


S.A No. 7671/2021

08th May, 2023

01 Mr. Noor Muhammad Khattak, Advocate for appellant present.
Mr. Fazal Shah Mohmand, Additional Advocate General for the
respondents present. Arguments heard and record perused.

02. Vide our detailed judgment consisting of 05 pages in
connected Service Appeal No. 7817/2021, titled "Dr. Zia-ur-
Rehman Vs. the Chief Secretary, Khyber Pakhtunkhwa, Peshawar
and two others", the appeal in hand is dismissed. Costs shall follow
the event. Consign.

03. *Pronounced in open court in Peshawar and given under our
hands and seal of the Tribunal this 08th day of May, 2023.*


(FAREEHA PAUL)
Member (E)


(KALIM ARSHAD KHAN)
Chairman

Fazle Subhan PS

05th May, 2023

1. Learned Counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Adjournment request has been made by the learned counsel for the appellant who was given option to fix the date of his own choice. Adjourned to 08.05.2023 for arguments before D.B. P.P given to the parties.

SCANNED
KPST
Peshawar



(Salah Ud Din)
Member (J)



(Kalim Arshad Khan)
Chairman

Kaleem Ullah

18th April, 2023 1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

2. Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. Adjourned. To come up on 03.05.2023 before D.B. P.P given to the parties.

(Fareeha Paul)
Member (E)

(Kalim Arshad Khan)
Chairman

Adnan Shah, P.A

03rd May, 2023

1. Junior of learned counsel for the appellant. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents.

2. Junior of learned counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is out of station today. Last chance is given to the appellant and his counsel to argue the appeal on 05.05.2023 before the D.B. In case of failure of the appellant or his counsel to advance arguments on 05.05.2023, the suspension order, granted on 02.11.2021 and extended from time to time shall be deemed to have been vacated. Parcha Peshi is given to the parties.

(Salah-ud-Din)
Member (J)

(Kalim Arshad Khan)
Chairman

Nasim Amin

SCANNED
KFST
Peshawar


30th March, 2023

Mr. Kamran Khan, Advocate for the appellant present.

Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant seeks adjournment for preparation for arguments. Adjourned. To come up for arguments on 31.03.2023 before the D.B. Parcha Peshi given to the parties.


(Salah-ud-Din)
Member (J)

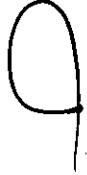

(Kalim Arshad Khan)
Chairman

31st Mar, 2023

Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Addl: AG for the respondents present.

Learned counsel for the appellant seeks adjournment. To come up for arguments on 18.04.2023 before D.B. P.P given to the parties.


(Salah Ud Din)
Member (Judicial)


(Kalim Arshad Khan)
Chairman

SCANNED
KPBT
Peshawar


08.11.2022


Clerk of counsel for the appellant present.

Muhammad Adeel Butt learned Additional Advocate General for the respondents present.

Former requested for adjournment on the ground that learned counsel for the appellant is busy in hon'ble Peshawar High Court. Adjourned. To come up for arguments on 30.11.2022 before D.B.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

30/11/22

deleted from list to come
up on 23-2-23


Reader

23.02.2023

Bench is incomplete, therefore, the case is adjourned to

22.03.2023 for the same as before.



Reader

22.03.2023

Learned counsel for appellant present.

Mr. Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Learned Member Judicial (Mrs. Rozina Rehman) is on leave, therefore, case is adjourned to 30.03.2023 for arguments before D.B. Parcha Peshi given to the parties.

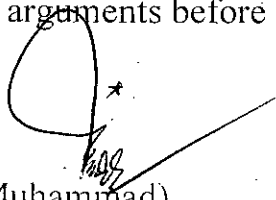

(Muhammad Akbar Khan)
Member (E)


SCANNED
KPST
Peshawar

14.10.2022

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

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of the lawyers. Adjourned. To come up for arguments before the D.B on 26.10.2022.

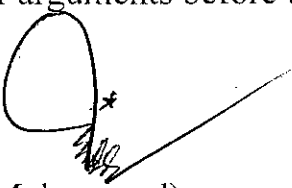

(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

26.10.2022

Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments before the D.B on 08.11.2022.


(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)


SCANNED
KPST
Peshawar

22.07.2022

Counsel for appellant present.

Mr. Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

Learned counsel for appellant made a request for adjournment in order to prepare the brief of the case. Adjourned. To come up for arguments on 22.08.2022 before D.B.


(Fareeha Paul)
Member (E)


(Rozina Rehman)
Member (J)

22.08.2022

Junior of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy before the Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 16.09.2022 before the D.B.


(Rozina Rehman)
Member(J)



(Salah-Ud-Din)
Member(J)

16.09.2022

Junior to counsel for the appellant.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

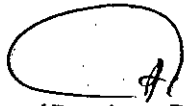
Arguments could not be heard as learned Member Executive (Miss. Fareeha Paul) is on leave. Therefore, case is adjourned to 14.10.2022 for arguments before D.B.


(Rozina Rehman)
Member (J)

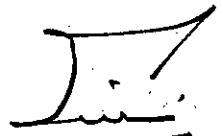
26.04.2022

Appellant alongwith his counsel present. Mr. Safi Ullah, Focal Person and Mr. Faheem Ullah, Litigation Officer alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he has not made preparation for arguments today. Adjourned. To come up for arguments on 18.05.2022 before the D.B. Operation of impugned order shall remain suspended till the date fixed.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

18.05.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, learned. Additional Advocate General for respondents present.

Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 10.06.2022 before the D.B. Operation of impugned order shall remain suspended till the date fixed.



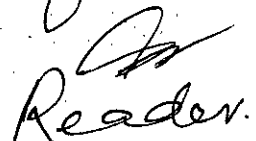
(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

10.06.2022

Bench is incomplete, case is adjourned to 22.07.2022 for the same as before


Reader.

01.04.2022

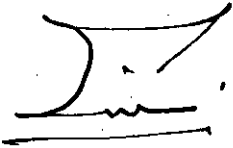
Junior of learned counsel for the appellant present.

Mr. Jaffar Ali Assistant alongwith Asif Masood Ali Shah, learned Deputy District Attorney for the respondents present.

Comments submitted on behalf of respondents, copy of the same handed over to junior of the learned counsel for the appellant who requested for adjournment. Adjourned. To come up for rejoinder, if any, as well as arguments on 14.04.2022 before the D.B. Operation of the impugned order shall remain suspended till the date fixed.



