

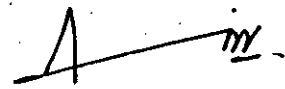
FORM OF ORDER SHEET

Court of _____

Appeal No. 1427/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/07/2023	The appeal of Mr. Wasiq Ullah resubmitted today by Syed Haziq Ali Shah Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on

By the order of Chairman



REGISTRAR

Respected Sir,

It is submitted that the present appeal has been filed by the appellant's counsel for the appellant which was returned to him with office objections (Flag-A). Today i.e. on 01.06.2023 he re-filed the same without removing the objection no. 2, 9 & 10 with a note of request i.e. (Flag-B). Moreover, except the title page he totally changed the memo of appeal.

Now the appeal is submitted to your honour under rule-7 (c) of the Jammu & Kashmir Service Tribunal rules 1974 for appropriate order please.

Worthy Chairman

Be returned with the
 be returned
 02/06/23
 REGISTRAR
 02/06/23

No. 1572

02/06/2023

of appeal
 15/6/23

The memo of main contents of appeal including the prayer of appeal remains the unchanged. Only the reference of documents are changed and the appeal was corrected with reference to the available documents. Let the appeal be fixed before the Tribunal to clarify the objections as well. M. Soadwar Adv.

- 1) It is stated that we have ~~requested~~ filed departmental appeal, where dairy number has not been mention for which we need some more time so the appellat can provide us the dairy number.
- 2) We also need time for the better copy of advertisement as there is no date mentioned in the annexed copy.

M. Saad Wazir
 Maadwaz
 15.06.2023

Sir,
 The appeal was return to the learned counsel twice for removing the objections raised by this office. Now, the learned counsel resubmitted the same without removing objection and requested for extension of time.

Submitted for appropriate order, please.

~~Hon'ble Chairman~~

No: 1777/ST.
 15/06/23

Seven days time was given to the appellat last date is 02.06.2023 but it is stated that the appellat has not removed the objection for removal of the objection. Further time is granted/extended with warning.

ASST. Registrar
 15/06/23

Resubmitted for correction for

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No 1427/2023

Wasiq Ullah.....Appellant

VERSUS

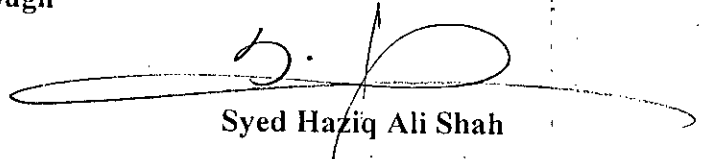
Director General Health Services & others.....Respondents

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Appellant

Through


Syed Haziq Ali Shah
Advocate Supreme Court

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No 1427 2023

Wasiq Ullah S/o Muhammad Abdul Hai,
JCT Pharmacy (BPS-12),
DHO Office Miranshab,
North Waziristan

.....Appellant

...VERSUS...

1. Director General Health Sciences, Khyber Pakhtunkhwa, Peshawar
2. District Health Officer, District North Waziristan.
3. Secretary Health, Govt of Khyber Pakhtunkhwa, Peshawar.

.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 06.08.2021, WHEREBY THE SALARIES OF THE APPELLANT WAS STOPPED SINCE 1ST JUNE 2021 AND LATER ON THE ORDER DATED 06.08.2021 VIDE OFFICE NO 13024/DHO NWTD WAS ISSUED AND IN THE LIGHT OF SAID ORDER THE SALARIES OF THE APPELLANT HAS PROPERLY BEEN STOPPED.

Prayer in Appeal:

On acceptance of the instant Appeal, the Impugned Orders when initially the salaries of the Appellant was stopped/withheld since 1st June 2021 verbally and later on a written impugned Order No. 13024/DHO NWTD dated 06.08.2021 was issued by the Respondent No 2 on the basis of which the Appointment of the Appellant being considered cancelled 1 withdrawn, the impugned order dated 06.08.2021 and withholding of salaries of the Appellant may kindly be set aside and consequently the Appellant may kindly be reinstated / restored into his service with all back benefits.

Respectfully Sheweth:

The Appellant humbly submits as under:-

(1)

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

Service Appeal No 1427/2023 2023

Wasiq Ullah S/o Muhammad Abdul Hai,
JCT Pharmacy (BPS-12),
DHO Office Miranshah,
North Waziristan

.....Appellant

... VERSUS ...

1. Director General Health Sciences, Khyber Pakhtunkhwa, Peshawar
2. Director Health Officer, District North Waziristan.
3. Secretary Health, Govt of Khyber Pakhtunkhwa, Peshawar.

.....Respondents

**SERVICE APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 06.08.2021,
WHEREBY THE SALARIES OF THE APPELLANT WAS STOPPED SINCE 1ST JUNE
2021 AND LATER ON THE ORDER DATED 06.08.2021 VIDE OFFICE NO 13024/DHO
NWTB WAS ISSUED AND IN THE LIGHT OF SAID ORDER THE SALARIES OF THE
APPELLANT HAS PROPERLY BEEN STOPPED.**

Prayer in Appeal:

On acceptance of the instant Appeal, the Impugned Orders when initially the salaries of the Appellant was stopped/withheld since 1st June 2021 verbally and later on a written impugned Order No. 13024/DHO NWTB dated 06.08.2021 was issued by the Respondent No 2 on the basis of which the Appointment of the Appellant being considered cancelled 1 withdrawn, the impugned order dated 06.08.2021 and withholding of salaries of the Appellant may kindly be set aside and consequently the Appellant may kindly be reinstated / restored into his service with all back benefits.

Respectfully Sheweth:

The Appellant humbly submits as under:-

1. **That** the Appellant is peaceful and law abiding citizen of Pakistan and is entitled for all the rights guaranteed by the Constitution of Islamic Republic of Pakistan, 1973.
2. **That** the facts relevant for the purpose of this Appeal are that the Respondents had advertised number of posts, which were laying vacant in District Health Office, North Waziristan. The Appellant being qualified and eligible, applied for the post as per his qualifications.

(Copy of the Advertisement is attached as Annexure "A").

3. **That** after the publication of the vacancies, the Appellant applied where after the concerned appointing authority issued call letters to the eligible candidates including Appellant. The Appellant accordingly appeared before the Selection Committee constituted vide office order dated 23.12.2019 and provided his original academic credentials along with relevant Diplomas

(Copy of Office Order dated 23.12.2019 is attached as Annexure "B").

4. **That** the Appellant submitted his Application as well as his academic qualifications. The process for selection was initiated by verification of the degrees of the candidates who applied for these posts. In this respect a properly Selection Committee was constituted vide order dated 23.12.2019. The Committee so constituted duly interviewed the candidates and after following the process of law/ rules, the successful candidates were issued the Appointment letters.

(Copy of the Appointment Order is attached as Annexure "C")

5. That the Appellant was thus duly appointed by the competent authority after complying all the codal formalities. Meanwhile the then Minister for Relief and Rehabilitation, MR. Iqbal Khan Wazir issued a letter with the subject "Complaint against illegal appointments made by DHO North Waziristan without fulfilling of codal formalities / bogus diploma holders", and directed the District Account Officer District North Waziristan to stop the salaries of 71. Appointees in the DHO North Waziristan Office. It was alleged therein that the appointments so made are without compliance of codal

formalities and the appointees are holding bogus degrees. Vide letter dated 20.02.2020, the District Account Officer requested the District Health Officer, Miran Shah for investigation of the matter and further directed that the pay and allowances of such employees including the Appellant. It was also requested to send computer proforma so that the pay and allowances of such employees may be stopped. It would be pertinent to mention that the worthy Minister had no authority in the matter and for issuing such directions.

