve years' experience in BS-17 and above with at least three years' service as Drug Analyst in BS-18.

Section Officer-III
Health Department
Khyber Pakhtunkhwa

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**GOVT. OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

NOTIFICATION

Peshawar dated the 11th October 2017

No.SOH-III/10-4/2017 in pursuance of the provisions in sub-Rule (2) of rules -3 of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and transfer) Rules, 1989 and 9in supersession of all notifications issued in this behalf. The health Department, hereby lays down the method of recruitment, Department and the Finance Departments, hereby lays down the method of recruitment, qualifications and other conditions specified in columns No.3 to 5 of the Appendix to this Notification which shall be applicable to the posts specified in column No.2 of the said Appendix.

Appendix

S.No.	Nomenclature	Minimum qualification for appointment by initial recruitment	Age limit	Method of recruitment
1	Chief Drugs Analyst (BS-20)	----	----	By promotion on the basis of senior cum fitness form amongst the senior Drug Analysts having seventeen years service in BS-17 above
2	Senior Drug Analyst (BS-19)	----	----	By promotion on the basis of senior cum fitness from amongst the Drug Analysts least twelve years experience in BS-7 and above with at least here years' service as Drug Analysts In BS-18

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3	Drug analyst (BS-18)			By promotion on the basis of seniority-cum-fitness, from amongst Chemists with at least five years, service in BS-17
4	Chemist (BS-17)	Master of Pharmacy or Doctor of Pharmacy or Bachelor of Pharmacy from a recognized University with at least one year experience in manufacturing, testing or analysis of drugs in the Drugs Control Administration.	25-35 years.	By initial recruitment.

**SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA,
HEALTH DEPARTMENT.**

Endst of even No and Date.

1. The Accountant General, Khyber Pakhtunkhwa Peshawar
2. PSO to Chief Secretary, Khyber Pakhtunkhwa.
3. The Director General Health Services Khyber Pakhtunkhwa.
4. The Director General, Provincial Health Services Academy, Khyber Pakhtunkhwa, Peshawar.
5. All Commissioner, Khyber Pakhtunkhwa.
6. All Hospital Directors, MTIs Khyber Pakhtunkhwa.
7. All DHOs, Khyber Pakhtunkhwa.
8. All DCs, Khyber Pakhtunkhwa.
9. The Director Health, FATA.
10. All Agency Surgeon/Medical Superintendent, FATA.
11. All Medical Superintendents, DHQ Teaching Hospital, Khyber Pakhtunkhwa.
12. DAOs, Khyber Pakhtunkhwa.
13. Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
14. PS to Senior Minister Health Khyber Pakhtunkhwa.
15. PS to Secretary Health, Khyber Pakhtunkhwa.
16. PA to Special Secretary Health, Khyber Pakhtunkhwa.
17. PA to Additional Secretary (E/Dev) Health Khyber Pakhtunkhwa.
18. PA to Deputy Secretary-Admn/II, Health Department.
19. Director Printing Press Government of Khyber Pakhtunkhwa.


SECTION OFFICER-III
 Section Officer-III
 Health Department
 Khyber Pakhtunkhwa.

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	Drug Analyst BS-18			By promotion on the basis of seniority cum fitness from amongst chemists with at least five years, service in BS-17
4	Chemist (BS-17)	Master of Pharmacy of Doctor of Pharmacy form a recognized university with at least one year experience in manufacturing testing or analysis of drugs in the Drugs Control Administration	25-35 Years	By initial Recruitment

**SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Endst of even No & Date

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar
2. PSo to Chief Secretary, Khyber Pakhtunkhwa
3. The Director General, Health Service, Khyber Pakhtunkhwa
4. The Director General, provincial health Service Academy, Khyber Pakhtunkhwa Peshawar
5. All Commissioner, Khyber Pakhtunkhwa
6. All Hospital Directors, MTIs Khyber Pakhtunkhwa
7. All DHOs, Khyber Pakhtunkhwa
8. All DCs, Khyber Pakhtunkhwa
9. The Director Health, FATA
10. All Agency Surgeon/Medical Superintendent, FATA
11. All Medical Superintendents, DHQ Teaching Hospital, Khyber Pakhtunkhwa
12. DAOs, Khyber Pakhtunkhwa
13. Deputy Director (I.T), Health, Khyber Pakhtunkhwa
14. PS to Senior Minister Health Khyber Pakhtunkhwa
15. PS to Secretary Health, Khyber Pakhtunkhwa
16. PS to Special Secretary Health, Khyber Pakhtunkhwa
17. PS to Additional Secretary (E/Dev) Health Khyber Pakhtunkhwa
18. PA to Deputy Secretary-Admn/II, Health Department
19. Director Printing Press Government of Khyber Pakhtunkhwa

ATTESTED

Sd/-
Section Officer-III

ATTESTED

GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

NOTIFICATION

Peshawar, dated the 09th March, 2015

No. SOH-III/10-4/09/Pharmacist: In exercise of the powers conferred by sub-rule (2) of rule 5 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1969, and in supersession of all previous notifications issued in this behalf the Health Department, in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment, qualification and other conditions, specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts specified in column 1 of the said Appendix.

APPENDIX

Serial	Nomenclature of the post	Minimum Qualification for appointment by initial recruitment	Age limit	Method of Recruitment
1.	2.	3.	4.	5.
1.	Principal Pharmacist (BS-19)			By promotion, on the basis of seniority-cum-fitness from amongst the Chief Pharmacists (BPS-19), having Seventeen (17) years' service in the cadre out of which two (02) years service shall be as Chief Pharmacist.
2.	Senior Pharmacist (BS-18)			By promotion, on the basis of seniority-cum-fitness from amongst the Senior pharmacists (BPS-18) with twelve (12) years cumulative service in BS-17 and above.
3.	Senior Pharmacist (BS-17)			By promotion, on the basis of seniority-cum-fitness, from amongst the Pharmacists (BPS-17) with five (05) year service as such.

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Government of Khyber Pakhtunkhwa
Health Department
NOTIFICATION

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Dated Peshawar the 9th March 2015

No: SOH (III) /10-4 /09/Pharmacist: In Exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer)Rules 1989, and in supersession of all previous notification issued in the behalf the Health Department in consultation with the Establishment Department and the Finance Department hereby lays down the method of recruitment qualification and other conditions specified in column 3 to 5 of the Appendix to this notification which shall be applicable to the posts specified in column 2 of the said Appendix

Appendix.

S. No	Nomenclature of the post	Minimum Qualification for appointment by initial recruitment	Age limit	Method of Recruitment.
1	2	3	4	5
1.	Principal Pharmacist (BPS-20)	--	--	By Promotion on the basis of seniority-cum-Fitness from amongst the chief Pharmacists (BPS-19), Having seventeen (17) years service in the cadre out of which two (02) years service shall be as chief Pharmacist.
2.	Chief Pharmacist BPS-19	--	--	By Promotion on the basis of seniority-cum-Fitness from amongst the Senior Pharmacists (BPS-18), with Twelve (12) years cumulative service in BS-17 and above.
3.	Senior Pharmacist BPS-18	--	--	By Promotion on the basis of seniority-cum-Fitness from amongst the Pharmacists (BPS-17), with five (05) years of service as such.

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4. Pharmacist (BS-17)	(i) Pharm-D, from a recognized University and registered with the Pharmacy Council under the Pharmacy Act, 1967; or (ii) B-Pharmacy from a recognized University with one year experience in the relevant field and registered with Pharmacy Council under the Pharmacy Act, 1967.	21 to 32 years	By initial
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SECRETARY HEALTH

Encl: No. and date even.

Copy forwarded to:-

- 01. The Accountant General, Khyber Pakhtunkhwa.
- 02. The Director General Health Services for information and necessary action.
- 03. All Chief Executives of the Tertiary Care/Teaching Hospitals, Khyber Pakhtunkhwa.
- 04. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 05. All Medical Superintendents of the DHQ Hospitals Khyber Pakhtunkhwa.
- 06. Manager Govt. Printing Press & Stationery for publication in the Official Gazette.
- 07. PS to Chief Secretary, Khyber Pakhtunkhwa.
- 08. PS to Minister for Health, Khyber Pakhtunkhwa.
- 09. PS to Secretary Establishment Department, Khyber Pakhtunkhwa.
- 10. PS to Secretary Law, Parliamentary Affairs & Human Rights Department, Khyber Pakhtunkhwa.
- 11. PS to Secretary Health, Khyber Pakhtunkhwa.
- 12. PA to Special Secretary Health, Khyber Pakhtunkhwa.
- 13. PA to Additional Secretary (S&A), Health Department.
- 14. PA to Deputy Secretary (Drugs), Health Department.

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(Muhammad Tariq)
Section Officer-II

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4.	Pharmacist BS-17	Pharm-D from a recognized university and registered with the Pharmacy council under the pharmacy Act 1967 OR II. B Pharmacy from a recognized university with one year experience in the relevant field and registered with Pharmacy Council under the Pharmacy Act, 1967	21 to 32 years	By initial Recruitment
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Better copy -

Secretary Health

Enclst: No and date even

Copy forwarded to :

1. The Accountant General Khyber Pakhtunkhwa.
2. The Director General Health Serviced for information and necessary action
3. All the chief executives of the Tertiary Care / Teaching Hospitals Khyber Pakhtunkhwa.
4. The Secretary Khyber Pakhtunkhwa Public Service Commission Peshawar
5. All Medical Superintendent of the DHQ Hospitals Khyber Pakhtunkhwa.
6. Manager Govt Printing Press & Stationary for publication in the official Gazette.
7. PS to Chief Secretary Khyber Pakhtunkhwa.
8. PS to Ministry for Health Khyber Pakhtunkhwa.
9. PS to Secretary Establishment Department Khyber Pakhtunkhwa.
10. PS to Secretary Law, Parliamentary Affairs & Human Right Department Khyber Pakhtunkhwa.
11. PS to Secretary Health Khyber Pakhtunkhwa.
12. PA to Special Secretary Health Khyber Pakhtunkhwa.
13. PA to Additional Secretary (E&A) Health Department
14. PA to Deputy Secretary (Drugs) Health Department.

Muhammad Tariq
Section Officer-III

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Dated the Peshawar 20th March, 2017

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No. SOH-III/10-4/2015, In continuation of this department notification of even number dated: 01-03-2017, the posting/transfer of the following promoted Senior Drug Inspectors BS-18 is hereby ordered with immediate effect in the public interest:-

S.NO	NAME & FATHER NAME	FROM	TO	REMARKS
1.	Mr. Muhammad Tayyab Abbas.	Drug Inspector BS-17, District Health Officer, Nowshera.	Senior Drug Inspector BS-18, District Health Officer, Mardan.	Against the vacant post.
2.	Mr. Aurangzeb Khan.	Drug Inspector BS-17, District Health Officer, Bannu.	Senior Drug Inspector BS-18, District Health Officer, Bannu.	Against the vacant post.
3.	Mr. Imran Ullah Khan.	Drug Inspector BS-17, District Health Officer, Peshawar.	Senior Drug Inspector BS-18, District Health Officer, Abbottabad.	Against the vacant post.

**SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Endst even No & date.

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
3. The District Health Officers, Abbottabad/Nowshera/Mardan.
4. The District Accounts Officers, Abbottabad/Nowshera/Mardan.
5. PS to Secretary Health, Khyber Pakhtunkhwa.
6. PA to Additional Secretary (E) Health, Khyber Pakhtunkhwa.
7. PA to Deputy Secretary (Drugs) Health, Khyber Pakhtunkhwa.
8. The Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
9. Officers concerned.

(MUHAMMAD TARIQ)
SECTION OFFICER-III

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GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

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Dated the Peshawar 4th January, 2019

NOTIFICATION.

No.80H-III/10-4/2019. On the recommendations of the Provincial Selection Board, the Competent Authority has been pleased to appoint the following Senior Drug Inspectors (BS-18) to the posts of Chief Drug Inspector (BS-19) on acting charge basis with immediate effect.

S.No.	Name of Officer
1.	Mr. Muhammad Tayyab Abbas
2.	Mr. Muhammad Aurangzeb
3.	Mr. Imran Ullah Khan

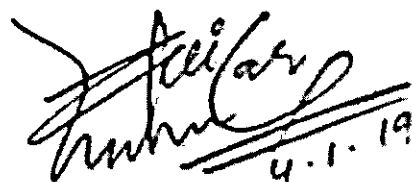
2 Posting/transfer notification in respect of the above officers will be issued later on.

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

End of even No and Date.

Copy forwarded to:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Health Services, Khyber Pakhtunkhwa.
3. PS to Chief Minister, Khyber Pakhtunkhwa.
4. PSO to Chief Secretary, Khyber Pakhtunkhwa.
5. PS to Secretary Health Khyber Pakhtunkhwa.
6. PA to DS(Drugs), Health Department, Khyber Pakhtunkhwa.
7. Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
8. Officers concerned.