(Rozina Rehman)
Member (J)

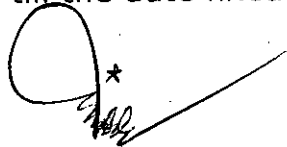


(Salah-Ud-Din)
Member (J)

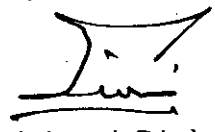
14.04.2022

Appellant alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested that time may be granted to him for submission of rejoinder. Adjourned. To come up for rejoinder as well as arguments on 26.04.2022 before the D.B. Operation of the impugned order shall remain suspended till the date fixed.



(Mian Muhammad)
Member (E)




(Salah-ud-Din)
Member (J)



20.01.2022

Clerk of counsel for the appellant present. Mr. Muhammad Riaz Khan Painsdakhel, Asstt. AG for the respondents present.

Due to general strike of the Bar, counsel for the appellant is not in attendance. Case to come up for arguments on 21.02.2022 before the D.B.


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


Chairman

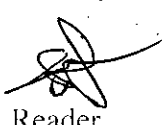
21.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 04.03.2022 for the same as before.


Reader.

04.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 01.04.2022 for the same as before.


Reader.

03.12.2021

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

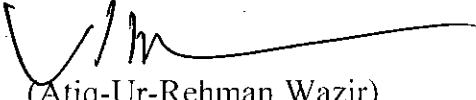
Written reply/comment on behalf of respondents not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments. Adjourned. To come up for written reply/comments on 03.01.2022 before S.B. Operation of the impugned order is suspended till next date.


(MIAN MUHAMMAD)
MEMBER (E)

03.01.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, AAG for respondents present.

Reply/comments on behalf of respondents are still awaited. Learned AAG sought time for submission of reply/comments. Last opportunity is granted to respondents to furnish reply/comments on or before next date, failing which their right to submit reply/comments shall be deemed as struck off by virtue of this order. To come up for arguments before the D.B on 20.01.2022. Operation of the impugned order is suspended till next date.


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

02.11.2021

Counsel for the appellant present. Preliminary arguments have been heard. Memorandum of appeal and the copies of record annexed there with has been perused.

According to the learned counsel for the appellant, the appellant is an officer of BS-17 (Management Cadre) and he is aggrieved of the impugned order dated 06.09.2021 whereby his earlier order dated 27.08.2021 was modified and he was relieved w.e.f 15.09.2021 to join two months training at MMC Mardan. The appellant preferred departmental appeal on 16.09.2021 on which no order of the appellate authority is arrived; hence, the instant service appeal filed in the Service Tribunal on 22.10.2021. Learned counsel for the appellant was confronted with a pertinent question regarding the order dated 27.08.2021 which is not available with the connected documents. Learned counsel for the appellant replied that it has not been communicated to the appellant and being member of management service he has already acquired the requisite qualification. It was further observed that the name of the appellant does not appear in the notification of up-gradation from BS-17 to BS-18 of Management Cadre dated 15.07.2017. He replied that the issue has been challenged through another service appeal in this Tribunal. Learned counsel for the appellant vehemently argued that valuable rights of the appellant would certainly effect if he is relieved to join the training basically meant for general cadre doctors whereas the appellant is a doctor of management cadre. The appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 03.12.2021 before the D.B.

The appeal is also accompanied by an application seeking the suspension of the impugned order dated 06.09.2021 till final decision of the appeal. Notice of said application be also given to the respondents for the date fixed. The operation of impugned order is suspended till date fixed.


(Mian Muhammad)
Member(E)

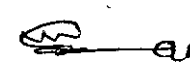

Appellate
Security & Process Fee
Deposited
2/11/21

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7671 /2021

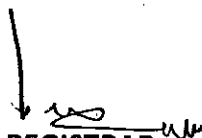
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	26/10/2021	<p>The appeal of Mr. Zia-ur-Rehman resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>02/11/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

The appeal of Dr. Zia-ur-Rehman Management Cadre M.S Category D Hospital Peshawar received today i.e. on 22.10.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Annexure-H of the appeal is illegible which may be replaced by legible/better one.

No. 2107 /S.T,

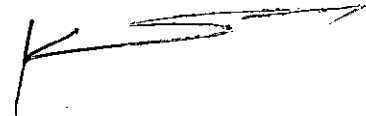
Dt. 22/10 /2021


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv.

R / Shumeth

Resubmitted after completion



KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR CHECK LIST

Case Title: Dr, ZIA UR REHMAN

V/S

HEALTH DEPTT:

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: NOOR MOHAMMAD KHATTAK	✓	
2	Whether Counsel/Appellant/Respondent/Deponents have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____		
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____		
26	Whether copies of comments/reply/rejoinder submitted? On _____		
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:

NOOR MOHAMMAD KHATTAK

Signature:

Dated:

2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. 7671 /2021

Dr, ZIA UR REHMAN V/S HEALTH DEPARTMENT

I N D E X

S.N O	DOCUMENTS	ANNEXURE	PAGE
1	Memo of appeal	1-3
2	Affidavit	4
3	Stay Application	5
4	Office order dt: 25.04.2017	A	6-7
5	Office order dt: 12.03.2020	B	8
6	Notification dt: 15.07.2021	C	9-12
7	Departmental appeal	D	13
8	Notification dt: 10.05.2017	E	14-15
9	Education testimonials	F	16-18
10	Impugned order dt: 06.09.2021	G	19
11	Departmental appeal	H	20
12	Wakalat Nama	21

Dated: _____ .10.2021

APPELLANT

Through:

NOOR MOHAMMAD KHATTAK

ADVOCATE

FLATE NO. 04, 2ND FLOOR,
JUMA KHAN PLAZA, NEAR FATA SECRETARIAT,
WARSAK ROAD, PESHAWAR

0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 7671 /2021

Diary No. 7788

Dated 22/10/2021

Dr. Zia-ur-Rehman, Management Cadre (BPS-17), Presently serving as
Medical Superintendent, Category "D" Hospital, Nahaqi, District Peshawar.

.....**APPELLANT**

VERSUS

- 1- The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary to Government of Khyber Pakhtunkhwa Health Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.