(Copies of the Letter by the Minister dated 17.02.2020 and letter by DAO dated 20.02.2020 are attached as Annexure "D" & "D1")

6. That it would be pertinent to mention here that after the advertisement, the office of Respondent No 2 time and again withheld the process of recruitment and in this respect the corrigendum along with fresh advertisement were also issued. Lastly the process of Appointment was completed and shortlisting interview call letters were issued and finally after going through all the codal formalities the appointment orders in favour of the successful candidates were issued.

7. That inspite of the fact that due process of appointment was followed yet on the basis of political interference by the worthy Minister the salaries of the Appellant were stopped. The Appellant being aggrieved from such illegal acts of the worthy minister approach the Hon'ble Peshawar High Court, Bannu Bench by filing Writ Petition No. 270-B/2020, titled Yasir Iqbal & others VS Govt of KPK & others. The Hon'ble Peshawar High Court Bannu Bench on the first hearing suspended the illegal order of the worthy minister and the District Account officer was directed to continue with the salaries of the Petitioners till the final disposal of the Writ Petition.

(Copy of the opening pages of Writ Petition "E")

8. That the comments were called from the District Account Officer as well as from the Respondent No 2, which were filed by both the Respondents. In the comments the Respondents categorically stated that the Appellant has validly been appointed after adopting all the codal formalities and his diploma has duly been verified from the concerned quarters. The District Account Officer while conducting formal inquiry, called the recruitment record of the Appellant which was duly transmitted to the District Account Officer and they submitted the detail reply along with relevant record obtained

from the Respondent No 2 in the above mentioned Writ Petition. The Hon'ble Peshawar High Court Bannu Bench disposed off the Writ Petition in favor of the Appellants and the Respondents were directed to release their salaries.

(Copies of the order dated 18.01.2021 is attached as Annexure "F")

9. That after the decision of the Hon'ble Peshawar High Court, the worthy Minister for Relief and Rehabilitation again interfered in the same matter issuing another letter dated 26.08.2020 from his letterhead to the Minister of Health, whereby he requested for interference. The then Minister of Health was finally compelled to constitute another inquiry on the subject matter.

(Copy of letter dated 26.08.2020 is attached as annexure "G")

10. That it would be pertinent to mention here that such illegal interference by the concerned Minister pressurized the DHO for making illegal appointments on his wish and whims which pressure was sustained by the then DHO who straightaway refused to do so. Therefore the Minister forwarded another complaint when he realize that the initial complaint has not served its purpose and nothing was discovered. On the basis of second complaint, the office of Respondent No 1 vide letter No 7047-50/E-I dated 06.05.2021 forwarded the complaint to the Respondent No 2 with certain recommendations.

(Copy of the letter dated 22.04.2021 is attached as annexure J)

11. That the Respondent No 2 without keeping in view the above mentioned record once again stopped the salaries of the Appellant on the personal grudges and with the collusion of Minister concerned, whereafter the Appellant preferred a departmental Appeal to Respondent No 2 which was forwarded through his endorsement letter dated 05.08.2021 to the Respondent No 1. Accordingly the Respondent No 1 accepted the Appeal of the Appellant vide letter dated 05.08.2021 and realized that the case of the Appellant does not fall in the capacity of the letter mentioned above and the Respondent No 2 was directed to implement the judgment of the Hon'ble Peshawar high Court Bannu Bench, vide which the salaries of the Appellant was ordered to be release.

(Copy of letter of the DG, Health Services dated 05.08.2021 and Departmental Appeal are attached as Annexure "K" & "K1")

12. That it is pertinent to mention here that as per the above mentioned direction issued by the Respondent No 1, the Respondent No 2 is bound to act in accordance with the directions issued by Respondent No 1, however Respondent No. 2 for a mere reason that the then DHO namely Dr. Muhammad Israr approached to the Service Tribunal for his Service Appeal and inspite of the fact that he was having knowledge about his suspension issued the impugned order which is corum-non-judice.

(Copy of Order dated 06.08.2021 and Service Appeal and suspension order are attached as annexure "L" & "L1")

13. That as per the above mentioned record and circumstances the ex-DHO namely Dr Hafeez Ullah was having no authority to issue the impugned Order as he had seized to be the DHO. Even then he had illegally, unlawfully and without lawful authority occupied the office of the DHO and issued a number of illegal orders while he was already posted out. In light of the impugned order the salaries of the number of employees have been stopped and they have been considered being removed from service. Some of such employees have also been issued show cause notices with warning to attend their duties.

(Copies of show cause notice and the illegal orders are attached as annexure "M" to "M2")

14. That inspite of the clear cut directions of the competent authority/Respondent No 1, the Respondent No 2 is not complying with the orders of the Respondent No 1 with reference to the Appellant for reasons best known to him and due to which the salaries of the Appellant are stopped without any lawful authority.

15. That feeling aggrieved from the acts of Respondents, having no other adequate and efficacious remedy, approaches this the Learned Tribunal on the following grounds inter-alia:-

GROUND S:

A. That the Appellant is peaceful and law abiding citizen of Islamic Republic of Pakistan and is fully entitled to all the basic and fundamental rights as enshrined in the fundamental law of the state, interpreted and guaranteed by the law of the land.

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- B. That the acts of the Respondents of not following the same criteria which has been safeguarded by the law and rules and guidelines provided by the apex courts is illegal, unlawful, null and void in the eye of law, hence liable to be declared so.
- C. That the fundamental rights of the Appellant has blatantly been violated by the Respondents and the Appellant has been discriminated and has been denied his due rights under the Constitution of Islamic Republic of Pakistan, 1973.
- D. That the Appellant is appointed according to rules and on adopted procedure and has always performed his duties with full devotion. The Appellants being eligible for releasing of outstanding salaries which have been illegally retained by the respondents, which acts of the Respondents is illegal, void, unlawful as well as in violation of natural justice.
- E. That the Appellant being a Pakistani citizen enjoys the protection of Articles 23 & 24 (1) of the Constitution of Pakistan which explicitly states that no one could be deprived from their due rights and property. The denial of salary to the Appellant is thus in clear violation of the fundamental rights of the Appellant.
- F. That once the Appellants was duly appointed/posted and was allowed to join the service, after thorough verifications, entries were also made in his service books and since then the Appellant is performing his duties, the Appellant is certainly entitled to be paid his salaries, but all of sudden the respondents have stopped the salaries of the Appellant. These acts of the respondents are illegal unlawful and liable to be declared so.
- G. That any other ground not raised here specifically may graciously be allowed to be raised at the time of arguments.

PRAYER:

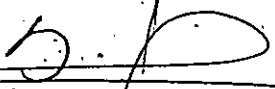
It is, therefore, most humbly prayed that, On acceptance of the instant Appeal, the Impugned Orders when initially the salaries of the Appellant was stopped/withheld since 1st June 2021 verbally and later on a written impugned Order No. 13024/DHO NWTD dated 06.08.2021 was issued by the Respondent No 2 on the basis of which the Appointment of the Appellant being considered cancelled / withdrawn, the impugned order dated 06.08.2021 and withholding of salaries of the Appellant may kindly be set aside and consequently the Appellant may kindly be reinstated / restored into his service with all back benefits.

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

Appellant Wasiqullah.

Through


Syed Haziq Ali Shah
Advocate Supreme Court

BEFORE THE HONORABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA
PESHAWAR.

8

Service Appeal No _____/2023

Wasiq Ullah.....Appellant

VERSUS

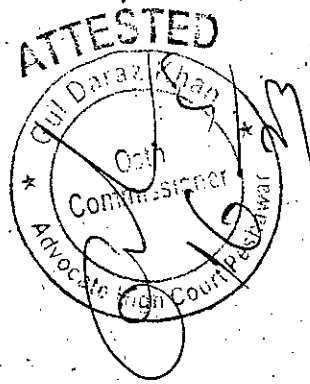
Director General Health Services & others...../...Respondents

AFFIDAVIT

I Wasiq Ullah S/o Muhammad Abdul Hai, JCT Pharmacy (BPS- 12), DHO Office Miranshah, North Waziristan, do hereby solemnly affirm and declare on oath that the contents of the accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Wasiqullah
Deponent

Verified by Ziaullah
Ziaullah



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No _____/2023

5

Wasiq Ullah.....Appellant

... VERSUS ...

