

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

**Service Appeal No.7616/2021**

**BEFORE:** SALAH-UD-DIN --- MEMBER(J)  
MUHAMMAD AKBAR KHAN--- MEMBER(E)

Dr. Bakht Zamin Khan (Rtd), Ex-Senior Medical Officer (SMO) BPS-18, previously working and posted as SMO at District Headquarter Hospital Swabi..... (*Appellant*)

**VERSUS**

1. The Government of Khyber Pakhtunkhwa, through Chief Secretary Civil Secretariat, Peshawar.
2. The Secretary to the Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariat, Peshawar.
3. The Director General Khyber Pakhtunkhwa, Health Services, Peshawar.
4. The Medical Superintendent District Headquarter Hospital Swabi.
5. The Executive District Officer (Health) Swabi.
6. The Chairman, Provincial Selection Board (PSB) Government of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat Peshawar..... (*Respondents*)

**Present:**

USMAN KHAN TURLANDI,  
Advocate --- For Appellant.

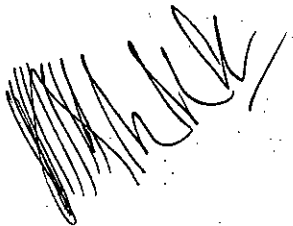
ASAD ALI KHAN,  
Assistant Advocate General --- For respondents

Date of Institution.....20.10.2021  
Date of Hearing.....09.05.2023  
Date of Decision.....09.05.2023

**JUDGMENT**

**MUHAMMAD AKBAR KHAN, MEMBER(E):-** Brief fact of the case are that the appellant was serving as SMO (BS-18) at Swabi. He attained the age of superannuation on 07.12.2019 vide Notification

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dated 31.03.2020. That on the recommendation of Provincial Selection Board, the respondent department issued Notification NO.SOH (E-V)4-22/2019 dated 31.05.2019 whereby his juniors colleagues were promoted from BPS-18 to BPS-19. Feeling aggrieved the appellant filed Writ Petition No.3865/2020 before the Hon'ble Peshawar High Court which was disposed of by treating the writ as service appeal before this Tribunal on 29.09.2021.

02. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal. We have heard arguments of learned counsel for the appellant as well as learned Assistant Advocate General for the respondents and have gone through the record with their valuable assistance.

03. Learned counsel for the appellant contended that the act of respondents by not promoting the appellant alongwith his juniors is wrong, illegal, unlawful, unconstitutional and against the fundamental rights as the appellant was asked to provide the ACR/PER for the years 2001 to 2004 and 2017 as per circular instructions circulated by the respondent No. 3 dated 13.11.2018. He submitted that the appellant has been discriminated by violating Articles-4 & 25 of the Constitution of Islamic Republic of Pakistan, 1973 as he has not been treated at par with his colleagues; that another Notification passed by the respondent No.2 regarding promotion of SMO (Senior Medical Officer) to the post of PMO (Principal Medical Officer) was accorded w.e.f the date of PSB

but in the case of appellant, the respondents were reluctant to give the appellant equal treatment despite the eligibility and entitlement for the said post of BPS-19 which shows the discriminatory treatment. Lastly, he submitted that the respondents were neglecting and refusing the right of notional promotion to BPS-19 which is against the natural rights as well as fundamental rights. Therefore, he requested for acceptance of the instant service appeal relying on PLD 1957 SC 46, 1991 SCMR 1041, 1993 PLD SC 341, PLD 2001 SC 340, 2002 PLC CS 57, 2004 CLC 1353, 2005 SCMR 2953 and 2011 SCMR 848.

04. Learned Assistant Advocate General controverted the arguments of learned counsel for the appellant and contended that the appellant was responsible for filling up the PERs first and submit to the reporting officer for further proceedings which has not been done. He argued that no discrimination has been done and the Constitution of Islamic Republic of Pakistan, 1973 has not been violated. Lastly, he submitted that at the time of promotion, neither required documents were completed in time, nor PER for the year 2018 were produced by the appellant in time, therefore, he was deferred and was not promoted.

05. Perusal and scrutiny of record available in the case file transpire that the appellant joined government service as Medical Officer (BS-17) on 01.07.2001 and got one step promotion for Senior Medical Officer (BS-18) on 15.11.2017 and remained in BS-18 till his superannuation on 31.03.2020. At the time of processing of promotion case of the appellant and his colleagues to the BS-19 in the year 2018

appellant stood at serial No. 326 of the seniority list and was eligible for promotion to next higher scale in all respect. His case for promotion alongwith his other colleagues were prepared by the respondent department well before the ACRs for the year 2018 became due. However, the matter remained in the department for five months and by the time the working paper was placed before the PSB on 19.04.2019, the ACR for the year 2018 in respect of the appellant had also become due. In the meeting of PSB dated 19.04.2019 the appellant was deferred for promotion from BS-18 to BS-19 on account of deficiency of ACR for the year 2018. Nothing is available on record that the respondent department had asked the appellant for provision of ACR for the year 2018. There was no fault on part of the appellant for delay of his promotion case. He was eligible for promotion in terms of length of service, completion of service record including ACRs and availability of posts. The delay for placement of the promotion case of the appellant occurred on part of the respondent department. There are numerous judgments of the august Supreme Court of Pakistan as well as of this Tribunal allowing the aggrieved civil servant in such like cases for pro forma promotion on notional basis. Reliance is placed on 2012 SCMR 126, 2021 SCMR 1266 and the judgment of This Tribunal rendered in Service Appeal No.552/2015 titled "Mian Zaman Khan Versus Government of Khyber Pakhtunkhwa, through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and three others" Service Appeal No. 797/2018 titled "Muhammad Saeed Versus Government of

Khyber Pakhtunkhwa, through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and 03 others” & Service Appeal No. 625/2018 titled “Anees Ahmed Versus The Secretary to Government of Khyber Pakhtunkhwa, Agriculture, Livestock & Cooperative Department, Civil Secretariat, Peshawar and three others.”

06. In view of the forgoing discussion, the instant appeal is allowed and the respondent department is directed to place promotion case of the appellant from BS-18 to BS-19 before PSB for consideration of promotion on notional basis from the date his junior/colleagues were promoted to BS-19 i.e. 31.05.2019. Costs shall follow the event. Consign.

07. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 9<sup>th</sup> day May, 2023.*

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(SALAH-UD-DIN)  
MEMBER (J)



(MUHAMMAD AKBAR KHAN)  
MEMBER (E)

**ORDER**

09.05.2023

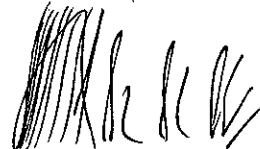
01. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General Assistant Advocate General for the respondents present.

02. Vide our detailed judgement of today separately placed on file consisting of (05) pages, the instant appeal is allowed and the respondent department is directed to place promotion case of the appellant from BS-18 to BS-19 before PSB for consideration of promotion on notional basis from the date his junior/colleagues were promoted to BS-19 i.e. 31.05.2019. Costs shall follow the event. Consign.

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(SALAH-UD-DIN)  
MEMBER (J)



(MUHAMMAD AKBAR KHAN)  
MEMBER (E)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
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3. The Director General Khyber Pakhtunkhwa, Health Services, Peshawar.
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بیان از ان مسئلہ علی  $\frac{6677}{14c}$  بقیہ قمار سیر ہند کی قسم اول

بیان کیا کہ صورت  $3\frac{10}{16}$  CIA سے کیا گیا تھا اور طرز اس کے ہے کیا گیا  
مقدار  $\frac{354}{16}$  قمار سیر میں شامل نہیں کیا گیا (سیر آزاد)

نے دوران اس وقت میں سے جو کہ ایک حد تک سیر آزاد  
کا اضافہ کیا اور اس کا ایک حصہ اس کے لئے لیا گیا  
کی لاگو ہوئے اور اس کے لئے اس کے لئے لیا گیا  
اس کے لئے اس کے لئے اس کے لئے اس کے لئے  
دستخط درج ذیل ہے

میرزا جان احمد صاحب

کراچی  $\frac{6677}{14c}$  قمار سیر ہند کی قسم اول

اس کے لئے

03335471514

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Date: 23-1-19

محمد علی

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پان اذان علی عطا ASI مدقمہ خانہ کورھسار

0333-8577771 2147035-1 31302

پان اذان علی عطا ASI مدقمہ خانہ کورھسار

436/427 = 17 9/16 کرم

حاضر آہوں اعلیٰ و جناب وقار احمد خان SP مدقمہ خانہ کورھسار

جو جس پیشاور ایسا پان اذان علی عطا ASI مدقمہ خانہ کورھسار

کو در خواست اذان لوایب زادہ محمد اکبر صوفی سکھ ہوتی ہے جو اس خرابان ایسا

کیلئے 1373 اسدع آباد کی تحریری درخواست تیار کر کے پیش اور

بارا موصول ہوئی۔ مضمون درخواست حالات و واقعات سے صورت

436/427 = پان اذان علی عطا ASI مدقمہ خانہ کورھسار

میں لایے ہوئے۔ لقمہ موقع نظر کی بدولت کیل فریب گیا ہے تاکہ

سبب الختم ان بار اقل مدقمہ اصیر عمر کے مدقمہ خانہ کورھسار

کو ٹرانسفر کر دی گئی۔ مدقمہ خانہ کورھسار سے فریب حاصل ہوا اور

پان اذان علی عطا

محمد عطا

0333-8577771

محمد عطا، ASI 15/531 مدقمہ خانہ کورھسار

Date: 03/01/2019

17 9/16 کرم = 436/427

اسدع آباد

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To

The Honourable,  
Superintendent of Police,  
Head Quarter Peshawar.

Subject: REPLY TO THE CHARGE SHEER NO.42-47/EF, DATED 02-01-2019.

R/Sir,

Applicant humbly submitted as under:-

1. That I am innocent, I am falsely charge in the FIR. I have not committed any offense.
2. That mere loading of an FIR is no offense under the law.
3. That it is well establish principle of jurisprudence that accused is presumed to be innocent, so continuance of this inquiry means that the very maxim which is in fact establishes law defeated.
4. That the accuse is favourite child of Law.
5. That interest of justice demands that the instant inquiry may please be postponed till the decision of the competent criminal court/Session judge, Islamabad.

It is therefore requested that instant inquiry may please be postponed till the decision of criminal court in FIR.

Dated: 07-01-2019

Attested  
[Signature]  
Superintendent of Police  
H.Q. Peshawar

[Signature]

Your's obediently

( Sher Zada)

Head Constable No.1593

stood at serial No. 326 of the seniority list and was eligible for promotion to next higher scale in all respect. His case for promotion alongwith his other colleagues were prepared by the respondent department well before becoming <sup>the</sup> ACR<sub>s</sub> for the year 2018 <sup>became</sup> due. However, the matter remained in the department for five months and by the time the working paper was placed before the PSB on 19.04.2019, the ACR for the year 2018 in respect of the appellant had also become due. In the meeting of PSB dated 19.04.2019 the appellant was deferred for promotion from BS-18 to BS-19 on account of deficiency of ACR for the year 2018. Nothing is available on record that the respondent department <sup>had</sup> asked the appellant for provision of ACR for the year 2018. There was no fault on part of the appellant for delay of his promotion case. He was eligible for promotion in terms of length of service, completion of service record including ACRs and availability of posts. The delay for placement of the promotion case of the appellant occurred on part of the respondent department. There are numerous judgments of the august Supreme Court of Pakistan <sup>as well as of</sup> and this Tribunal allowing the aggrieved civil servant in such like cases for pro forma promotion on notional basis. Reliance is placed on 2012 SCMR 126, 2021 SCMR 1266 and the judgment of This Tribunal rendered in Service Appeal No.552/2015 titled "Mian Zaman Khan Versus Government of Khyber Pakhtunkhwa, through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and three others" Service Appeal No. 797/2018 titled "Muhammad Saeed Versus Government of Khyber Pakhtunkhwa,



بیان ازاں خواجہ زاہد اکبر خان ہجرتی مکان نمبر 22 ضلع اقبال  
اسلام آباد

بیان چھپے میں قسم نمبر 354 جی درجہ 9-17 بجے 427-436  
16

کا دعویٰ ہے کہ اور میری مدعویت یہ FIR درج ہوئی ہے روز دسویں کو  
مکمل حالات کا حکم علم نہ تھا جو میں آج کر سکی شہر زاہد نے ہمراہ اپنے  
سے عبدالگمان سے دیکر میرے گوتے کٹیں رقم بیس لاکھ روپے  
طوائف اسٹور (کنفینڈ) چوری کیے ہیں اور چوری کرنے اور ثبوت ثابت  
کرنے کیلئے میرے گوتے میں آگ لگادی جس کی وجہ سے میرے تمام قلمی اثاثے  
صوفے، پروٹیکٹور AC اور گوتے کا مکمل قیمتی سامان جیسا کہ جینٹلمن کو زیبا اور  
بیس لاکھ روپے بٹایا جا رہا ہے۔ مجھے آج ہی قوی یقین ہے کہ اپنے علاوہ  
فلزبان نے چوری شدہ رقم و دیگر قیمتی اشیاء وقوع کی رات ہی اپنے مکان  
میں آج اور اپنے ساتھ کے پاس کچھ رقم و دیگر قیمتی اشیاء چھپا رکھی تھی  
میں ان فلزبان کو بھی رقتار کے چوری تمام سرورق رقم و دیگر اشیاء فراہم  
کروائی جاسی میں اب بھی شہر زاہد کے خلاف درخواستیں پی پی میرا مقدمہ ہے  
جو آج بروز 19/1/19 کو درجہ اولیٰ کے مطابق میرے گوتے میں بیٹا زکیر اور دیگر قلمی  
میں دریا وہ بیان ہے

M. M. M. M. M.

خواجہ زاہد اکبر خان ہجرتی وارڈ نمبر 22 عبدالغفور خان ہجرتی مکان نمبر 22

3-1-19 ضلع اقبال اسلام آباد

NIC# 61101-88534353

Superintendent of Police  
District Police  
Peshawar

through Chief Secretary Khyber Pakhtunkhwa, Civil Secretariat, Peshawar and 03 others” & Service Appeal No. 625/2018 titled “Anees Ahmed Versus The Secretary to Government of Khyber Pakhtunkhwa, Agriculture, Livestock & Cooperative Department, Civil Secretariat, Peshawar and three others.”

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07. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 9<sup>th</sup> day May, 2023.*

(SALAH-UD-DIN)  
MEMBER (J)

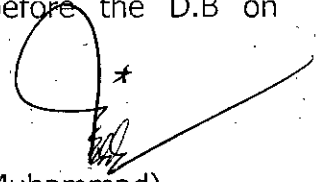
(MUHAMMAD AKBAR KHAN)  
MEMBER (E)





28.09.2022

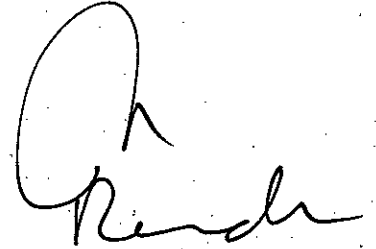
Appellant in person present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Safiullah, Focal Person for the respondents present and submitted reply/comments which are placed on file. Copy of the same is handed over to the appellant. Adjourned. To come up for rejoinder, if any, and arguments before the D.B on 24.11.2022.



(Mian Muhammad)  
Member (E)

24/11/22

Due to deletion to come  
up on 1/2/23



01.02.2023

Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant sought time for preparation of arguments. Adjourned. To come up for arguments on 09.05.2023 before the D.B.

SCANNED  
K.P.S.T  
Peshawar



(FAREEHA PAUL)  
Member(E)



(SALAH-UD-DIN)  
Member (J)

11.04.2022

Nemo for the parties.

Muhammad Adeel Butt, learned Additional Advocate General present.

Reply on behalf of respondents is still awaited. Notice be issued to appellant/counsel and respondents with direction to furnish reply/comments on the next date positively. Adjourned. To come up for written reply/comments on 15.06.2022 before S.B.



(Rozina Rehman)  
Member (J)

15<sup>th</sup> June 2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Respondents have not submitted written reply/comments. The learned AAG seeks time for submission of written reply/comments. Last chance is given. To come up for written reply/comments on 04.08.2022 before S.B.



(Kalim Arshad Khan)  
Chairman

04.08.2022

Nemo for appellant. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Usman, Assistant for respondents present.

Written reply not submitted. Representative of the respondent department sought further time to submit written reply. Another last chance is given subject to cost of Rs. 2000/- To come up for written reply/comments on 28.09.2022 before S.B.