..... **RESPONDENTS**

APEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED OFFICE ORDER DATED 06-09-2021 WHEREBY THE APPELLANT HAS ILLEGALLY BEEN TRANSFERRED/RELIEVED FOR THE GENERAL CADRE COURSE IN UTTER VIOLATION OF RULES AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD.

Filed to-day
Registrar

22/10/21
PRAYER:

That on acceptance of this appeal the impugned office order dated 06.09.2021 may very kindly be set aside and the appellant may not be transferred/relieved from the post of Medical Superintendent Cat-D Hospital, Nahaqi, Peshawar. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

Registered to
and filed.
Registrar
26/10/2021

RESHEWETH:

ON FACTS:

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

- 1- That appellant while performing his duties was regularized vide office order dated 25-04-2017 in pursuance of the notification of the provincial government. Copy of the office order dated 25-04-2017 is attached as annexure..... **A.**

- 2- That during service the appellant was posted as Medical Superintendent (BPS-18) in Category "D" Hospital Nahaqi, Peshawar vide office order dated 12-03-2020. Copy of the office order dated 12-03-2020 is attached as annexure **B.**
- 3- That it is pertinent to mention here that vide notification dated 15-07-2021 all the management cadre doctors were upgraded from BPS-17 to BPS-18. Copy of the Notification dated 15-07-2021 is attached as annexure..... **C.**
- 4- That astonishingly the name of the appellant was illegally and mala fide not mentioned in the mentioned notification for his upgradation to BPS-18 and feeling aggrieved from this inaction by not enlisting the name of the appellant in the mentioned notification preferred departmental appeal/ representation vide dairy no. 11294. Copy of the departmental appeal/ representation is attached as annexure..... **D.**
- 5- That it is important to mention here that vide notification dated 10-05-2017 the provincial government amended the Khyber Pakhtunkhwa, Health (Management) Service Rules, 2008 whereby two year cushion period was given to the general cadre officers of the health department holding the post of management cadre. Copy of the notification dated 10-05-2017 is attached as annexure **E.**
- 6- That the appellant is will qualified and have obtained the requisite qualification of the management cadre. Copies of the educational testimonials are attached as annexure **F.**
- 7- The while performing his duties as the Medical Superintendent (BPS-18) in the category "D" Hospital Nahaqi, the appellant was illegally relived vide impugned order dated 06-09-2021 w-e-f 15-09-2021. Copy of the impugned order dated 06-09-2021 is attached as annexure **G.**
- 8- That appellant feeling aggrieved from the impugned order dated 06-09-2021 preferred Departmental appeal before the appellant authority but the same has not been responded/ decided till date. Copy of the Departmental appeal is attached as annexure **H.**
- 9- That the appellant having no other remedy preferred the instant service appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned order dated 06-09-2021 is against the law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.
- B- That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- C- That the impugned order dated 06-09-2021 has been issued by the respondents in arbitrary and mala fide manner, hence not tenable and liable to be set aside.
- D- That the impugned order dated 06-09-2021 is based on discrimination, favoritism and nepotism, hence not tenable in the eye of law.
- E- That vide impugned order dated 06-09-2021 the appellant has wrongly been relived for the training course of the general cadre although the appellant belongs to the management cadre, therefore the same is not tenable and liable to be set aside.
- F- That the impugned order dated 06-09-2021 is nothing but just to harass the petitioner and to accommodate his blue eyed person.
- G- That 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 be accepted as prayed for.

APPELLANT

Zia Rehman
ZIA-UR-REHMAN

THROUGH:

Noor
NOOR MOHAMMAD KHATTAK

Kamran
KAMRAN KHAN

Said
SAID KHAN

Haider
**HAIDER ALI
ADVOCATES**

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____/2021

Dr, ZIA UR REHMAN

VS

HEALTH DEPTT:

AFFIDAVIT

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



Zia Rehman
DEPONENT

CERTIFICATE:

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

Zia Rehman
CERTIFICATION

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL No. _____/2021

ZIA-UR-REHMAN VS HEALTH DEPARTMENT

APPLICATION FOR SUSPENSION OF OPERATION OF
THE IMPUGNED OFFICE ORDER DATED 06-09-2021
TILL THE DISPOSAL OF THE ABOVE MENTIONED
APPEAL

R/SHEWETH:

- 1- That the above mentioned appeal along with this application has been filed the appellant before this august service Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal against the impugned office order dated 06-09-2021 whereby the appellant has illegally been transferred/ relived from his post of management cadre.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned order dated 06-09-2021 had been issued by the respondents in utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the operation of the impugned office order dated 06-09-2021 may very kindly be suspended till the disposal of the above mentioned service appeal.

Dated: 15.10.2021

APPLICANT


ZIA-UR-REHMAN

THROUGH:

NOOR MOHAMMAD KHATTAK
ADVOCATE





**DIRECTORATE
GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

2. An appointment letter should be addressed to the Director General Health Services Peshawar and not to any official by name.
3. Med. Address: Peshawar, DGHS
4. Date: 10/10/2017

6

OFFICE ORDER.

In pursuance of Government of Khyber Pakhtunkhwa Health Department Notification NO.SO(E)II-II/3-18/2016 dated 20.04.2017, on regularization of their services as MOs/Dental Surgeons (BS-17) under Khyber Pakhtunkhwa GAVI, JICA, ADHOC & CONTRACT EMPLOYEES ACT 2016, the following Medical Officers/Dental Surgeons are hereby posted/adjusted against the vacant posts mentioned against their names in the interest of public service :

Sl #	Name with designation	Place of Posting	Remarks
01.	Dr. Bilal Bahrawar, MO BS-17.	Dy. Director Emergency Preparedness, DGHS Peshawar	Against the Vacant post in his own pay scale.
02.	Dr. Ahmed Tariq, Dental Surgeon BS-17.	Dy. Director (Non Communicable Diseases-I, DGHS Peshawar	Against the Vacant post in his own pay scale
03.	Dr. Luqman Ali, MO BS-17.	Dy. Director (PHC-I) DGHS, Peshawar.	Against the Vacant post in his own pay scale
04.	Dr. Majid Khan, Dental Surgeon BS-17.	Dy. Director Communicable Diseases-II, DGHS Peshawar.	Against the Vacant post in his own pay scale
05.	Dr. Tanveer Inam, MO BS-17.	Dy. Director MCH, DGHS Peshawar.	Against the Vacant post in his own pay scale
06.	Dr. Zia Ur Rehman, Dental Surgeon BS-17.	Dy. Director (PHC-II) DGHS, Peshawar.	Against the Vacant post in his own pay scale
07.	Dr. Makhdoom Saifdar MO BS-17.	Dy. Director Nutrition, DGHS Peshawar.	Against the Vacant post in his own pay scale
08.	Dr. Tariq Hayat Taj Dental Surgeon BS-17.	Dy. Director (Non Communicable Diseases-II, DGHS Peshawar	Against the Vacant post in his own pay scale