Director General Health Services & others...../...Respondents

APPLICATION FOR SUSPENSION OF THE IMPUGNED ORDER DATED 06.08.2021,
ON THE BASIS OF WHICH THE SALARIES OF THE APPELLANT WAS STOPPED
AND CONSEQUENTLY THE CURRENT SALARY OF THE APPELLANT MAY
KINDLY BE ORDERED TO RELEASED, TILL THE FINAL DECISION OF THE
SERVICE APPEAL.

Respectfully Sheweth:

1. That the above noted Service Appeal is being filed before this hon'ble court, in which no date of hearing has yet been fixed.
2. That the Appellant has got a good prima facie case in their favor, and is sanguine about its success.
3. That the balance of convenience also lies in favor of the Appellant.
4. That if the Impugned Order dated 06.08.2021 is not suspended, the Appellant would suffer extreme irreparable loss.
5. That the facts and grounds of the Appeal may kindly be read as an integral part of this application.

It is, therefore, respectfully prayed that on acceptance of this application, the relief as prayed for in the heading of the Application may kindly be allowed in favor of the Appellant, till the final decision of the case.

Appellant *Wasiq Ullah*

Through

S. I. S.
Syed Haziq Ali Shah
Advocate Supreme Court

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

10

Service Appeal No 2021 2023

Wasiq Ullah.....Appellant

VERSUS

Director General Health Services & others...../...Respondents

AFFIDAVIT

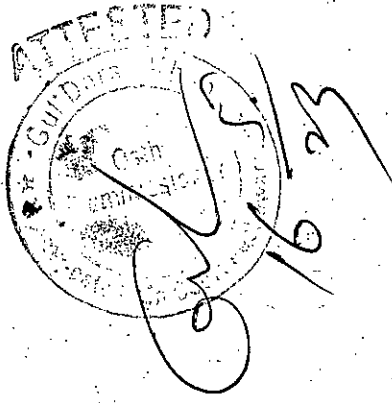
I, Wasiq Ullah S/o Muhammad Abdul Hai, JCT Pharmacy (BPS- 12), DHO Office Miranshah, North Waziristan, do hereby solemnly affirm and declare on oath that the contents of the accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Wasiq Ullah

DEPONENT

Verified by Ziaullah

[Signature]



A11
D

پشاور لوٹ آپور اسلام آباد سے قریب وقت شام ہو گیا۔ تیز شامت ٹوٹی روزانہ

پشاور لوٹ آپور اسلام آباد سے قریب وقت شام ہو گیا۔ تیز شامت ٹوٹی روزانہ

خلاف درزی اور اطباء کو نقصان پہنچنے سے...
 پشاور لوٹ آپور اسلام آباد سے قریب وقت شام ہو گیا۔ تیز شامت ٹوٹی روزانہ
 خلاف درزی اور اطباء کو نقصان پہنچنے سے...
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 خلاف درزی اور اطباء کو نقصان پہنچنے سے...

روزانہ

پشاور

پاکستان

12 مہینے

جلد 30 شمارہ 30 اکتوبر 2019ء نمبر 1441 - قیمت 20 روپے - نمبر 264

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درخواستیں مطلوب ہیں

قلمی اور تحریری درخواستیں...
 کے لیے درخواستیں...
 کے لیے درخواستیں...

نمبر	تاریخ	موضوع	تفصیلات
1	17-10-19	300+18 سال	پاکستان میں...
2	17-10-19	300+18 سال	پاکستان میں...
3	17-10-19	300+18 سال	پاکستان میں...
4	17-10-19	300+18 سال	پاکستان میں...
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6	18-10-19	300+18 سال	پاکستان میں...
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8	18-10-19	300+18 سال	پاکستان میں...
9	18-10-19	300+18 سال	پاکستان میں...
10	18-10-19	300+18 سال	پاکستان میں...

تفصیلات...
 (1) درخواستیں...
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NO
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INF(P)4139/19

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درخواستیں مطلوب ہیں

شمال وزیرستان ڈسٹرکٹ ہیلتھ ایفیرز ایس ایم ایس اور ایف ایس کے لیے درخواستیں مطلوب ہیں۔ درخواستیں استھارڈ کی اسات کے پھروں کے اندر شیگ کرنا ہرگی۔ تاخیر سے ملے والا درخواستیں پر نظر نہیں ہرگی۔

سلسلہ	تاریخ	مقام	نمبر
1	10-10-2018	...	...
2	17-10-2018	...	...
3	17-10-2018	...	...
4	17-10-2018	...	...
5	17-10-2018	...	...
6	18-10-2018	...	...
7	18-10-2018	...	...
8	18-10-2018	...	...
9	18-10-2018	...	...
10	18-10-2018	...	...

شرائط

1. صرف شہریت یافتہ امیدواروں کا حق ہے۔

2. درخواست کنندہ کو پورا پورا علم ہونا چاہیے کہ اسے کیا کرنا ہے اور اسے کیا حاصل کرنا ہے۔

3. درخواست کنندہ کو اپنا پورا نام لکھنا ہے اور اسے پورا پورا علم ہونا چاہیے کہ اسے کیا حاصل کرنا ہے۔

4. درخواست کنندہ کو اپنا پورا نام لکھنا ہے اور اسے پورا پورا علم ہونا چاہیے کہ اسے کیا حاصل کرنا ہے۔

5. درخواست کنندہ کو اپنا پورا نام لکھنا ہے اور اسے پورا پورا علم ہونا چاہیے کہ اسے کیا حاصل کرنا ہے۔

6. درخواست کنندہ کو اپنا پورا نام لکھنا ہے اور اسے پورا پورا علم ہونا چاہیے کہ اسے کیا حاصل کرنا ہے۔

7. درخواست کنندہ کو اپنا پورا نام لکھنا ہے اور اسے پورا پورا علم ہونا چاہیے کہ اسے کیا حاصل کرنا ہے۔

8. درخواست کنندہ کو اپنا پورا نام لکھنا ہے اور اسے پورا پورا علم ہونا چاہیے کہ اسے کیا حاصل کرنا ہے۔

9. درخواست کنندہ کو اپنا پورا نام لکھنا ہے اور اسے پورا پورا علم ہونا چاہیے کہ اسے کیا حاصل کرنا ہے۔

10. درخواست کنندہ کو اپنا پورا نام لکھنا ہے اور اسے پورا پورا علم ہونا چاہیے کہ اسے کیا حاصل کرنا ہے۔

حکومت پاکستان

ڈسٹرکٹ ہیلتھ ایفیرز شمالی وزیرستان ڈسٹرکٹ میران شاہ

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ADDENDUM / CORRIGENDUM

The advertisement published in various dailies bearing No INF(P)4014/19 the opening date of works at S.No D (1 to 4) may be read as 21-10-2019. Other terms and conditions will be intact.

EXECUTIVE ENGINEER

SAY NO TO CORRUPTION / DRUGS

CORRIGENDUM

Refer to this office advertisement published in various newspapers vide INF(P)4139/19 dated 02-10-2019. The date of interview is published as 17-10-2018 and 18-10-2018 instead of 17-10-2019 and 18-10-2019. All the concerned are requested to note the above corrected date please.

DR. HANIF ULLAH

Executive Engineer
Public Health Engineering Division
S.W.A.T. District

B/T5 7

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OFFICE OF THE DISTRICT HEALTH OFFICER
NORTH WAZIRISTAN TRIBAL DISTRICT AT MIRANSHAH
 Tel: (0928) 300788 FAX: (0928) 311662 Email:agencyurgeonnwa2018@gmail.com

OFFICE ORDER:

The following committee is hereby constituted for selection/interview of the following mentioned paramedic's i.e (LHV BPS-12, X-Ray Technician BPS-12, Sterilization Technician BPS-12, ECG Technicians BPS-12, OT Technicians BPS-12, EPI Technician BPS-12, Drivers BPS-7, JCT (Pharmacy) BPS-12, Storekeeper BPS-12 and Aesthesia Technicians BPS-12) in the best interest of public.