(Fareeha Paul)  
Member (E)

09.12.2021

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant while giving background of the case leading to the instant service appeal, contended that the appellant was serving as SMO (BS-18) at Swabi. He attained the age of superannuation 07.12.2019 duly notified vide Notification dated 31 March 2020. Being a senior SMO he was due for promotion as PMO (BS-19). However, his case for promotion as PMO (BS-19) was not considered for want of Performance Evaluation Reports for the years 2001-2004 and 2017. The required PERs have been provided as it is evident from correspondence dated 27.11.2018 but despite having fulfilled the required deficiencies, he was not promoted to the post of PMO (BS-19). The impugned Notification dated 31.05.2019 was therefore challenged and assailed in Writ Petition No. 3865/2020 which was disposed of on the ground of jurisdiction under Article 212 of the Constitution, vide Peshawar High Court Judgement dated 29.09.2021. The Peshawar High Court while disposing of the Writ Petition, treated it as an appeal before the Khyber Pakhtunkhwa Service Tribunal. It was further contended that it is a fit case of the appellant for Proforma Promotion as PMO (BS-19) as juniors to the appellant have been promoted to the post of PMO (BS-19) vide impugned order dated 31.05.2019.

The appeal is admitted for regular hearing subject to all just legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for submission of reply/comments. To come up for reply/comments on 08.02.2022 before the S.B.

Appellant Deposited  
Security & Process Fee

23/12/21

(Mian Muhammad)  
Member (E)

8-2-2022

Due to retirement of the Honorable  
Chairman the case is adjourned to come  
up for the same as before on 11-04-2022

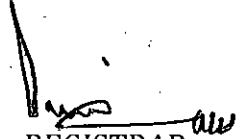

Reader.

## Form- A

## FORM OF ORDER SHEET

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

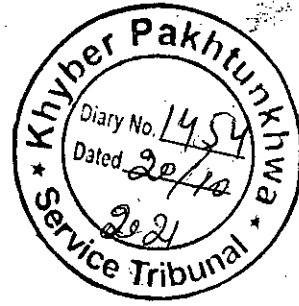
Case No. 7616 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	20/10/2021	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court Peshawar and the Hon'ble High Court vide its order dated 29.09.2021 while treating the Writ Petition into an appeal and has sent the same to this Tribunal for decision in accordance with law. The same 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. Notices be issued to appellant/counsel for preliminary hearing to be put up there on <u>09/12/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>



*The*  
**PESHAWAR HIGH COURT**  
*Peshawar*

Ph: No. 091-9210149-58



No. 41950 (1)/350/2021/WP-MN

Dated. 16-October-2021

**From**

**Deputy Registrar (J),  
Peshawar High Court,  
Peshawar.**

**To**

✓  
The Khyber Pakhtunkhwa Service Tribunal, Peshawar.

**Subject: Writ Petitions W.P 3865/2020 Title: Dr Bakht Zamin EX SMO VS Sec Health**

**Memo,**

I am directed to send herewith the titled case in original alongwith all annexures and copy of order of this Honble Court dated 29.09.2021 for compliance.

**Deputy Registrar (J)**

**Encl: Copy of Order / Judgment**

**PESHAWAR HIGH COURT, PESHAWAR**

**FORM OF ORDER SHEET**

<b>Date of Order of Proceedings</b>	<b>Order or other Proceedings with Signature of Judge.</b>
1	2
<b>ORDER</b> <b>29.09.2021</b>	<p><b><u>Writ Petition No.3865-P/2020</u></b></p> <p>Present: Mr. Muhammad Usman Khan Turlandi, Advocate, for Dr. Bakht Zamin Khan, Ex.SMO, petitioner.</p> <p>Mr. Mujahid Ali Khan, Addl. AG, for the respondents.</p> <p>*****</p> <p><b><u>QAISER RASHID KHAN, CJ.</u></b>-The petitioner, through the instant writ petition, has asked for the issuance of an appropriate writ seeking directions to the respondents to grant him proforma / notional promotion to BPS-19.</p> <p>2. During the course of brief submissions, when it was pointed out to the learned counsel for the petitioner that the relief, sought through the present petition, falls within the exclusive jurisdiction of the Khyber Pakhtunkhwa Service Tribunal and this court in view of the explicit bar contained under Article 212(2) of the Constitution of the Islamic Republic of Pakistan, 1973 cannot interfere in such like matters, he frankly requests for treating the present petition as an</p>

appeal before the said Tribunal.

Accordingly, we while disposing of this writ petition, treat it as an appeal of the petitioner before the learned Khyber Pakhtunkhwa Service Tribunal and direct the office to send it thereto for decision in accordance with law by retaining a copy thereof for record.

**Announced.**  
**29. 09. 2021**

  
**CHIEF JUSTICE**

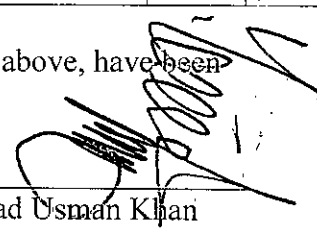
  
**JUDGE**

**BEFORE THE PESHAWAR HIGH COURT PESHAWAR**

**CHECK LIST.**

<b>Dr. Bakht Zamin Ex-SMO.....<u>VERSUS</u>.....Secretary Health &amp; others.</b>			
1.	Case is duly signed.	YES	NO ✓
2.	The law under which the case is preferred has been mentioned.	YES	NO ✓
3.	Approved file cover is used.	YES	NO ✓
4.	Affidavit is duly attested and appended.	YES	NO ✓
5.	Case and annexure are properly paged/ numbered according to index.	YES	NO ✓
6.	Copies of annexure are legible and attested. If not, then better copies duly attested have been annexed.	YES	NO ✓
7.	Certified copies of all the requisite documents have been filed.	YES	NO ✓
8.	Certificate specifying that no case on similar grounds was earlier submitted in this court, filed.	YES	NO ✓
9.	Case is within time.	YES	NO ✓
10.	The value for the purpose of court fee and jurisdiction has been mentioned in the relevant column.	YES	NO ✓
11.	Court fee in shape of stamp paper is affixed.(for writ Rs.500, for other was required).	YES	NO ✓
12.	Power of attorney is in proper form.	YES	NO ✓
13.	Memo of addresses filed.	YES	NO ✓
14.	List of books mentioned in the petition.	YES	NO ✓
15.	The requisite number of spare copied attached.(Writ Petition-3 Nos, Civil Appeal (SB-1,DB-2) Civil-Revision (SB-1,DB-2).	YES	NO ✓
16.	Case (Revision/appeal/petition etc.) is filed on the prescribed form.	YES	NO ✓
17.	Power of attorney is attested by jail authority (for jail prisoner only).	YES	NO ✓

It is certified that formalities/documents as requires in column 2 to 18 above, have been fulfilled.

Signature.   
 Muhammad Usman Khan  
 Turlandi  
 Advocate Peshawar.

Date: 20/08/2020.

**FOR OFFICE USE ONLY.**

Case No. \_\_\_\_\_

Case received. \_\_\_\_\_

Complete in all respect; Yes  /No (if Not the \_\_\_\_\_ grounds)

Date in court. \_\_\_\_\_ / \_\_\_\_\_ /2020

Date \_\_\_\_\_ /04/ \_\_\_\_\_ /2020



Signature. \_\_\_\_\_  
 (Reader)

Countersigned \_\_\_\_\_  
 (Deputy Registrar)



**BEFORE THE PESHAWAR HIGH COURT PESHAWAR.**

Service Appeal No: 76/6/2021

In Ref; to WP No. 3865 -P/2020.

**Dr. Bakht Zamin Ex-SMO...VERSUS.....Secretary Health & others.**

**I N D E X**

S.No.	DESCRIPTION OF DOCUMENTS	ANNEX	P.NO.
1.	Opening Sheet/Index.		01-02
2.	Main Writ Petition with Interim Relief.	-	03-09
3.	Affidavit.	-	10-11
4.	Addresses of Parties.	-	12
5.	Copy of the order of retirement from service.	"A"	13
6.	Copy of the official letter dated 13-11-2019.	"B"	14-17
7.	Copy of the Covering letter dated 27-11-2018.	"C"	18
8.	Copy of the Impugned Notification dated 31-05-2019.	"D"	19-21
9.	Copy of Notification dated 18-02-2019.	"E"	22
10.	Copy of the direction given by the PSB.	"F"	23
11.	Copy of the Notification of notional promotion.	"G"	24
12.	Copy of the judgment dated 22-02-2018 passed in WP No. 4031-P/2017.	"H"	25-27
13.	Copy of Notification of notional promotion dated 28-08-2018.	"I"	28
14.	Stamp paper worth Rs. 500/-.		29-30
15.	Vokatnama.		31

FILED TODAY

Deputy Registrar

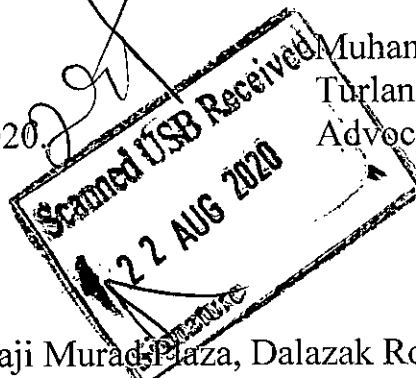
22 AUG 2020

**PETITIONER**

Through;

Dated; 22/08/2020

Muhammad Usman Khan  
Turlandi  
Advocate Peshawar.



**OFFICE:** Flat # C-1 Haji Murad Plaza, Dalazak Road, Peshawar City.

Cell# 0333-9153699 & 0300-5895841

**RE-FILED TODAY**

Deputy Registrar

04 SEP 2020

1

**IN THE PESHAWAR HIGH COURT, PESHAWAR.**  
**OPENING SHEET FOR WRIT BRANCH**

Date of Filing:- 22-Aug-20  
District:- Peshawar

Case Type: Writ Petition Nature of Original Proceedings: \_\_\_\_\_

Category Code 

0	5	4	6	-	-
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Review/Contempt of Court in respect of \_\_\_\_\_  
Writ of:

Heabus Corpus	Prohibition	Mandamus	Qua Warranto	Certiorari
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Form	Date	interlocutory/ Final Order
Nil	Nil	Nil
Nil	Nil	Nil
Nil	Nil	Nil
Nil	Nil	Nil

Case pertains to  
SB  
DB

Petitioner(s) Name	Dr. Bakht Zamin Khan
Mobile No	0300-9089787
Addresses	(Rtd), Ex Senior Medical Officer (SMO), BPS-18, previously working and posted as SMO at District Headquarter Hospital Swabil.
CNIC No	16201-7830478-5
Email Address	Nil

Counsel for	<u>Muhammad Usman Khan Turlandi</u>
Petitioner(s)	
Mobile No	0333-9153699
Addresses	Flat # C-1 haji Murad Plaza Dalazak Road, Peshawar City.
CNIC No	Nil
Email Address	Nil

Respondents	The Govt of KPK & others
Addresses	As mentioned in address of parties

Original Order/ Action/ Inaction Complained of	
---	--

Prayer

On acceptance of this writ petition this Honorable Court may very graciously be pleased to;

Hold that the petitioner being already eligible and entitle to be considered fit for his due promotion to BPS-19 as his batchmats, junior and similarly placed other colleagues have already been granted such promotion vide impugned order (Annexure B).

Declare the impugned act of the respondents to be violative of the Natural justice and fundamental rights of the petitioners, guaranteed by the Constitution of the Islamic of Pakistan 1973 and

Direct the respondent to ensure the national promotion of the petitioner to

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22 AUG 2020

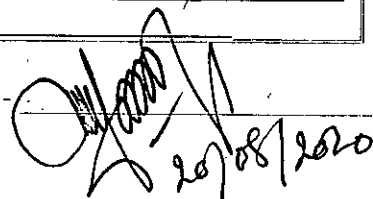
BPS-19 from the date of his eligibility and when his batchmates, junior colleagues and similarly placed person have been accorded with such promotion to avoid discrimination in service and equal treatment be extended to the petitioner.

Any other relief, not specifically prayed, may also be graciously be granted, if appear just, necessary and appropriate.

Law/Rules/governing the original proceedings/ action/inaction

Constitution of Islamic Republic of Pakistan

Signature:-



FILED TODAY

Deputy Registrar

22 AUG 2020

(3)

**BEFORE THE PESHAWAR HIGH COURT PESHAWAR.**

Service Appeal No: 76/6/2021

In Ref; to WP No. 3865 -P/2020.

Dr. Bakht Zamin Khan (Rtd), Ex- Senior Medical Officer (SMO)  
BPS-18, previously working and posted as SMO at District  
Headquarter Hospital Swabi.....**PETITIONER.**

**VERSUS**

1. The Government of Khyber Pakhtunkhwa, through the Chief Secretary, Civil Secretariat, Peshawar.
2. The Secretary to the Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariat, Peshawar.
3. The Director General Khyber Pakhtunkhwa, Health Services, Peshawar.
4. The Medical Superintendent District Headquarter Hospital Swabi.
5. The Executive District Officer (Health) Swabi.
6. The Chairman, Provincial Selection Board (PSB) Government of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat Peshawar. Swabi.....**RESPONDENTS.**

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Deputy Registrar

22 AUG 2020

**Writ Petition under Article 199 of the Constitution of the Islamic Republic of Pakistan 1973 as amended up-to date.**

May it please this Honorable Court

The petitioner very earnestly seeks redressal of his grievances through the instant Writ Petition as under:

**Facts leading to this Writ Petition**

**ITEM NO (73)****HEALTH DEPARTMENT**

(Meeting of PSB held on 19.04.2019)

**SUBJECT: - PROMOTION OF SENIOR MEDICAL OFFICER BS-18 TO THE POST OF PRINCIPLE MEDICAL OFFICER BS-19.**

Secretary Health apprised the Board that due to promotion and retirement, 348 posts of PMO BS-19 are lying vacant.

2. According to service rules the post is required to be filled in as under:-

*"By promotion on the basis of Seniority-cum fitness from amongst the Senior Medical Officers of General Cadre having a minimum of 12 years of service in BS-17 and above, and have undergone in service training in Type-A Hospitals/Teaching Hospitals for three months"*

3. The service record of the panelist officers was discussed as under:-

S.#	NAME OF OFFICER	RECOMMENDATIONS OF THE BOARD
1.	Dr. Tahmina Rashid	Her date of birth is 09.12.1960. She joined government service on 23.11.1985 in BS-17 and was promoted to BS-18 on 20.09.1995. The Board in its meeting held on 15.05.2018 recommended her supersession as her PERs for the years 2002 to 2017 were not available. The Board in its meeting held on 17.09.2018 recommended to defer her promotion as her PERs were still not available. Now her PER for the year 2018 is also not available.  The Board recommended to defer her promotion.
2.	Dr. Naila Ismail	Her date of birth is 13.06.1962. She joined government service on 15.08.1987 in BS-17 and was promoted to BS-18 on 20.09.1995. The Board in its meeting held on 15.05.2018 recommended her supersession as her PERs for the years 1996 and 2008 to 2017 were not available. The Board in its meeting held on 17.09.2018 recommended to defer her promotion as her PERs were still not available. Now her PER for the year 2018 is also not available.  The Board recommended to defer her promotion.
3.	Dr. Muhammad Umar Farooq <i>For court proceedings.</i> <i>Attested</i> <i>R. J. Akbar</i> <b>Session Officer (PSB)</b> Govt. of Khyber Pakhtunkhwa Establishment	His date of birth is 20.04.1962. He joined government service on 06.12.1987 in BS-17 and was promoted to BS-18 on 20.08.2001. The Board in its meeting held on 15.05.2018 recommended his supersession as his PERs for the years 1994 to 2017 were not available. The Board in its meeting held on 17.09.2018 recommended to defer his promotion as her PERs were still not available. Now his PERs for the year 2005, 2006 and 2014 to 2018 are not available.  The Board recommended to defer his promotion.