4.1.19
Section Officer-III



**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUN KHW A PESHAWAR**

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E-Mail Address: nwfpdghs@yahoo.com office Ph# 091-9210269
Exchange# 091-9210187, 9210196 Fax # 091-9210230
No. 2441-2531 / AE-I Dated: 13 / 02 / 2019

To,

1. Director General PHSA, Khyber Pakhtunkhwa, Peshawar.
2. Director Health Services Tribal Districts Peshawar.
3. All Principals, Medical Colleges in Khyber Pakhtunkhwa.
4. All District Health Officers in Khyber Pakhtunkhwa..
5. All Medical Superintendents DHQ: Hospitals in Khyber Pakhtunkhwa.
6. All Hospital Directors, MTI, in Khyber Pakhtunkhwa.
7. Dean, PGMH/HMC, Peshawar.
8. Deputy Secretary (Drug) and Section Officer (Drug) Health Secretariate
9. Deputy Director (Drug) DGHS, Office, Peshawar.
10. I/C, Govt: MCC, DGHS, Office, Peshawar.
11. I/C, Food Laboratory, Khyber Pakhtunkhwa, Peshawar.
12. I/C. Drug Testing Laboratory, Khyber Pakhtunkhwa Peshawar.

SUBJECT:-

**PROVISIONAL SENIORITY LISTS OF PHARMACISTS, DRUG
INSEPECTORS, HEALTH EDUCATOR, SOCIAL WELFARE OFFICERS,
PSYCHOLOGISTS, MICROBIOLOGIST, DRUGS ANALYLISTS,
CHEMISTS AND PHYSIOTHERAPISTS IN THE HEALTH
DEPARTMENT FOR THE YEAR 2019.**

Provisional Seniority list of Principal Pharmacists (BS-20) Chief Pharmacists (BS-19) Senior Pharmacists (BS-18) Pharmacists (BS-17), Chief Drug Inspectors (BS-19) Senior Drugs Inspectors (BS-18) Drugs Inspectors (BS-17), Health Educator (BS-17), Social Welfare Officers (BS-17), Clinical Psychologists (BS-18, BS-17), Chief Biochemist (BS-18, BS-17), Microbiologist (BS-18) Senior Drug Analyst (BS-19) Drug Analysts (BS-18), Chemists (BS-17) and Senior Physiotherapist/Physiotherapists (BS-18, BS-17) serving in the Health Department, Khyber Pakhtunkhwa, prepared by this Directorate are sent herewith (these lists are available at official website of the Health Deptt. www.healthkpk.gov.pk) and this Directorate official website www.dghskp.gov.pk for the purpose of circulation amongst all Officers serving under your control for their information and confirmation about correctness of the entries given in the lists. In case of any objection with regard to the contents of the seniority lists, the same may please be communicated to this Directorate for reconsideration and rectification within fifteen days after the receipt of this communication.

DEPUTY DIRECTOR (HRM)
Directorate General Health Services,
Khyber Pakhtunkhwa Peshawar.

No. _____ / AE.I.

Copy with a copy of the above Provisional Seniority lists, are forwarded to the Secretary to Govt: of Khyber Pakhtunkhwa Health Department Peshawar for information with the request to upload these Seniority Lists on official website of Health

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PROVISIONAL SENIORITY LIST OF SENIOR DRUGS INSPECTORS (BPS-18) AS STOOD ON 01-01- 2019

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Sl. No.	Name of officer with Academic Qualification	Date of Birth with Domicile	Date of Ist entry into Govt. service	Date of promotion with BPS-17	Regular Appointment/ Promotion to Present post.			Present posting.
					Date	BPS	Method of Recruitment	
1.	Mr.Muhammad Younas Khattak S/O Fakhar-uz-zaman, B.Pharmacy	04.03.1973/ Karak	24.05.2008	24.05.2008	a) 24.05.2008 b) 26.02.2015 c) 14.11.2017	17 18 19	PSC By Promotion By Promotion	Chief Drug Inspector, Bannu (Promoted on Acting Charge Basis)
2.	Dr.Abbas Khan S/O Ghulam Sarwar Khan. B.Pharmacy M.Phil/PhD	28.08.1977/ Swabi	24.05.2008	24.05.2008	a) 24.05.2008 b) 26.02.2015 c)14.11.2017	17 18 19	PSC By Promotion. By Promotion.	Chief Drug Inspector, Peshawar (Promoted on Acting Charge Basis)
3.	Mr.Muhammad Tayyab Abbas S/O Faqir Muhammad. B.Pharmacy /M.Phil.	25.05.1971/ Peshawar	24.05.2008	24.05.2008	a) 24.05.2008 b) 01.03.2017 c) 04.01.2019	17 18 19	PSC By Promotion. By Promotion.	Distt Mardan (Promoted on Acting Charge Basis)
4.	Mr.Aurangzeb Khan S/O Sher Bahadar, B.Pharmacy /M.Phil	03.03.1978/ FR Bannu.	24.05.2008	24.05.2008	a) 24.05.2008 b) 01.03.2017 c)04.01.2019	17 18 19	PSC By Promotion. By Promotion	Distt: Bannu (Promoted on Acting Charge Basis)
5.	Mr.Imran Ullah Khan S/O Hakim Shah. B.Pharmacy /M.Phil	20.09.1982/ Bannu.	24.05.2008	24.05.2008	a) 24.05.2008 b)-01.03.2017 c)04.01.2019	17 18 19	PSC By Promotion. By Promotion	Distt: Kohat . (Promoted on Acting Charge Basis)
6.	Mr.Mehtab Afsar	21.03.1982/ Abbottabad.	24.05.2008	24.05.2008	a) 24.05.2008 b) 02.01.2018	17 18	PSC By Promotion.	Distt: Abbottabad
7.	Mr.Abdul Hafeez S/O Waliullah, B.Pharmacy	02.01.1981/ Lakki Marwat	27.05.2009	27.05.2009	a) 24.05.2008 b) 02.01.2018	17 18	PSC By Promotion.	Distt: DIKhan

Deputy Director (HRM)
Directorate General Health Services
Khyber Pakhtunkhwa Peshawar

EXTRAORDINARY
GOVERNMENT

Annexure 'F'

27

REGISTERED NO. PIII

GAZETTE



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 17th MAY, 2022

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

NOTIFICATION

Dated Peshawar, the 12th May, 2022.

No. SOH-III/10-4/2022:- In exercise of the powers conferred by section 26 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), the Chief Minister of Khyber Pakhtunkhwa is pleased to make the following rules, namely:

THE KHYBER PAKHTUNKHWA DIRECTORATE GENERAL DRUG CONTROL AND PHARMACY SERVICE, RULES, 2022.

1. **Short title application and commencement.**---(1) These rules may be called the Khyber Pakhtunkhwa Directorate General Drug Control and Pharmacy Service Rules, 2022.

(2) These rules shall apply to the recruitment and promotion to the posts in the Directorate General Drug Control and Pharmacy Service.

(3) These rules shall come into force at once.

2. **Definitions.**---In these rules, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say-

(a) "Appointing Authority" means the Appointing Authority as specified in rule 6 of these rules;

(b) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;

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- (c) "Government" means the Government of Khyber Pakhtunkhwa Province;
- (d) "Schedule" means the Schedule appended to these rules; and
- (e) "Service" means the Directorate General Drug Control and Pharmacy Service.

3. **Constitution of the Service.**---The Service shall consist of the posts as specified in Schedules-I and V and such other posts as may be added to it from time to time by Health Department of Government.

4. **Method of recruitment.**---(1) The method of recruitment, minimum qualification, age limit and other matters related thereto for the Service shall be such as specified in Schedule-II.

(2) Initial recruitment to the Service shall be made through an examination conducted by the Commission.

(3) The standard and syllabus of examination for the Service shall be such as specified in Schedule-III.

5. **Training.**---On appointment to the post borne on the Service in BPS-17 via initial recruitment, every officer so appointed shall successfully complete four weeks mandatory training at any academy or institute or as decided by the Department as per the modules specified in Schedule-IV.

6. **Savings.**---In all other matters not expressly provided for in these rules, the persons appointed to the Service shall be governed by the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and any other rules pertaining to the terms and conditions of service made or deemed to have been made under the Khyber Pakhtunkhwa Civil Servants Act, 1973.

7. **Transitional.**---(1) The existing Service Rules as notified vide Notifications No. SOH-III/10-4/09/Pharmacist, dated: 09th March, 2015, No. SOH-III/10-4/05 (CDI), dated: 1st April, 2006 and No. SOH-III/10-4/2017, dated: 11th October, 2017 for the cadres of Pharmacists, Drug Inspectors and Drug Analysts/Chemists as reflected in Schedule-V shall continue till the retirement of the last of incumbents belonging to the above mentioned cadres. Upon retirement of the last incumbent in a cadre, the Service Rules of that cadre shall stand superseded forthwith. The seniority and promotion of the above mentioned cadres shall be maintained and regulated under their respective Service Rules as mentioned above.

(2) The line of promotion for the existing cadres of Pharmacist, Drug Inspectors and Drug Analyst/Chemists respectively appointed under the Service Rules mentioned in sub-rule (1), shall be such as provided in Schedule-V.

ATTESTED

KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 17th MAY, 2022 1885

(3) For the purpose of efficient human resource management, the existing incumbents, appointed under the Service Rules mentioned in sub-rule (1), shall be inter-transferrable to the cadres mentioned in **Schedule-V**.

(4) Fresh recruitments in any of the posts borne on the Service and their promotion shall be made and governed under these rules.

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"G1"

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Ali Administrative Secretaries
to the Govt. of Khyber Pakhtunkhwa.

Subject: - REQUEST FOR FURNISHING WORKING PAPERS OF PROMOTION FOR PLACEMENT BEFORE THE NEXT PSB MEETING.

Dear Sir,

I am directed to refer to this department letter of even No. Dated: 13.12.2021 on the subject and to say that the PSB meeting has been scheduled to be held in June 2022. The working papers (complete in all respects) for promotion to be placed before the PSB meeting may be furnished before the cut off date which is fixed as 01.06.2022.

I am further directed to say that no working paper will be accepted after the mentioned cut off date and that the Administrative Department will be responsible for any delay in submission of working papers and the resultant deprivation of any officer for promotion consideration.

Yours faithfully,

18-5-2022
SECTION OFFICER (PSB)

ENDST. EVEN NO. & DATE.

copy is forwarded to

1. All Section Officers in Regulation Wing of Establishment Department.
2. Section Officers (E-I, E-II, E-IV & E-V) Establishment Department.
3. PS to Secretary Establishment, Govt. Khyber Pakhtunkhwa.
4. PS to Special Secretary Regulation Establishment Department.
5. PAs to Additional Secretaries (Reg-I, & II), Establishment Department.

TESTED

Anneexure "H" ^(6/11/21) (31)

The Secretary Health
Govt. of Khyber Pakhtunkhwa
Peshawar.

Subject: Request for Provision of Working Paper
for the Promotion in Light RTI Act 2013.

Respected Sir,

Please refer to the subject noted as above and to state that the Health Department reportedly preparing the Promotion cases of the employees working under the control of Directorate of Drug Control + Pharmacy Services. The undersigned is a Senior officer working as Chief Drugs Inspector (Bs-19 a.c.b) and the name is present at Serial No. 5 of the Seniority List duly eligible for promotion. However my name is not included in the Panel of Promotives, as conveyed to me from some reliable sources.

It is therefore requested that the working paper of promotion including the names of the Penalisists along with the Seniority List may kindly be furnished to the undersigned under the RTI act 2013.

ATTESTED

Tayyab
23/05/22
Yours Sincerely
Muhammad Tayyab Abbas
Chief Drugs Inspector

Annex "I"

39

L.No.
Date.
Secretary Health

The Secretary Health,
Khyber Pakhtunkhwa Peshawar.

Subject: DEPARTMENTAL APPEAL FOR CONSIDERATION OF
GREVIANCES AGIANST THE MPUGNED PROCESS OF
PROMOTION.

Respected Sir,

The undersigned has the honor to submit on the cited subject as under.

- 1) That, the appellant is employee of the Health Department and was appointed as Drug Inspector (BS-17) through proper recommendation of the Khyber Pakhtunkhwa Public Service Commission vide order dated 24-05-2008.
(Copy of the order vide dated 24-05-2008 attached as Annexure -----A).
- 2) That, the appellant has its own separate Service Rules framed by the respondent Department and under that rules the KPPSC recruited Hospital Pharmacists, Chemists and Drug Inspectors in different Cadres from time to time with separate terms & conditions.
(Copies of the Service Rules attached as Annexure.....B).
- 3) That, the appellant was promoted to the post of Senior Drug Inspector (BS-18) vide order dated 01-03-2017.
(Copy of the order vide dated 01-03-2017 attached as AnnexureC).
- 4) That, subsequent to above the appellant was promoted to the Post of Chief Drug Inspector on acting charge basis vide dated 04-01-2019.

ATTESTED

(Copy of the order vide dated 04-02-2019 attached as Annexure.....D).

5) That, as per provisional Seniority List issued by the DGHS vide dated 13-02-2019, the appellant falls on the third of the Serial No, while later on, the Chapter of the Drug Control & Pharmacy Services was separated from DGHS as an isolated attached department after the amending of Rules of Business, 1985. (Copy of the Seniority list issued vide dated 13-02-2019 attached as Annexure.....E).