- 01. District Health Officer (Chairman)
- 02. DTO NWTD (Member)
- 03. Representative of Deputy Commissioner NWTD. (Member)
- 04. Representative of Director Health Services Merged Area Peshawar. (Member)

Sdxxxxxxxxxxxx

District Health Officer
North Waziristan Tribal District

NO. 4678 /Interviews dated: the 23 / 12 /2019.

Copy forwarded to all of the above mentioned members for information and necessary action please.

District Health Officer
North Waziristan Tribal District

District Health Officer
NWTD Miranshah

C/16

i. 7

(9)

OFFICE OF THE DISTRICT HEALTH OFFICER
NORTH WAZIRISTAN TRIBAL DISTRICT AT MIRANSHAH

Tel: (0928) 300788 FAX: (0928) 311662 Email: agency surgeon nwa2019@gmail.com

OFFICE ORDER:

On the recommendation of Departmental Selection Committee. Mr Wasiq Ullah S/O Mohammad Abdul Hai of Village Khaddi Tehsil Mirali and P/O Eidak is here by appointed as a JCT (Pharmacy) in BPS-12 (13320-960-42120), against the Existing vacant post at CD Hakim Jan Kot Tehsil Shawa, North Waziristan Tribal District, plus usual allowances as admissible under the rules in the best interest of public services with immediate effect.

His appointment shall be on the following terms and conditions.

- 1- He is declared medically fit for this job.
- 2- His appointment shall be for a permanent basis from the date of his joining in service.
- 3- He shall be bound to serve for at least 3 years in North Waziristan.
- 4- He shall not indulge in any trade, business and any other activity what so ever which has been declared prohibited for the Government Servants in Civil Servant Act: 1973.
- 5- If he wishes to resign the services a prior notice of 30 days will be submitted, otherwise one month pay should be deposited in Government treasury through challan.
- 6- He will have to serve anywhere in North Waziristan Tribal District.
- 7- His Salaries will be released after the verification of their CNIC, Domicile certificate and Clarence/character certificate.
- 8- He will not be entitled for any TA/DA for joining the service.
- 9- If he accept the above terms and condition they have to report for duty within 15 days of the receipt of this offer at CD Hakim Jan Kot Tehsil Shawa.. otherwise the order will be considered as cancelled.

Sd:xxxxxxxxx

(Dr. Hamid Ullah)

District Health Officer
North Waziristan Tribal District

No 4874-76 /Apptt:

dated 31 / 12 / 2019.

Copy forwarded to the:

1. Deputy Commissioner North Waziristan Tribal District.
2. District Account officer Tribal District North Waziristan Miranshah.
3. Accounts/Pay Bill Clerk of this office.
4. Officials concerned.

District Health Officer,
North Waziristan Tribal District

D/17

**MUHAMMAD IQBAL KHAN WAZIR
(DDAC) CHAIRMAN/MEMBER
PROVINCIAL ASSEMBLY PK-111**

No. DDAC/MPA-PK-111/2020/Health
Dated: The Peshawar February 17, 2020

Subject:

**COMPLAINT AGAINST ILLEGAL APPOINTMENTS MADE
BY DHO NORTH WAZIRISTAN WITHOUT FULFILLING
FORMALITIES/BOGUS DIPLOMA HOLDER.**

My Dear,

Hope this letter of mind find you in the best if your health.

I would like to say that District Health Officer North Waziristan recently made almost 71 appointments of bogus degree holders on taking bribe and without fulfilling of codal formalities.

In view of the above the salaries of 71 appointees (list attached) may be stopped till the inquiry report is not furnished.

Muhammad Iqbal Wazir

District Accounts Officer,
District North Waziristan
NWTD Miranshah

CC:-

1. Deputy Commissioner, North Waziristan with the request to look into the matter personally.
2. DHO North Waziristan.

District Health Officer
Miranshah Triba Distt:

18 D1/18

**OFFICE OF THE DISTRICT ACCOUNTS OFFICER
NORTH WAZIRISTAN (TRIBAL DISTRICT) MIRAN SHAH.**
No. DAD-MIRAN/11/2020



To:

The District Health Officer
NWTD Miran Shah

**SUBJECT:- COMPLAINT AGAINST ILLEGAL APPOINTMENT MADE BY
DDHO NORTH WAZIRISTAN WITHOUT FULFILLING CODAL
FORMALITIES/BOGUS DIPLOMA HOLDER.**

Memo.

Please refer to the letter issued by Mr. Muhammad Iqbal Khan
Wazir, Minister for Relief (DDAC) chairman, Member Provincial Assembly PK-111
No. DDAC /MPA-PK-111/2020/Health/dated 17/02/2020 on the subject cited
above.

In this connection it is requested that the matter may be
investigated at your end and computer change proforma may send to this office for
stoppage of pay & Allowance of the employees as per list attached till the complaint
is set aside.

2. It is also pertinent to mention that as per the verbal directions of
the worthy Minister that before processing fresh appointment/recruitment of any
kind and of any department prior permission may be obtained from the Minister
concerned.

District Accounts Officer
NW (Tribal District) Miran Shah

Copy forwarded to:

1. The Accounts officer (C&M) O/O the Accountant General, Khyber
Pakhtunkhwa Peshawar with the request to guide this office for
appropriate action in the subject case please.
2. The Deputy Commissioner NWTD Miran Shah for information and
necessary action please.

District Accounts Officer

18

Legible Copy

OFFICE OF THE DISTRICT ACCOUNTS OFFICER NORTH WAZIRISTAN
(TRIBAL DISTRICT) MIRAN SHAH

20.02-2020

To,
The District Health Officer
NWTD Miran Shah

SUBJECT:- COMPLAINT AGAINST ILLEGAL APPOINTMENT MADE BY DHO
NORTH WAZIRISTAN WITHOUT FULFILLING CODAL FORMALITIES/
BOGUS DIPLOMA HOLDER.

Memo,

Please refer to the letter issued by Mr. Muhammad Iqbal Khan Wazir, Minister for Relief (DDAC) Chairman/ Member Provincial Assembly PK 111 vide No. DDAC/ MPA-PK 111/ 2020/ Health/ dated 17/02/2020 on the subjected noted above.

In this connection it is requested that the matter, may be investigated at your end and computer change profarma may send to this office for stoppage of pay & Allowance of the employees as per list attached till the complaint to be set a side.

2. It is also pertinent to mention that as per the verbal directions of the worthy Minister that before processing fresh appointment/ recruitment of any kind and of any department prior permission may be obtained from the Minister concerned.

District Account Officer
NW (Tribal District) Miran Shah

Copy forwarded to:

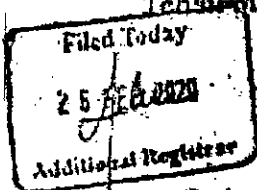
1. The Accounts officer (C&M) O/O the Accountant General Khyber Pakhtunkhwa Peshawar with the request to guide this office for appropriate action in the subject case please.
2. The Deputy Commissioner NWTD Miran Shah for information and necessary action please."