		<p>02.01.2018. He has undergone three months in service training mandatory for promotion. No enquiry is pending against him. His service record upto 2018 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Principal Medical Officer BS-19 on regular basis. He will be on probation for a period of one year.</p>
319.	Dr. Jamshed Qadir	<p>His date of birth is 17.01.1965. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 15.11.2017. He has undergone three months in service training mandatory for promotion. No enquiry is pending against him. His service record upto 2018 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Principal Medical Officer BS-19 on regular basis. He will be on probation for a period of one year</p>
320.	Dr. Farooq	<p>His date of birth is 01.05.1959. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 26.09.2017. He has undergone three months in service training mandatory for promotion. No enquiry is pending against him. His service record upto 2018 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Principal Medical Officer BS-19 on regular basis. He will be on probation till retirement.</p>
321.	Dr. Sardeeb Kumar	<p>His date of birth is 01.02.1963. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 15.11.2017. He has undergone three months in service training mandatory for promotion. No enquiry is pending against him. His service record upto 2018 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Principal Medical Officer BS-19 on regular basis. He will be on probation for a period of one year.</p>
322.	Dr. Muhammad Riaz	<p>His date of birth is 06.06.1959. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 15.11.2017. He has undergone three months in service training mandatory for promotion. No enquiry is pending against him. His service record upto 2018 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Principal Medical Officer BS-19 on regular basis. He will be on probation till retirement.</p>
323.	Dr. Bakht Zamin	<p>His date of birth is 08.12.1959. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 15.11.2017. His PER for the year 2018 is not available.</p>

for court proceedings  
 Attested  
 Section Officer (PSB)  
 Govt. of Khyber Pakhtunkhwa  
 Establishment Department

		The Board recommended to defer his promotion.
324.	Dr. Ajmal Khan	<p>His date of birth is 01.01.1960. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 15.11.2017. He has undergone three months in service training mandatory for promotion. No enquiry is pending against him. His service record upto 2018 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Principal Medical Officer BS-19 on regular basis. He will be on probation till retirement.</p>
325.	Dr. Inayatullah	<p>His date of birth is 21.04.1961. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 22.05.2018. He has not yet completed probation period.</p> <p>The Board recommended to defer his promotion.</p>
326.	Dr. Muhammad Ayaz	<p>His date of birth is 08.02.1962. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 15.11.2017. He has undergone three months in service training mandatory for promotion. No enquiry is pending against him. His service record upto 2018 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Principal Medical Officer BS-19 on regular basis. He will be on probation for a period of one year.</p>
327.	Dr. Noor Muhammad	<p>His date of birth is 10.08.1962. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 15.11.2017. He has undergone three months in service training mandatory for promotion. No enquiry is pending against him. His service record upto 2018 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Principal Medical Officer BS-19 on regular basis. He will be on probation for a period of one year.</p>
328.	Dr. Shamsur Rehman	<p>His date of birth is 06.11.1963. He joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 02.01.2018. He has undergone three months in service training mandatory for promotion. No enquiry is pending against him. His service record upto 2018 is generally good.</p> <p>The Board recommended the officer for promotion to the post of Principal Medical Officer BS-19 on regular basis. He will be on probation for a period of one year.</p>
329.	Dr. Nasreen Begum	<p>Her date of birth is 05.12.1964. She joined government service on 01.07.2001 in BS-17 and was promoted to BS-18 on 26.09.2017. She has undergone three months in service</p>

For court proceedings  
Attested  
Secretary (PSB)  
Govt. of Khyber Pakhtunkhwa

(4)

- 1) That the petitioner is a bonafide citizen of the Islamic Republic of Pakistan, Domiciled in Khyber Pakhtunkhwa province, resident of village Yar-Hussain, District Swabi, and has every legal and fundamental rights duly protected by the command of the Constitution of the Islamic Republic of Pakistan 1973.
- 2) That the petitioner while joining his legal profession having resplendent academic record was lastly posted and working as Senior Medical Officer (SMO) BPS-18 at District Headquarter Hospital Swabi whereas his retirement on the age of superannuation was due dated 07-12-2019 but he succeeded to get his due retirement w.e.f 31-03-2020 vide order passed by the respondent No. 1 of even date. (Copy of the order of retirement from service dated 31-03-2020 is annexure "A").
- 3) That during the period of active services, rendering by the petitioner, his promotion to the post of Principal Medical Officer (POM) BPS-19 was due and accordingly the respondent No. 2 directed the respondent No. 3 & 4 alongwith all concerned incumbents SMOs to provide/ furnish the Performance Evaluation Reports (PERs) alongwith No Departmental/Anti-Corruption Certificate etc. for promotion to BPS-19 and wherein, the name of the petitioner is duly figured at S. No. 326. (Copy of the official letter dated 13-11-2019 requiring the requisite/Specific PERs/Personal service record of the concerned incumbents SMOs is annexure "B").
- 4) That in pursuance/compliance of the official letter (Annexure-"B") supra, the respondent No. 4 was pleased to send the requisite PERs and necessary service information to the respondent No. 3 vide covering letter dated 27-11-2018 as required in connection with the promotion of the petitioner to BPS-19. (Copy of the Covering letter dated 27-11-2018 is annexure "C").

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Deputy Registrar  
22 AUG 2020



- 5) That the petitioner as per eligibility requirements figured in the official letter (annexure-"B") was highly fit for his due promotion to BPS-19 in the light of the official Covering letter dated 27-11-2018 (annexure "C") having great legal expectancy of his fitness to hold a particular post and to be promoted to a higher rank/grade of BPS-19.
  
- 6) That the meeting of DP&SC scheduled in the year 2018 was delayed for the reason best known to the authority whereas the impugned order of promotion, by depriving the petitioner of his fitness for promotion was passed on 08-05-2019, vide Notification of Posting/ Transfer, passed by the respondent No. 1 dated 31-05-2019. (Copy of the impugned Notification of Posting/ Transfer dated 31-05-2019 is annexure "D").
  
- 7) That the petitioner, being aggrieved within the meaning of proviso (b) to Sec: 4(1) of the Khyber Pakhtunkhwa Service Tribunal Act, 1973 relating/determining the fitness of the petitioner to be promoted to a higher grade and as such, is an aggrieved person for redressing the wrong within the meaning of Article 199 of the Constitution of the Islamic Republic of Pakistan 1973 inter-alia on the following grounds.

**Grounds Warranting this Writ Petition**

- a) **Because** the act of the respondents in depriving the petitioner being eligible and entitled to be promoted to BPS-19 on regular basis with effect from the date of his eligibility and when such promotion accorded to other similarly placed persons, his junior colleagues and batchmates is utterly wrong, illegal, unlawful, unconstitutional and against the fundamental rights of the petitioner whereas the petitioner was asked to provide the ACR/PER for the year 2001, 2002, 2003, 2004 and 2017 and accordingly the needful was

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**Deputy Registrar**  
**22 AUG 2020**

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don within due course of specific period vide official letter dated 27-11-2018 (annexure "C").

- b) **Because** even otherwise ACR is a confidential professional evaluation document to be furnished by the reporting/countersigning officer and the officer reported upon is to be informed when some adverse remarks is written against him and only the departmental authority is the custodian of such documents and as such, the petitioner having no domain over it, should not be bound down.
- c) **Because** the act of respondents is highly discriminatory and against the plain language of Article 4 and 25 of the Constitution of the Islamic Republic of Pakistan 1973.
- d) **Because** the respondents are continuously and blatantly violating the right of the petitioner to be treated at par with the other colleagues who have been granted such promotion and were kept on probation till their retirement vide Notification dated 18-02-2019. (Copy of Notification dated 18-02-2019 is annexure "E").
- e) **Because** the Government of Khyber Pakhtunkhwa, Establishment Department had endorsed certain important direction issued by the Provincial Selection Board in its meeting held on 23-09-2019 stating therein that "In future, the PSB meeting shall be held on need basis instead of fixed dates reflected in Establishment Department letter of even No. dated 11.12.2017". (Copy of the direction given by the PSB is annexure "F").
- f) **Because** another Notification passed by the respondent No. 2 dated 18-02-2019 whereas notional promotion of SMO BPS-18 to the post of Principal Medical Officer (PMO) BPS-19 was accorded w.e.f the date of PSB i.e. 01-02-2019 but in the case of the petitioner, the respondents are reluctant to give the petitioner equal treatment despite the eligibility and entitlement of the petitioner for the said post of BPS-19.

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22 AUG 2020

(7)

(Copy of the Notification of notional promotion dated 18-02-20219 is annexure "G").

- g) **Because** the petitioner has time and again been discriminated by the respondents and thus misprized and neglected by not giving him his due right as the petitioner is entitled to be given the same status and accorded with the same treatment as was accorded to other colleagues of the same batch of the petitioner and in the light of maxim that equality is equity and that justice is steady and unceasing disposition to render to every person his due.
- h) **Because** it has been held by the superior judiciary that similarly placed person would have the same right and denial of equal rights of such like persons is abhorred. 2006 CLC page 1555.
- i) **Because** in essence the case of the petitioner revolve around Article 25 of the Constitution of Islamic of Pakistan 1973 and has numerously been held in a plethora of judgments by the superior judiciary that no discrimination to similarly placed person is allowable. Reliance cane be placed on 2004 CLC 1353, 2002 PLC C57, 2011 PLD SC 44, 2005 SCMR 295-3009, 2011 SCMR 848, PLD 2001 SC 340, PLD 1957 SC 46, PLD 1993 SC 341, 1991 SCMR 1041 etc.
- j) **Because** the act of respondents in neglecting and refusing the right of notional promotion to BPS-19 on regular bases is also against the divine ordain of Allah Almighty as under the principle of natural justice and fundamental human rights of the petitioner, the respondents have usurped the right of a human being and have thus bypassed the divine rule to give everyone his due right.
- k) **Because** the respondents, having been provided with the detailed judgment dated 22-02-2018 passed by this august court in writ petition No. 4031-P/2017 and the subsequent Notification of notional promotion dated 28-08-2018 in respect of one Dr. Qaiser Ali Ex-PMO Bps-19 to the post of

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22 AUG 2020

Chief Medical Officer BPS-20 which squarely covers the case of the petitioner, have yet shown reluctant attitude and refused the petitioner his due right and thus the respondents have acted with sheer illegality, wrongly in complete negation to the Constitutional rights of the petitioner. (Copy of the judgment dated 22-02-2018 passed in writ petition No. 4031-P/2017 and subsequent Notification of notional promotion dated 28-08-2018 is annexure "H & "I" respectively).

- l) **Because** the act of the respondents in depriving the petitioner his right of equal treatment to promote him in BPS-19 on regular basis whereas such benefits have been extended to other similarly placed colleagues clearly smacks with nepotism and malafide.
- m) **Because** the respondents are bound to provide equal protection of law and must not discriminate the petitioner in service as it is the inviolable and jealously guarded right of the petitioner under the Constitution of Islamic of Pakistan 1973.
- n) **Because** the impugned act of the respondents is highly unjust and against the principle of Natural Justice and if allowed to remain in field then the same would perpetuate more injustice and certainly result in complete deprivation of Constitutional right of the petitioner.
- o) **Because** the act of the respondents are also violative of Article 03, 04, 08, 09, 25 and 27 of the Constitution of Islamic of Pakistan 1973.
- p) Any other ground at the time of arguments in the best interest of justice.

FILED TODAY  
Deputy Registrar  
22 AUG 2020

**Prayers.**

On acceptance of this writ petition this honorable Court may very graciously be pleased to;

**Hold** that the petitioner being already eligible and entitle to be considered fit for his due promotion to BPS-19 as his batchmats,

9

junior and similarly placed other colleagues have already been granted such promotion vide impugned order (Annexure-"B").

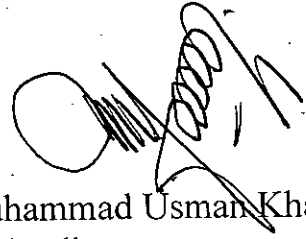
**Declare** the impugned act of the respondents to be violative of the Natural justice and fundamental rights of the petitioners, guaranteed by the Constitution of the Islamic of Pakistan 1973 and

**Direct** the respondent to ensure the notional promotion of the petitioner to BPS-19 from the date of his eligibility and when his batchmates, junior colleagues and similarly placed persons have been accorded with such promotion to avoid discrimination in service and equal treatment be extended to the petitioner.

Any other relief, not specifically prayed, may also graciously be granted, if appear just, necessary and appropriate.

**PETITIONER.**

Through;



Muhammad Usman Khan  
Turlandi  
Advocate Peshawar.

Dated: - 20/08/2020

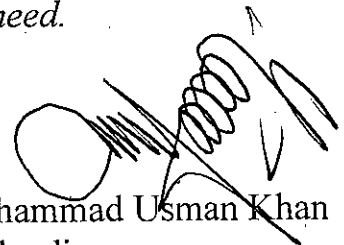
**Note:-**

No such like writ petition has ever been filed before this august court as per instruction of my client.

**List of Books.**

- i) Constitution of Pakistan 1973.
- ii) *Any other law Books according to need.*

FILED TODAY  
Deputy Registrar  
22 AUG 2020



Muhammad Usman Khan  
Turlandi  
Advocate Peshawar

Dated: - 20/08/2020.

(10)

**BEFORE THE PESHAWAR HIGH COURT PESHAWAR.**

In Ref; to WP No. 3865 -P/2020.

**Dr. Bakht Zamin Ex-SMO.....VERSUS.....Secretary Health & others.**

**AFFIDAVIT.**

I, Dr. Bakht Zamin Khan (Rtd), Ex- Senior Medical Officer (BPS-18), previously working and posted as SMO at Bacha Khan Medical Complex, Shahmansoor Swabi, do hereby solemnly affirm and declare on oath that the contents of the accompanying writ petition are true and correct to the best of my knowledge and belief and that nothing has been kept secret or concealed therein from this august court.

**IDENTIFIED BY:**

Muhammad Usman Khan  
Turlandi  
Advocate Peshawar.

**DEPONENT:**

CNIC No. 16801-7830478-5  
Contact No. 0300-9089727

**FILED TODAY**  
Deputy Registrar  
22 AUG 2020

No: <u>4386</u>
Certified that the above was verified on solemn affirmation before me in office, this <u>25</u> day of <u>July</u> <u>2020</u> at <u>Bacha Khan Medical Complex Swabi</u> s/o <u>Muhammad Usman Khan</u> who was identified by <u>Muhammad Usman Khan</u> Who is personally known to me:
<u>Muhammad Usman Khan</u> Oath Commissioner Peshawar High Court, Peshawar

*Handwritten signature*

11

16201-7830478-5



تاریخ

وسیدار خان  
کوئی نہیں

December 8, 1959

220107747418834

VK163M-16201-7830478-5

محمد شہید بانڈو، یار حسین غزالی، ڈاک  
خانہ یار حسین، تحصیل لاہور، ضلع صوابی

علی محمد شہید بانڈو، یار حسین غزالی، ڈاک  
خانہ یار حسین، تحصیل لاہور، ضلع صوابی

29/06/2022

220107747418834



Census 1998 Database

[x]

**There is no record** for this individual in the census database. Either no census data was registered, or lacks necessary identity information that could be used for linking the record with this individual.

Other Information that does not appear on card

[x]

Place of Birth

صوابی

Religion

Islam

Mother's Name

نعام

Digital Signature

[x]

(12)

**BEFORE THE PESHAWAR HIGH COURT PESHAWAR.**

In Ref; to WP No. 3865 -P/2020.

**Dr. Bakht Zamin Ex-SMO...VERSUS.....Secretary Health & others.**

**ADDRESSES OF PARTY.**

**PETITIONER**

Dr. Bakht Zamin Khan (Rtd), Ex- Senior Medical Officer (BPS-18), previously working and posted as SMO at Bacha Khan Medical Complex, Shahmansoor Swabi.

**VERSUS**

**RESPONDENTS.**

1. The Government of Khyber Pakhtunkhwa, through the Chief Secretary, Civil Secretariat, Peshawar.
2. The Secretary to the Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariat, Peshawar.
3. The Director General, Khyber Pakhtunkhwa, Health Services, Peshawar.
4. The Medical Superintendent, District Headquarter Hospital Swabi.
5. The Executive District Officer (Health) Swabi.
6. The Chairman, Provincial Selection Board (PSB) Government of Khyber Pakhtunkhwa, Establishment Department, Civil Secretariat, Peshawar.

FILED TODAY

Deputy Registrar

22 AUG 2020

Through;

PETITIONER

Muhammad Usman khan  
Turlandi  
Advocate Peshawar.

Dated 22/08/2020.





13

ANNEXURE

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar the 31<sup>st</sup> March, 2020

**NOTIFICATION**

**NO. SOH(E-V)5-5/2020** Without prejudice to the legal remedies available to Provincial Government and in pursuance of Judgment of the Peshawar High Court, Peshawar dated 19.02.2020 in WP No. 5673-P/2019, Dr. Bakht Zamin S/O Wali Dad (BS-18) Senior Medical Officer, District Headquarter Hospital Swabi shall stand retired from Government Service on 07.12.2019 on attaining age of superannuation, as his date of birth is 08.12.1959, subject to CPLA/ Appeal of the Provincial Government against aforementioned judgment of Peshawar High Court and any order contrary as and when issued by the apex Court of Pakistan.