6) That, the Establishment department Khyber Pakhtunkhwa Peshawar vide dated, 18.05.2022, has requested to all the Administrative Secretaries to send the promotion cases of the Civil Servants (Complete in all respects) for the upcoming PSB to be held before the cut off date fixed on 01.06.2022. (Copy of letter vide dated 18/05/2022 attached as Annexure.....F).

7) That, while processing the promotion cases of the Civil Servants in a transparent way, the Establishment Department has laid down procedure/TOR,s vide dated 05.03.2020, for attaching the copies of the required attested documents with working papers. (Copy of the TOR,s vide dated 05.03.2020 attached as Annexure.....G).

8) That, the cut off date is about to be expired but neither the undersigned was not communicated the seniority list nor the PEP,s were demanded as per requirement of Promotion policy under the sub Para "vi" of Para 1 of the TOR,s.

9) That, at sub Para "iv" of Para 1 of the TOR,s, it holds the Title of "Notified Seniority List of the current year". It means

ATTESTED

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that, the Health department is required to provide the notified Seniority list in the official Gazette of the "current year" regarding its employees under the "Section 8 (5)" of "Civil Servant Act 1973" where input for correction and NOC from the personnel of the three cadres through Head of the notified attached department is mandatory, which in the current case, no such exercise has been observed so far.

(Copy of ibid Section attached as Annexure....."H")

Therefore, it is humbly prayed that the promotion case of the undersigned may also be kindly included in the working papers for the upcoming PSB meeting in pursuance to letter vide dated 18.05.2022, and my kindly be obliged.


Tayyab Abbas

Chief Drug Inspector (BS-19 a.c.b)
Health Department,
Khyber Pakhtunkhwa.

Copy to:-

- 1) PSO to Chief Secretary Khyber Pakhtunkhwa Peshawar.
- 2) Section Officer PSB Establishment Department Khyber Pakhtunkhwa Peshawar.


Tayyab Abbas

Chief Drug Inspector (BS-19 a.c.b)
Health Department,
Khyber Pakhtunkhwa.


ATTESTED

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

No. SO (PSB) ED. 1 8/2022/P 820
Dated Peshawar, the July 19, 2022

Annexure "J"
35

The Secretary to Government of Khyber Pakhtunkhwa,
Health Department.

**SUBJECT: PROMOTION OF SENIOR DRUG INSPECTOR BS-18 TO THE
POST OF CHIEF DRUG INSPECTOR BS-19.**

I am directed to refer to Health Department letter No. SOH
ED. 1 8/2022/P 820, Senior Drug Inspector dated 07/07/2022 on
subject and to say that the case has been examined in Regulation and
it is observed that

- i. The existing Service Rules for the cadres of Pharmacists,
Drug Inspectors and Drug Analysts, Chemists shall
continue till the retirement of the last of incumbents of
their cadres as mentioned in the Drug Control and
Pharmacy Service Rules 2022. Upon retirement of the last
incumbent in a cadre, the Service Rules of the that cadre
shall stand superseded forwith. Seniority and promotion
of the above cadres shall maintain and regulated under
their respective Service rules. However, Health
department forwarded the subject working paper for the
consideration of the Board on the basis of Drug Control
and Pharmacy Service Rules 2022 without clarification as
to whether the incumbents in other cadres stood retired.
- ii. It may be clarified that no Court case is involved in the
consideration of the subject case.
- iii. The names of the officers presently working in BS-19 may
be provided alongwith the working paper.

2. The working paper and other documents received with the letter
quoted above are returned herewith in original for doing the needful.

Yours faithfully,

A. S. 19 7 2022
SECTION OFFICER (PSB)

Encl: As above.

ENDST. EVEN NO. & DATE.

A copy is forwarded to the Section Officer (R-II) Establishment
Department.

SECTION OFFICER (PSB)

IO: _____

ATTESTED

The Secretary to Government of Khyber Pakhtunkhwa,
Health Department.

Annexure "K"

SUBJECT: PROMOTION OF SENIOR PHARMACIST BS-18 TO THE POST OF CHIEF PHARMACIST BS-19 IN HEALTH DEPARTMENT.

1. Sir,

I am directed to refer to Health Department letter No. SOH/18/2022 (Promotion Senior Pharmacist) dated 01/07/2022 on the above subject and to say that the case has been examined in Regulation wing and served that

- i. The existing Service Rules for the cadres of Pharmacists, Drug Inspectors and Drug Analysts/Chemists shall continue till retirement of the last incumbent of their cadres as mentioned in the Drug Control and Pharmacy Service Rules, 2022. Upon retirement, of the last incumbent in the cadres, the Service Rules of the that cadre shall stand superseded forwith. Seniority and promotion of the above cadres shall be maintained and regulated under their respective Service rules. However, Health department forwarded the subject working paper for the consideration of the Board on the basis of Drug Control and Pharmacy Service Rules 2022 without clarification as to whether the incumbents in other cadres stood retired or otherwise.
- ii. The list containing the names of the officers presently working in BS-19 may also be annexed with the working paper.
- iii. Mr. Wilayat Shah Chief Drug Inspector BS-19 has submitted an application wherein it has been stated that the Peshawar High Court has declared the merger notification as null and void (copy enclosed). It may be clarified as to whether any such case is pending in the Court or otherwise.

2. The working paper and other documents received with the letter quoted above are returned herewith in original for doing the needful.

Yours faithfully,

20-7-2022
SECTION OFFICER (PSB)

TESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA

ESTABLISHMENT DEPARTMENT

No. SO.(PSB) ED/1-25/2022/PSB
Dated Peshawar, the August 11, 2022

Amended
2
37

All Administrative Secretaries
to the Govt. of Khyber Pakhtunkhwa.

Subject: - STREAMLINING OF PROVINCIAL SELECTION BOARD (PSB) MEETINGS.

Dear Sir,

I am directed to refer to this Department letter of even No. dated 23.12.2021 on the subject and to say that the PSB meeting has been scheduled to be held in 1st week of September 2022. The working papers (complete in all respects) for promotion to be placed before the PSB meeting may be furnished well before the cut off date which is fixed as **20.08.2022**. Most importantly, working papers of the officers who are at the verge of retirement and falling in the promotion zone must be forwarded on priority basis.

2. I am further directed to say that no working paper will be received after the mentioned cut off date and that the Administrative Department will be responsible for any delay in submission of working papers and the resultant deprivation of any officer from promotion/consideration.

Yours faithfully,

11.08.2022
SECTION OFFICER (PSB)

ENDST. EVEN NO. & DATE.

copy is forwarded to

1. All Section Officers in Regulation Wing of Establishment Department.
2. PS to Secretary Establishment, Govt. Khyber Pakhtunkhwa
3. PS to Special Secretary Regulation Establishment Department.
4. PAs to Additional Secretaries (Reg-I, & II), Establishment Department.
5. PAs to Deputy Secretaries (Reg-I, II & III), Establishment Department.

11.08.2022
SECTION OFFICER (PSB)

CS CamScanner

ATTESTED

Amendure "M"

38

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT

No. SO(PSB)ED/1-25/2020/(1)
Dated Peshawar, the 05.03.2020

To:

All Administrative Secretaries,
to the Government of Khyber Pakhtunkhwa

Subject:

DOCUMENTS REQUIRED WITH THE WORKING PAPERS OF PROMOTION
TO BE PLACED BEFORE PSB

Dear Sir,

I am directed to refer to the subject and to say that the following eligible attested documents are required to be attached with the working paper of promotion to be placed before PSB for its consideration.

- i. Availability of post (s).
- ii. Budgetary proof for confirmation of total sanctioned strength.
- iii. Details of incumbents with posting presently working in a cadre to which promotion is made.
- iv. Notified seniority list of the current year.
- v. Service Rules.
- vi. Reasons of missing PER(s) reflected against a panelist officer in PSB-II proforma.
- vii. Details of enquiry /NAB/VR /Departmental cases of a panelist officer in PSB-II proforma with latest position.
- viii. Courts judgment (if any), including details of CPLA/Scrutiny Committee minutes, etc.
- ix. Presentation to PSB in soft alongwith the working paper.
- x. Photos/ profile of the panelist officer(s) on the relevant proforma.
- xi. Certificates of training/examination mandatory for promotion according to the Service Rules.
- xii. Research papers with a list-containing name of the officer, title of the research paper and the year in which it has been published and Evaluation Report of the Research paper where required.
- xiii. Any other document which the department considers necessary for perusal of the Board.

2. It is requested that any working paper received without any of the above documents shall not be entertained.

Your's faithfully,

(Signature)
5/3/2020
(ABDUL HAMEED)
ESTABLISHMENT DEPARTMENT

ATTESTED

Provided that in the case of initial appointment to a service or post a civil servant shall not be deemed to have completed his period of probation satisfactorily until his character and antecedents have been verified as satisfactory in the opinion of the appointing authority.

7. (1) A person appointed on probation shall on satisfactory completion of his probation, be eligible for confirmation in a service or, as the case may be, a post as may be prescribed. Confirmation.

(2) A civil servant promoted to a post ¹[* * *] on regular basis shall be eligible for confirmation, after rendering satisfactory service for the period prescribed for confirmation therein.

(3) There shall be no confirmation against any temporary post.

(4) A civil servant who, during the period of his service, was eligible to be confirmed in any service or against any post retires from service before being confirmed shall not merely by reason of such retirement, be refused confirmation in such service or post or any benefits accruing there from.

(5) Confirmation of civil servant in a service or post shall take effect from the date of occurrence of permanent vacancy in that service or post or from the date of continuous officiation, in such service or post, whichever is later.

8 (1) For proper administration of service, cadre or ²[post] the appointing authority shall cause a seniority list of the members for the time being of such service cadre or ³[post] to be prepared but nothing herein contained shall be construed to confer any vested right to a particular seniority in such service, cadre or ⁴[post] as the case may be. Seniority.

(2) Subject to the provisions of sub-section (1). the seniority of a civil servant shall be reckoned in relation to other civil servants belonging to the same service or ⁵[cadre] whether serving in the same department or office or not, as may be prescribed.

(3) Seniority on initial appointment to a service, ⁶[Cadre] or post shall be determined as may be prescribed.

(4) Seniority in a post, service or cadre to which a civil servant is promoted shall take effect from the date of regular appointment to that post;

-
1. The word "or grade" omitted by Khyber Pakhtunkhwa Ord.No.IV of 1985.
 2. The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985.
 3. The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985.
 4. The word "Grade" substituted by Khyber Pakhtunkhwa Ord. No.IV of 1985.
 5. The word "Grade" substituted by Khyber Pakhtunkhwa Ordinance No.IV of 1985.
 6. The word "Grade" subs. by Khyber Pakhtunkhwa Ord No.IV of 1985.

ATTESTED

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“¹[(5) The seniority lists prepared under sub-section (1) shall be revised and notified in the official Gazette at least once in a calendar year, preferably in the month of January.”]

9. (1) A civil servant possessing such minimum qualification as may be prescribed shall be eligible for promotion to a ²[higher] post for the time being reserved under the rules for departmental promotion in ³[* * *] the service or cadre to which he belongs. Promotion.

(2) A post referred to in sub-section (1) may either be a selection post or a non-selection post to which promotion shall be made as may be prescribed —

(a) in the case of a selection post, on the basis of selection on merit; and

(b) in the case of a non-selection post, on the basis of seniority — cum- fitness.

10. Every civil servant shall be liable to serve anywhere within or outside the Province in any post under the Federal Government, or any Provincial Government or local authority, or a an corporation or body set up or established by any such Government: Posting and transfers.

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

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

11. (1) The service of civil servant may be terminated without notice.- Termination of services.

(i) during the initial or extended period of his probation:

Provided that, where such civil servant is appointed by promotion on probation or, as the case may be, is transferred from one ⁴[service] cadre or post to another ⁵[service] as he holds a line against his former post in such ⁶[service] or

1. Added vide Khyber Pakhtunkhwa Act No.I of 1989.
 2. The word "higher" inserted vide Khyber Pakhtunkhwa Ord.No.V of 1985.
 3. The words "the higher grade of" omitted by Ord.No. IV of 1985.
 4. The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.
 5. The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.
 6. The word "Grade", subs.by Khyber Pakhtunkhwa Ord.No.IV of 1985.

ATTESTED

Annexure "0" (41)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

NOTE FOR THE CHIEF SECRETARY KHYBER PAKHTUNKHWA

Subject: FINAL SENIORITY LISTS OF PRINCIPAL PHARMACISTS, CHIEF PHARMACISTS, SENIOR PHARMACISTS & PHARMACISTS IN HEALTH DEPARTMENT, KHYBER PAKHTUNKHWA AS STOOD ON 01-01-2020.

The tentative Seniority List in respect of the subject posts of Pharmacists in Health Department was circulated and uploaded on the official website of Health Department (Annex-I). While submitting the Working Paper for their promotion, the same was objected being not approved by the Competent Authority. Based on the Seniority List, provisionally maintained, the Health Department has prepared a Final Seniority List for its approval by the Competent Authority.

2. Section 8 (1) of the Khyber Pakhtunkhwa Civil Servants Act, 1973, provides that for proper administration of service, cadre, or post, the appointing authority shall cause a seniority list of the members for the time being of such service, cadre or post to be prepared. Sub section (5) of Section 8 ibid further provides that the seniority lists prepared under sub section (1), shall be revised and notified in the official gazette at least once in a calendar year (Annex-II).