BEFORE THE PESHAWAR HIGH COURT
BANNU



Writ Petition No. 270-B of 2020

1. Yasir Iqbal S/o Habib Nawaz R/o Village Hurmaz, Tehsil Mir Ali, District North Waziristan.
2. Ali Johar Iqbal S/o Muhammad Iqbal R/o Village Hurmaz, Tehsil Mir Ali, District North Waziristan.
3. Zubair Ali S/o Hazrat Ali R/o Village Hurmaz, Tehsil Mir Ali, District North Waziristan.
4. Miss. Sania Bibi D/o Arsala Jan R/o Village Hurmaz, Tehsil Mir Ali, District North Waziristan.
5. Nasir Ahmad Khan S/o Zafar Ali R/o Village Hassu Khel, Tehsil Mir Ali, District North Waziristan.
6. Asif Ali S/o Noor Ali Jan R/o Village Karamkot, Tehsil Miran Shah, District North Waziristan.
7. Miss. Nothia Bibi D/o Ameer Ullah R/o Village Ghaziama, Tehsil Datta Khel, P.O. Boya, District North Waziristan.
8. Fida Hussain S/o Mir Ghulam R/o Village Hassu Khel, Tehsil Mir Ali, District North Waziristan.
9. Muhammad Imran S/o Atta Ullah Jan R/o Village Hassu Khel, Tehsil Mir Ali, District North Waziristan.
10. Wasiq Ullah S/o Muhammad Abdul Hai R/o Village Hassu Khel, Tehsil Mir Ali, District North Waziristan.
11. Miss. Bas Nizza D/o Muhammad Noshar Khan R/o Village Mussaki, Tehsil Mir Ali, District North Waziristan.
12. Hussain Ahmad S/o Haider Ali R/o Village Hurmaz, Tehsil Mir Ali, District North Waziristan.



ATTESTED

EX. No. 11
Peshawar High Court
Bannu Bench

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- 13. Muhammad Israr S/o Sandullah Jan R/o Village Hamzoni, Patti Khel, Tehsil Miran Shah, District North Waziristan.
- 14. Niamat Ullah S/o Syed Khan Majan R/o Village Danday, Saidgai, Zakir Khel, Tehsil Ghulam Khan, District North Waziristan.
- 15. Tahir Iqbal S/o Malik Zaman R/o Village Musnaki, Tehsil Mir Ali, District North Waziristan.
- 16. Asad Aziz S/o Muhammad Feroq R/o Village Toppi, Tehsil Miran Shah, District North Waziristan.
- 17. Muhammad Abdullah S/o Muhammad Shahid R/o Village Hassu Khel, Tehsil Mir Ali, District North Waziristan.
- 18. Muhammad Zamin S/o Abdul Sattar R/o Village Issori, Tehsil Mir Ali, District North Waziristan.
- 19. Miss. Hajra Naz D/o Latif Ullah R/o Village Hassu Khel, Tehsil Mir Ali, District North Waziristan.
- 20. Akmal Khan S/o Abdullah Qayyum R/o Village Darpa Khel, Tehsil Miran Shah, District North Waziristan.
- 21. Shoukat Ullah S/o Yaqoob Khan R/o Village Ziraki, Tehsil Mir Ali, District North Waziristan.
- 22. Wali Rehman S/o Pir Rehman R/o Village Khushali, Tehsil Mir Ali, District North Waziristan.
- 23. Azmat Ullah S/o Rases Khan R/o Village Khushali Malki Khel, Tehsil Mir Ali, District North Waziristan.
- 24. Muneeb Rehman S/o Zari Jan R/o Village Hassu Khel, Tehsil Mir Ali, District North Waziristan.
- 25. Wali Ullah S/o Muhammad Rafiq R/o Village Hamzoni All Khel, Tehsil Miran Shah, District North Waziristan.
- 26. Nasir Azam S/o Nour Azam Jan R/o Village Danday Hora Khel, Tehsil Miran Shah, District North Waziristan.

Patti Tassy
 26 FEB 2022
[Signature]

ATTESTED
 Patti Tassy
 Patti Tassy

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- 27. Miss. Rizwana Sadiq D/o Muhammad Sadiq R/o Village Dawar Tappi, Tehsil Miran Shah, District North Waziristan.
- 28. Muhammad Allam Shah S/o Muhammad Karim Shah R/o Village Edak Khadi, Tehsil Mir. Ali, District North Waziristan.
- 29. Ameer Mahmood S/o Hayat Khan R/o Village Dawir Banda, Tehsil Miran Shah, District North Waziristan.

.....PETITIONERS

VERSUS

Government of Peshawar through Director Health
 Peshawar.
 District Health Officer, District North Waziristan.
 District Assembly Officer, District North Waziristan.
 District Chairman, District North Wazir, DDAC Chairman/
 District Council, District North Wazir, District North Waziristan.
 District Council, District North Wazir, District North Waziristan.

.....RESPONDENTS

NOTIFICATION UNDER ARTICLE 192
OF THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN, 1973 AS



Legible Copy

- 27. Miss Rizwana Sadiq D/o Muhammad Sadiq R/o Village Dawar Tappi, Tehsil Miran Shah, District North Waziristan.
- 28. Muhammad Alim Shah S/o Muhammad Karim Shah R/o Village Edak Khadi, Tehsil Mir Ali, District North Waziristan.
- 29. Ameer Mehmood S/o Hayat Khan R/o Village Dawir Banda, Tehsil Miran Shah, District North Waziristan.

..... PETITIONERS

VERSUS

- 1. Govt. of Khyber Pakhtunkhwa through Director Health Services, Merged Areas, Peshawar.
- 2. District Health Officer, District North Waziristan.
- 3. District Account Officer, District North Waziristan
- 4. Muhammad Iqbal Khan Wazir, DDAC Chairman/ Member Provincial Assembly PK-111.

WRIT PETITION UNDER ARTICLE 199
OF THE CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN, 1973 AS AMENDED
UPTO DATE.

F/22

D

IN THE PESHAWAR HIGH COURT,
BANNU BENCH.
(Judicial Department)

Writ Petition No.270-B of 2020
Yasir Iqbal etc Vs. Govt. of Khyber Pakhtunkhwa etc

Date of hearing 18.01.2021

**Petitioners by: M/S Jehanzeb Mehsud and Bashir Khan
Wazir Advocates**

**Respondents by: Mr. Shahid Hameed Qureshi, AAG, with
Mr. Siddique Anjum, A.D: (Lega) Anti-
Corruption Establishment and Mr.
Fahim, Admin Officer Rescue 1122**

JUDGMENT

SAHIBZADA ASADULLAH, J.—Through the instant petitioner filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioners are seeking the following relief:

It is, therefore, humbly prayed that, on acceptance of this writ petition an appropriate writ may please be issued declaring that petitioners have been validly appointed on their respective vacant posts, after adopting all codal formalities and the petitioners are still working

23

2

against the said posts with no complaint whatsoever, the impugned letter dated 20.02.2020 issued by the respondents No.3 & 4 may please be declared as illegal, unlawful, without lawful authority and of no effect, the same is liable to be struck down, the petitioners are also entitled to be continued their duties and accordingly respondents No.1 to 3 may be directed not to withhold/stop monthly pay and allowance of the petitioners and if they have been stopped/withhold the salary of the petitioners, the same may be ordered to be released with mutatis mutandi.

Any other relief, not specifically asked for may also graciously be extended in favour of the petitioner in the circumstances of the case.

2. Facts of the case, essential for the decision of this writ petition, are that the petitioners were appointed on various cadres of paramedics by the District Health Officer North Waziristan. However, respondent No.4 made a complaint wherein the appointment of petitioners was alleged to be illegal, without fulfilling codal formalities and based on bogus diplomas. On the basis of said complainant department started

an inquiry and thereby, the salaries of petitioners were ordered to be stopped till the outcome of inquiry as to the legality of their appointments. Hence, petitioners approached this Court with the above-mentioned relief.

3. On 26.02.2020, this court directed respondents No.3 & 4 to file para-wise comments to the writ petition which have been so furnished by respondent No.3, wherein, issuance of the desired writ is opposed.

4. We have heard arguments of the learned counsel for the parties as well as learned AAG, and have gone through the record.