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

**Endst. of even No. & Date.**

Copy to the:-

1. Registrar, Peshawar High Court, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
4. District Health Officer, Swabi.
5. MS, District Headquarter Hospital, Swabi.
6. DAO, Swabi.
7. Deputy Director (IT), Health Department, Khyber Pakhtunkhwa for uploading on official website.
8. PS to Secretary Health, Government of Khyber Pakhtunkhwa.
9. PA to Special Secretary Health, Khyber Pakhtunkhwa.
10. Doctor concerned.
11. Personal file of the doctor concerned.

**ATTESTED TO BE  
TRUE COPY**

**USMAN KHAN**  
**TURLANDI**  
**ADVOCATE PESHAWAR**

**(Mafeez Ur Rehman Shah)**  
**SECTION OFFICER (E-V)**

Better copy

13. A

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**HEALTH DEPARTMENT.**

Dated Peshawar the 31<sup>th</sup> March, 2020.

**NOTIFICATION**

**No. SOH (E-V)5-5/2020.** Without prejudice to the legal remedies available to Provincial Government and in pursuance of judgment of the Peshawar High Court , Peshawar dated 19-02-2020 in WP No 5673-P/2019, Dr. Bakht Zamin S/O Wali Dad (BS-18 ) Senior Medical Officer, District Headquarter Hospital Swabi shall stand retired from Government service on 07-12-2019 on attaining age of superannuation, as his date of birth is 08-12-1959, subject to CPLA/ appeal of the Provincial Government against aforementioned judgment of Peshawar High Court and any order contrary as and when issued by the apex Court Of Pakistan.

S/d-

SECRETARY HEALTH  
Govt. of Khyber Pakhtunkhwa

Endst. No. & Date even.

Copy to;

1. Registrar Peshawar high Court, Peshawar
2. Accountant General Khyber Pakhtukhwa, Peshawar.
3. Director General Health Services. Khyber Pakhtukhwa,
4. District Health Officer Swabi,
5. Ms DHQ Hospital Swabi
6. DAO, Swabi.
7. Deputy Director (IT) Health Department, Khyber Pakhtukhwa for uploading on official website. .
8. PS to Secretary Health, Government of Establishment Department.
9. PS to Secretary Health Department Khyber Pakhtukhwa, Peshawar.
10. Doctor concerned.
11. Personal file of the doctor concerned.

**ATTESTED TO BH**  
**TRUE COPY**

**MR. USMAN KHAN**  
**TURLANDI**  
**ADVOCATE PESHAWAR**

Sd/-

(Hafeez ur- Rehman Shah)  
Section Officer (E-V)



(14)

B

**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

17506-90

13 11 2018

MOST IMMEDIATE

- 1. Director General Health Services, Punjab Lahore
- 2. Director Health Services, Khyber District Peshawar
- 3. Director Health Services, FATA Peshawar
- 4. Director Health Services, Balochistan Quetta
- 5. Director Health Services, Islamabad Islamabad
- 6. Director Health Services, Sindh Karachi
- 7. Director Health Services, West Bengal Kolkata
- 8. Director Health Services, Madhya Pradesh Bhopal
- 9. Director Health Services, Uttar Pradesh Lucknow
- 10. Director Health Services, Bihar Patna
- 11. Director Health Services, Jharkhand Ranchi
- 12. Director Health Services, Odisha Bhubaneswar
- 13. Director Health Services, Assam Dispur
- 14. Director Health Services, West Bengal Kolkata
- 15. Director Health Services, Kerala Thiruvananthapuram
- 16. Director Health Services, Tamil Nadu Chennai
- 17. Director Health Services, Andhra Pradesh Hyderabad
- 18. Director Health Services, Karnataka Bangalore
- 19. Director Health Services, Maharashtra Mumbai
- 20. Director Health Services, Gujarat Gandhinagar
- 21. Director Health Services, Rajasthan Jaipur
- 22. Director Health Services, Haryana Chandigarh
- 23. Director Health Services, Punjab Chandigarh
- 24. Director Health Services, Himachal Pradesh Shimla
- 25. Director Health Services, Jammu & Kashmir Srinagar
- 26. Director Health Services, Ladakh Leh
- 27. Director Health Services, Chandigarh Chandigarh
- 28. Director Health Services, Delhi New Delhi
- 29. Director Health Services, Jammu & Kashmir Srinagar
- 30. Director Health Services, Ladakh Leh
- 31. Director Health Services, Chandigarh Chandigarh
- 32. Director Health Services, Delhi New Delhi
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- 95. Director Health Services, Chandigarh Chandigarh
- 96. Director Health Services, Delhi New Delhi
- 97. Director Health Services, Jammu & Kashmir Srinagar
- 98. Director Health Services, Ladakh Leh
- 99. Director Health Services, Chandigarh Chandigarh
- 100. Director Health Services, Delhi New Delhi

**SUBJECT: PROMOTION OF SENIOR MEDICAL OFFICERS (BS-18) TO THE POST OF PRINCIPAL MEDICAL OFFICERS (BS-19) IN THE HEALTH DEPARTMENT, K.P.K.**

Please furnish the PER, along with No. Departmental Anti-Corruption Certificate (two copies) and Fifteen (15) fresh photographs, passport size Course Completion Certificate of the mandatory training required for promotion to BS-19 in respect of the following Senior Medical Officers BPS-18 working under contract to this Directorate within 15 days of the receipt of this communication as the same is urgently required to the Government in connection with their promotion - (This list is also available on line [www.healthkp.gov.pk](http://www.healthkp.gov.pk)).

S.NO.	NAME OF SENIOR MEDICAL OFFICERS	PLACE OF POSTING	MISSING ACRs REQUIRED
1.	Dr. Tehmina Rashid d/o Qazi Abdur Rashid, MBBS	Demonstrator, KMC, Peshawar	1995 to 2017
2.	Dr. Naila Ismail d/o Muhammad Ismail Bangash.	Demonstrator, KMC, Peshawar   2000	1995 to 2017
3.	Dr. M. Umar Farooq s/o Muhammad Hasham, MBBS	SMO, DHQH, Tank.	2001 to 2017
4.	Dr. Muhammad Zubair s/o Haji Ghulam Muhammad,	SMO, CH, Jamrud, Khyber Agy.	2001 to 2017
5.	Dr. Riaz uddin s/o Shahaluddin, MBBS	BKMC, Mardan	2001 to 2017
6.	Dr. Waheed Khan s/o Abdul Hamid Khan, MBBS	KMC, Peshawar	2017
7.	Dr. Ziaur Rashid s/o Sofi Abdur Rashid, MBBS	SMO, DHQH, Abbottabad.	2017
8.	Dr. Jamila Sarwar, MBBS	SWMO, AMC, Abbottabad.	2001 to 2017
9.	Dr. Mushtaq Ahmad s/o Wazir Muhammad, MBBS	Demonstrator, BKMC, Mardan	2008 to 2017
10.	Dr. Nasrat Shah s/o Khan Badshah, MBBS	SMO, THQH, Dogra Picket	2008 to 2017
11.	Dr. Aisha Siddiqi D/O Abdul Qayum, MBBS.	ON DEPUTATION TO PUNJAB	2000 to 2017
12.	Dr. Mubashir Ahmad s/o Arjumand Khan, MBBS	SMO, Molvi Jee Hospital Peshawar	2009 to 2017
13.	Dr. Saeeda Asad D/O K.G. Mohiuddin, MBBS	SWMO, Molvi Jee Hospital, Peshawar	2015 to 2017
14.	Dr. Zarmina Qasim D/O Mubd. Qasim Imam, MBBS.	SWMO, KTH, Peshawar.	2009 to 2017
15.	Dr. Rubeeena Gul D/O Gul, MBBS	Demonstrator, KMC, Peshawar	2009 to 2017

M. USMAN KHAN  
TURLAND  
ADVOCATE PESHAWAR

14-A

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**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

No. 17506-90/A.E.I  
Dated 13/11/2018

**MOST IMMEDIATE**

To

1. Director General health Services, Punjab Lahore.
2. Director Health Services Tribal District Peshawar.
3. All Principals Medical Colleges in Khyber Pakhtunkhwa.
4. All hospital Directors MTI in Khyber Pakhtunkhwa.
5. All medical Superintendents, DHQ/AHQ Hospital in Khyber Pakhtunkhwa
6. All District Health Officers in Khyber Pakhtunkhwa.

SUBJECT: - PROMOTION OF SENIOR MEDICAL OFFICERS (BS-18) TO THE POST OF PRINCIPAL MEDICAL OFFICERS (BS-19) IN THE HEALTH DEPARTMENT KPK.

Memo,

Please furnish the PERs alongwith No departmental/Anti-Corruption certificate (Two Copies) and fifteen (15) fresh photographs passport size/course completion certificate of the mandatory training required for promotion to BS-19 in respect of the following Senior medical officers BPS-18 working under control, to this Directorate within 15 days of the receipt of this communication as the same is urgently required to the government in connection with their promotion: (this list is also available on line [www.healthkp.gov.pk](http://www.healthkp.gov.pk))

S.NO	NAME OF SENIOR MEDICAL OFFICERS	PLACE OF POSTING	MISSING ACRS REQUIRED
1.	Dr. Tehmina Rashid d/o Qazi Abdur Rashid, MBBS	Demonstrator, KMC, Peshawar	1995 to 2017
2.	Dr. Naila Ismail d/o Muhammad Ismail Bangash.	Demonstrator, KMC, Peshawar 1 / 2000	1995 to 2017
3.	Dr. M. Umar Farooq s/o Muhammad Hasham, MBBS	SMO, DHQH, Peshawar	2001 to 2017
4.	Dr. Muhammad Zubair s/o Haji Ghulam Muhammad	SMO, CH, Jamrud, Khyber Agy.	2001 to 2017
5.	Dr. Rjaz uddin s/o Shahaluddin, MBBS	BKMC, Maidan	2001 to 2017
6.	Dr. Waheed Khan s/o Abdul Hamid Khan, MBBS	KMC, Mardan	2017
7.	Dr. Ziaur Rashid s/o Sofi Abdur Rashid, MBBS	SMO, DHQH, Abbottabad	2017
8.	Dr. Jamila Sarwar, MBBS	SWMO, AMC, Abbottabad	2001 to 2017
9.	Dr. Mushtaq Ahmad s/o Wazir Muhammad, MBBS	Demonstrator, BKMC, Mardan	2008 to 2017
10.	Dr. Nasrat Shah s/o Khan Badshah, MBBS	SMO, THQH, Dogra Picket	2008 to 2017
11.	Dr. Aisha Siddiqi D/ O Abdul Qayum MBBS.	On deputation to Punjab	2000 to 2017
12.	Dr. Mubashir Ahmad s/o Arjumand Khan, MBBS	SMO, Molvi Jee hospital Peshawar	2009 to 2017
13.	Dr. Saeeda Asad D/O K. G. Mohiuddin, MBBS	SMO, Molvi Jee hospital Peshawar	2015 to 2017
14.	Dr. Zarmina Qasim D/O Muhd Qasim Imam, MBBS.	SWMO, KTH, Peshawar	2009 to 2017
15.	Dr. Rubeena Gul D/O Rahim Gul, MBBS	Demonstrator, BKMC, Mardan	2009 to 2017

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**M. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR**

101	Haji Khan MBBS	MO, THQH, Mardan	2017
102	Dr. M Arif d Hussain S/O Fazal Hussain, MBBS	SMO, KMC, Peshawar	2017
103	Dr. Rehman Gul S/O Haji Noor Gul, MBBS	SMO, KMC, Peshawar	2017
107	Dr. Saad Ahmad S/O Habib Ahmad, MBBS	SMO, HQH, Mardan	2017
108	Dr. Itikhar Muhammad S/O Nisar Muhammad, MBBS	SMO, AHQ Hospital Landi Kot	2017
109	Dr. Feroz Shah S/O Rahim Shah, MBBS	MO, CH, Mardan, Peshawar	2017
110	Dr. Aizad Hussain S/O Hussain Ahmad Siddiqui	SMO, LRH, Peshawar	2017
111	Dr. Ishaq Ali S/O Awaj Khan, MBBS	MO LRH Peshawar	2015 to 2017
112	Dr. Wali Muhammad S/O Sher Muhammad, MBBS	Attached Agency Surgeon, Miran Shah	2017
113	Dr. Gul Nawaz Khan S/O Khawaza Jan, MBBS	Demonstrator, MKMC, Mardan.	2017
114	Dr. Waseem Kashif S/O Sahibzada Said Johar, MBBS	MO, IKD/HMC, Peshawar	2017
115	Dr. Farooq Taj Uppal S/O Taj Bahadur Uppal, MBBS	MO, KTH, Peshawar	2017
116	Dr. Shakir Ali S/O Ghulam Muhammad, MBBS	JR, MMC, Mardan	2017
117	Dr. Akhtar Ali Shah S/O Muzzaan Shah, MBBS	DD, DGHS, Office, Peshawar	2017
118	Dr. Fazal Rehman S/O Mir Akbar Jan, MBBS	IKD/HMC, Peshawar	2017
119	Dr. Sanaullah Khan S/O Inayatullah Khan, MBBS	MO, CH, Shabqadar, Charsadda	2017
120	Dr. Farhad Badshah S/O Mian Mehtab Khan, MBBS	EPI Coordinator, DHO, Office, DIKahn	2017
121	Dr. Arif Mehmood S/O Malik Rubnawaz Khan	EPI Coordinator, DHO, Office, DIKahn	2017
122	Dr. Sultan Akbar S/O Izat Gul, MBBS		2017
123	Dr. Farid Ullah S/O Muhammad Zahid, MD, Kabul	MO, DHQH, Lakki	2017
124	Dr. Dr. Zuifqar Ali S/O Abdul Haleem, MBBS	MO, DHQH, Charsadda	2017
125	Dr. Aminullah S/O Shera Jan, MBBS	MO, THQH, Mir Ali, NWA	2017
126	Dr. Sajjad Ali S/O Amir Nawab Khan	MO, SGH, Swat	2017
127	Dr. Abdul Janan S/O Haji Gul Akbar, MBBS	KTH, Peshawar	2017
128	Dr. Muhammad Ayaz S/O Fazal Karim	MO, THQH, Tangi Charsadda	2017
129	Dr. Sabir Muhammad S/O Muhammad Khan, MBBS	MO, DHQH, Lakki	2017
130	Dr. Zahid Ashraf S/O Ashraf Hussain, MBBS	Demonstrator, KMC, Peshawar	2017
131	Dr. Muhammad Shamim Khan S/O Muhammad Nadir	MO, DHQH, Central	2017
132	Dr. Muhammad Akmal Khan S/O Munfaat Khan	PSYCHIATRIST	2017

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M. USMAN KHAN  
FURLANDI  
ADVOCATE PESHAWAR