3. In terms of Establishment Department circular letter No. SOR-1(E&AD)3-15/E8(Vol-I), dated: 09-05-2002, the Chief Secretary Khyber Pakhtunkhwa is Competent Authority to cause the Final Seniority List of the Principal Pharmacists (BS-20), Chief Pharmacists (BS-19), Senior Pharmacists (BS-18) and Pharmacists (BS-17) (Annex-III).

4. In view of the above, Health Department proposes that the Final Seniority List mentioned in Para-03 as stood on 01-01-2020 may please be notified.

5. The Chief Secretary Khyber Pakhtunkhwa is requested to approve the proposal contained in Para-4, please.

(Muhammad Zahya Akhonzada) 20/2/2020
SECRETARY HEALTH

No. 052
Date 24-02-20
Secretary Health

ATTENTION

Anne... P??

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DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUN KHW PESHAWAR

E-Mail Address: mg@kphs.gov.pk office Ph# 091-9210269
Exchange# 091-9210187, 9210196 Fax # 091-9210230
No. 6024 / AE-I Dated: 9/15/2018

To.

The Secretary to Government of
Khyber Pakhtunkhwa Health
Department Peshawar.

SUBJECT: FINAL SENIORITY LISTS OF PHARMACISTS, DRUG INSPECTORS, HEALTH
EDUCATOR, SOCIAL WELFARE OFFICERS, PSYCHOLOGISTS,
MICROBIOLOGIST, DRUG ANALYSTS, AND CHEMISTS IN THE HEALTH
DEPARTMENT.

Dear Sir

I have the honour to submit the Final Seniority Lists Of the above
mentioned categories of Officers which were circulated to all sub-offices of health
department vide this Directorate letter No.3158-3230/AE.I, dated 15.03.2018 with a
copy to your good office for their information and confirmation (copy attached for ready
reference) However, till date no objection or observations from any quarter regarding
the contents of seniority lists have been received.

It is requested that the same may please be notified by the
competent authority.

Yours Faithfully,

[Signature]
DIRECTOR GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR.
28/7/17

ATTESTED

2016 P L C (C.S.) 891

[Punjab Service Tribunal]

Before Khalid Mahmood Ramay, Member-V

MUHAMMAD RIAZ

Versus

SECRETARY TO GOVERNMENT OF THE PUNJAB and 3 others

Appeal No.3848 of 2012, decided on 8th December, 2015.

Punjab Civil Servants Act (VIII of 1974)---

---S. 9---Punjab Service Tribunals Act (IX of 1974), S.4---Letter No.SOE-III (C&W) 1-7/97/254 dated 26-1-2001---Transfer---Appellant, a draftsman belonging to the permanent cadre of Superintending Engineer Provincial Highway Circle known as "circle cadre", had challenged transfer order of respondent, contending that he permanently belonged to the cadre of the Office of Chief Engineer; and maintained his seniority on all intents and purposes in the said Chief Engineer's office had no concern with the circle cadre to which appellant belonged---Appellant had alleged that impugned order had been issued in violation of the instructions/Policy with regard to the posting and transfer issued vide letter No.S.O.E.-III (C&W) 1-7/97/254 dated 26-1-2001; and that such transfer of respondent and his consequential induction in the cadre, had adversely affected the seniority position of employees working in the circle office; and that their promotion as Head Draftsman had been blocked by way of said transfer made illegally---Impugned transfer order had been issued on the personal request of respondent---No cogent reasons, personal or otherwise had been narrated in the request made by respondent---By said posting of respondent the chance of promotion of a senior most Draftsman had been blocked---Impugned order, was held to be void and unlawful by Service Tribunal---Appeal was accepted and order of transfer was set aside with direction to the authorities to follow the Posting/Transfer Policy, 2001 in letter and spirit---Respondent, would stand transferred back to the original cadre with immediate effect.

Muhammad Rafique Awan for Appellant.

Sardar Muhammad Ahmed, District Attorney and Respondents.

Hafiz Fayyaz Ahmed, Law Officer, D.R. for

Date of hearing: 8th December, 2015.

JUDGMENT

KHALID MAHMOOD RAMAY, MEMBER-V--- Brief facts involved in the institution of the instant appeal as quoted are that vide impugned order No.06/E2 dated 19.01.2012 Chief Engineer (North Zone), Punjab Highway Department transferred respondent No.4 from his office and posted in the office of the Executive Engineer Provincial Machinery Maintenance Lahore against a vacant post. The appellant was initially recruited as Tracer on 12.12.1988 in the office of the Superintending Engineer Provincial Highway Circle, Lahore and promoted as Draftsman on 24.11.2004. The appellant belongs to the permanent cadre of the Superintending Engineer Provincial Highway Circle Lahore normally known as Circle Cadre and maintains his independent cadre and having no concern with the cadre of any other office, vide seniority list of the Drawing Establishment issued on 13.12.2012 vide letter No.282-85/A dated 16.02.2012 where he stands at Sr. No.9.

2. Respondent No.4/ Mr. Jawad Ahmed initially recruited as Tracer in the office of Chief Engineer

(North Zone) Punjab Highway Department Lahore on 11.06.1984, promoted as Draftsman on 04.03.1990 and subsequently promoted as Head Draftsman on 05.04.2011 in the office of respondent No.2 has been transferred to the office of the Executive Engineer Provincial Machinery Maintenance Division Lahore under the jurisdiction of the Superintending Engineer Provincial Highway Circle Lahore (respondent No.3) vide the impugned order, which has been challenged in the instant appeal. The appellant has contended that respondent No.4 who permanently belongs to the cadre of the Office of Chief Engineer (North Zone) Punjab Highway Department Lahore and maintains his seniority in all intents and purposes in the said Chief Engineer's Office, has no concern with the Circle Cadre. It has been mentioned in the appeal that the seniority list of Drawing Establishment of the office of the Chief Engineer (North Zone) Punjab Highway Department and that of the Drawing Establishment of the office of Superintending Engineer Provincial Highway Circle are quite separate and independent maintaining individual cadre regarding both the above mentioned offices, and the incumbents thereupon, are not transferable from one cadre to other cadre.

3. It is alleged that the impugned order has been issued in violation of the instructions/policy with regard to the posting and transfers issued vide letter No.SOE-III (C&W)1-7/97/254 dated 26.01.2001. It has been further agitated that the transfer of respondent No.4 and his consequential induction in the cadre of the Provincial Highway Circle Lahore has adversely effected the seniority position of the Drawing Establishment working in the Circle Office and that their promotion as Head Draftsman has been blocked by way of his transfer made illegally. The appellant submitted a representation/ departmental appeal to respondent No.1 i.e. Secretary C&W Department, Govt. of the Punjab on 15.05.2012 which has not been decided inspite of lapse of the period stipulated in law nor any decision has been communicated to the appellant. Hence the instant appeal.

4. Process was issued and the respondents were directed to submit their comments. Afterwards arguments were heard at length as well as the record produced by the department was perused.

5. Learned counsel for the appellant argued that the impugned order is illegal, unlawful and void ab initio being issued in sheer violation of posting and transfer policy of 2001 in which 04 tiers of the department have been maintained as separate entities and for each tier parameters with regard to promotion and postings/transfers of the officials have been provided distinctly. He argued that in the tier of Chief Engineer, at Sr. No.7, the category of post as Head Draftsman has been mentioned to be filled with 100% by promotion from Draftsman and posted within the Chief Engineer Office or within Zone. He added that in the second tier as Circle Office, at Sr. No.8, the category of post of Head Draftsman has also been mentioned to be filled with 100% by promotion from Draftsman to be posted within Circle or outside the District. He further contended that although a transfer could be made out of circle in the public interest but respondent No.4 has been transferred at his own request which he made two times on 19.01.2012 and 08.02.2012 and which is diarized on record as No.22-A/E2 dated 19.01.2012 in the office of the Chief Engineer North Zone Punjab Highway Department. In the request made by Respondent No.4 no cogent reason has been mentioned. He carried on arguing that the Chief Engineer has not forwarded copy of the impugned order to the Secretary of the Provincial Department as required by the posting and transfer policy 2001. He further elaborated that the transfer can be made but on the basis of the promotion and that too in the same functional unit only. He further asserted that transfer of respondent No.4 has decreased the number of seats available for promotion which were required under law to be filled in by way of promotion from the Draftsmen of the same circle office. This act of the respondents has blocked the way of promotion of the Draftsmen already working in the Circle where respondent No.4 has been transferred.

6. He argued emphatically that the same seat should have been filled in by way of promotion as ordained in the posting transfer policy 2001. He pointed out that mala fide and misuse of the official authority has been carried out in these circumstances and the impugned order is liable to be set aside. He further prayed that respondent No.4 should be brought back to Chief Engineer's Office in the interest of justice and to save the service rights of the officials of the Circle Cadre in order to make room for promotion of the appellant as Head Draftsman.

7. Learned District Attorney rebutted contentions of the counsel for the appellant, that the transfer has been made as stop gap arrangement and because of the administrative reasons. The Departmental

ATTESTED

Representative/Law Officer, however could not produce any record maintaining administrative reasons for the impugned transfer order. The Law Officer although could not produce any seniority list regarding each distinct as mentioned tier in the transfer Policy 2001 however he conceded to the fact that separate seniority lists have been maintained in all 4 functional organs of the department. The fact that the transfer was made on the personal request of respondent No.4 was also not denied by the District Attorney as well as by the D.R.

8. I have given due consideration to the arguments raised by both the sides and have gone through the record as made available. It is noticeable that respondent No.3 has held in his comments that the appellant is an employee of Circle Cadre and has no concern with the Cadre of any other office. That simply means that the seniority and promotion both, have to be confined within the limits of a particular cadre. The comments establish that the seniority of Drawing Establishment of the office of Chief Engineer North Punjab Highway Department, Lahore is quite separate and independent vide para No.6 of his parawise reply and further that both the offices maintain their own cadre. Responding to para No.7 he has commented and indirectly conceded that due to posting of respondent No.4 against a vacant post of Head Draftsman in the circle office, promotion of the Draftsmen working in the circle has been effected.

9. It is transpired that the impugned order has been issued on the personal request of respondent No.4 made on 19.01.2012 and 08.02.2012. It is also noticed that no cogent reasons, personal or otherwise, have been narrated in both the personal requests made by respondent No.4.

10. Respondent No.1 while responding to para No.7 has maintained that seniority of Drawing Establishment of Provincial Highway Circle remains the same and will not affect the promotion of senior most Draftsman due to posting of respondent No.4 who will stand repatriated to his office as and when his regular incumbent will be promoted. The comment itself substantiates that by posting of respondent No.4 the chance of promotion of a senior most Draftsman has been blocked because in case of non-availability of a vacancy of Head Draftsman, the process of promotion of the Draftsmen for the said vacancy will be hampered, since the same vacancy would not be available for promotion.

11. In view of the above discussion this Tribunal is under obligation to coincide with the arguments of counsel for the appellant and hold the impugned order No.06-E2 dated 19.01.2012 to be void and unlawful and accordingly the appeal is accepted and the impugned order is set aside with the direction to the respondents to follow the Posting/Transfer Policy 2001 in letter and spirit. Respondent No.4 shall stand transferred back to his original Cadre with immediate effect.

HBT/4/PST

Appeal accepted.

ATTESTED

25-Aug-22, 9:31

Annexure "R"

46

PESHAWAR HIGH COURT, PESHAWAR
FORM OF ORDER SHEET

Date of Order or Proceedings 1	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary 2
29.04.2022	<p>W.P No.1560-P/2022.</p> <p>Present: Mr. Noor Muhammad Khattak, Advocate, for the petitioners.</p> <p>*****</p> <p>SHAKEEL AHMAD, J.- By means of this constitutional petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioners seek the following relief: -</p> <p><i>“It is, therefore, most humbly prayed before this Hon’ble Court that on acceptance of this writ petition:</i></p> <p>i. <i>An appropriate writ may kindly be issued to declare the official status of Director General Drug Control & Pharmacy Services without the mandate of law, illegal, unlawful, invalid and void ab intio in light of the cited judgments i.e <u>PLD 2008 SC 663, 2008 SCMR 1148 and PLJ 2017 SC (AJ&K) 47</u> of the Superior Courts and being violative of Section 20-A of the General Clauses Act;</i></p> <p>ii. <i>Furthermore an appropriate writ may kindly be issued to declare the impugned notification vide dated 15.04.2022 in respect of respondent No.4, while holding the position of Director General Drug Control & Pharmacy Services in light of the cited judgments <u>PLD 2011 SC 927 & 2003 SCMR 291</u> of the apex Court, as illegal, unlawful, unconstitutional and violative upon the rights of petitioners on a post of an un-notified attached department which has not been yet notified in the official gazette under proper authority, hence non-existent in the eye of law due to without lawful authority and subsequently also lacking proper method of appointment i.e Service Rules under APT Rules, 1989, being violative of <u>Article 240 of the Constitution of Islamic Republic of Pakistan 1973.</u></i></p> <p>02. During arguments, we found that in earlier round of litigation, the petitioners had questioned the validity of posting order</p>

ATTESTED

47

of Saleem Khan, Principal Pharmacists/Director Pharmacy (BPS-20) as Director General of Drug Control & Pharmacy Services, Khyber Pakhtunkhwa (BPS-20) against the newly created post through constitutional petition No.965-P of 2021, which was disposed of on 17.03.2022 by treating it as representation and sent to the worthy Chief Secretary, Khyber Pakhtunkhwa to examine the matter strictly in accordance with law, after providing the parties an opportunity of hearing within a period of one month and again he brought the *lis* almost on the same subject/issue challenging therein the status of Director General Drug Control & Pharmacy Services, Khyber Pakhtunkhwa.