ATTESTED

7

Before joining the above mentioned posts, they will actualize their regularization of service against original posts of MOs/Dental Surgeons (BS-17) in the hospitals mentioned against their names:

- | | |
|--|-------------------------------|
| 1. Dr. Bilal Bahrawar MO (B-17) | DHQH Charsadda |
| 2. Dr. Ahmed Tariq Dental Surgeon (B-17) | Under control of DHO Malakand |
| 3. Dr. Luqman Ali MO (B-17) | DHQH Charsadda. |
| 4. Dr. Majid Khan Dental Surgeon (B-17) | Under control of DHO Malakand |
| 5. Dr. Tanveer Inam MO (B-17) | DHQH Charsadda |
| 6. Dr. Zia Ur Rehman Dental Surgeon (17) | Under control of DHO Malakand |
| 7. Dr. Makhdoom Saifdar MO (B-17) | DHQH Charsadda |
| 8. Dr. Tariq Hayat Taj Dental Surgeon (17) | Under control of DHO Malakand |

Sd/ X.X.X.X.
DIRECTOR GENERAL HEALTH SERVICES, K.P.K, PESHAWAR

No. 9963-15/E.I

Dated Peshawar the 28/04/2017.

Copy forwarded to the:-

- 01- Accountant General, Khyber Pakhtunkhwa Peshawar.
- 02- Additional Director General Health Services, DGHS, Peshawar.
- 03- Director HRM, DGHS Peshawar.
- 04- Director PH, DGHS Peshawar.
- 05- Director Curative Services, DGHS, Peshawar.
- 06- Director MCH, DGHS Peshawar.
- 07- Director Nutrition, DGHS, Peshawar.
- 08- DHO Malakand.
- 09- MS DHQH Charsadda.
- 10- DAO, Malakand & Charsadda.
- 11- PS to Secretary Health Govt of KP Peshawar.
- 12- PA to DGHS, Peshawar.
- 13- Doctor concerned.

For information and necessary action.

Shahins
DIRECTOR GENERAL HEALTH SERVICES, K.P.K, PESHAWAR
Musawir
28/4

ATTES/ED



ANNEXURE B 8

**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

All communications should be addressed to the Director General Health Services
Peshawar and not to any official by name. E-Mail Address: dgsh@peshawar.gov.pk
Warsak Road Kababian (Old FATA Secretariate Peshawar)

OFFICE ORDER

In pursuance of Govt. of Khyber Pakhtunkhwa Health Department Notification No. SOH(HD)E-V/2-2/2020 dated 06.03.2020, Dr. Zia-Ur-Rehman BPS-17. (Management Cadre) posted at the disposal of DGHS, Khyber Pakhtunkhwa Peshawar is hereby posted against the vacant post of Deputy Medical Superintendent (BPS-18) in Category "D" Hospital Nahaqi (District Peshawar) in his own pay scale in the best interest of public service.

Sd/xxxxxxxxxxxx
DIRECTOR GENERAL HEALTH
SERVICES, Khyber Pakhtunkhwa
PESHAWAR

No. 3714-19/E-I,

Dated Peshawar the: 12/3/2020

Copy forwarded to the:

1. Secretary to Govt. of KP Health Department.
2. Account General, Khyber Pakhtunkhwa Peshawar.
3. District Health Officer, Peshawar.
4. Medical Supdt. Category "D" Hospital Nahaqi (Peshawar).
5. PA to DGHS, KP Peshawar.
6. Doctor concerned.

For information and necessary action.

M. W. W.
Addl: DIRECTOR GENERAL (H.R.M.)
DIRECTORATE GENERAL HEALTH SERVICES,
KHYBER PAKHTUNKHWA PESHAWAR

12/3/2020

ATTESTED



ANNEXURE
Government of Khyber Pakhtunkhwa,
Health Department

9

Dated Peshawar the July 15, 2021

NOTIFICATION

NO. SOH (E-V)/M.Cadre/4-4/Up-gradation/2021 In pursuance to approval by the Competent Authority (Chief Minister, Khyber Pakhtunkhwa), on a summary, and in consultation with Establishment and Finance Departments of Khyber Pakhtunkhwa, sanction is hereby accorded to the up-gradation of the following incumbents of the posts of Member of Service (BS-17) of the Management Cadre doctors, with immediate effect:-

S/No	Nomenclature of the post	Current Posting	From	To
1.	Dr. Abdul Qayyum	DD IMU Health	BS-17	BS-18
2.	Dr. Hamid Muhammad Afridi	Deputy DHO, FR Peshawar	BS-17	BS-18
3.	Dr. Mehreen Aziz Khan	PHSA Peshawar	BS-17	BS-18
4.	Dr. Shams-Ur-Rehman	N-STOP officer/ MO at the disposal of DHO, Khyber	BS-17	BS-18
5.	Dr. Attaullah	Deputy Chief, HSRU	BS-17	BS-18
6.	Dr. Kifayatullah	N-STOP officer, Swat/ MO, THQ Maita Swat.	BS-17	BS-18
7.	Dr. Inayat ur Rehman	DHO, Kurram (Lower)	BS-17	BS-18
8.	Dr. Fahad Iqbal	DHIS Coordinator, DHO, Office, Mardan.	BS-17	BS-18
9.	Dr. Hamza Abbas Khan	DMS, DHO Mardan	BS-17	BS-18
10.	Dr. Liaqat Ali	EPI Coordinator, Swat	BS-17	BS-18
11.	Dr. Muhammad Bilal Khan	DD Public Health DGHS	BS-17	BS-18
12.	Dr. Shalma Malik	DM Aids Program	BS-17	BS-18
13.	Dr. Hafizullah Khan	Provincial N-STOP officer	BS-17	BS-18
14.	Dr. Shabnum Khawas	EOC, Peshawar	BS-17	BS-18
15.	Dr. Muhammad Hayat	DHO, Mohmand	BS-17	BS-18
16.	Dr. Fazal Qayum	MO, THQ Hospital Samarbagh Lower Dir	BS-17	BS-18
17.	Dr. Pir Zada	Coordinator EPI, Kohistan	BS-17	BS-18