15-A

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104.	Dr. Muhammad Naeem S/o Haji Khan MBBS	SMO, THQH, Matta, Swat	2017
105.	Dr. M. Arshad Hussain S/o Faqir Hussain MBBS	SMO, KMC, Peshawar	2017
106.	Dr. Rehman Gul S/o Haji Noor Gul, MBBS	SMO, HMC, Peshawar	2017
107.	Dr. Saeed Ahmad S/o Habib Ahmad MBBS	SMO, THQH, Matta, Swat	2017
108.	Dr. Iftikhar Muhammad S/o Nisar Muhamamd MBBS	SMO, AHQ Hospital Landi Kotal	2017
109.	Dr. Feroz Shah S/o Rahim Shah MBBS	MO, CH< Mattani Peshawar	2017
110.	Dr. Afzal Hussain S/o Hussani Ahmad Siddiqui	SMO, LRH Peshawar	2017
111.	Dr. Liaqat Ali S/o Awal Khan MBBS	MO LRH Peshawar	2015 to 2017
112.	Dr. Wali Muhamamd S/o Sher Muhammad MBBS	Attached agency Surgeon Miranshah	2017
113.	Dr. Gul Nawaz Khan S/o Khawaza Jan, MBBS	Demonstrator MKMC, Mardan	2017
114.	Dr. Waseem Kashif S/o Sahibzada Said Johar MBBS	MO, IKD/HMC, Peshawar	2017
115.	Dr. Farooq Taj Upal S/o Taj Bahadur Uppal MBBS	MO, KTH, Peshawar	2017
116.	Dr. Shakir Ali S/o Ghulam Muhammad MBBS	JR, MMC, Mardan	2017
117.	Dr. Akhtar Ali Shah S/o Muzzain Shah MBBS	DD, DGHS, office, Peshawar	2017
118.	Dr. Fazal Rehman S/o Mir Akbar Jan MBBS	IKD/HMC, Peshawar	2017
119.	Dr. Sanaullah Khan S/o Inayatullah Khan MBBS	MO, CH, Shabqadar Charsadda	2017
120.	Dr. Farhad Badshah S/o Mian Mehtab Khan MBBS	EPI Coordinator DHO, Office, DI khan	2017
121.	Dr. Arif Mehmood S/o Malik Rabnawaz khan	EPI Coordinator DHO, Office, DI khan	2017
122.	Dr. Sultan Akbar S/o Izat Gul MBBS		2017
123.	Dr. Farid Ullah S/o Muhamamd Zahid MD Kabul	MO, DHQH Lakki	2017
124.	Dr. Dr. Zulfiqar Ali S/o Abdul Haleem MBBS	MO, DHQH Charsaada	2017
125.	Dr. Aminullah S/o Shera Jan MBBS	MO, THQH Mir Ali, NWA	2017
126.	Dr. Sajjad Ali S/o Amir Nawab Khan	MO, SGH, Swat	2017
127.	Dr. Abdul Janan S/o Haji Gul Akbar MBBS	KTH Peshawar	2017
128.	Dr. Muhammad Ayaz S/o Fazal Karim	MO, THQH Tangi, Charsadda	2017
129.	Dr. Sabir Muhammad S/o Muhammad Khan MBBS	MO, DHQH, lakki	2017
130.	Dr. Zahid Ashraf S/o Ashraf Hussain MBBS	Demonstrator KMC< Peshawar	2017
131.	Dr. Muhammad Shamim Khan S/o Muhammad Nadir	MO, DHQH, Chitral,	2017
132.	Dr. Muhammad Akmal Khan S/o Munfaat Khan	PSYCHIATRIST	2017

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MR. USMAN KHAN  
CURLAND  
ADVOCATE PESHAWAR

162	Dr.Asif Ahmad S/o Muhammad Farooq.	MO,THQH, Lahore Swabi	2017
163.	Dr.Nasir Hassan S/ O Hassan Khan.MBBS	JR HMC Peshawar	2017
164.	Dr.Abdul Hamid Afridi S/O Shughul Hassan.MD.USSR.	MO,AHQH, Landikotal	2017
165.	Dr.Hamid-ur-Rehman S/O Habib-ur-Rehman.MBBS	MO.CH.Bioki, NWAgency	2017
166.	Dr.Fida Muhammad S/O Juma Muhammad,	MO,DHQH, Kohat	2017
167.	Dr.Niaz Bahadur S/O Juma Khan, MBBS	MO,BHU,Ghaniada, Bajaur	2017
168.	Dr.Abdul Malik S/O Haji Mezar Khan, MBBS	SMO Type D Hospital Paroa DI Khan	2017
169.	Dr Umar Jan S/O Abdullah Jan,MBBS	MO.CH, Darazinda, FR DIKhan.	2017
170.	Dr.Sher Muhammad S/O Haji Gul Muhammad.MBBS	MO,KTH Peshawar	2017
171.	Dr.Islam Gul S/O Niaz Gul, MBBS	BHU,Matta Mughal Khel, Charsadda	2017
172.	Dr.Ihsan-ul-Haq S/O Gulab Khan,MBBS	MO,KTH,Peshawar	2017
173.	Dr.Mumtaz Hussain S/O Sultan Hassan.	MO,AHQH Parachinar	2017
174.	Dr. Fazal-ur-Rehman S/O Haji Gul Muhammad.	MO,KTH,Peshawar	2017
175.	Dr.Asif Hussain Munir S/O Wajid Hussain.	MO,KMC, Peshawar	2017
176.	Dr.Azim Shah S/O Hakim Shah,MBBS	MO,THQ Mir Ali , NWA	2017
177.	Dr.Rahatullah S/O Pir Muhammad Tayyeb.	MO,Type-D Hospital , Brawal U/Dir	2017
178.	Dr.Miftah-ud-Din S/O Amir Khan	MO,SGTH, Swat.	2017
179.	Dr.Amir Hamza S/O Said Faqir.MBBS	MO,BHU,Battara, Kohistan.	2017
180.	Dr.Hidayatullah S/O Ali Haider.MBBS	MO,THQH,Matta, Swat	2017
181.	Dr.Zahir Shah s/o Aqil Khan, MBBS	Demonstrator, BKMC, Mardan.	2017
182.	Dr. Abdus Samad Khan S/O Haji Jamal Dar Khan	MO,KTH, Peshawar	2017
183.	Dr. Hanif Khan S/O Sohbat Khan, MBBS	MO,RHC,Gumbat, Kohat	2017
184.	Dr. Shah Alam S/O Muhd Sahees Khan	MO,DHQH, Battagram	2017
185.	Dr.Mafiz-ul-Haq S/O Molvi Suleman	Demonstrator SMC Swat	2017
186.	Dr.Qazi Ajaz Ahmad S/O Qazi Badar Zaman	MO,BHU,Katai, Manshra	2017
187.	Dr.Attaullah S/O Muhammad Rashid.	MO,SGTH, Swat	2017
188.	Dr. Omparkash S/O Ishar Dass,MD/USSR	MO,DHQH, Daggar Buner.	Completed
189.	Dr.Mian Syed Dost S/O Mian Syed Qamar, MD	MO,DHQH, Buner	2017
190.	Dr. Faramoz s/o Sikandar Khan, MD	MO, BHU.Khanpur Haripur.	2017

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M USMAN KHAN  
CURLANDI  
ADVOCATE PESHAWAR

16-A

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162.	Dr. Asif Ahmad S/o Muhammad Farooq	MO, THQH, Lahore Swabi	2017
163.	Dr. nasir Hassan S/o Hassan Khan MBBS	JR HMC Peshawar	2017
164.	Dr. Abdul hamid Afridi S/o Shughul Hassan MD USSR	MO, AHQH Landikotal	2017
165.	Dr. Hamid Ur Rehman S/o Habib ur Rehman MBBS	MO. CH. Bioki NW Agency	2017
166.	Dr. Fida Muhammad S/o Juma Muhammad	MO, DHQH Kohat	2017
167.	Dr. Niaz Bahadur S/o Juma Khan MBBS	MO, BHU, Ghaniada, Bajou r	2017
168.	Dr. Abdul Malik S/o Haji Mezar Khan MBBS	SMO Type D Hospital Paroa DI Khasn	2017
169.	Dr. Umar Jan S/o Abdullah Jan MBBS	MO. CH. Darazinda, FR DI khan	2017
170.	Dr. Sher Muhamamd S/o Haji Gul Muhammad MBBS	MO, KTH Peshawar	2017
171.	Dr. Islam Gul S/o Niaz Gul MBBS	BHU Matta Mughal Khel, Charsadda	2017
172.	Dr. Ihsan UI Haq S/o Gulab Khan MBBS	MO, KTH, Peshawar	2017
173.	Dr. Mumtaz Hussain S?o Sultan Hassna	MO, AHQH Parachinar	2017
174.	Dr. Fazal ur Rehman S/o haji Gul Muhammad	MO, KTH, Peshawar	2017
175.	Dr. Asif Hussain Munir S/o Wajid Hussain	MO, KMC, Peshawar	2017
176.	Dr. Azim Shah S/o Hakim Shah MBBS	MO, THQ Mir Ali, NWA	2017
177.	Dr. Rahatullah S/o Pir Muhammad Tayyab	MO, Type-D Hospital, Brawal U/Dir	2017
178.	Dr. Miiftab ud Din S/o Amir Khan	MO, SGTH Swat	2017
179.	Dr. Amir Hamza S/o Said Faqir MBBS	MO, BHU Battara, Kohistan	2017
180.	Dr. Hidayatullah S/o Ali Haider MBBS	MO, THQH, Matta Swat	2017
181.	Dr. Zahir Shah S/o Aqif Khan MBBS	Demonstrator BKMC, Mardan	2017
182.	Dr. Abdus Samad Khan S/o Haji Jamal dar Khan	MO, KTH, Peshawar	2017
183.	Dr. Hanif Khan S/o Sohbat Khan MBBS	MO, RHC Gumbat Kohat	2017
184.	Dr. Shah Alam S/o Muhd Sahees Khan	MO, DHQH, Battagram	2017
185.	Dr. Mafiz ul Haq S/o Molvi Suleman	Demonstrator SMC Swat	2017
186.	Dr. Qazi Ajaz Ahmad S?o Qazi Badar Zaman	MO, BHU, Katai, Manshera	2017
187.	Dr. Attaullah S/o Muhammad Rashid	MO, SGTH swat	2017
188.	Dr. Omparkash S/o Ishar Dass, MD/USSR	MO, DHQH, Daggar Buner	Completed
189.	Dr. Mian Syed Dost S/o Mian Syed Qamar MD	BO, DHQH Buner	2017
190.	Dr. Faramoz S/o Sikandar Khan MD	MO, BHU Khanpur Haripur	2017

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306.	Dr. Rab Nawaz Khan Afridi s/o Haji Saïd Jan	SMO CH Jamrud Khyber Agency	1.7.2001 to 2004 & 2017
307.	Dr. Muhammad Noor S/O H.M. Islam Khan, MD	Attached to DHS L/Dir	1.7.2001 to 2004 & 2017
308.	Dr. Syed Monsin Hussain S/O Syed Mir Abbas	SMO QNBHP Kohat Road Peshawar	1.7.2001 to 2004 & 2017
309.	Dr. Syed Anwar Hussain S/O Noor Syed Mian	At the disposal of DHS FATA	1.7.2001 to 2004 & 2017
310.	Dr. Syeda Shahnaz Jabeen D/O S. Israrullah Shah	DHQ Hospital Chitral.	1.7.2001 to 2004 & 2017
311.	Dr. Sultan un Nisa D/O Hafiz Muhabat Khan	DHQ Hospital Chitral	1.7.2001 to 2004 & 2017
312.	Dr. Nasreen Haider D/O Haider Khan	At the disposal of EDO (H) Swabi	1.7.2001 to 2004 & 2017
313.	Dr. Inayatullah Rehman S/O Mani Khan	SMO, BHU, Mandori Kurram Agency.	1.7.2001 to 2004 & 2017
314.	Dr. Nawab Ali S/O Sher Aii, MBBS	At the disposal of DHS FATA	1.7.2001 to 2004 & 2017
315.	Dr. Sadiqullah Gumrani S/O Samiullah Khan, MD(K)	DHQH, Nowshera.	1.7.2001 to 2004 & 2017
316.	Dr. Inayatullah Jan S/O Muhammad Jan	KTH, Peshawar	1.7.2001 to 2004 & 2017
317.	Dr. Muhammad Ayaz s/o Noor Ahmad Shah, MD	SMO, AHQH, Bajaur.	1.7.2001 to 2004 & 2017
318.	Dr. Darya Khan S/O Maula Khan	SMO, DHQH Abbottabad.	1.7.2001 to 2004 & 2017
319.	Dr. Sajid Khan s/o Ghafoor Khan, MD	At the disposal of EDO(H) Marjan.	1.7.2001 to 2004 & 2017
320.	Dr. Sajjad Khan S/O Sher Mchammad	ESH Pabbi, District Nowshera	1.7.2001 to 2004 & 2017
321.	Dr. Jamshed Qadar S/O Maj: Q Qadar Gul	ESH Pabbi, District Nowshera	1.7.2001 to 2004 & 2017
322.	Dr. Farooq s/o Haji Ashiq Muhammad, MD	SMO, Police & Services Hospital Peshawar	1.7.2001 to 2004 & 2017
323.	Dr. Sardeep Kumar s/o Hukamchand M.D	At the disposal of EDO(H) Buner	1.7.2001 to 2004 & 2017
324.	Dr. Azam Khan Afridi S/O Abdul Aziz, MBBS.	SMO, AHQH, Landikotal.	1.7.2001 to 2004 & 2017
325.	Dr. Muhammad Riaz S/O .. Ghulam Rasool M.D	SMO, RHC, Manga, Marjan.	1.7.2001 to 2004 & 2017
326.	Dr. Bakh: Zamin S/O Wali Dad, MD	At the disposal of EDO (H) Swabi	1.7.2001 to 2004 & 2017
327.	Dr. Ajmal Khan s/o Zulqadar Khan, MD	SMC, PPHI, Swabi.	1.7.2001 to 2004 & 2017
328.	Dr. Inayatullah S/O .. Karimullah	CH Garbi Habibullah District Mansehra	1.7.2001 to 2004 & 2017
329.	Dr. Muhammad Ayaz S/O Zakirullah, MD	At the disposal of EDO (H) Mansehra	1.7.2001 to 2004 & 2017
330.	Dr. Noor Muhammad s/o Ahmad Saeed, MD	SMO, AHQH, Bajaur.	1.7.2001 to 2004 & 2017
331.	Dr. Shamsur Rehman S/O Haji Faqir Muhammad,	Govt. LRH Peshawar	1.7.2001 to 2004 & 2017
332.	Dr. Nasreen Begum D/O Ghulam Farid Khan	IKD, Peshawar	1.7.2001 to 2004 & 2017
333.	Dr. Gohar Zaman S/O Minhajuddin, MD(K).	MO. MC, Marjan.	1.7.2001 to 2004 & 2017
334.	Dr. Noshaba Naheed D/O Manzoor Ahmed MBBS	At the disposal of EDO(H) Bannu	1.7.2001 to 2004 & 2017

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M. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR

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306.	Dr. Rab Nawaz Khan Afridi S/o Haji Said Jan	SMO CH Jamrud Khyber Agency	1.7.2001 to 2004 & 2017
307.	Dr. Muhammad Noor S/o H.M Islam Khan MD	Attached to DHO L/Dir	1.7.2001 to 2004 & 2017
308.	Dr. Syed Mohsin Hussain S/o Syed Mir Abbas	SMO GNBHP Kohat Road Peshawar	1.7.2001 to 2004 & 2017
309.	Dr. Syed Anwar Hussain S/o Noor Syed Mian	At the disposal of DHS FATA	1.7.2001 to 2004 & 2017
310.	Dr. Syeda Shahnaz Jabeen D/o S> Israrullah Shah	DHQ Hospital Chitral	1.7.2001 to 2004 & 2017
311.	Dr. Sultan un Nisa D/o Hafiz Muhabat Khan	DHQ Hospital Chitral	1.7.2001 to 2004 & 2017
312.	Dr. Nasreen haider D/o Haider Khan	At the disposal of EDO (H) Swabi	1.7.2001 to 2004 & 2017
313.	Dr. Inayat ur Rehman S/o Mani Khan	SMO, BHU, Mandori Kurram Agency.	1.7.2001 to 2004 & 2017
314.	Dr. Nawab Ali S/o Sher Ali MBBS	At the disposal of DHS FATA	1.7.2001 to 2004 & 2017
315.	Dr. Sadiqullah Gumrani S/o Samiullah Khan MD (K)	DHQH, Nowshera	1.7.2001 to 2004 & 2017
316.	Dr. Inayatullah Jan S/o Muhammad Jan	KTH, Peshawar	1.7.2001 to 2004 & 2017
317.	Dr. Muhammad Ayaz S/o Noor Ahmad Shah MD	SMO AHQH, Bajour	1.7.2001 to 2004 & 2017
318.	Dr. Darya Kahn S/o Maula Khan	SMO DHQH Abbottabad	1.7.2001 to 2004 & 2017
319.	Dr. Sajid Khan S/o Ghafoor Khan MD	At The Disposal Of EDO (H) Mardan	1.7.2001 to 2004 & 2017
320.	Dr. Sajjad Khan S/o Sher Mohammad	ESH Pabbi District Nowshera	1.7.2001 to 2004 & 2017
321.	Dr. Jamshed Qadar S/o Maj: @ Qadar Gul	ESH Pabbi District Nowshera	1.7.2001 to 2004 & 2017
322.	Dr. Farooq S/o Haji Ashiq Muhammad, MD	SMO, Police & Services Hospital Peshawar	1.7.2001 to 2004 & 2017
323.	Dr. Sardeep Kumar S/o Hukamehand M.D	At The Disposal Of EDO (H) Buner	1.7.2001 to 2004 & 2017
324.	Dr. Azam Khan Afridi S/o Abdul Aziz MBBS	SMO, AHQH, Landikotal	1.7.2001 to 2004 & 2017
325.	Dr. Muhammad Riaz S/o Ghulam Rasool M.D	SMO, RHC, Manga, Mardan	1.7.2001 to 2004 & 2017
326.	Dr. Bakht Zamin S/o Wali Dad, MD	At The Disposal Of EDO (H) Swabi	1.7.2001 to 2004 & 2017
327.	Dr. Ajmal Khan S/o Zulqadar Khan MD	SMO, PPHI Swabi	1.7.2001 to 2004 & 2017
328.	Dr. Inayatullah S/o Karimullah	CH Garhi Habibullah District Manshera	1.7.2001 to 2004 & 2017
329.	Dr. Muhammad Ayaz S/o Zakirullah MD	At The Disposal Of EDO (H) Mardan	1.7.2001 to 2004 & 2017
330.	Dr. Noor Muhammad S/o Ahmad Saeed MD	SMO, AHQH Bajour	1.7.2001 to 2004 & 2017
331.	Dr. Shamsur Rehman S/o Haji Faqir Muhammad	Govt. LRH Peshawar	1.7.2001 to 2004 & 2017
332.	Dr. Nasreen Begum D/o Ghulam Farid Khan	IKD, Peshawar	1.7.2001 to 2004 & 2017
333.	Dr. Gohar Zaman S/o Minhajuddin MD(K)	MO, MC, Mardan	1.7.2001 to 2004 & 2017
334.	Dr. Noshaba Naheed D/o Manzoor Ahmed MBBS.	At The Disposal Of EDO (H) Bannu	1.7.2001 to 2004 & 2017

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MR. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR

(18)

Office Of The Medical Superintendent DHQ Hospital Swabi

Telephone & Fax #: 0938-221267

No. 4045/A-7 /DHQ Hospital Swabi Dated: 27-11-2018

To

The Directorate General Health Services,  
Khyber Pakhtunkhwa Peshawar.