5. A threadbare perusal of the record reveals that the prayer of petitioners to declare that they have been validly appointed on their respective posts, after adopting all codal formalities directly relates to the provision of Rule 10 of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989. The jurisdiction of this Court, concerning all the matters which touch the terms & conditions of the service of a Civil Servant, is barred under Article 212 of the Constitution of Islamic Republic of Pakistan. Besides, as the inquiry as to the legality and otherwise of the appointment of petitioners is pending, therefore, any order passed in this behalf shall directly affect the merits of inquiry. Therefore, this Court

(28)

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while exercising its constitutional jurisdiction cannot indulge into the matter of inquiry and legality of the appointments of petitioners.

6. As far as the stoppage of salaries is concerned, Article 11 of the Constitution of Islamic Republic of Pakistan, 1973, in unequivocal words prohibits the forced labour. Moreover, no circumstance as envisaged in Article 11(4) of the Constitution is available in this case which may justify the stoppage of salaries of petitioners despite performance of their duties. Therefore, if petitioners are performing their duties and they are still in service, then respondents No.1 to 3 are bound to pay them for the labour and services which petitioners rendered in the department.

7. In view of the foregoing discussion, the writ petition is disposed-off in the above terms.

Announced.
18.01.2021

As
18/1/2021

SCANNED

01 FEB 2021

Khalid Khan
Khalid Khan

M. Subhan
JUDGE

Qureshi
JUDGE

(D.B) Ms. Justice Masarrat Htall and Mr. Justice Sahibzada Asadullah
*MSubhan

6/26
0

MINISTER FOR HEALTH
KHYBER PAKHTUNKHWA
DEPARTMENT OF HEALTH

(48)

DUQHAL WAZIR

Office No. MS/KP/2771/2015
Date: 26/11/2015

Subject: **REQUEST FOR INQUIRY**

My Dear,

Hope this letter of mine will find you in the best of your health.

I would like to enclose herewith a letter addressed to your good self with regard to conduct inquiry against DHO North for 71 illegal appointments in Tribal District North Waziristan (appointees list attached). It is also mention here that Mr. Amjad Salim Junior Clerk is also involved in all these illegal activities and in taking bribe from the appointees.

It is also pointed out that the present DHO North Waziristan again made illegal appointments in Tribal District North Waziristan (copies attached).

In view of the above, it is requested to kindly direct the quarter concerned to conduct inquiry against DHO North Waziristan on top priority basis, please.

Yours Sincerely,

Muhammad Iqbal Wazir

SOV
26/11/15
AS/Bsh

Mr. Taimoor Saleem Khan Jhagra,
Minister for Health, Khyber Pakhtunkhwa.

Copy forwarded for similar action to:-

1. The Secretary Health, Govt. of Khyber Pakhtunkhwa.
2. The Director General Health, Khyber Pakhtunkhwa.
3. The Director Merged Area Health, Khyber Pakhtunkhwa.
4. The Director Anti corruption, Khyber Pakhtunkhwa.

ADDRESS 2ND FLOOR MINISTERS BLOCK CIVIL SECRETARIAT PESHAWAR
KHYBER PAKHTUNKHWA PHONO: 9210143

21/27

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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.
DG, DGHWS, Peshawar - 251001. Telephone: 091-25101077 or 091-25100000. Fax: 091-25100000. Email: dg@dgshs.gov.pk

No. 3913-14/DGHS

Dated 23/04/2021

To,

To District Health Officer,
North Waziristan.

Handwritten numbers: 4783, 217-514

Subject: **IMPLEMENTATION OF RECOMMENDATION OF INQUIRY
COMMITTEE AGAINST DHO NORTH WAZIRISTAN**

Please find enclosed a letter from Health Department, KP No. SOH(E-V)-4/2021/Inquiry Report dated 22/04/2021 on the subject cited above.

The inquiry regarding illegal appointment/regularization was conducted by Provincial Inspection Team Establishment & Admin Department (Regulation Wing) against Dr. Hameedullah Ex-DHO North Waziristan. The Copy of Recommendation of Inquiry Committee is enclosed.

You are hereby directed to provide all the details of relevant record, so this office can implement the decision of Inquiry Committee.

**DIRECTOR GENERAL HEALTH
SERVICES KHYBER PAKHTUNKHWA PESHAWAR**

Cc

- 1. PS to Secretary Health Khyber Pakhtunkhwa

Handwritten signature

(27)

Legible Copy

DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA
PESHAWAR

Dated 23/04/2021

No 3913-14/DGHS

To

To District Health Officer
North Waziristan.

Subject: **IMPLEMENTATION OF RECOMMENDATION OF INQUIRY**
COMMITTEE AGAINST DHO NORTH WAZIRISTAN

Please find enclosed a letter from Health Department KP No. SOH(E-V)4.4/2021/Inquiry Report dated 22/04/2021 on the subject cited above.

The Inquiry regarding illegal appointment/ regularization was conducted by Provincial Inspection Team Establishment & Admin Department (Regulation Wing) against Dr. Hameedullah Ex-DHO North Waziristan, The Copy of Recommendation of Inquiry Committee is enclosed.

You are hereby directed to provide all the details of relevant record, so this office can implement the decision of Inquiry Committee.

DIRECTOR GENERAL HEALTH
SERVICES KHYBER PAKHTUNKHWA PESHAWAR

Cc

1. PS to Secretary Health Khyber Pakhtunkhwa



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

NO. SOH(E-V)4-4/2021/Inquiry Report
Dated Peshawar the April 22nd, 2021

The Director General Health Services,
Khyber Pakhtunkhwa,
Peshawar

4136
277414

Subject: REQUEST FOR INQUIRY AGAINST DHO NORTH WAZIRISTAN

Dear Sir,

I am directed to refer to the subject noted above and state that the Establishment & Admin Department (Regulation Wing) has submitted Inquiry Report of Khyber Pakhtunkhwa Provincial Inspection Team regarding illegal appointment/regularization made by Dr. Hameedullah, Ex-DHO North Waziristan. The following recommendations may be implemented:-

1. Cancel/ withdraw all the irregular adjustments/ regularizations and appointment of the employees during the tenure of Dr. Hameedullah and Dr. Israr ul Haq, Ex-DHO, North Waziristan as indicated in the Inquiry report.
2. The credentials/ antecedents of all the employees working under the administrative control of DHO, North Waziristan may be verified from the concerned Boards/ Universities/ Faculties under the prevailing rules.
3. The clerical staff working in the office of DHO, North Waziristan were found involved in concealment of the office record for their vested interest, therefore, they may be transferred out of District of North Waziristan and must never be posted in North Waziristan in future.

I am, further directed to state that the above mentioned recommendations may be implemented under intimation to this Department, please.

Yours faithfully,

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

E. I.
[Signature]

IMPORTANT/URGENT

OFFICE OF THE DIRECTORATE GENERAL HEALTH KPK PESHAWAR

No. 7047-50/EJ

Dated: 26/05/2021

Copy of the above is forwarded to the:-

1. Deputy Director Paramedics DGHS Office Khyber Pakhtunkhwa, Peshawar.
2. AD/In-charge (Personnel Section) DGHS KP, Office.
3. The District Health officer North Waziristan Merged District at Miranshah.

For information and immediate necessary action.

(Signature)
05/05/2021
ADDL. DIRECTOR GENERAL (HRM) HEALTH
KHYBER PAKHTUNKHWA PESHAWAR

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K/29



**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR.**

Office Ph# 091-9210269 Exchange# 091-9210187, 091-9210196. Fax #091-9210230
All communications should be addressed to the Director General Health Services Peshawar and not to
any official by name.

No. 11864 /EV

Dated 5/8/2021

To

District Health Officer
North Waziristan (Disst: Miranshah)

Subject:

REQUEST FOR IMPLEMENTATION OF THE HONORABLE PESHAWAR HIGH
COURT BANNU BENCH DECISION UNDER WP NO.270- OF 2020 DATED
18.01.2021 YASIR IQBAL ETC VS GOVT OF KHYBER PAKHTUNKHWA ETC.

Kindly reference to your letter No.11134-35 /Court Case dated 05.07.2021
on the subject noted above and to direct to implement the decision of the Honorable
Court, under intimation to this Directorate.

Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.

THE DIRECTOR GENERAL HEALTH SERVICES KP PESHAWAR

30
K1/30
E-11

Subject: DEPARTMENTAL APPEAL UNDER SECTION 22 OF THE CIVIL SERVANT ACT AGAINST THE ORDER DATED 22/04/2021 INTIMATED TO DIRECTOR GENERAL HEALTH KPK PESHAWAR DATED 06/05/2021 AND THE SAME ORDER HAS BEEN FURTHER CONVEYED TO DISTRICT HEALTH OFFICER FEW DAYS AGO ON THE BASIS OF WHICH THE SALARIES OF THE APPELLANT HAS BEEN STOPPED/WITHHELD ILLEGALLY SINCE 1ST JUNE 2021.

RESPECTED SIR,

The appellant submit as under: -

With due respect it is stated that, I am performing my duties as ~~BA~~ ^{JCT-Pharmacy} BPS 12 under the district health officer (DHO) District North Waziristan I was appointed after fulfillment of all coddle formalities, since my appointment performing my duties with full devotion and great zeal and zest.

That I and along with other employees have been appointed in the light of proper advertisement and after assumption of charge on the subject posts my along with other employees salaries were stopped by the District Account Officer north Waziristan, due to the active involvement of Minister for relief Mr M Iqbal wazir, who belongs to the same area, thereafter, we approached to the Peshawar High Court Bannu Bench in Writ Petition and challenged the illegal acts of the concerned, which was accepted and the concerned quarters have been directed to release salaries of the appellant along with other colleagues.

Now once again on the request and active connivance of the Minister Mr Muhammad Iqbal Wazir constitute an enquiry without associated to the appellant the office order issued by the Secretary Health mentioned in the heading of appeal has been endorsed by the DG health and on the basis of which the salaries of the appellant along with other more than 400 employees have been stopped since 1st June 2021 illegaly without any justifications, just to cover up the request and illegal letter issued by the Minister concerned, therefore, the appellant aggrieved from the illegal stoppage of salaries and letter of the secretary and DG health and the same has been done on the directions of political figures, therefore, the impugned order dated 22/04/2021 endorsed by the DG health on dated 06/05/2021, on the basis of which the salary of the appellant has been stopped by the DHO North Waziristan since 1st June 2021 being illegal, unlawful, without lawful authority and liable to be set aside.

It is, therefore, most humbly prayed that on acceptance of this appeal basic office order dated 22/04/2021 and consequently the order dated 06/05/2021 and stoppage of salaries since 1st June 2021 may very kindly be cancelled and the current as well as outstanding salaries of the appellant may kindly be released.

I shall be very thankful to you.

Dated: -

Appellant

Name: Wasifullah

Designation along with post JCT Pharmacy

L/31

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**OFFICE OF THE DISTRICT HEALTH OFFICER
TRIBAL DISTRICT AT MIRANSHAH**

tel: (0928) 300788 FAX: (0928) 311662

Email: agency Surgeon nwa2018@gmail.com

No. 13024 /DHO NWTD

Dated

06 / 08 / 2021

The Director General Health Services
KP, Peshawar

6.9.2021

90 days -

Subject:
R/Sir,

REQUEST FOR INQUIRY AGAINST DHO NORTH WAZIRISTAN.

In compliance to your office endorsement No.7047-50/E.I dated 06/05/2021 in response to Secretary Health Office Letter No. SOH (E-V) 4/20201/Inquiry Report dated Peshawar the April 22nd, 2021, the undersigned is pleased to cancel/withdraw all the irregular adjustment/regularization and appointment of the employees during the tenure of Dr.Hamid Ullah and Dr.Israr Ul Haq EX-DHO North Waziristan as indicated in the inquiry report with immediate effect.

[Signature]
District Health Officer
Tribal District Miranshah
Dated the: 06/08/2021

No. _____ /DHO NWTD

Copy forwarded to the:

1. Deputy Commissioner Tribal District Miranshah.
2. PA to Secretary Health KP, Peshawar.
3. HQ-7 Dive Camp Area Miranshah.
4. All Officials Concerned.

The inquiry was conducted against 77 employees.

District Health Officer
Tribal District Miranshah

L1/ (32)

3

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**



APPEAL NO. 7129 /2021

Diary No. 02/8/2021

Dr. Muhammad Israr-Ul-Haq, Management Cadre (BPS-18)
Posted as District Health Officer, District North Waziristan.

..... APPELLANT

VERSUS

- 1- The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
- 4- Dr. Hafizullah, General Cadre (BPS-17), under transfer/ posted as District Health Officer, North Waziristan (OPS), District North Waziristan.

..... RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 09-07-2021 WHEREBY THE PRIVATE RESPONDENT NO.4 HAS BEEN POSTED AGAINST THE POST OCCUPIED BY THE APPELLANT IN UTTER VIOLATION OF TRANSFER/POSTING POLICY AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD.

PRAYER:

filed to-day
Registrar
02/08/2021

That on acceptance of this appeal the impugned Notification dated 09-07-2021 may very kindly be set aside to the extent of posting of the private respondent No.4 against the post occupied by the appellant and the respondents may kindly be directed not transfer the appellant from the post of District Health Officer, District North Waziristan. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

Certified to be true copy
K. ARIF
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

**R/SHEWETH:
ON FACTS:**

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



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05.08.2021

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant contends that the transfer of the appellant through impugned order is against the posting/transfer policy of the Provincial Government. Let the respondents be put on notice for regular hearing. The appeal is admitted for regular hearing subject to all legal objections to be determined during full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days 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 22.09.2021 before the D.B.

An application has been filed alongwith the appeal for interim relief. Notice of the application be also given to the respondents. The operation of the impugned order shall remain suspended to the extent of appellant and respondent No. 4 till next date.

Chairman

Certified to be true copy
Chairman
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Preparation of Notification: 05/08/21
Number of Pages: 16
Copies: 16
Budget: 10/-
Total: 10/-
Number of: 56/8/21
Date of Disposal of Case: 05/08/21

M/34

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**OFFICE OF THE DISTRICT HEALTH OFFICER
NORTH WAZIRISTAN**

Tel: (0928) 300788 FAX: (0928) 311662 Email: agency surgeonwa19@gmail.com

No 13354 /DHO Office

Dated 25/8/2021

- To
1. Dr. Muhammad Adnan Khan MO Type-D Hospital Razmak
 2. Dr. Jamshid Nawaz MO -do-
 3. Dr. Abid Ullah MO -do-
 4. ~~Mr. Wali Ullah OTA -do-~~
 5. ~~Mr. Mr. Habib Shah EPI Technician -do-~~
 6. ~~Mr. Aamir Rehman Dental Technician -do-~~
 7. Mst. Sania Bibi LHV -do-
 8. ~~Mr. Zohaib Storekeeper -do-~~

Subject:

SHOW CAUSE NOTICE.

Whereas you all have been reported as willfully absent from your duty station from unknown duration.

Whereas you all have been reported absent without any prior permission of the undersigned.

Whereas it shows that you are not performing duties regularly which is equivalent to negligence on your part.

In view of the above, you all are directed to report to your duty stations with immediate effect.

Consequent upon the above, you all are hereby directed to show cause of absenteeism in written and reach this office within 02 days positively. In case you failed to report to your duty station and failed to justify your position, strict disciplinary action will be initiated against you which may lead to removal/termination from service.

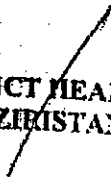

DISTRICT HEALTH OFFICER
NORTH WAZIRISTAN AT MIRANSHAH

No. / Show Cause Notice

Copy forwarded to the:

08/2021

- 1- Director General Health Services KP Peshawar.
- 2- Deputy Commissioner Tribal District Miranshah.
- 3- Assistant Commissioner Sub Division Razmak.
- 4- PS to Secretary Health, KPK, Peshawar.
- 5- HRMS Focal Person of this office.
- 6- DMO, IMU, Health Department.
- 7- Head Clerk of this office with direction to stop their salaries till further orders.
- 8- Official concerned.