Section Officer (SV)
Health Department
Khyber Pakhtunkhwa

ATTESTED

10

18.	Dr. Muhammad Sohail Farooqi	DD Public Health DGHS	BS-17	BS-18
19.	Dr. Faisal Malik	MO, HMC MTI	BS-17	BS-18
20.	Dr. Shumolla Malik	WMO, Molvi Jee Hosp: Peshawar.	BS-17	BS-18
21.	Dr. Bilal Bahrawar	PM IDSR DGHS	BS-17	BS-18
22.	Dr. Makhdoom Saifdar	DD EPI, DGHS Office, Peshawar	BS-17	BS-18
23.	Dr. Tanveer Inam	DD MCH, DGHS Office, Peshawar	BS-17	BS-18
24.	Dr. Tanq Hayat Taj	Waiting for posting	BS-17	BS-18
25.	Dr. Majid Khan	N-STOP officer, Kohat	BS-17	BS-18
26.	Dr. Saira Jabeen	DD PHSA	BS-17	BS-18
27.	Dr. Majid Saleem	TSO RDSU, D.I.Khan	BS-17	BS-18
28.	Dr. Muhammad Israrul Haq	Attached to DHO Bannu	BS-17	BS-18
29.	Dr. Adnan Khan	DHO, Orakzai	BS-17	BS-18
30.	Dr. Humera Sernab	Attached to DHO, Mansehra	BS-17	BS-18
31.	Dr. Muhammad Muddasser Iqbal Khan	DD Public Health DGHS	BS-17	BS-18
32.	Dr. Attaullah	DHO, Kurram Uper	BS-17	BS-18
33.	Dr. Ikramullah	DDHO, Mardan.	BS-17	BS-18
34.	Dr. Irfanuddin	DMS, DHQH, Batkhela	BS-17	BS-18
35.	Dr. Muhammad Kashif Shahid Khan	Demonstrator, Gajju Khan Medical College, Swabi.	BS-17	BS-18
36.	Dr. Naseeb Gul	DMS, AHQH, Bajaur.	BS-17	BS-18
37.	Dr. Muhammad Wajid Ali	EPI Coordinator, Shangla	BS-17	BS-18
38.	Dr. Fayyaz Ali Roomi	DD EPI DGHS	BS-17	BS-18
39.	Dr. Zeeshan	N-STOP Mardan/ Type-D Hospital Madian Swat	BS-17	BS-18
40.	Dr. Sherin Muhammad	MO, Attached to DHO L/Dir	BS-17	BS-18
41.	Dr. Fakhre Alam	Incharge MO, Cat-D Hospital, Barikot Swat	BS-17	BS-18
42.	Dr. Muhammad Alamgir	Attached to DHO, Charsadda	BS-17	BS-18
43.	Dr. Khalid Khan	DMS, DHQH, U/Dir.	BS-17	BS-18
44.	Dr. Muhammad Arif Khan	Attached to DHO Swabi.	BS-17	BS-18
45.	Dr. Saleem Khan	DD, AMC, Abbottabad.	BS-17	BS-18

Section Officer
Health Department
Khyber Pakhtunkhwa

ATTESTED

46.	Dr. Ishad Ali	DDHO, Dir Lower	BS-17	BS-18
47.	Dr. Muhammad Sajjad	MO, DHO Alpurai.	BS-17	BS-18
48.	Dr. Noor Islam	MO, DHO Swabi.	BS-17	BS-18
49.	Dr. Syed Rahmat Ali	Coördinator DHO office, Swat	BS-17	BS-18
50.	Dr. Waqar Ahmad	Coordinator Programme Swabi. LHW	BS-17	BS-18
51.	Dr. Shafiqat Ullah	Attached to DHO Lakki Marwat	BS-17	BS-18

2. Moreover, the following members of Service (BS-17), presently on deputation/ Extra Ordinary Leave, will be upgraded to BS-18 upon their arrival/ report back to this department w.e.f that date:-

S/No	Nomenclature of the post	Current Posting	From	To	Remarks
1.	Dr. Rajwal Khan	On deputation	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from deputation
2.	Dr. Syed Nayyar Raza Kazmi	EOL	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from EOL
3.	Dr. Ziaullah Khan Dawar	EOL	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from EOL
4.	Dr. Imtiaz Ali Shah	1825 days EOL w.e.f from 01.05.2011 to 30.04.2015	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from EOL
5.	Dr. Haris Mustafa	On deputation	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from deputation
6.	Dr. Syed Irfan Ali Shah	Deputation to WHO w.e.f 22.02.2021	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from deputation
7.	Dr. Ahmad Tariq	On deputation WHO	BS-17	BS-18	He will actualize up-gradation to BS-18

Section Officer (EO)
Health Department
Khyber Pakhtunkhwa

ATTEN

					after reporting back to Health Department from deputation
8	Dr. Sulfian Khan	On deputation WHO	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from deputation
9	Dr. Sheraz Ahmad Khan	EOL/ study leave	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from EOL
10	Dr. Sohrab Ali	EOL 24.04.2020 to 23.04.2022	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from EOL
11	Dr. Bakht Beland	EOL	BS-17	BS-18	He will actualize up-gradation to BS-18 after reporting back to Health Department from EOL

**Secretary Health
Government of Khyber Pakhtunkhwa**

Endst. Of even No. & Date.

Copy to the:-

1. Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. PSO to Chief Secretary, Khyber Pakhtunkhwa.
4. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
5. Director General PHSA, Khyber Pakhtunkhwa.
6. Director General Drugs, Khyber Pakhtunkhwa.
7. Chief HSRU, Health Department, Khyber Pakhtunkhwa.
8. Deputy Director (IT), Health Department, with the direction to upload the notification on official website.
9. All District Health Officer, Khyber Pakhtunkhwa.
10. All Medical Superintendent, Khyber Pakhtunkhwa.
11. All Hospital Director MTIs, Khyber Pakhtunkhwa.
12. All District Accounts Officers, Khyber Pakhtunkhwa.
13. Manager Government Printing Press, Peshawar for Gazette notification.
14. PS to Minister for Health Department, Khyber Pakhtunkhwa.
15. PS to Secretary Health Department, Khyber Pakhtunkhwa.
16. All Doctors concerned.