(1)

Subject:  
Sir,

**ANNUAL CONFIDENTIAL REPORTS.**

Enclosed please find herewith the Annual Confidential Report for the year 2001,2002,2003,2004 & 2017 in respect of Dr.Bakht Zamin SMO BPS-18 for favour of further necessary action please.

There are neither any Criminal/Judicial/Anticorruption cases nor any departmental inquiry against the above Doctor.

Medical Superintendent  
DHQ Teaching Hospital  
Swabi.

*[Handwritten Signature]*

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18-A

Office of the Medical Superintendent DHQ Hospital Swabi

No. 4045/A -7 DHQ Hospital Swabi Dated 27-11-2018.

To,

The Directorate General Health Service  
Khyber Pakhtunkhwa Peshawar.

**Subject:** **ANNUAL CONFIDENTIAL REPORTS.**

Enclosed please find herewith the annual confidential report for the year 2001,2002,2003,2004 & 2017 in respect of Dr. Bakht Zamin SMO BPS-18 for favour of further necessary action please.

There are neither any Criminal/judicial/Anticorruption cases nor any departmental inquiry against the above Doctor.

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**M. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR**

Sd/-

Medical Superintendent  
DHQ Teaching Hospital  
Swabi

Dated Peshawar, the 31<sup>st</sup> May, 2019

NOTIFICATION

19

D

NO SOHLE V)4, 22, 2019

Consequent upon their promotion to BS-19 in the General Cadre as notified on 08<sup>th</sup> May, 2019, the competent authority is pleased to order posting/transfer of the following Principal Medical Officers BS-19 with immediate effect in the public interest.

S#	Name of Doctor	FROM	TO	Remarks
1	Dr Muhammad Younus Nazeem PMO BS-19	DHO Hospital KDA Kohat	DHO Hospital KDA Kohat	Against the vacant post of PMO BS-19
2	Dr Muhammad Saddiq PMO BS-19	TBC Center North Waziristan Merged District	Services placed at the disposal of DHO Larki Marwat	Against the vacant post of PMO BS-19
3	Dr Sher Zaman PMO BS-19	Mardan Medical Complex Mardan	Services placed at the disposal of DHO Mardan	Against the vacant post of PMO BS-19
4	Dr Zahida Khanum PMO BS-19	City Hospital Larki Marwat	City Hospital Larki Marwat	Against the vacant post of PMO BS-19
5	Dr Farzana Ayub PMO BS-19	TBC Center Abbottabad	RHC Kalapani Abbottabad	Against the vacant post of PMO BS-19
6	Dr Abdur Rehman PMO BS-19	RHC Naryab Hangu	Category-D Hospital Thal Hangu	Against the vacant post of PMO BS-19
7	Dr Iqbal Jan PMMO BS-19	Public Health School Abbottabad	Public Health School Abbottabad	Against the vacant post of PMO BS-19
8	Dr Sultan Bibi PMO BS-19	DHO Hospital Abbottabad	DHO Hospital Abbottabad	Against the vacant post of PMO BS-19
9	Dr Muhammad Younus PMO BS-19	Attached to DHO Hospital Miranshah NW Merged District	Services placed at the disposal of DHO Bannu	Against the vacant post of PMO BS-19
10	Dr Zulfikar Ali PMO BS-19	Maulvi Ameer Shah Memorial Hospital Peshawar	Moulvi Ameer Shah Memorial Hospital Peshawar	Against the vacant post of PMO BS-19
11	Dr Rashid Hassan Khan PMO BS-19	TTC Hospital Koter in Dikhan	Category-D Hospital Puharpin Dikhan	Against the vacant post of PMO BS-19

From BS-19 to BS-19

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ADVOCATE PESHAWAR

19-A

Dated Peshawar the 31<sup>st</sup> May, 2019NOTIFICATION:NO.SOH(E-V)4-22/2019.

Consequent upon their promotion to BS-19 in the General cadre as notified on 08<sup>th</sup> May, 2019, the competent authority is pleased to order posting/transfer of the following principal Medical Officers BS-19 with immediate effect in the public interest:

S#	Name of Doctor	FROM	TO	Remarks
1.	Dr. Muhamamd Younias Nadeem PMO BS-19	DHQ Hospital KDA Kohat	DHQ Hospital KDA Kohat	Against the vacant post of PMO BS-19
2.	Dr. Muhammad Saddiq PMO BS-19	TBC Center North Waziristan merged District	Services Placed at the disposal of DHQ Lakki Marwat	Against the vacant post of PMO BS-19
3.	Dr. Sher Zaman PMO BS-19	Mardan medical Complex Mardan	Services Placed at the disposal of DHQ Lakki Mardan	Against the vacant post of PMO BS-19
4.	Dr. Zubaata Khanum PMO BS-19	City Hospital Lakki Marwat	City Hospital Lakki Marwat	Against the vacant post of PMO BS-19
5.	Dr. Farzana Ayub PMO BS-19	TBC Center Abbottabad	RHC Kalapani Abbottabad	Against the vacant post of PMO BS-19
6.	Dr. Abdur. Rehman PMO BS-19	RHC Naryab Hangu	Category-D Hospital Thall Hangu	Against the vacant post of PMO BS-19
7.	Dr. Iqbal Jan PWMO BS-19	Public Health School Abbottabad	Public Health School Abbottabad	Against the vacant post of PMO BS-19
8.	Dr. Sultan Bibi PMO BS-19	DHQ Hospital Abbottabad	DHQ Hospital Abbottabad	Against the vacant post of PMO BS-19
9.	Dr. Muhammad Younas PMO BS-19	Attached to DHQ Hospital Miranshah NW merged District	Services Placed at the Disposal of DHO Bannu	Against the vacant post of PMO BS-19
10.	Dr. Zulfiqar Ali PMO BS-19	Moulvi Ameer Sha memorial Hospital Peshawar	Molvi Ameer Shah Memorial Hospital Peshawar	Against the vacant post of PMO BS-19
11.	Dr. Rashid Hassan Khan PMO BS-19	THQ Hospital Kulachi DI Khan	Category-D Hospital	Against the vacant post of

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ADVOCATE PESHAWAR

161	Dr Jamshed Qadar PMO ES-19	Attached to DHO Nowshera	Services placed at the disposal of DHO Nowshera	Against the vacant post of PMO BS-19
165	Dr Satdeep Kumar PMO BS-19	Attached to DHO Buner	Services placed at the disposal of DHO Buner	Against the vacant post of PMO BS-19
167	Dr Muhammad Rizq PMO BS-19	Attached to DHO Mardan	Services placed at the disposal of DHO Mardan	Against the vacant post of PMO BS-19
163	Dr Ajmal Khan PMO BS-19	RHC Sheikh Jana Swabi	Category-D Hospital Kali Khan Swabi	Against the vacant post of PMO BS-19
169	Dr Muhammad Ayaz PMO BS-19	King Abd Jiliah Teaching Hospital Mansehra	King Abdullah Teaching Hospital Mansehra	Against the vacant post of PMO BS-19
171	Dr Noor Muhammad PMO BS-19	DHO Hospital Mardan	DHO Hospital Mardan	Against the vacant post of PMO BS-19
171	Dr Bohar Zaman PMO BS-19	Attached to DHO Office Mardan	Category-D Hospital Toru Mardan	Against the vacant post of PMO BS-19
172	Dr. Abouf Karim PMO BS-19	Attached to DHO Malakand	Services placed at the disposal of DHO Malakand	Against the vacant post of PMO BS-19
173	<del>Dr. [Name]</del> PMO BS-19	RHC Toru Mardan Swabi	RHC Amber Kunja Swabi	Against the vacant post of PMO BS-19
174	Dr Muhammad Ali Jan PMO BS-19	Attached to DHO Mardan	Services placed at the disposal of DHO Mardan	Against the vacant post of PMO BS-19
175	Dr Mumtaz Ali PMO BS-19	THO Hospital Dargai Malakand	THO Hospital Dargai Malakand	Against the vacant post of PMO BS-19
176	Dr Azia Sarwar PWMO BS-19	Govt Maternity Hospital Peshawar	Govt Maternity Hospital Peshawar	Against the vacant post of PMO BS-19
177	Dr Zafar Ali PMO BS-19	Mardan Medical Complex Mardan	DHO Hospital Swabi	Against the vacant post of PMO BS-19
178	Dr Ashad Ali PMO BS-19	DHO Hospital Mardan	DHO Hospital Mardan	Against the vacant post of PMO BS-19

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TURLANDI  
ADVOCATE PESHAWAR

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			Paharpur D.I Khan	PMO BS-19
165	Dr. Jamshed Qadar PMO BS-19	Attached to DHO Nowshera	Services placed at the disposal of DHO Nowshera	Against the vacant post of PMO BS-19
166	Dr. Sandeep Kumar PMO BS-19	Attached to DHO Buner	Services placed at the disposal of DHO Buner	Against the vacant post of PMO BS-19
167	Dr. Muhammad Riaz PMO BS-19	Attached to DHO Mardan	Services placed at the disposal of DHO Mardan	Against the vacant post of PMO BS-19
168	Dr. Ajmal Khan PMO BS-19	RHC Sheikh Jana Swabi	Category-D Hospital Kalu Khan Swabi	Against the vacant post of PMO BS-19
169	Dr. Muhammad Ayaz PMO BS-19	King Abdullah Teaching Hospital Manshera	King Abdullah teaching Hospital Manshera	Against the vacant post of PMO BS-19
170	Dr. Noor Muhammad PMO BS-19	DHQ Hospital mardan	DHQ Hospital Mardna	Against the vacant post of PMO BS-19
171	Dr. Gohar Zaman PMO BS- 19	Attached to DHO Mardan	Category-D hospital Toru Mardan	Against the vacant post of PMO BS-19
172	Dr. Abdul Karim PMO BS- 19	Attached to DHO Malakand	Services placed at the disposal of DHO Malakand	Against the vacant post of PMO BS-19
173	Dr. Riaz Ali PMO BS-19	RHC Tordher Swabi	RHC Ambar Kunda Swabi	Against the vacant post of PMO BS-19
174	Dr. Muhammad Ali Jan PMO BS-19	Attached to DHO Mardan	Services placed at the disposal of DHO Mardan	Against the vacant post of PMO BS-19
175	Dr. Mumtaz Ali PMO BS-19	THQ Hospital Dargai Malakand	THQ Hospital Dargai Malakand	Against the vacant post of PMO BS-19
176	Dr. Azra Sarwar PwMO BS- 19	Govt. Maternity hospital Peshawar	Govt. Maternity Hospital Peshawar	Against the vacant post of PMO BS-19
177	Dr. Zafar Ali PMO BS-19	Mardan Medical Complex mardan	DHQ Hospital Swabi	Against the vacant post of PMO BS-19
178	Dr. Arshad Ali PMO BS-19	DHQ Hospital mardan	DHQ Hospital Mardan	Against the vacant post of PMO BS-19

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**MR. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR**



209	Dr. Badshah Khan PWO BS-19	City Hospital Larkana	City Hospital Larkana	Against the vacant post of PWO BS-19
210	Dr. Syed Umar Hussain PWO BS-19	DHO Hospital Abbottabad	DHO Hospital Abbottabad	Against the vacant post of PWO BS-19
211	Dr. Nusrat Ara PWO BS-19	DHO Hospital Abbottabad	DHO Hospital Abbottabad	Against the vacant post of PWO BS-19
212	Dr. Shazia Gul PWO BS-19	DHO Khasi/ Lower Dir/ Zai Mangal Dist	DHO Hospital KDA Kohat	Against the vacant post of PWO BS-19
213	Dr. Shazia Gul PWO BS-19	General Hospital Peshawar	DHO Hospital Abbottabad	Against the vacant post of PWO BS-19
214	Dr. Fahmeeda Khan PWO BS-19	Women and Child Hospital Bannu	Services provided at the disposal of DHO Bannu	Against the vacant post of PWO BS-19
215	Dr. Rizq Shams PWO BS-19	Govt. Naseer-ul-Sabeer Memorial Hospital Peshawar	Govt. Naseer-ul-Sabeer Memorial Hospital Peshawar	Against the vacant post of PWO BS-19

SECRETARY HEALTH  
Govt of Khyber Pakhtunkhwa

Encls. No & Date Even

Copy to the

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Director Health & Family Services Khyber Pakhtunkhwa
3. Director Health Services Mergil District
4. District Health Officer LRPK District Peshawar
5. District Health Officer KDM District Peshawar
6. District Health Officer DHO Abbottabad
7. District Health Officer Mergil District
8. PS to Minister Health Khyber Pakhtunkhwa
9. PS Secretary Health Khyber Pakhtunkhwa
10. Copies to be retained

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M. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR

*(Signature)*

(FAZAL ALI)  
SECTION OFFICER (S.M.)

Designation  
District Health Officer

(21-A)

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209	Dr. Badshah Khan PMO BS-19	City Hospital Lakki Marwat	City Hospital Lakki Marwat	Against the vacant post of PMO BS-19
210	Dr. Syed Umar Hassan BS-19	DHQ Hospital Abbottabad	DHQ Hospital Abbottabad	Against the vacant post of PMO BS-19
211	Dr. Nusrat Ara PWMO BS-19	DHQ Hospital Abbottabad	DHQ Hospital Abbottabad	Against the vacant post of PMO BS-19
212	Dr. Shazia Gul PWMO BS-19	THQ Kalai/Lower Orakzai Merged District	DHQ Hospital KDA Kohat	Against the vacant post of PMO BS-19
213	Dr. Seema Sharaf PWMO BS-19	Bacha Khan Medical College Mardan	Services placed at the disposal of DHQ Mardan	Against the vacant post of PMO BS-19
214	Dr. Shamsul Qamar PWMO BS-19	Civil Hospital Islamia College Peshawar.	RHC Takhtabad Peshawar.	Against the vacant post of PMO BS-19
15	Dr. Fahmeeda Khan PWMO BS-19	Women and Children Hospital Bannu	Services placed at the disposal of DHQ Bannu	Against the vacant post of PMO BS-19
216	Dr. Riaz Shahid PMO BS-19	Govt: Naseerullah Babar Memorial Hospital Peshawar.	Govt: Naseerullah Babar Memorial Hospital Peshawar.	Against the vacant post of PMO BS-19

Sd/-

SECRETARY HEALTH

Govt: of Khyber Pakhtunkhwa.

Endst No & date even.