DISTRICT HEALTH OFFICER
NORTH WAZIRISTAN AT MIRANSHAH

Legible Copy**OFFICE OF THE DISTRICT HEALTH OFFICER NORTH WAZIRISTAN**

Tel: (0928) 300788 FAX: (0928) 311662

Email: agency_surgeonwal9@gmail.com

No. 13354/DHO Office

Dated 25.08.2021

To,

1. Dr. Muhammad Adnan Khan MO Type-D Hospital Razmak
2. Dr. Jamshid Nawaz MO -do-
3. Dr. Abid Ullah MO -do-
4. Mr. Wali Ullah OTA -do-
5. Mr. Mr. Habib Shah EPI Technician -do-
6. Mr. Atta Ur Rehman Dental Technician -do-
7. Mst. Sania Bibi LHV -do-
8. Mr. Zohaib Storekeeper -do-

Subject: **SHOW CAUSE NOTICE.**

Whereas you all have been reported as willfully absent from your duty station from unknown duration.

Whereas you all have been reported absent without any prior permission of the undersigned.

Whereas it shows that you are not performing duties regularly which is equivalent to negligence on your part.

In view of the above, you all are directed to report to your duty stations with immediate effect.

Consequent upon the above, you all are hereby directed to show cause of absenteeism in written and reach this office within 02 days positively. In case you failed to report to your duty station and failed to justify your position, strict disciplinary action will be initiated against you which may lead to removal/ termination from service.

DISTRICT HEALTH OFFICER
NORTH WAZIRISTAN AT MIRANSHAH

No. ____ / Show Cause Notice

Copy forwarded to the:

1. Director General Health Services KP Peshawar.
2. Deputy Commissioner Tribal District Miranshah.
3. Assistant Commissioner Sub Division Razmak.
4. PS to Secretary Health, KPK, Peshawar.
5. HRMS Focal Person of this office.
6. DMO, IMU, Health Department.
7. Head Clerk of this office with direction to stop their salaries till further orders.
8. Official concerned.

DISTRICT HEALTH OFFICER
NORTH WAZIRISTAN AT MIRANSHAH

M2 | (35)

**OFFICE OF THE DISTRICT HEALTH OFFICER
NORTH WAZIRISTAN AT MIRANSHAH**

/DHO/POLIO/MRN

Dated the: /10/2021

1. Mr. Nizam ud Din, EPI Technician
2. Mr. Nasir, EPI Technician
3. Mr. Mohsin Kamal, EPI Technician
4. Mr. Ashraf Ali, EPI Technician
5. Mr. Muhammad Hakim Shah, EPI Technician
6. Mr. Sher Alam Khan, EPI Technician
7. Mr. Shereen Gul, EPI Technician (OSS Centre)
8. Mr. Burhan Ullah, EPI Technician (OSS Centre)
9. Mr. Nasir Ud Din, EPI Technician
10. Mr. Ghafoor Hassan, EPI Technician
11. Mr. Adil Khan, EPI Technician
12. Mr. Abrar Ahmad, EPI Technician
13. Mr. Mehtab Qureshi, EPI Technician
14. Mr. Imran (PSDP), EPI Technician
15. Mr. Saleem ullah, EPI Technician
16. Mr. Abdur Rehman, EPI Technician
17. Mr. Muhammad Baseer, EPI Technician
18. Mr. Shaheen ullah, EPI Technician
19. Mr. Din Muhammad, EPI Technician

Subject: Long Absence From duty & Non-submission of Monthly Data

As reported categorically by FSMO/EPI Coordinator, North Waziristan that you are absent from your assigned duties since long and that you are not administering routine immunization Vaccines/Antigens in your assigned areas of responsibility which poses a threat to the Health status of the children of the whole community of this district.

In this connection, you all are hereby directed to report to your assigned duty stations/areas of responsibility with immediate effect, failing which strict disciplinary action will be initiated against you under E & D rules which may lead to removal/termination from service.

DISTRICT HEALTH OFFICER
North Waziristan at Miranshah

Dated the: 11 /10/2021

No. 15457-56 /DHO/POLIO/MRN/
Copy forwarded to the:

1. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commissioner, North Waziristan, Miranshah.
3. Additional deputy commissioner, North Waziristan, Miranshah.
4. N-STOP Officer, DPCR, North Waziristan, Miranshah.
5. Head Clerk with directions to deduct 20 days salary of the above mentioned officials with immediate effect.
6. Officials Concerned.



**OFFICE OF THE DISTRICT HEALTH OFFICER
NORTH WAZIRISTAN**

Tel: (0928) 300788 FAX: (0928) 311662 Email: agency.usg@comptrol.waziristan@gmail.com

No 14346

Date: 9/10/2021

M2/ (35)

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OFFICE ORDER:

The following EPI Technicians are hereby directed to cover the zero dose children as mentioned against their names on urgent footing in the best public interest.

SNOM	UC	Name	Recorded Zero Dose	Covered Zero Doses	Percentage%
1.	Mirali 3	(1)Sheir Ali Baz (2)Zain Ullah (3)Asad Ullah (4)M.Reza	25	8	32%
2.	Mirali 5	(1)Abid Iqbal (2)Fahad Ullah (3)Shams Ur Rehman	93	6	6.45%
3.	Shirwa 1	(1)Wazim ud din (2)Nasir	46	0	0%
4.	Shirwa 2	(1)Mohsin Kamsal (2)Dusan ulloh wazir	43	0	0%
5.	Spinwan 1	(1)Ghufraat Ullah (2)Zahir Ayub (3)Ashraf Ali	59	37	62.71%
6.	Spinwan 2	(1)Qismat ulloh (2)M.Hakeem Shah	116	15	12.9%
7.	Datta khel 1	(1)Ibrar Ahmad (2)Mehrab Qureshi (3)Ibrar Ahmad (4)Imran	58	15	25.86%
8.	Datta khel 2	(1)Saleem Ullah (2)Abdur Rehman (3)Inwab Khan (4)Arif Ullah (5)Muhammad Baseer	32	3	9.7%
9.	Datta khel 3	(1)Shams UR Rehman	2	0	0%
10.	Datta khel 6	(1)Arshad Ullah	3	0	0%
11.	Gisulam Khan	(1)Izot Ullah (2)Ahmed u din (3)Fahim ulloh (4)Hafsa Ullah (5)Rafiq Ullah	20	9	45%
12.	Garyum	Jahangir Dispenser	16	0	0%

Coverage report by names to be submitted to FSMO/EPI Coordinator within three days positively.

District Health Officer
North Waziristan

Dated: 9/10/2021

No 14345-49

Copy to: Copy forwarded to the:

1. Director EPI Khyber Pakhtun Khwa
2. Deputy Commissioner North Waziristan.
3. FSMO/EPI Coordinator North Waziristan.
4. DPCK North Waziristan.
3. OFFICIALS CONCERN

District Health Officer
North Waziristan

Printed and Published

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Wasiq Ullah.....Appellant

VERSUS

Director General Health Services & others.....Respondents

I/We the undersigned do hereby appoint, Syed Haziq Ali Shah, [REDACTED] Advocates Peshawar in the above mentioned Case, to do all or any of the following acts, deeds and things:-

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

AND hereby agree:-

- a- That the Advocates shall be entitled to withdraw from the prosecution of the said

In witness whereof I/We have signed this Vakalatnama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this ___ day of ___, 2020

Wasiq Ullah. [Signature]

Signature of Executants

Attested & Accepted by:

[Signature]
SYED HAZIQ ALI SHAH

Advocate Supreme Court of Pakistan

03005908460

BC 10,6830

Haziq1@gmail.com

[Signature]
M. Saad Wazir
Advocate High Court(s)

[Signature]
Sayyar Khan
Advocate