[Signature] 15-7-21

(Liaq-Ur-Rehman)
SECTION OFFICER (E-V)

Section Officer (E-V)
Health Department
Khyber Pakhtunkhwa

ATTESTED

Section Officer (E-V)
Health Department
Khyber Pakhtunkhwa

DAIRY NO: 11294
DATE 3.8.21The Secretary to Govt of Khyber Pakhtunkhwa
Health Department PeshawarSubject: Representation against Notification NO.SOH (E-V)/M.Cadre/4-4/Up-gradation/2021

Respected Sir,

1. undersigned were appointed on contract basis as district epidemiologist (BS-17) dated 23.01.2014 (Attached)
2. Later on my services was regularized under regularization Act (GAVI, JICA, ADHOC & contract employees Act 2016 and I got Appointed as Deputy Director (PHC-II) DGHS, Peshawar under Departmental Notification NO.SO(E)H-II/3-18/2016 Dated 20.04.2017 (Annex-I)
3. Consequently I was posted in Management cadre wide Notification No.SOH(HD)E-V/2-2/2020 Dated 06.03.2020 as Deputy Medical Superintendent IN Category D Hospital Nahaqi District Peshawar (Annex-II)
4. In 2021 The post of the member of Service (BS-17) of the management Cadre Doctors has been upgraded Wide competent authority Notification NO.SOH (E-V)/M.Cadre/4-4/Up-gradation/2021, where in my name has erroneously ignored in the attached notification (Annex-III)

In view of the above position, it is kindly requested to include my name in the list of management cadre officers in para 4 above and also upgrade my post from BS-17 to BS-18 mentioned and save the undersigned from mental worries and depression please.

Yours's Sincerely

Zia Rehman

Dr. Zia Ur Rehman

Deputy Medical

Superintendent

Emergency Satellite

Hospital Nahaqi

Peshawar

Dated 03.08.2021

C. M. M. M.

ATTESTED

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. F.III

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 29th May, 2017.

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

NOTIFICATION

Dated: 10th May, 2017.

NO.SOH(E-VI4-20/2017 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 the Khyber Pakhtunkhwa is pleased to direct that in the Khyber Pakhtunkhwa Health (Management) Service Rules, 2008, the following amendments shall be made, namely:

AMENDMENTS.

1. In rule 10, in sub-rule (2), the full stop appearing at the end of the first proviso shall be replaced by colon and thereafter, the following second proviso shall be added, namely:

"Provided further that for a period of two years, from the date of issuance of this amending Notification, the officers of the General Cadre, who are in regular and continuous service and holding posts as such, shall be required to improve their qualification as per the Khyber Pakhtunkhwa Health (Management) Service Rules, 2008 to exercise the option under this rule."

2. In Schedule III,-

- (a) at serial No.3, for the figures "350", "300" and "150", the figures "250", "200" and "100" shall respectively be substituted;
- (b) serial No.4, shall be deleted; and
- (c) under the heading "General Compulsory subject" (250 marks), in the table, for serial No.5 and 6, the following shall be substituted, namely:

"5.	"Pakistan Affairs and Islamiyat".	100".
-----	-----------------------------------	-------

3. In schedule-IV, in heading "Topics" for the existing entries, the following shall, respectively, be substituted, namely:

"Topics"

- Communication and advocacy in Health.
- Existing Health Policies;
- Health system in Pakistan and its Challenges;
- DHIS Roles and responsibilities of Secretariat, Director General and DHO/MS;
- Role of Government and district government's in context of Local Government Act;

ATTESTED

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- Monitoring and supervision.
- Primary and Healthcare, Hospital Management, Waste disposal quality Management.
- Vertical programs and their linkages within the Health System.
- Rules of Business.
- Auditing and Accountant, General Financial Rules, ESTA Code etc; and
- The Khyber Pakhtunkhwa Civil Servant Act, 1973 "Fundamental rules and supplementary rules".

SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT.

Printed and published by the Manager,
State, Ptg. Dept., Khyber Pakhtunkhwa, Peshawar.

ATTACHED

72/92

16

Serial No.: 09496/552

Reg. No.: 2003-KCD-661
Session: Supplementary 2007

KHYBER MEDICAL UNIVERSITY
PESHAWAR, PAKISTAN.

has conferred upon

ZIA UR REHMAN s/o SHAMS UR REHMAN

of Khyber College of Dentistry, Peshawar

the degree of

BACHELOR OF DENTAL SURGERY

Given this fourth day of March two thousand and nine

Controller of Examinations

Registrar

Vice-Chancellor

ADMITTED

ANNEXURE "F"

Serial No. 011657

Abdul Wali Khan University Mardan



Reg No. 18-AU-MIS-M-38

Roll No. 40293

Session Spring 2018-19

The University in recognition of the fulfillment of prescribed requirements has awarded

Mr. ZIA UR REHMAN S/O Mr. SHAMS UR REHMAN

The Degree of

MASTER OF PUBLIC HEALTH

Together with all honors, rights and privileges belonging to the degree.

In witness whereof this degree is granted.


Controller of Examinations


Registrar




Vice Chancellor

Result Declaration Date. 10-09-2020

ATTESTED

17

PAKISTAN MEDICAL & DENTAL COUNCIL

G-10/4, Minto Road, Islamabad
Website: www.pmdc.org.pk

18



CERTIFICATE OF FULL REGISTRATION ON THE REGISTER OF DENTISTS

Licence to Practice

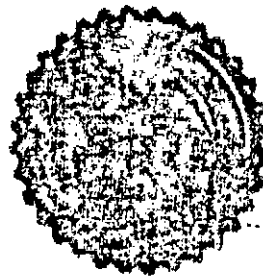
Registration Number : 9798-D
Name : ZIA UR REHMAN
Father Name : SHAMS UR REHMAN
Present Address : VILLAGE AND P/O HATHIAN
TEHSIL TAKHT BHAI DISTRICT MARDAN.
Permanent Address : VILLAGE AND P/O HATHIAN
TEHSIL TAKHT BHAI DISTRICT MARDAN.
Registration Date : 12/11/2009 **Name Retained Upto** 31/12/2024



Qualification & Date	Institute/University	Year
1 B.D.S. (BASIC DENTAL QUALIFICATION)	[PESHAWAR UNIVERSITY] [KHYBER COLLEGE OF DENTISTRY, PESHAWAR]	2009

It is hereby certified that the above is a true copy of the entries in the Register of Dental Practitioners of 2009. This is part of the Dental Practitioners specified therein. He/she is authorized to practice as a Dentist, and will be considered as a resident of the local mentioned and in the field of which any additional party, additional qualification is registered herein.