03. We, therefore, without commenting upon the merits of the case, deem it appropriate to send the matter to the worthy Chief Secretary, Khyber Pakhtunkhwa to examine the validity of appointment/posting of Director General Drug Control & Pharmacy Services, Khyber Pakhtunkhwa against the newly created post within a period of one month from the date of receipt of this order positively, after providing the petitioners an opportunity of hearing.

04. This writ petition is disposed of in the above terms.



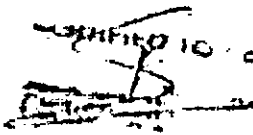
Announced:
29.04.2022


JUDGE


JUDGE

ATTESTED

PESHAWAR HIGH COURT, PESHAWAR
ORDER SHEET

Date of Order or Proceedings	Order or others Proceedings with Signature of Judge
1	2
08.07.2022	<p><u>G.O.C No. 243-P/2022 in W.P No. 1560-P/2022 (D).</u></p> <p>Present: Mr. Kamran Khan, Advocate, for the petitioners.</p> <p>*****</p> <p>Let notice be issued to the respondents to file their reply to the petition within a fortnight.</p> <p style="text-align: right;">  JUDGE </p> <p style="text-align: right;">  JUDGE </p> <p style="text-align: right;">  16 JUL 2022 </p>
<p>44/109</p> <p>5 P 2-7-22</p> <p>20</p> <p>16-9-22</p> <p>16-2-22</p> <p>21</p>	

(D) (A) Hon'ble Justice Ministerial Hall & Hon'ble Mr. Justice (ex Amara)

ATTESTED



DIRECTORATE GENERAL DRUG CONTROL & PHARMACY SERVICES

49

All communication should be addressed to the Director General Drug Control & Pharmacy Services
DG Phone: +92-91-9222824
Email: directoratedcps@gmail.com
No. 751 /DGDCPS/2022
Dated the Peshawar 28/6/2022

Innereuro

To,

The Secretary to Govt. of Khyber Pakhtunkhwa,
Health Department, Peshawar.


SUBJECT:-

PROMOTION OF SENIOR PHARMACIST (BS-18) TO THE POST OF
CHIEF PHARMACIST (BS-19) IN THE HEALTH DEPARTMENT KP.

Dear Sir,

I have the honour to submit herewith the promotion case of Senior Pharmacist (BS-18) to the post of Chief Pharmacist (BS-19) for information and further necessary action as per details given below:

1. PSB-I (Working Paper)
2. PSB-II (Panel of Officers for Consideration)
3. PSB-III (Panel proforma for PSB)
4. PSB-IV (PER grading and quantification)
5. PSB-V (Seniority List)
6. Other relevant documents


DIRECTOR GENERAL,
Drug Control & Pharmacy Services
Khyber Pakhtunkhwa Peshawar.


ATTESTED

50

FINAL SENIORITY LIST OF SENIOR PHARMACISTS (BPS-18) AS STOOD ON 01/01/2022

Total Sanctioned Posts (BPS-18) 06
Filled 05
Vacant 01

S.No	Name of officer with Academic Qualification	Date of Birth with Domicile	Date of 1 st Entry into Govt. service	Regular Appointment /Promotion (n Present post)		Method of Recruitment	Present Posting
				Date	BPS		
1	Miss Naila Begum B.Pharmacy	11.09.1962/ Peshawar	02.11.1994	a)02.11.1994 b)14.11.2017	17 18	PSC By promotion	DTL, Peshawar
2	Mr. Nasser Ahmad, B.Pharmacy	28.03.1968/ Peshawar	05.06.1999	a)05.06.1999 b)14.11.2017	17 18	PSC By promotion	Section Officer (Drugs), Health Deptt
3	Muhammad Ibrahim B. Pharmacy/M. Phil	16-04-1978 Mardan	25.10.2003	a)25.10.2003 b)14.11.2017	17 18	PSC By promotion	Deputy Secretary (Drugs), Health Deptt.
4	Mr. Abdur Rashid Khair B.Pharmacy	13.03.1963/ Bannu	01.07.2001	a)01.07.2001 b)27.12.2017	17 18	Act 2005 By promotion	Senior Drug Inspector, District Bannu
5	Dr. Inam-ul-Haq B.Pharmacy/Ph.D.	10.02.1982/ Maitland	01.03.2008	a)01.03.2008 b)10.10.2018	17 18	PSC Promotion	Deputy Director at DC-DC & PS Khyber Pakhtunkhwa

Certified that the Seniority List is Final, undisputed and not subject to any court of law

(Signature)

RECEIVED



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Amended

Dated Peshawar, the 22nd August, 2022

NOTIFICATION

SOH-III/7-262/2022(Drug Inspector): In compliance of the Services Tribunal, Peshawar judgment dated 06-12-2021 in Service Appeal no 16578/2020, and consequent upon the approval of competent authority, the posting/transfer orders of the following Chief Drug Inspector/Drug Inspectors/Drug Analysts is hereby made with immediate effect.

S. No	Name of Officers & Designation	From	To	Remarks
1.	Syed Muhammad Asad Halimi Chief Drug Inspector BS-19.	Chief Pharmacist (BS-19), KDA, Kohat.	Chief Drug Inspector (BS-19), District D.I Khan	Against the vacant post.
2.	Tayyab Abbass Chief Drug Inspector BS-19.	Chief Pharmacist (BS-19), Services Hospital, Peshawar.	Chief Drug Inspector (BS-19), District Abbottabad.	Against the vacant post.
3.	Amin-ul Haq Senior Drug Inspector BS-18	Already under report to DG, DC&PS on account of disciplinary proceeding under E&D Rules, 2011.		
4.	Arif Hussain Analyst BS-18	Senior Pharmacist (BS-18), Services Hospital, Peshawar.	Drug Analyst (BS-18), Drug Testing Laboratory (DTL), Peshawar.	Against the vacant post.
5.	Manzoor Ahmad Drug Inspector BS-17	Drug Inspector (BS-17), District Peshawar.	Drug Inspector (BS-17), District Dir Lower.	Against the vacant post.
6.	Zia Ullah Drug Inspector BS-17	Drug Inspector (BS-17), District Dir Lower.	Drug Inspector (BS-17), District Bannu.	Against the vacant post.
7.	Muhammad Shoaib Khan Drug Inspector BS-17	Already under report to DG, DC&PS on account of disciplinary proceeding under E&D Rules, 2011.		
8.	Shazada Mustafa Anwar Drug Inspector BS-17	Waiting for posting at Directorate of Drug Control & Pharmacy Services, Khyber Pakhtunkhwa, Peshawar.	Drug Inspector (BS-17), District Karak	Against the vacant post.

-sd-

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. Registrar, Khyber Pakhtunkhwa, Service Tribunal Peshawar.
4. Medical Superintendent, DHQ Hospital, concerned.
5. Medical Superintendent, Services Hospital, Peshawar.
6. District Health Officer concerned.
7. In-charge, Drug Testing Laboratory, Peshawar.
8. District Accounts Officer, concerned.

ATTESTED

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VAKALATNAMA

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

APPEAL NO: _____ OF 2022

M. Tayyab Abbas (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Health Dept. (RESPONDENT)
(DEFENDANT)

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

Dated. ____/____/2022

D. Ayub
CLIENT

ACCEPTED
NOOR MOHAMMAD KHATTAK

Kamran Khan
KAMRAN KHAN

Umar Farooq
UMAR FAROOQ

Muhammad MAAZ MADNI
MUHAMMAD MAAZ MADNI

Haider Khan
**HAIDER KHAN
ADVOCATES**

OFFICE:
Flat No.(TF) 291-292 3rd floor
Deans trade centre Peshawar cantt:
Mobile No. 0334-5277323

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

SERVICE APPEAL NO.1283/2022

Muhammad Tayyab Abbas Chief Drug Inspector O/O the Service Hospital
Peshawar.....Appellant

VERSUS

The Chief Secretary, Khyber Pakhtunkhwa and othersRespondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 01 To 03

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 concealed material facts from this Honorable Tribunal for unlawful personal gains.
3. That the appellant is estopped by his own conduct to file the instant service appeal, hence the same may not be allowed, being liable to be dismissed.
4. That the Appellant has filed the instant appeal just to pressurize the respondents.
5. That the instant Appeal is against the prevailing Law and Rules.
6. That the Appeal is not maintainable in its present form.
7. That the Appellant has filed the instant Appeal with mala-fide intention hence liable to be dismissed.
8. That the instant appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.
9. That no final order (Original/ Appellate) has been challenged therefore the instant appeal is not maintainable under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 and dictum laid down by Apex Court in 2006 SCMR 1630.
10. That the relief claimed by the appellant comes within the writ jurisdiction of the High Court under Article 199 of the Constitution of Islamic Republic of Pakistan 1973.
11. That the instant appeal becomes infructuous as the PSB has already been held on 18.11.2022 and name of the appellant was already forwarded for consideration.

ON FACTS:

RESPECTFULLY SHEWETH

1. Pertains to record.
2. Correct to the extent that upon the establishment of Directorate General, Drug Control & Pharmacy Services (DG, DC & PS) with the approval of Provincial Government followed by amendment in the Khyber Pakhtunkhwa Rules of Business 1985, all the three disciplines are declared as a service and its Service Rules have been framed under Section 26 of the Civil Servant Act 1973 wherein protection to the Service Rules of the three cadre have been protected.
3. Pertains to record.
4. Pertains to record.
5. Pertains to record. However, mentioning of name in a provisional seniority list does not create any right in favor of a civil servant.
6. Para-6 needs no reply being matter of record.
7. Para-7 needs no reply being matter of record.
8. Incorrect & False Statement. The Directorate General Drug Control & Pharmacy Service has time & again given direction to all Drug Inspectors/pharmacists/Analysts including the appellant to submit their PER/ACR (from 2018 to 2021) for processing of working paper which has not been complied with by a few including the appellant (**Annexure-A**) however, the working paper which also included the name of the appellant was forwarded to the Establishment Department for placing before the PSB. (**Copy of the working paper is Annexure-B**)
9. Incorrect, False and Misleading Statement. The seniority list has been approved by the competent authority (Chief Secretary) & duly notified (**Annexure-C**). Before notifying the final seniority list, the provisional seniority list was circulated vide letter No. 115-200/DGDCPS/2021 dated 22/01/2021 amongst all concerned while the same is available on the official website of Health Department and the Directorate (**Annexure-D**). As regard submission of PER, every civil servant is liable to submit its PER of the proceeding within 15 days to its reporting officer instead of demanding by the reporting officer for its processing and submission. As already stated in para 8 above that all the concerned including the appellant were directed for submission of their PERs/ACRs of the last four year (from 2018 to 2021) however, till date the appellant failed to submit the same.

10. Incorrect. Already replied in paras above.
11. Pertains to record however, no final order was issued at the time of institution of the instant appeal which is sufficient to prove it premature in fact name of the appellant was forwarded to PSB as already explained in the preceding paras.
12. Incorrect and misleading. Already explained in the preceding paras.
13. Subject to proof however, the instant appeal has been filed in violation of section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 as there is no final order (Original/ Appellate) whereas according to a reported judgment 2006 SCMR 1630 the Tribunal has no jurisdiction in absence of final order as the same lies with High Court in the Writ jurisdiction.
14. Incorrect & False Statement. The respondents has not made any discriminatory action against the appellant rather the appellant himself responsible for his own conduct due to non-submission of PERs/ ACRs which is mandatory for promotion.

GROUND

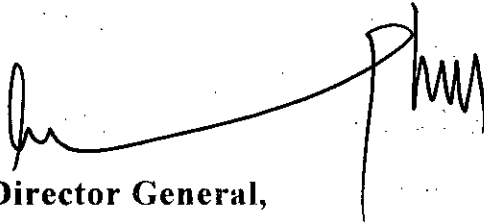
- A. Incorrect Statement no discriminatory or illegal act has been committed by the answering respondents rather the appellant has been treated in accordance with law, rules and principle of natural justice
- B. Already explained in para-A.
- C. Correct to the extent of laid down procedure however, the answering respondents acted according to the procedure as well as law and rules.
- D. Already replied in para 9 of the facts.
- E. No comments however, detail reply has been given in the preceding paras.
- F. As per paras E of the grounds.
- G. As per paras above.
- H. As per paras above.
- I. Incorrect the respondents have acted as per law and rules.
- J. Incorrect & false Statement. Already explained in the preceding paras.
- K. Incorrect & false statement. Already explained in the preceding paras.
- L. Incorrect, False & misleading statement. The promotion cases are not halt due to any court judgement. The instant appeal is itself an example whereby the petitioner is seeking remedy to add himself in the promotion cases already processed. As regard, the references given about writ petition No. 1560-P/2022, and COC 243-P/2022, the same has been disposed of by double bench headed by Hon. Chief Justice Peshawar High Court Peshawar, although it has got no relevancy with promotion cases **(Copy of judgement is attached at Annexure-E).**

M. Already explained in para-L.

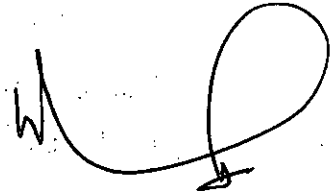
N. Incorrect. Already explained in the preceding paras.