Copy to the

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director General Health Services. Khyber Pakhtunkhwa,
3. Director Services Health Merged Districts.
4. Hospital Medical Directors LRH/KTH/HMC Peshawar.
5. Hospital Medical Directors DHQ Hospital DIKhan.
6. Medical Superintendents DHQ Hospital mentioned above.
7. District Account Officer mentioned above.
8. PS to Minister Health, . Khyber Pakhtunkhwa.
9. PS secretary Health. Khyber Pakhtunkhwa
10. Doctors concerned.

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*[Signature]*  
**MR. USMAN KHAN  
GURLANDI  
ADVOCATE PESHAWAR**

Sd/-

Fazal Ali Section Officer.



(22)

**ANNEXURE E**

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

Dated Peshawar, the 18<sup>th</sup> February, 2019

**NOTIFICATION**

**NO.SOH(E-V)4-22/2019**

The Government of Khyber Pakhtunkhwa on the recommendations of the Provincial Selection Board is pleased to promote the following doctors of General Cadre from BS-18 to BS-19 on regular basis with immediate effect:-

S. NO	NAME OF DOCTOR	S.No	NAME OF DOCTOR
1	Dr.Muhammad Ilyas s/o Arman Gul	2.	Dr.Muhammad Imran S/O Muhammad Zaman

- In term of Rule 6 (3) of Civil Servants Act, 1973 and Rule 15 (1) of Appointment, Promotion and Transfer Rules, 1989, they will be on probation till their retirement.
- The postings/transfers of the above named doctors shall be notified later on.

**SECRETARY HEALTH  
Govt of Khyber Pakhtunkhwa**

**Endst.No & Date Even.**

Copy to the:-

- Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- Principal Secretary to Governor, Khyber Pakhtunkhwa.
- Secretary to Govt of Khyber Pakhtunkhwa, Establishment Department.
- Director General Health Services, Khyber Pakhtunkhwa.
- Director Health Services Merged Districts
- Medical Superintendent Civil Hospital Khyber.
- District Accounts Officer Khyber
- PS to Minister Health Khyber Pakhtunkhwa
- PS Secretary Health, Khyber Pakhtunkhwa
- Officers/doctors concerned.

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**M. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR**

**SECTION OFFICER (E-V)**

Better copy

22-A

**GOVERNMENT OF KHYBER PAKHTUNKHWA HEALTH  
DEPARTMENT.**

Dated Peshawar the 18<sup>th</sup> February..2019.

**NOTIFICATION**

**No. SOH (E-V)4-22/2019.**

The Government of Khyber Pakhtunkhwa on the recommendations of the Provincial Selection Board is pleased to promote the following doctors of General Cadre from Bs-18 to 19 on regular basis with immediate effect.

s. No.	Name of Doctor	S. No.	Name Doctor
1.	Dr. Muhammad Ilyas S/o Arman Gul	2.	Dr. Muhammad Imran S/o Muhammad Zaman

2. In terms of Rule 6 (3) of Civil Servants Act. 1973 and rule 15 (1) of Appointment, Promotion and Transfer Rules, 1989 they will be on probation till their retirement.
3. The postings/transfers of the above named doctors shall be notified later-on.

Sd/-  
SECRETARY HEALTH  
Govt. of Khyber Pakhtunkhwa

Endst. No. & Date even.

Copy to:

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa,
2. Principal Secretary to Governor, Khyber Pakhtunkhwa,
3. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
4. Director General Health Services. Khyber Pakhtunkhwa.
5. Distractor Services Health Merged Districts.
6. District Account Officer Khyber.
7. Medical Superintendent Civil Hospital Khyber.
8. PS to Minister Health, Khyber Pakhtunkhwa.
9. PS secretary Health. Khyber Pakhtunkhwa.
10. Officers/Doctors concerned.

**ATTESTED TO BE  
TRUE COPY**

**M. USMAN KHAN  
(URLANDI)  
ADVOCATE PESHAWAR**

Sd/-  
**SECTION OFFICER(E-V)**



93

ANNEXURE F

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

No. SO (PSB) ED/1-25/2019/KC  
Dated Peshawar, the 09.10.2019

To

All Administrative Secretaries to the Govt.  
Of Khyber Pakhtunkhwa.

Subject - **IMPORTANT DIRECTIONS ISSUED BY THE PROVINCIAL SELECTION BOARD IN ITS MEETING HELD ON 23.09.2019**

Dear Sir,

I am directed to refer to the subject and to say that the Provincial Selection Board in its meeting held on 23.09.2019 issued the following directions:-

- i In future, the PSB meetings shall be held on need basis instead of fixed dates as reflected in Establishment Department letter of even No. dated 11.12.2017.
- ii All Administrative Departments shall finalize the process of issuance of promotion and postings/ transfers orders of the promoted officer(s) within 15 days of the receipt of the PSB minutes, positively. The concerned Department shall be held responsible for inordinate delay leading to financial losses to the promoted officers.

Yours faithfully,

  
(Abdul Hameed)  
Section Officer (PSB)

**Endst. No & date even.**

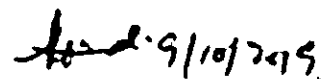
Copy forwarded to the:

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

Zia

ATTESTED TO BE  
TRUE COPY

  
M. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR

  
Section Officer (PSB)

Better copy

23-A

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**ESTABLISHMENT DEPARTMENT.**

NO. SO (PSB) ED/1-25 /2019 /KC  
Dated Peshawar, the 09-10-2019

To,

All administrative secretaries to the Govt;  
of Khyber Pakhtunkhwa.

**Subject: IMPORTANT DIRECTIONS ISSUE BY THE PROVINCIAL SELECTION BOARD IN ITS MEETING HELD ON 23.09.2019**

Dear Sir.

I am directed to refer to the subject and to say that the Provincial selection Board in its meeting held on 23.09.2019 issued the following directions;-

- i. In future the PSB meeting shall be held on need basis instead of fixed dates as reflected in Establishment Department letter of even no dated 11-12-2017.
- ii. All Administrative Departments shall finalize the process of issuance of promotion and postings/ transfers orders of the promoted officer (S) within 15 days of the receipt of the PSB minutes positively. The concerned Department shall be held responsible for inordinate delay leading to financial losses to the promoted officers.

Yours faithfully.

Sd/-

Section officer (PSB)

**Endst. No & date even**

Copy forwarded to the

1. All section officers in Regulation Wing of Establishment Department.
2. Ps to Secretary (Estt) Establishment Department
3. PS to Special secretary (Regulation). Establishment Department.
4. PAs to deputy secretaries (Regulation- I&II ), Establishment Department.
5. PAs Deputy Secretaries (R-II&III) . establishment Department

Sd/-

Section officer (PSB)

ATTESTED TO BE  
TRUE COPY

MR. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR



(24)

ANNEXURE 9

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar, the 18<sup>th</sup> February, 2019

NOTIFICATION

NO.SOH(E-V)4-22/2019

The Competent Authority in consultation with the Provincial Selection Board, is pleased to order the promotion of Dr. Bahram Khan S/O Juma Khan Senior Medical Officer BS-18 to the post of Principal Medical Officer BS-19 attached to DHO Office DIKhan with effect from the date of PSB i.e 01.02.2019 on notional basis in terms of Para-VII of the Promotion policy of the Provincial Govt Circulated vide Govt of Khyber Pakhtunkhwa Establishment Department Circular No.SOR-VI(E&AD)1-16/2005 dated 22-03-2006.

**SECRETARY HEALTH**  
**Govt. of Khyber Pakhtunkhwa**

Endst.No & Date Even.

Copy to the:-

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. Principal Secretary to Governor, Khyber Pakhtunkhwa.
3. Secretary to Govt of Khyber Pakhtunkhwa, Establishment Department.
4. Director General Health Services, Khyber Pakhtunkhwa.
5. District Health Officer DIKhan
6. District Accounts Officer DIKhan
7. PS to Minister Health, Khyber Pakhtunkhwa
8. PS Secretary Health, Khyber Pakhtunkhwa
9. Officers/doctors concerned.

ATTESTED TO BE  
TRUE COPY

M. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR

  
SECTION OFFICER (E-V)

Better copy

24-A

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**HEALTH DEPARTMENT.**

Dated Peshawar the 18<sup>th</sup> February. 2019.

**NOTIFICATION**

No. SOH (E-V)4-22/2019 The competent Authority in consultation with the Provincial Selection Board, is pleased to order the promotion of Dr. Bahram Khan S/O Juma Khan Senior Medical Officer BPS- 18 to the post of Principal Medical Officer BS-19 attached to DHO Office Di Khan with effect from the date of PSB i.e. 01-02.2019 on notional basis in terms of Para-VII of the Promotion policy of the Provincial Govt; Circulated vide Govt; of Khyber Pakhtunkhwa Establishment Department Circular No. SOR- VI (E& AD) 1- 16 /2005 dated 22-3-2006.

S/d-  
SECRETARY HEALTH  
Govt. of Khyber Pakhtunkhwa


Endst: No. & Date even.

Copy to;

1. Principal Secretary to Chief Minister, Khyber Pakhtukhwa,
2. Principal Secretary to Governor, Khyber Pakhtukhwa,
3. Secretary to Govt. of Khyber Pakhtukhwa, Establishment Department.
4. Director General Health Services. Khyber Pakhtukhwa,
5. District Health Officer DI Khan
6. District Account Officer DI Khan.
7. PS to Minister Health, . Khyber Pakhtukhwa.
8. PS secretary Health. Khyber Pakhtunkhwa
9. Officers/Doctors concerned.

**ATTESTED TO BE  
TRUE COPY**

S/d-  
SECTION OFFICERS (E-V)-

  
**M. USMAN KHAN**  
TURLANDI  
ADVOCATE PESHAWAR

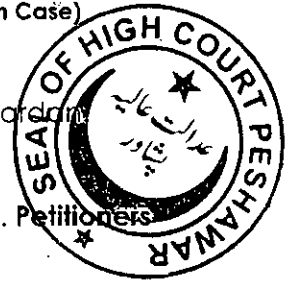


95

ANNEXURE ~~H~~

**BEFORE PESHAWAR HIGH COURT, PESHAWAR.**

Writ Petition No. 4031/2017  
(Pension Case)



1. Dr. Qaiser Ali S/O Khushal Khan  
R/O House No.98, Street-2, Sector K-2, Sheikh Maltoon Town, Mardan
2. Dr. Fida Muhammad S/O Khawaja Muhammad  
R/O House No.53, Street No.1, Sector N-2, Phase-IV,  
Hayatabad, Peshawar .....

....VERSUS....

1. Government of Khyber Pakhtunkhwa through its Chief Secretary, Civil Secretariat, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariat, Peshawar.
3. Director General Health Services, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar. .... Respondents

=====  
**WRIT PETITION, UNDER ARTICLE 199  
 OF THE CONSTITUTION OF ISLAMIC  
 REPUBLIC OF PAKISTAN, 1973.**  
 =====

**Respectfully Sheweth:**

1. That petitioners are doctors by profession and retired from service on superannuation as Principal Medical Officers (BPS-19) District Headquarter Hospitals (DHQ) Mardan & Hangu respectively, vide Notification No.SOH(E-V)2-355/2007 dated 17.04.2017 & Notification No.SOH(E-V)2-337/2007 dated 17.08.2017, with effect from 14.09.2017 and 15.09.2017 respectively. **(Copies of Notifications dated 17.04.2017 & 17.08.2017 are attached as Annexures "A" & "B" respectively).**
2. That the respondent department approved up-gradation of the posts of the general cadre doctors of Health Department under 4-TIER formula at ratio 1:15:34:50 for BPS-20, 19, 18 & 17 respectively, vide No.SO(FR)/FD/7-3/2016-17/6226, dated 06.07.2017, in pursuance whereof petitioners, being qualified for promotion to BPS-20, were considered, evident from office letter No.16285-345/AE.I, dated 04.08.2017, vide which updated PERs/ACRs, no departmental/anti-corruption certificate, fresh passport size photographs and mandatory in service training certificate were demanded, it is further added that names of the petitioners are reflecting from the letter ibid at serial Nos.44 and 37 respectively. **(Copies of office letters dated 06.07.2017 and 04.08.2017 are attached as Annexures "C" & "D" respectively).**

FILED (FOD) Deputy Registrar

10 OCT 2017

That petitioners, in compliance to the office letter dated 04.08.2017 supra, furnished the requisite documents i.e. no Departmental/Anti-Corruption Certificate, fresh passport size photographs, ACRs/PERs for the year 2013 to

Yusufzai Law Chamber (YLC)

**ATTESTED**  
**EXAMINER**  
Peshawar High Court

96

**JUDGMENT SHEET  
PESHAWAR HIGH COURT, PESHAWAR  
JUDICIAL DEPARTMENT**

**Writ Petition No.4031-P/2017**

**JUDGMENT**

Date of hearing.....22-02-2018.....

Petitioner: (Dr.Qaiser Ali and others) by Mr.Amin-ur-Rehman Yusufzai, Advocate.

Respondents:(Government of Khyber Pakhtunkhwa and others) by Syed Qaiser Ali Shah, AAG.



\*\*\*\*\*

**YAHYA AFRIDI, C.J.-** Dr.Qaiser Ali and others,

petitioners, seek the constitutional jurisdiction of this

Court praying that:-

*"It is, therefore, most humbly prayed that on acceptance of instant writ petition, the respondents may be directed to grant proforma promotion in BPS-20 to the petitioners with effect from their eligibility with all back benefits, so as to secure the ends of justice and equity.*

*Any other relief, not specifically prayed for and deemed appropriate by this Honourable Court in circumstances of the case may also be granted."*

2. In essence, the grievance of the petitioners is that they have been denied *proforma promotion*, which is against the mandate of law.

5

**ATTESTED**

**EXAMINER  
Peshawar High Court**

3. The respondents were put to notice. The respondents in their comments have clearly indicated that the case of the petitioners would be considered in the next meeting of the Provincial Selection Board ("PSB"). Relevant para of the comments reads as:-

*"Correct to the extent that the petitioner provided the requisite documents for promotion to BS-20. However, no meeting of Provincial Selection Board was held during the period."*

This writ petition is disposed of in terms of the above assurance rendered in the comments filed by the respondent-Department.

Dt.22-02-2018.

CHIEF JUSTICE  
JUDGE

F. Jan\*\*  
(DB) Hon'ble Mr. Justice Yahya Afridi, Chief Justice.  
Hon'ble Mr. Justice Muhammad Ayub Khan, Judge.

4793  
Presentation of Application  
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CERTIFIED TO BE TRUE COPY

EXAMINER  
Peshawar High Court, Peshawar  
Authorized Under Article 87 of  
the Constitution of Pakistan

17 AUG 2020



28

2018/28

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar the 29<sup>th</sup> August, 2018

**NOTIFICATION**

**NO.SOH(E-V)1-111/2018** In pursuance of the Peshawar High Court, Peshawar judgment in Writ Petition No.4031-P/2017 dated 22.02.2018, the competent authority (Chief Minister Khyber Pakhtunkhwa) is pleased to promote Dr.Qaiser Ali Ex-Principal Medical Officer BS-19 attached to DHQ Hospital Mardan to the post of Chief Medical Officer BS-20 (retired from Service on 14.09.2017) on notional basis with effect from 25.09.2017, from the date of his erstwhile juniors promoted to BS-20 in the General Cadre.

**SECRETARY HEALTH**  
**Govt. of Khyber Pakhtunkhwa**


**Endst. No. & Date even.**

Copy to:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Registrar Peshawar High Court, Peshawar
3. Director General Health Services, Khyber Pakhtunkhwa.
4. District Health Officer Mardan
5. MS DHQ Hospital Mardan
6. District Accounts Officer Mardan.
7. PS to Secretary Establishment Department.
8. PS to Secretary Health Department.
9. PS to Special Secretary Health Department.
10. Computer Programmer Health Department.
11. Doctor concerned.

ATTESTED TO BE  
TRUE COPY

  
M. USMAN KHAN  
TURLANDI  
ADVOCATE PESHAWAR

  
SECRETARY HEALTH  
Govt of Khyber Pakhtunkhwa

Better Copy

28-A

**GOVERNMENT OF KHYBER**  
**PAKHTUNKHWA HEALTH DEPARTMENT.**

Dated Peshawar the 29<sup>th</sup> August 2018

**NOTIFICATION**

**No. SOH (E-V)1-111/2018 .**

In pursuance of the Peshawar High Court, Peshawar Judgment in Writ Petition No. 4031-P/2017 dated 22-02-2018, the competent authority (chief Minister Khyber Pakhtunkhwa )is pleased to promote Dr Qasir Ali Ex- Principal Medical Office BS-19 attached to DHQ Hospital Mardan to the post of Chief Medical Officer Bs-20 (retired from Service on 14-09-2017 on notional basis with effect from 25.09.2017, from the date of his erstwhile juniors promoted BS- 20 in the General cadre.