IMPORTANT NOTICE.



ATTESTED

DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

All communications should be addressed to The Director General Health Services Peshawar and not to any official by name

Office Ph: 1291 - 212629 Fax: 1291 - 212629, 212629, 212629, 212629

19

OFFICE ORDER

In partial modification of this Directorate office order bearing endorsement No. 12892-218/E I dated 27/08/2021, Dr. Zia Ur Rehman Dental Surgeon (BS-17) attached to Cat-D Hospital Nahaqi Peshawar may be read as MMC Mardan instead of Khyber College of Dentistry Peshawar. He will be considered as relieved of his duties w.e.f. 15/09/2021 to join 02-months training at MMC Mardan.

S.No	Name of Doctor/Place of Posting	Name of Training Institution
1.	Dr. Zia Ur Rehman Dental Surgeon (BS-17) attached to Cat-D Hospital Nahaqi Peshawar	MMC Mardan

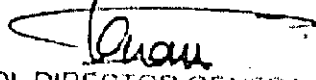
Sd/xxxxxx
Director General Health,
Services Khyber Pakhtunkhwa

No. 13604-09/E-I. Peshawar the Dated 06/09/2021

Copy forwarded to the:-

1. Hospital/Medical Directors, KTH Peshawar and Mardan
2. Dean Khyber College of Dentistry Peshawar.
3. Medical Superintendent MMC Mardan
4. District Health Officer Peshawar.
5. Doctor concerned.

For information & necessary action. It is requested that after completion of training a certificate may be issued reporting completion of his two months training, so that his promotion case is taken up with Govt.


ADDL DIRECTOR GENERAL (HRM)
DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

ATTESTED

To,

The Secretary. Govt. of K.P Health Department.
Peshawar.

Subject: Two (02) Months Mandatory Training at
MMC Mardan.

Reference: DGHS office Order No. 13604-09/E-1 dated
6-9-2021

Dear Sir.

with great reverence, it is submitted that
the undersigned was nominated for
(2) Months training at Mardan Medical
complex (MMC) vide Directorate
General Health Services order No, 13604-
09/E-1 dated 6-9-2021. Copy enclosed
Needlers to say that the subject
training is mandatory for promotion
of Doctors of General Cadre.

It is worth to mention, that the under-
signed belong to management cadre as
revealed from Notification No, 3714-19/E-1
dated 12-03-2020 (copy enclosed) and have

P.T.O.

performed my duties at various positions in management cadre to the entire satisfaction of my superiors since my induction in health Department. It is further added that the post of management cadre was upgraded vide competent Authority Notification No, SO#(E-V)/M. cadre/4-4/upgradation/2011, wherein the name of the undersigned was erroneously excluded in this regard. I had already submitted application for induction in management cadre bearing Diary No, 11294 dated 03-08-2011. Forgoing in view, it is humbly prayed that my previous application may be taken into account and subsequent office order No. 13604-091/E-1 may be withdrawn please.

With Profound Regards

Dr. Zia-Ur-Rehman
Deputy Medical Superintendent
(DMS)

ANNEXURE H

20

DATE: 17/9/21
BY: 21/9/21
U.S.A.

To

The Secretary, Government of Khyber Pakhtunkhwa
Health Department
Peshawar.

Subject: TWO (02) MONTHS MANDATORY TRAINING AT MMC MARDAN

Reference: DGHS office order No. 13604-09/E-1 dated 06-09-2021

Dear Sir,

With great reverence, it is submitted that the undersigned was nominated for two (02) months training at Mardan Medical Complex (MMC) vide Directorate General Health Services, office order No 13604-09/E-1 dated 06-09-2021 (copy enclosed). Needless to say, that the subject training is mandatory for promotion of Doctors of General cadre.

It is worth to mention, that the undersigned belong to management cadre as revealed from Notification No 3714-19/E-1 dated 12-03-2020 (Copy enclosed) and have performed my duties at various positions in management cadre to the entire satisfaction of my superiors, since my induction in Health Department. It is further added that the post of management cadre was upgraded vide competent authority Notification No SO11(E-V)/M.cadre/1-4/Up gradation/2021, wherein the name of the undersigned was erroneously excluded. In this regard, I had already submitted application for induction in management cadre bearing Diary No. 11294 dated 03-08-2021 (copy attached).

Foregoing in view, it is humbly prayed that any previous application may be taken into account and subsequent office order No. 13604-09/E-1 may be withdrawn, please.

With profound regards,

Encl: As Above

Dated: 16-09-2021

Zia Rehman

Dr Zia Ur Rehman
Deputy Medical Superintendent (DMS)
Emergency Satellite Hospital Nahnqt, Peshawar
Cell# 03469320123

Copy to Director General Health Services, Khyber Pakhtunkhwa, Peshawar,

ATTESTED

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO: _____ OF 2021

Dr. Zia-Ur-Rehman

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Health Department

(RESPONDENT)
(DEFENDANT)

I/We Dr. Zia-Ur-Rehman

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. ____/____/202

ZiaUrRehman

CLIENT

ACCEPTED

NOOR MOHAMMAD KHATTAK

KAMRAN KHAN

UMAR FAROOQ MOHMAND

SAID KHAN

**HAIDER ALI
ADVOCATES**

OFFICE:

Flat No.4, 2ND Floor,
Juma khan plaza near
FATA Secretariat, Warsak road
Peshawar City. Mobile No. 0345-9383141



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 7671 OF 2021

Dr. Zia Ur Rehman.....Appellant

Versus

Govt. of Khyber Pakhtunkhwa and others.....Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO. 02 & 03

Respectfully Sheweth:

Preliminary Objections:-

1. That the appellant has got neither cause of action nor did locus standi to file the instant appeal.
2. That the appellant has filed the instant appeal just to pressurize the respondents.
3. That the instant appeal is against the prevailing Law and Rules.
4. That the appeal is not maintainable in its present form and also in the present circumstances of the issue.
5. That the appellant has filed the instant appeal with mala-fide intention hence liable to be dismissed.
6. That the appellant has not come to this Honorable Tribunal with clean hands.
7. That the appeal is barred by law and limitation.
8. That the Honorable Tribunal has no Jurisdiction to adjudicate upon the matter.
9. That the instant appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.