O. No comments however, the respondents also seek permission of this honorable tribunal to adduce other grounds during final hearing of the appeal.

In view of the above, the instant appeal may graciously be dismissed with costs.



**Director General,
Drug Control & Pharmacy Services
Khyber Pakhtunkhwa
Respondent No. 3**



**Secretary Health
Govt. of Khyber Pakhtunkhwa
Health Department
Respondent No.1 & 2**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

SERVICE APPEAL NO. 1283/2022

Muhammad Tayyab Abbas (Chief Drug Inspector)----- Appellant

VERSUS

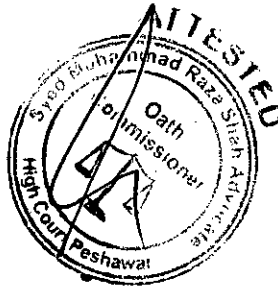
The Chief Secretary, Govt. of Khyber Pakhtunkhwa & Others

----- Respondent

AFFIDAVIT.

I Mohammad Tufail Section Officer (Lit-II) govt. of Khyber Pakhtunkhwa Health Department do hereby solemnly affirm and declare that the implementation report in Service Appeal No.1283 of 2022 is submitted on behalf of respondents is true and correct to the best of my knowledge, belief and that nothing has been concealed from this Hon'ble Court.

M. Tufail
30/11/22
Section officer (Lit-II)
Govt: of Khyber Pakhtunkhwa
Section Officer (Lit-II)
Health Department
Khyber Pakhtunkhwa



12 NOV 2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

SERVICE APPEAL NO. 1283/2022

Muhammad Tayyab Abbas (Chief Drug Inspector)----- Appellant

VERSUS

The Chief Secretary, Govt. of Khyber Pakhtunkhwa & Others

----- Respondent

AFFIDAVIT.

I Mohammad Tufail Section Officer (Lit-II) govt. of Khyber Pakhtunkhwa Health Department do hereby solemnly affirm and declare that the implementation report in Service Appeal No.1283 of 2022 is submitted on behalf of respondents is true and correct to the best of my knowledge, belief and that nothing has been concealed from this Hon'ble Court.

Muhammad Tufail
30/11/2022
Section officer (Lit-II)
Govt: of Khyber Pakhtunkhwa
Health Department
Section Officer (Lit-II)
Health Department
Khyber Pakhtunkhwa



DIRECTORATE GENERAL DRUG CONTROL & PHARMACY SERVICES

Annex A

All communication should be addressed to the Director General Drug Control & Pharmacy Services

DG Ph: +92-91-9222824

Email: directoratedcps@gmail.com

No. 121 /DGDCPS/2022

Dated the Peshawar 02/02/2022

To


All Chief Drug Inspector
Khyber Pakhtunkhwa.

Subject:

SUBMISSION OF ACR FROM 2018 TO 2021

Memo,

I am directed to inform all Chief Drug Inspector (BPS-18) working in the health department Khyber Pakhtunkhwa to submit their Annual Confidential Report with effect from 2018 to 2021 positively to the undersigned without further delay.


DEPUTY DIRECTOR
Drug Control & Pharmacy Services
Khyber Pakhtunkhwa Peshawar.

LIST OF PROVINCIAL DRUGS INSPECTORS (BPS-18) AS STOOD ON 16/05/2022

S: No.	Name of officer with Academic Qualification	Date of Birth with Domicile	Date of Ist entry into Govt. service	Date of promotion with BPS-17	Regular Appointment/ Promotion to Present post.			Present posting.
					Date	BPS	Method of Recruitment	
1.	Mr. Muhammad Younas Khattak S/O Fakhar-uz-zaman, B.Pharmacy	04.03.1973/ Karak	24.05.2008	24.05.2008	a) 24.05.2008 b) 26.02.2015 c) 14.11.2017	17 18 19	PSC By Promotion By Promotion	Chief Drug Inspector, Peshawar (Promoted on Acting Charge Basis)
2.	Dr. Abbas Khan S/O Ghulam Sarwar Khan. B. Pharmacy M.Phil/PhD	28.08.1977/ Swabi	24.05.2008	24.05.2008	a) 24.05.2008 b) 26.02.2015 c) 14.11.2017	17 18 19	PSC By Promotion. By Promotion.	Director General DGDC& PS (Promoted on Acting Charge Basis)
3.	Mr. Muhammad Tayyab Abbas S/O Faqir Muhammad. B.Pharmacy /M.Phil.	25.05.1971/ Peshawar	24.05.2008	24.05.2008	a) 24.05.2008 b) 01.03.2017 c) 04.01.2019	17 18 19	PSC By Promotion. By Promotion.	Chief Pharmacist Services Hospital Peshawar. (Promoted on Acting Charge Basis)
4.	Mr. Aurangzeb Khan S/O Sher Bahadar, B.Pharmacy /M.Phil	03.03.1978/ FR Bannu.	24.05.2008	24.05.2008	a) 24.05.2008 b) 01.03.2017 c) 04.01.2019	17 18 19	PSC By Promotion. By Promotion	Chief Drug Inspector Distt: DI Khan (Promoted on Acting Charge Basis)
5.	Mr. Imran Ullah Khan S/O Hakim Shah. B.Pharmacy /M.Phil	20.09.1982/ Bannu.	24.05.2008	24.05.2008	a) 24.05.2008 b) 01.03.2017 c) 04.01.2019	17 18 19	PSC By Promotion. By Promotion	In-charge Drug Testing Laboratory Peshawar. (Promoted on Acting Charge Basis)
6.	Mr. Mehtab Afsar	21.03.1982/ Abbottabad	24.05.2008	24.05.2008	a) 24.05.2008 b) 02.01.2018	17 18	PSC By Promotion.	Senior Drug Inspector Peshawar
7.	Mr. Abdul Hafeez S/O Waliullah, B.Pharmacy	02.01.1981/ Lakki Marwat	27.05.2009	27.05.2009	a) 24.05.2008 b) 02.01.2018	17 18	PSC By Promotion.	Distt: DI Khan
8.	Mr. Zakir Shah S/O Haji Hussain Muhammad, B.Pharmacy	04.10.1979/ Hangu.	27.05.2009	27.05.2009	a) 27.05.2009 b) 00.00.2019	17 18	PSC By Promotion	Deputy Director Drugs, DG DC&PS.



DIRECTORATE GENERAL DRUG CONTROL & PHARMACY SERVICES

All communication should be addressed to the Director General Drug Control & Pharmacy Service

DG Ph: +92-91-9222824

Email: directoratedcps@gmail.com

No. 120 /DGDCPS/2022

Dated the Peshawar: 02/02/2022

To

All Chief Pharmacists
Khyber Pakhtunkhwa.

Subject:

SUBMISSION OF ACR FROM 2018 TO 2021

Memo,

I am directed to inform all Chief Pharmacists (BPS-19) working in the health department Khyber Pakhtunkhwa to submit their Annual Confidential Report with effect from 2018 to 2021 positively to the undersigned without further delay.


DEPUTY DIRECTOR

Drug Control & Pharmacy Services
Khyber Pakhtunkhwa Peshawar

LIST OF CHIEFS

S.No.	Name of officer with Academic Qualification	Date with
1.	Mr. Tariq Ahmad, B.Pharmacy/DHPM	28.5 Pesh
2.	Mrs. Fakhra Mir, B.Pharmacy.	10.5 Pesh
3.	Mr. Zahid Ali Khan B. Pharmacy M.Phil	14. Mo



DIRECTORATE GENERAL DRUG CONTROL & PHARMACY SERVICES

All communication should be addressed to the Director General Drug Control & Pharmacy Service

DG Ph: +92-91-9222824

No. 269 /DGDCPS/2022

Email: directoratedcps@gmail.com

Dated the Peshawar: 29/03/2022

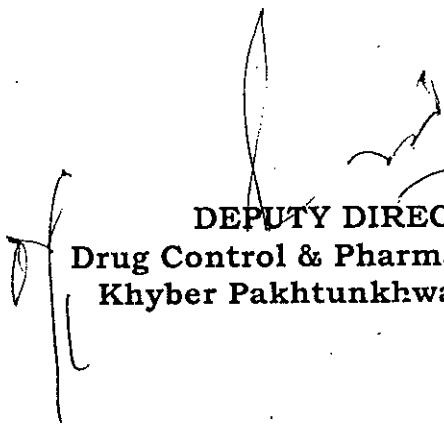
To

All Senior Pharmacist
Khyber Pakhtunkhwa.

Subject: SUBMISSION OF ACR FROM 2018 TO 2021

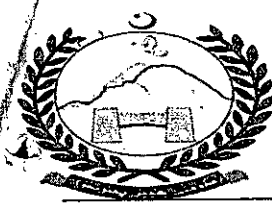
Memo:

I am directed to inform all Senior Pharmacists (BPS-18) working in the health department Khyber Pakhtunkhwa to submit their Annual Confidential Report with effect from 2018 to 2021 positively to the undersigned without further delay.


DEPUTY DIRECTOR
Drug Control & Pharmacy Services
Khyber Pakhtunkhwa Peshawar

LIST OF SENIOR PHARMACISTS (BPS-18) AS STOOD ON 01/01/2022

S. No	Name of officer with Academic Qualification	Date of Birth with Domicile	Date of 1 st Entry into Govt. service	Regular Appointment /Promotion to Present post.			Present Posting
				Date	BPS	Method of Recruitment	
1	Miss Naila Begum, B.Pharmacy	11.09.1962/	02.11.1994	a)02.11.1994 b)14.11.2017	17 18	PSC By promotion	DTL Peshawar.
2	Mr. Naseer Ahmad, B.Pharmacy	28.03.1968/ Peshawar	05.06.1999	a)05.06.1999 b)14.11.2017	17 18	PSC By promotion	Section Officer (Drugs) Health Deptt.
3	Mr. Muhammad Ibrahim S/O Abdul Munim B. Pharmacy/M.Phil	16-04-1978 Mardan	25.10.2003	a)25.10.2003 b)14.11.2017	17 18	PSC By promotion	Deputy Secretary (Drugs) Health Department.
4	Mr. Abdur Rashid Khan S/O Janan Shah B.Pharmacy	13.03.1963/ Bannu	01.07.2001	a)01.07.2001 b)27.12.2017	17 18	Act 2005 By promotion	Senior Drug Inspector District Bannu
5	Dr. Inam-ul-Haq S/O Siraj-ul-Haq, B.Pharmacy/Ph.D.	10.02.1982/ Malakand	01.03.2008	a)01.03.2008 b)10.10.2018	17 18	PSC. Promotion	Deputy Director DGDC & PS Khyber Pakhtunkhwa



Directorate General Drug Control & Pharmacy Services

REMINDER

Ref: No DG DC&PS/58

Dated Peshawar the, March 21, 2022

To,

1. Mr. Tariq Ahmad, Principal Pharmacist Service Hospital Peshawar
2. Mr. Zahid Ali Khan, Additional Director Pharmacy Services, DG, DC & PS
3. Mr. Naila Bashir Senior Govt. analyst DTL Peshawar
4. Mr. Naseer Ahmad, Section officer, Health Department
5. Mr. Muhammad Ibrahim, Deputy Secretary (Drugs), Health Department
6. Mr. Abdur Rasheed, Senior Drug Inspector, DI Khan

Subject: **Submission of ACR/PER from 2018- 2021**

In continuation of this directorate letter No. 120/DGDCPS/2022 dated the Peshawar 02/02/2022 on subject cited above.

You are once again directed to submit your ACR/PER for the years 2018-2021 without any further delay for the promotion cases.


Director General

Drug Control & Pharmacy Services
Khyber Pakhtunkhwa

Copy for information,

1. PS to Secretary Health Department Govt of Khyber Pakhtunkhwa
2. Section officer, E-III, Health Department
3. Personnel file of the officer


Director General

Drug Control & Pharmacy Services
Khyber Pakhtunkhwa



Directorate General Drug Control & Pharmacy Services

REMINDER

Ref: No DG DC&PS/57

Dated Peshawar the, March 21, 2022

To,

1. Mr. Yunas Khattak Chief Drug Inspector Peshawar
2. Dr. Abbas Khan Chief Drug Inspector KP, DG, DC & PS
3. Mr. Tayyab Abbas Chief Pharmacist Service Hospital Peshawar
4. Mr. Aurganzeb Khan, Chief Drug Inspector Bannu
5. Mr. Imran Ullah, Incharge DTL Peshawar
6. Mr. Mehtab Afsar, Senior Drug Inspector Peshawar
7. Mr. Zakir Shah, Deputy Director DG, DC & PS
8. Mr. Abdul Hafeez, Senior Drug Inspector, District Bannu

Subject: Submission of ACR/PER from 2018- 2021

In continuation of this directorate letter No. 121/DGDCPS/2022 dated the Peshawar 02/02/2022 on subject cited above.

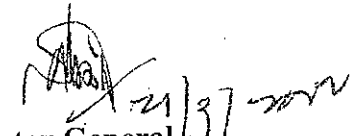
You are once again directed to submit your ACR/PER for the years 2018-2021 without any further delay for the promotion cases.


Director General

Drug Control & Pharmacy Services
Khyber Pakhtunkhwa

Copy for information,

1. PS to Secretary Health Department Govt of Khyber Pakhtunkhwa
2. Section officer, E-III, Health Department
3. Personnel file of the officer


Director General

Drug Control & Pharmacy Services
Khyber Pakhtunkhwa



DIRECTORATE GENERAL DRUG CONTROL & PHARMACY SERVICES.

All communication should be addressed to the Director General Drug Control & Pharmacy Services
DG Phone: +92-91-9222824 No. 785-88/DGDCPS/2022
Email: directoratedcps@gmail.com Dated the Peshawar: 15/7/2022

To

Mr. Tayyab Abbas
Chief Drug Inspector (BPS-19)/Currently working as Chief Pharmacist
Services Hospital Peshawar.

Subject: **EXPLANATION**


Reference this Directorate Letter No. 121/DGDC &PS/2022 dated 01/03/2022 and subsequent reminder No. DGDC&PS/57 dated 21-03-2022.

Whereas this Directorate informed you to submit ACR/PERs for the years 2018 to 2021 which is required for promotion but still yet you failed to submit ACR/PERs to this Directorate till date.

Whereas non submission of ACR/ PER under section. 2(I) (VII) of E&D Rules 2011 define it misconduct.

You are directed to explain your position within 15 days after receipt of this explanation otherwise disciplinary proceeding will be initiated against you under E&D rules 2011.

n/c


DIRECTOR GENERAL,
Drug Control & Pharmacy Service
Khyber Pakhtunkhwa Peshawar

Cc:

1. PS to Secretary Health Govt; of KP, Peshawar.
2. Section Officer (H-III) Govt, of KP Peshawar.
3. Officer Concerned.

**DIRECTORATE GENERAL DRUG CONTROL
& PHARMACY SERVICES**

All communication should be addressed to the Director General Drug Control & Pharmacy Service

DG Ph: +92-91-9222824

No. 437 /DGDCPS/2022

Email: directoratedcps@gmail.com

Dated the Peshawar: 10/05/2022

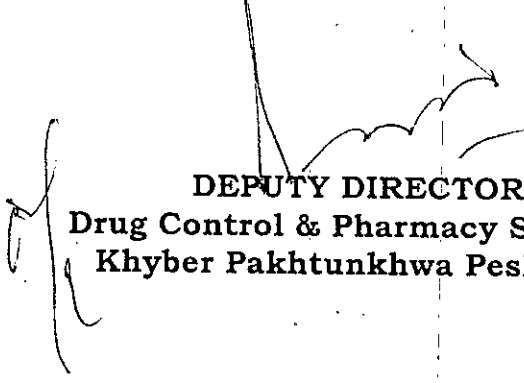
To

All Provincial Drug Inspector
Khyber Pakhtunkhwa

Subject: **SUBMISSION OF ACR FROM 2018 TO 2021**

Memo,

I am directed to inform all Provincial Drug Inspector (BPS-17) working in the health department Khyber Pakhtunkhwa to submit their Annual Confidential Report with effect from 2018 to 2021 positively to the undersigned without further delay.


**DEPUTY DIRECTOR
Drug Control & Pharmacy Services
Khyber Pakhtunkhwa Peshawar**

WORKING PAPER FOR PROVINCIAL SELECTION BOARD

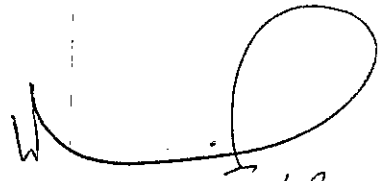
Department

Health

1. Nomenclature of the post / Basic Chief Drug Inspectors (BS-19)
2. Service/Group/Cadre. Provincial Cadre of Drug Inspectors
3. Sanctioned strength of the Cadre 08

	Direct	Promotion	Transfer
4. (i) Percentage of share	-	100%	-
(ii) No. of posts allocated to each category.	-	08	-
(iii) Present occupancy position	-	02 (Regular)	-
(iv) No. of vacancies in each category.	-	06	-

- (v) How did the vacancy (ies) under Promotion quota accrued and Since when? One post of Chief Drug Inspector (BS-19) is vacant due to retirement (**Annexure-I**). 05 post of Chief Drug Inspector (BS-19) were occupied on appointment on acting Charge basis (**Annexure-II**). Now the officers concerned have completed their requisite 12 years length of service and they are eligible for regular promotion.
- (vi) Recruitment Rules. By promotion on the basis of seniority cum-fitness, from amongst Senior Drug Inspectors with 12 years' service in BS-17 & above (**Annexure-III**).
- (vii) Required length of services. 12 years as per service rules.
- (viii) Whether to be promoted on regular basis or appointed on acting charge basis? On Regular Basis.
- (ix) Mandatory training, if any. Not applicable
- (x) Minimum required score on EI. (60)

Signature  _____
 Designation Secretary Health
 Date _____

S #	Seniority No.	Name of officer with qualification	Date of Birth	Date Entry Govt
1	1	Mr.Muhammad Younas Khattak , B.Pharmacy	04.03.1973	24.05.2
2	2	Dr.Abbas Khan, B.Pharmacy/M.Phil/ PhD/LLB	28.08.1977	24.05.2
3	3	Mr.Muhammad Tayyab Abbas , B.Pharmacy/ M.Phil	25.05.1971	24.05.2
4	4	Mr.Aurangzeb Khan, P.Pharmacy	03.03.1978	24.05.2
5	5	Mr.Imran Ullah Khan, B Pharmacy/M.Phil .	20.09.1982	24.05.2
6	6	Mr.Mehtab Afsar,B.Pharmacy	03.03.1978	24.05.2

- (1) . Certified that the officers included in the panel are eligible in all.
- (2) . Also certified that no disciplinary action / proceeding or criminal any of the officers included in the panel as per report of the DGI
- (3) Certified that the officers concerned are fit for promotion.

PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD

in respect of MR. MUHAMMAD TAYYAB ABBAS, BS-17 Personnel No.

Domicile: Peshawar		Service/Group: Health Durg Inspector Cadre		Sen. No: 03				
Education Qualification B. Pharmacy/M. Phil		Date of Birth 25.05.1971		Date of Superannuation 24.05.2031				
SERVICE PARTICULARS								
Date of joining/ Service	Date of Promotion in			Length of service				Eligibility for consi- deration
	Present scale	Lower rank		Total		In present scale		
				Year	Month	Year	Month	
24.05.08 (BS-17)	20.03.17 BS-18	Drug Inspector	BS-17	13	07	05	-	Yes
Important Appointments held in the present Rank/Post								
1	Senior Drug Inspector, Mardan							
2								
3								
Penalties (if any):								
Training course (other than mandatory training):								
		Number of PERs				Adverse Report /Remarks in		
Basic Scale	Outstanding	Very Good	Good	Average	Below Average			
BS-17	-	04	05	-	-			
BS-18	-	-	-	-	-			
Awaited Report (PERs)				Additional Information (if any)				
2018, 2019, 2020, 2021				---				
EFFICIENCY INDEX								
Required Threshold		Score of PERs + Training Reports		Marks awarded by PSB		Total		
60								
Recommendations of PSB								
Promoted		Deferred			Superseded			

Prepared by

Checked by

Section Officer-III
Health Department
Khyber Pakhtunkhwa

PSB-IV

**PER GRADING AND QUATIFICATION FORM IN RESPECT OF MR.M.TAYYAB ABBAS, SENIOR DRUG INSPECTOR (BS-18)
FOR REGULAR PROMOTION TO BS-19**

Year	Period Per		Pen Picture		PERs Assessment	Fitness for promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
Present Scale (BS-17)							
2008	24/5/08	31/12/08	Regular, obeint and professional officer.	Agreed	V.Good	Fit	4.67
2009	1/1/09	31/12/09	Regular, obedient and a professional officer.	Agreed	V.Good	Fit	08
2010	1/1/10	31/12/10	Regular, obedient hard working and devoted officer.	Agreed	V.Good	Fit	08
2011	1/1/11	31/12/11	Straightforward and dependable person.	Agreed	Good	Fit	07
2012	1/1/12	31/12/12	Straightforward.	Agreed	Good	Fit	07
2013	1/1/13	31/12/13	Upright.	Agreed	Good	Fit	07
2014	1/1/14	31/12/14	Straightforward.	Agreed	V.Good	Fit	08
2015	1/1/15	31/12/15	Straightforward.	Agreed	Good	Fit	07
2016	1/1/16	31/12/16	Upright.	Agreed	Good	Fit	07
Present Scale (BS-18)							
2017	1/1/17	31/12/17	Hard working and professionally sound.	Agrees	V.Good	Fit	08
2018	1/1/18	31/12/18	NOT RECEIVED				
2019	1/1/19	31/12/19	NOT RECEIVED				
2020	1/1/20	31/12/20	NOT RECEIVED				
2021	1/1/21	31/12/21	NOT RECEIVED				

COMPEREHNSIVE EFFICIENCY INDEX.

PERs Quantified Score 60: 70 @ 100 %	Basic Scale	Aggregate Score	Weightage Factor	Points Obtained
	Present Scale			
	Previous Scale			
	(i) Additions			
	(ii) Deletions			
	Total (A)			

Director General
Drug Control & Pharmacy Services
Health Department
Muzaffargarh

Amex-8



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT**

No. SO(PSB)ED/ 1-25/2022/(21)
Dated Peshawar, the 16.11.2022

To

1. The Additional Chief Secretary,
Government of Khyber Pakhtunkhwa,
Planning & Development Department.
2. The Senior Member, Board of Revenue,
Khyber Pakhtunkhwa.

SUBJECT: - MEETING OF THE PROVINCIAL SELECTION BOARD.

Dear Sir,

I am directed to refer to the subject and to say that meeting of Provincial Selection Board will be held on 18th November 2022 at 10:00 AM under the chairmanship of Chief Secretary, Khyber Pakhtunkhwa in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa. Agenda of the meeting alongwith working papers will be provided subsequently.

2. You are requested to kindly make it convenient to attend the meeting.

Yours faithfully,

SECTION OFFICER (PSE)

Encl. As above

Endst. of even No. & date.

A copy is forwarded to: -

1. The P.S to Chief Secretary, Khyber Pakhtunkhwa.
2. The P.S to Secretary Establishment Department.
3. The P.S to Special Secretary (Reg.) Establishment Department

SECTION OFFICER (PSE)

P.T.O

AGENDA OF THE FSD MEETING

ITEM#	DESCRIPTION OF CASE	PANEL	POSTS	DEPARTMENT
1.	Promotion of Senior Private Secretary BS-18 to the post of Additional Private Secretary BS-19.	04	02	Establishment
2.	Promotion of Private Secretary BS-17 to the post of Senior Private Secretary BS-18.	06	04 02 clear 02 resultant	Establishment
3.	Promotion of Superintendent BS-17 to PMS-BS-17	91	04	Establishment
4.	Promotion of Assistant Director BS-17 to the post of Deputy Director / Assistant Director (Senior) BS-18	18	20	Local Govt
5.	Promotion of Deputy Director BS-18 to the post of Director BS-19.	04	03	Sports
6.	Promotion of Senior Instructor BS-17 to Vice Principal/Principal BS-18 in Industries, Commerce & Technical Education Department	21	29	Industries
7.	Promotion of Assistant Director Labor BS-17 to the post of Deputy Director Labor BS-18/Deputy Director Labor BS-18.	04	02	Labor
8.	Promotion of Civil Defense officer BS-17 to the post of Deputy Director BS-18 in relief, Rehabilitation & Settlement department	02	02	Relief
9.	Promotion of Superintending Engineer BS-19 to the post of Chief Engineer BS-20 C & W department.	09	03	C & W
10.	Promotion of Executive Engineer BS-18 to the post of Superintending Engineer BS-19 on regular basis	02	01	C & W
11.	Promotion of Deputy Directors NTFP BS-18 to the post of Director NTFP BS-19 in the Directorate of Non-Timber Forest Products Forest Department Khyber Pakhtunkhwa.	02	01	Environment
12.	Promotion of Wood Seasoning & Preservation officer BS-18 to the post of Director Forest Products.	02	01	Environment
13.	Promotion of Silviculturist (silva) BS-17 to the post of Central Silviculturist BS-18 in PFI.	01	01	Environment
14.	Promotion of Deputy Inspector of Mines BS-19 to the post of Chief Inspector of Mines BS-20 on regular basis.	02	01	Mineral
15.	Promotion of Senior Mineral Processing Engineer BS-18 to the post of Principal Research Officer BS-19.	01	01	Mineral
16.	Promotion of Chief Draftsman BS-17 to the post of Deputy Director (Survey & Drawing) BS-18 in Directorate General of Mines & Minerals Khyber Pakhtunkhwa.	01	01	Mineral
17.	Promotion of Executive Engineers BS-18 to the posts of Superintending Engineers BS-19 in Public Health Engineering Department.	08	03	PHE