ON FACTS:

1. Correct to the extent that the appellant was appointed as Dental Surgeon (BPS-17) and subsequently regularized on 25/04/2017 on temporary basis (Annex-A).
2. Correct being matter of record.
3. Correct to the extent that all the members of Health Management Cadre BPS-17 were upgraded to the BPS-18. However, the appellant being not a member of Health Management Cadre was not upgraded.
4. As explained in preceding para.
5. Correct to the extent that vide notification dated 10/05/2017 whereby on the direction of the Honorable Tribunal in Service Appeal titled Dr. Sher Muhammad Judgment dated 22/02/2010, amendment were made in sub rules (2) rules 10 of the Khyber Pakhtunkhwa Health (Management) service rules 2008 which provided two years cushion period to those incumbent of the General Cadres doctors who were holding post at the time of promulgation of the ibid Rules, for improving their qualification. However, the appellant is not entitled for the benefits of the cushion period.
6. As per preceding para.
7. The appellant has been relieved for two months mandatory training in Mardan Medical Complex Mardan.

8. Incorrect. Departmental Appeal of the appellant is baseless because he is not a member of Management Cadre. The word Management Cadre was written due to clerical mistake, so the Office Order was replaced and the words "Management Cadre" were replaced with "Dental Surgeon" (*Annex-B*).

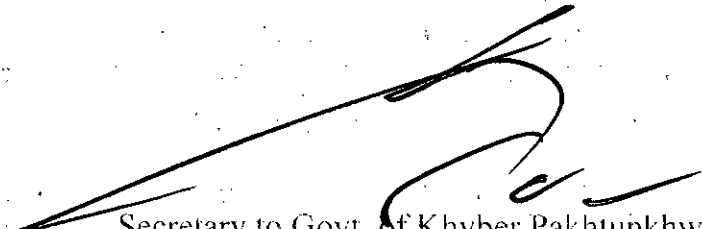
9. Pertains to record.


ON GROUNDS:

- A. Incorrect. The impugned order dated 06/09/2021 is in accordance with law, rules and principles of natural justice.
- B. Incorrect. The appellant has been treated in accordance with law and rules.
- C. Incorrect. Detailed reply already given above.
- D. Incorrect. As in Para-A above.
- E. Incorrect. The appellant does not belong to the Management Cadre which is evident from his regularization notification.
- F. As per paras above.
- G. Needs no comments being formal

PRAYER:

It is therefore humbly prayed that on acceptance of the comments, the instant appeal of the appellant may very graciously be dismissed with costs.


Secretary to Govt. of Khyber Pakhtunkhwa
Health Department
Respondent No. 02


Director General Health Services
Khyber Pakhtunkhwa
Respondent No. 03
SD/HR CA



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**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

Communications should be addressed to the Director General Health Services
Peshawar and not to any official by name E-Mail Address K.P.Kdgs@yahoo.com
Warsak Road Kababian (Old FATA Secretariate Peshawar)

OFFICE ORDER

In pursuance of Govt. of Khyber Pakhtunkhwa Health Department Notification No. SOH(HD)E-V/2-2/2020 dated 06.03.2020, Dr. Zia-Ur-Rehman BPS-17 (Management Cadre) posted at the disposal of DGHS, Khyber Pakhtunkhwa Peshawar is hereby posted against the vacant post of Deputy Medical Superintendent (BPS-18) in Category "D" Hospital Nahaqi (District Peshawar) in his own pay scale in the best interest of public service.

Sd/xxxxxxxxxxx
DIRECTOR GENERAL HEALTH
SERVICES, Khyber Pakhtunkhwa
PESHAWAR

No. 3714-19 /E-I,

Dated Peshawar the: 12/3 /2020

Copy forwarded to the:

1. Secretary to Govt. of KP Health Department.
2. Account General, Khyber Pakhtunkhwa Peshawar.
3. District Health Officer, Peshawar.
4. Medical Supdt. Category "D" Hospital Nahaqi (Peshawar).
5. PA to DGHS, KP Peshawar.
6. Doctor concerned.

For information and necessary action.

[Signature]
Addl: DIRECTOR GENERAL (H.R.M.)
DIRECTORATE GENERAL HEALTH SERVICES,
KHYBER PAKHTUNKHWA PESHAWAR
12/3/2020

Annex-B
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**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

All communications should be addressed to the Director General Health Services
Peshawar and not to any official by name E-Mail Address K.P.DGHS@yahoo.com
Warsak Road Kababian (Old FATA Secretariate Peshawar)

OFFICE ORDER

In pursuance of Govt. of Khyber Pakhtunkhwa Health Department
Notification No. SOH(HD)E-V/2-2/2020 dated 06.03.2020, Dr. Zia-Ur-Rehman
BPS-17 (Dental Surgeon) posted at the disposal of DGHS, Khyber
Pakhtunkhwa Peshawar is hereby posted against the vacant post of Deputy
Medical Superintendent (BPS-18) in Category "D" Hospital Nahaqi (District
Peshawar) in his own pay scale in the best interest of public service.

Sd/xxxxxxxxxx
DIRECTOR GENERAL HEALTH
SERVICES, Khyber Pakhtunkhwa
PESHAWAR

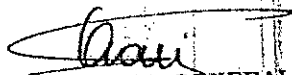
Dated Peshawar the: 12/03/2020

No. 3714-19 /E-I,

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1. Secretary to Govt. of Health Department.
2. Director General, Khyber Pakhtunkhwa Peshawar.
3. District Health Officer, Peshawar.
4. Medical Supdt. Category "D" Hospital Nahaqi (Peshawar).
5. PA to DGHS, KP Peshawar.
6. Dr. Zia-ur-Rehman DMS, ESH Nahaqi Peshawar with the direction that
after his transfer from the post of Deputy Director (Curative) DGHS, office
Khyber Pakhtunkhwa the order of additional charge of Deputy Director
MCH/RH, DGHS automatically withdrawn and he may not write the said
designation with his name in future.

For information and necessary action.


Addl: DIRECTOR GENERAL (H.R.M.)
DIRECTORATE GENERAL HEALTH SERVICES,
KHYBER PAKHTUNKHWA PESHAWAR.

7/25/8/2020