AGENDA OF THE PSB MEETING TO BE HELD ON 18.11.2022 AT 10:00 AM

ITEM#	DESCRIPTION OF CASE	PANEL	POSTS	DEPARTMENT
18.	Promotion of Assistant Engineers/SDOs BS-17 to the post of Technical officers/ Deputy Director (M&E) (BS-18) in Public Health Engineering Department	02	01	PHE
19.	Promotion Assistant Engineers BS-17 to the post of Executive Engineer BS-18 in PHE department	03	02 (Resultant)	PHE
20.	Promotion of Principal/Senior Subject Specialist BS-18 to the post of Principal BS-19 (male) Teaching Cadre.	90	70	E&SE
21.	Promotion of Principal/Senior Subject Specialist BS-18 to the post of Principal BS-19 (female) Teaching Cadre..	23	15	E&SE
22.	Promotion of SDEO/Assistant Director BS-17 to the post of DDEO/Deputy Director BS-18 (female) Management Cadre on ACB in E & SE Department	36	15	E&SE
23.	Promotion of Head Master/Subject Specialist BS-17 to the post of Principal/Senior Subject Specialist BS-18 Teaching Cadre (Male) in E & SE Department	350	264	E&SE
24.	Promotion of SDEO/Assistant Director BS-17 to the post of DDEO/Deputy Director BS-18 (male) Management Cadre in E & SE Department	28	14	E&SE
25.	Promotion of Associate Professor BS-19 Male to the post of Professor BS-20 of college cadre.	124	86	HED
26.	Promotion of Associate Professor BS-19 to the post of Professor/Principal BS-20 in GCMS/GCCs	20	16	HED
27.	Promotion of Assistant Professor BS-18 Male to the post of Associate Professor BS-19 in GCMS/GCCs.	75	49	HED
28.	Promotion of Assistant Professor BS-18 (Female) to the post of Associate Professor BS-19 in GCMS/GCCs.	08	11	HED
29.	Promotion of Lecturer BS-17 (Female) to the post of Assistant Professor BS-18 in GCMS/GCCs.	18	16	HED
30.	Promotion of Lecturers BS-17 to the posts of Male Assistant Professors BS-18 in GCMS/GCCs.	86	62	HED
31.	Promotion of BS-19 officers to BS-20 in the office of Directorate General, (extension) Livestock & Dairy Development.	03	01	Agriculture
32.	Promotion of Director Fisheries / Additional Director Fisheries BS-19 to the post of director general fisheries / senior director fisheries BS-20	03	02	Agriculture
33.	Promotion of BS-18 officers to BS-19 of Livestock & Dairy Development Department (Extension wing)	02	01	Agriculture
34.	Promotion of BS-18 officers to BS-19 in Agricultural Engineering wing of Agriculture Department Khyber Pakhtunkhwa.	02	03	Agriculture

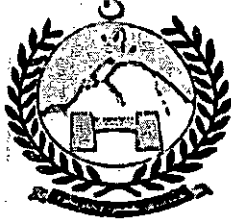
AGENDA OF THE PSB MEETING TO BE HELD ON 18.11.2022 AT 10:00 AM

ITEM#	DESCRIPTION OF CASE	PANEL	POSTS	DEPARTMENT
35.	Promotion of District officer BS-18 to the post of Director BS-19 Soil and Water Conservation Khyber Pakhtunkhwa	02	01	Agriculture
36.	Promotion of BS-17 officers to BS-18 of Agriculture Research Department.	18	11	Agriculture
37.	Promotion of Research officer BS-17 to the post of Senior Research officer BS-18 Directorate General (Research) Livestock & Dairy Development Department Khyber Pakhtunkhwa	10	05	Agriculture
38.	Promotion of BS-17 officers to the post of BS-18 in Livestock and Dairy Development	05	01	Agriculture
39.	Promotion of BS-17 officers to BS-18 of On Farm Water Management of Agriculture Department.	23	11 R 01 acb	Agriculture
40.	Promotion of Assistant Director Fisheries BS-17 to the post of Deputy Director Fisheries BS-18 on regular basis.	09	05	Agriculture
41.	Promotion of Senior District Specialist ENT BS-19 to the post of Chief District Specialist ENT BS-20 in Health Department.	03	02 04	Health
42.	Promotion of Chief Pharmacist BS-19 to the post of Principal Pharmacist BS-20 in Health Department.	02	03	Health
43.	Promotion of Assistant Professor Gynecology/OBS BS-18 to the post of Associate Professor Gynecology/OBS BS-19 in SMC Swat	02	02	Health
44.	Promotion of Assistant Professor Paeds BS-18 to the post of Associate Professor Paeds BS-19	01	01	Health
45.	Promotion of Assistant Professor Medicine BS-18 to the post of Associate Professor Medicine BS-19 in SMC.	03	01	Health
46.	Promotion of Senior Pharmacist BS-18 to the post of Chief Pharmacist BS-19.	03	04	Health
47.	Promotion of Senior Drug Inspector BS-18 to the post of Chief Drug Inspector BS-19	06	01	Health
48.	Promotion of District Specialist Eye BS-18 to the post Senior District Specialist Eye BS-19 in Health Department.	10	03	Health
49.	Promotion of District Specialist ENT BS-18 to the post of Senior District Specialist BS-19 in Health department.	08	04	Health
50.	Promotion of Senior Registrar Nephrology BS-18 to the post of Assistant Professor Nephrology BS-19 in Mian Gul Abdul Haq Jehanzeb Kidney Hospital Swat.	01	01	Health
51.	Promotion of Senior Registrar Plastic Surgery BS-18 to the post of Assistant Professor Plastic Surgery BS-19	01	01	Health
COURT CASES				
52.	Performa Appraisal as PMS BS-18 in compliance with the Khyber Pakhtunkhwa Service Rules of Judgement dated 27.07.2021	01	01	Establishment
53.	Promotion in respect of Mr. Riaz Ahmad Administrative Officer BS-17 to the post of	02	01	Sports

AGENDA OF THE PSB MEETING TO BE HELD ON 18.11.2022 AT 10:00 AM

ITEM#	DESCRIPTION OF CASE	PANEL	POSTS	DEPARTMENT
	Deputy Director BS-18 on regular basis. (Court case)			
54.	Grant of Proforma Promotion to Muhammad Tariq, Ex DFO BS-18 to the post of Conservator of Forest BS-19 on regular basis in Forest Department Khyber Pakhtunkhwa.	01	01	Environment
55.	Promotion in respect of Mr. Noorani Shah BS-17 Head Master E & SE Department from BS-17 to BS-18 Male Teaching Cadre on regular basis (Court Case)	01	01	E & SE
56.	Promotion of Deputy Prosecutors BS-18 to the post of Senior Public Prosecutors BS-19 on acting charge basis. (Court Case)	06	07	Home

Annex - B.C



**GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Dated the Peshawar 30th June, 2022

NOTIFICATION.

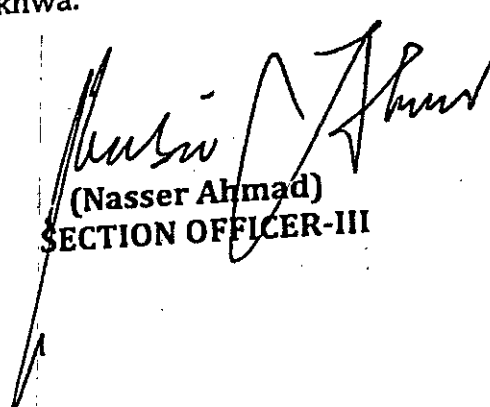
No. SOH-III/10-4/2022. In pursuance of sub-section (5) of Section (6) of the Khyber Pakhtunkhwa Civil Servants Act-1973 and Establishment Department's circular letter No. SOR-I(E&AD)3-15/88(Vol-I), dated: 09-05-2002, the Competent Authority is pleased to notify the Final Seniority Lists of Chief Pharmacists (BS-19), Senior Pharmacists (BS-18), Chief Drug Inspectors (BS-19), Senior Drug Inspectors (BS-18) and Drug Analysts (BS-18) in Health Department as stood on 01-01-2022 for information of all concerned.

Secretary to Govt. of Khyber Pakhtunkhwa,
Health Department

Endst No. of even No and Date.

Copy forwarded to the:-

1. The Director General, Drug Control & Pharmacy Services, Khyber Pakhtunkhwa, Peshawar with the directions to circulate the same amongst all incumbents.
2. PS to Secretary Health, Khyber Pakhtunkhwa.
3. PS to Special Secretary Health, Khyber Pakhtunkhwa.
4. PA to Additional Secretary (E) Health, Khyber Pakhtunkhwa.
5. Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
6. Officers concerned.


(Nasser Ahmad)
SECTION OFFICER-III

Annex- D

DIRECTORATE GENERAL DRUG CONTROL & PHARMACY SERVICES

All communication should be addressed to the Director General Drug Control & Pharmacy Services

DG Ph: +92-91-9222824

No. 115-200/DGDCPS/2021

Email: directoratedcps@gmail.com

Dated the Peshawar: 22/01/2021

To

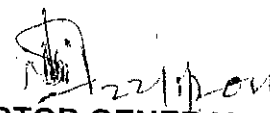
1. Secretary to Govt: of Khyber Pakhtunkhwa Health Department
2. Director General Health Services Khyber Pakhtunkhwa
3. All Principals, Medical Colleges in Khyber Pakhtunkhwa
4. All District Health Officers in Khyber Pakhtunkhwa
5. All Medical Superintendents DHQ Hospitals in Khyber Pakhtunkhwa
6. All Hospital Directors, MTI in Khyber Pakhtunkhwa
7. Director Drug Testing Laboratory Khyber Pakhtunkhwa Peshawar
8. Deputy Secretary (Drug) Health Secretariat
9. All Chief Drug Inspector/Senior Drug Inspectors/Provincial Drug Inspectors in Khyber Pakhtunkhwa.

Subject:

PROVISIONAL SENIORITY LISTS OF PHARMACISTS, DRUG INSEPECTORS, DRUGS ANALYLISTS, AND CHEMISTS IN THE HEALTH DEPARTMENT FOR THE YEAR 2021.

Sir,

Provisional Seniority lists of Principal Pharmacists (BS-20) Chief Pharmacists (BS-19) Senior Pharmacists (BS-18) Pharmacists (BS-17), Chief Drug Inspectors (BS-19) Senior Drugs Inspectors (BS-18) Drugs Inspectors (BS-17), Chief Drug Analyst (BS-20), Senior Drug Analyst (BS-19), Drug Analysts (BS-18), Chemists (BS-17) serving in the Health Department, Khyber Pakhtunkhwa, prepared by this Directorate are sent herewith (these lists are available at official website of the Health Department. www.healthkpk.gov.pk) and this Directorate official website www.dghskp.gov.pk for the purpose of circulation amongst all Officers serving under your control for their information and confirmation about correctness of the entries given in the lists. In case of any objection with regard to the contents of the seniority lists, the same may please be communicated to this Directorate for reconsideration and rectification within One month after the receipt of this communication please.


DIRECTOR GENERAL
Drug Control & Pharmacy Services
Khyber Pakhtunkhwa Peshawar

21/01/2021

No. _____/DGDCPS/2021

Copy forwarded to the:

Director IT Health Department Khyber Pakhtunkhwa with the request to upload these Seniority lists on official website of Health Department please.

DIRECTOR GENERAL
Drug Control & Pharmacy Services

Cr. Misc. (COC) No. 243-0/2022

With

CM No. 1535-P/2022 (M)

in

WP No. 1560-P/2022 (D)

JUDGMENT

Date of hearing : 29.09.2022.

Petitioners
(S:M Azad Halmi & another) : By Mr. Noor Muhammad Khattak,
Advocate.

Respondent(s) : By Syed Sikandar Hayat Shah,
AAG.


QAISER RASHID KHAN, CJ.- Through the present COC, the petitioners seek the implementation of the judgment of this court dated 29.04.2022 in WP No.1560-P/2022, whereby, the case of the petitioners was sent to the worthy Chief Secretary, KPK to examine the validity of appointment / posting of Director General Drug Control & Pharmacy Services, KPK against newly created post within a period of one month from the date of receipt of the order positively, after providing the petitioners an opportunity of hearing.

2. In the morning, when we took up this petition for hearing, we asked the learned AAG to let us know as to why the court's directions have not as yet been complied with. He sought time to consult the matter with the concerned quarter.


After a while, when we have again taken up this petition for hearing, the learned AAG has produced a copy of letter dated 28th September, 2022 (placed on file), whereby, pursuant to the directions of this court, the petitioners have been afforded an opportunity of personal hearing. The learned counsel for the petitioners expresses his satisfaction over the same.

3. As such, this petition having achieved its object stands disposed of accordingly.

Announced.
Dated: 29.09.2022.



CHIEF JUSTICE



JUDGE