Sd/-

SECRETARY HEALTH  
Govt. of Khyber Pakhtunkhwa

**Endst. No. & Date even.**

Copy to;

1. Accountant General Khyber Pakhtukhwa, Peshawar.
2. Registrar Peshawar high Court, Peshawar
3. Director General Health Services. Khyber Pakhtukhwa,
4. District Health Officer Mardan
5. Ms DHQ Hospital Mardan.
6. District Account Officer Mardan.
7. PS to Secretary Establishment Department.
8. PS to Secretary Health Department.
9. PS to Special secretary Health Department.
10. Computer Programmer Health Department
11. Doctor concerned.

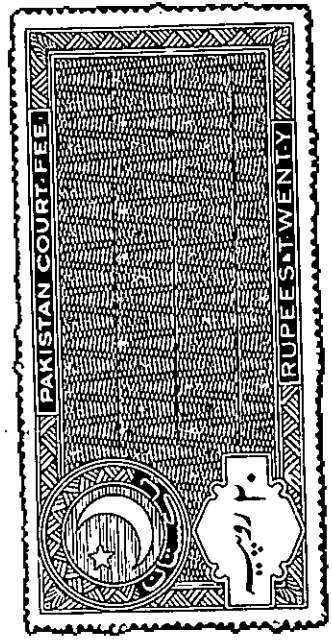
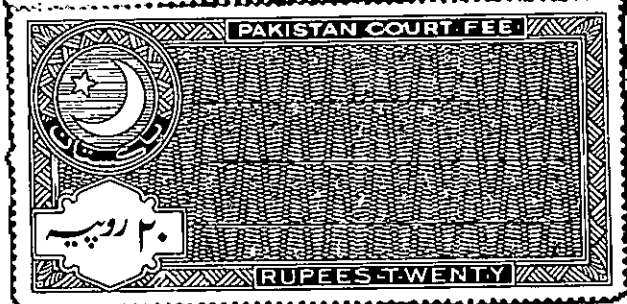
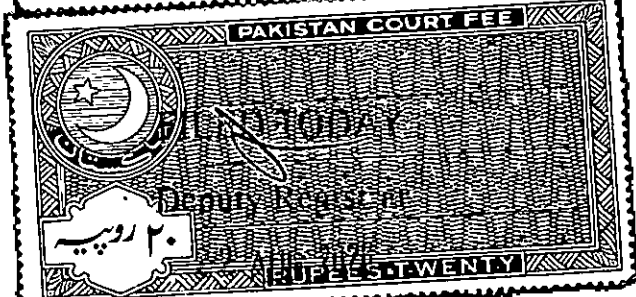
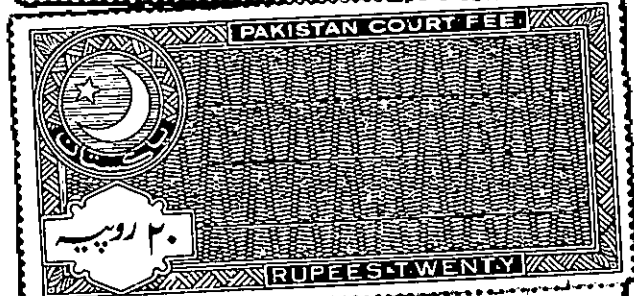
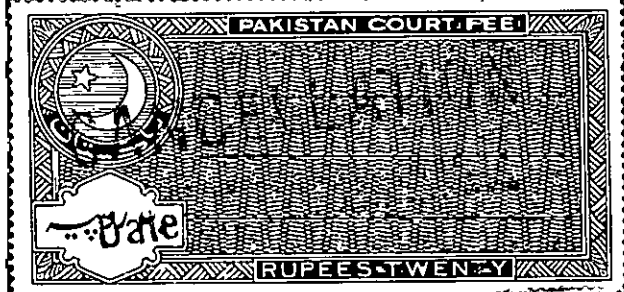
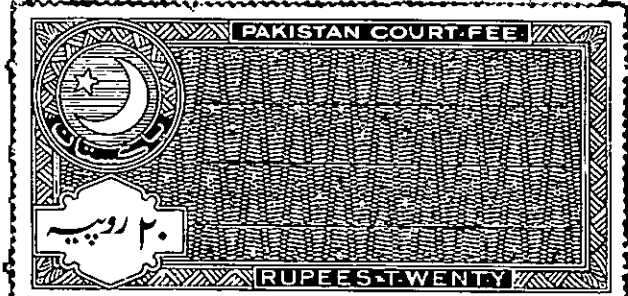
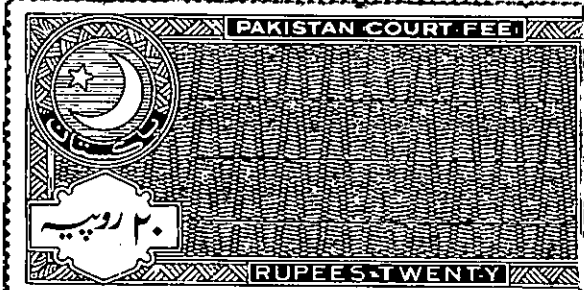
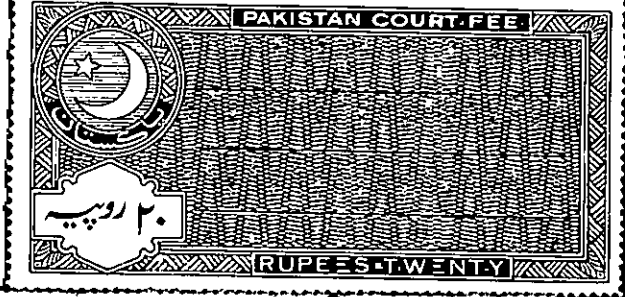
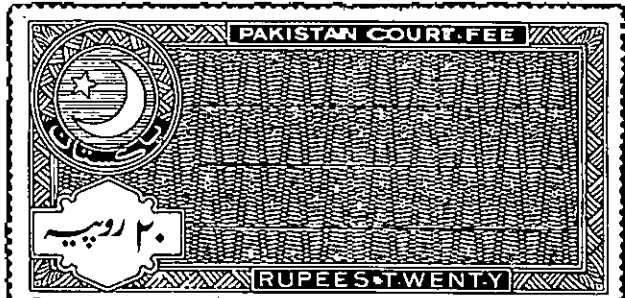
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TRUE COPY**

**MR. USMAN KHAN  
TURLAND,  
ADVOCATE PESHAWAR**

Sd/-

SECRETARY HEALTH  
Govt. of Khyber Pakhtunkhwa

30





مكتبة جامعة القاهرة  
القاهرة - مصر

مكتبة جامعة القاهرة  
القاهرة - مصر



**BEFORE THE PESHAWAR HIGH COURT PESHAWAR.**

In Ref; to WP No. 3865-P/2020.

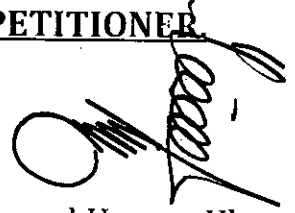
Dr. Bakht Zamin Ex-SMO.....VS.....Secretary Health & others.

**INDEX**

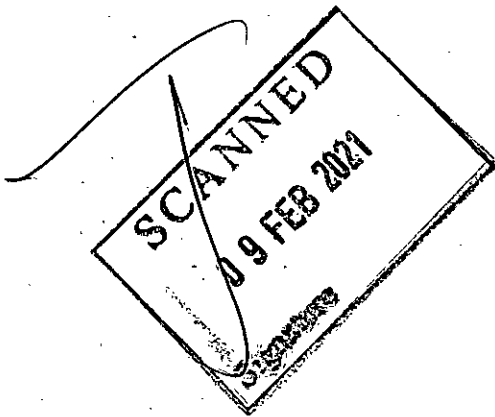
<u>S.No.</u>	<u>Description of documents.</u>	<u>Annexure</u>	<u>Page No.</u>
01	Index/Rejoinder.		01-04
02	Affidavit.		05

**PETITIONER**

Through;



Muhammad Usman Khan  
Turlandi.  
Advocate Supreme Court.  
Mobile# 0333-9153699.



FILED TODAY  
Deputy Registrar  
08 FEB 2021

BV

**BEFORE THE PESHAWAR HIGH COURT PESHAWAR.**

In Ref; to WP No. 3865-P/2020.

Dr. Bakht Zamin Ex-SMO.....VS.....Secretary Health & others.

**Parawise reply to the Comments of the respondents 1 & 2.**

**Respectfully Sheweth:**

Reply to the preliminary objections:

- 1) Incorrect. The petitioner has got a good cause of action and proper locus-standi to file the instant amended writ petition.
- 2) Incorrect. No single/slightest fact has ever been concealed from this august court.
- 3) Incorrect. The petitioner has sought his fundamental rights, guaranteed by the Constitution and question of pressurizing someone does not arise.
- 4) Incorrect. The petitioner has sought his fundamental rights bonafidely and not on malafide intention.
- 5) Incorrect. The instant petition has been filed within the four-corners and parameters of the promotion policy promulgated by the provincial government.
- 6) Incorrect. The instant petition is legally maintainable both in present form as well as in present circumstances.
- 7) Incorrect. The petitioner with quite clean hand has approached the constitutional jurisdiction of this august court.
- 8) Incorrect. All the necessary parties, against whom relief is sought, have properly been arrayed.
- 9) Incorrect. The petition is filed quite in time and is not time barred.

FILED TODAY  
  
Deputy Registrar

08 FEB 2021

10) Incorrect. This august court has the jurisdiction to adjudicate upon the matter.

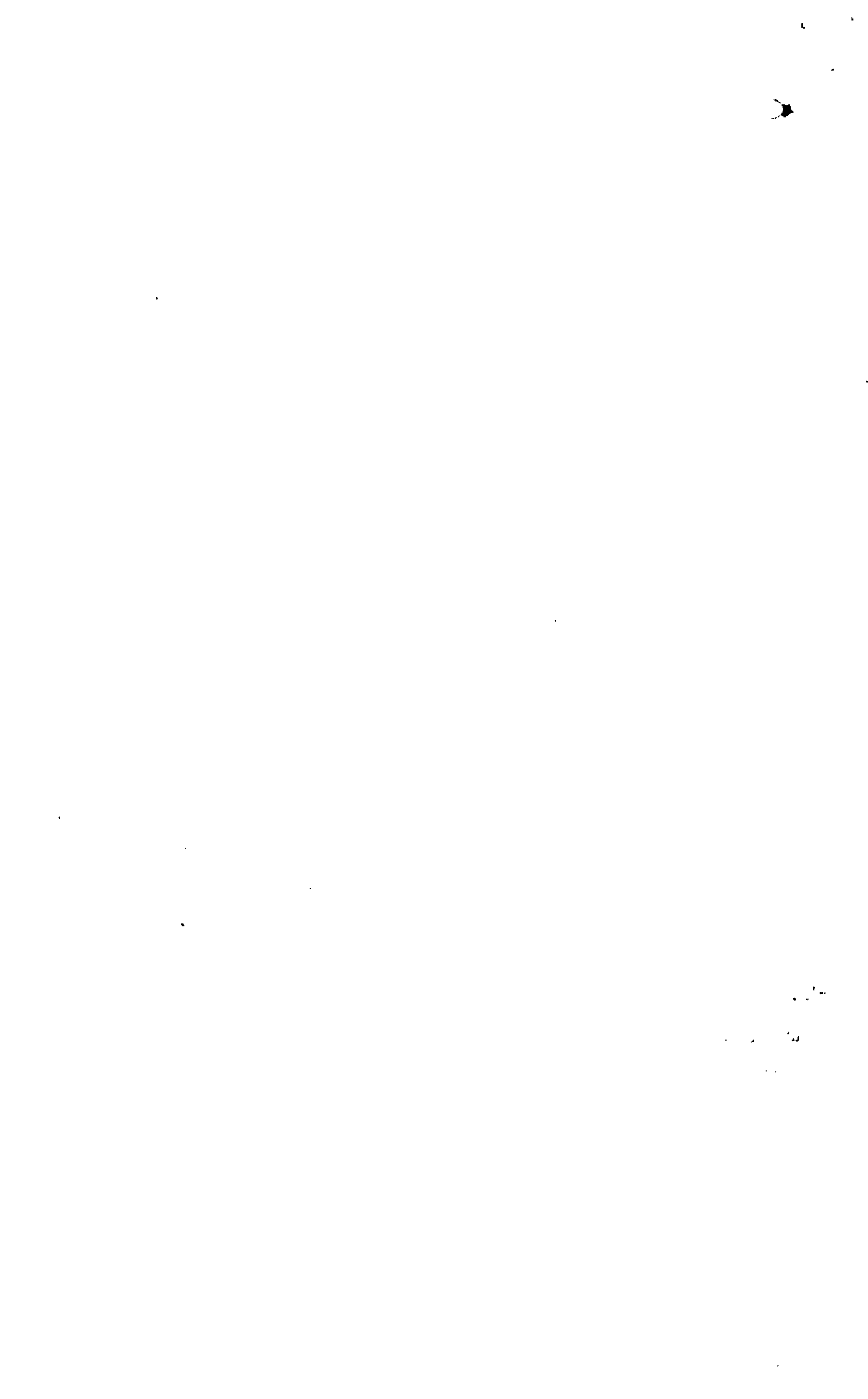
**FACTS:**

- 1) As admitted, hence no reply.
- 2) As admitted, hence no reply.
- 3) Incorrect. The quoted rules of promotion policy is not attracted in the instant case whereas ACR/PER for the year 2001, 2002, 2003, 2004 & 2017 were asked from the petitioner which were accordingly provided well within time. Please see annexure "C" Page-18 of the main writ petition.
- 4) Incorrect. Detailed reply has been given in Para (c) above.
- 5) Incorrect. Except the ACR/PER for the year 2001, 2002, 2003, 2004 & 2017, no other ACR was ever asked and the petitioner was deprived of his legitimate right of promotion on flimsy excuse whereas his juniors and seniors colleagues were promoted.
- 6) Incorrect. Detailed reply has been given in Para(c) & (e) above.
- 7) Para-(g) is legal one

**GROUNDS:**

- a) Incorrect. Detailed reply has already been given in Para-5 of the Facts above.
- b) Incorrect. As directed by the immediate boss, the requisite ACRs/PERs were duly submitted will within time.
- c) Incorrect. The discrimination was meted out when juniors and seniors colleagues of the petitioner were promoted and only the petitioner was deprived of his legitimate right of promotion on flimsy excuse.
- d) Incorrect. Detailed reply has already been given in Para-c above.
- e) Incorrect. Only the respondents are the custodian of the official record and they have to reply from the record.

FILED TODAY  
Deputy Registrar  
08 FEB 2021

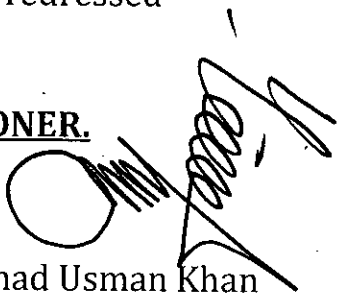


- f) Incorrect. Direction and instruction given by the Establishment Department will have to obey by the respondents.
- g) Detailed reply has already been given in Para-c & (d) above.
- h) Incorrect. As admitted, hence no reply.
- i) As admitted, hence no reply.
- j) Detailed reply has already been given in Para-c & (d) above.
- k) Detailed reply has already been given in Para-c & (d) above.
- l) Incorrect. Except the ACR/PER for the year 2001, 2002, 2003, 2004 & 2017, no other ACR was ever asked and the petitioner was deprived of his legitimate right of promotion on flimsy excuse whereas his juniors and seniors colleagues were promoted.
- m) Detailed reply has already been given in Para-c & (d) above.
- n) Detailed reply has already been given in Para-c & (d) above.
- o) Detailed reply has already been given in Para-c & (d) above.
- p) As admitted, hence no reply.

It is, therefore, humbly prayed that on acceptance of this rejoinder the comments of the respondents' No. 1 & 2 may be set at naught and the prayers of the petitioner furnished in the writ petition may very graciously be accepted and the grievances of the petitioner may be redressed accordingly.

**PETITIONER.**

Through;

  
Muhammad Usman Khan  
Turlandi.  
Advocate Supreme Court.

FILED TODAY  
Deputy Registrar

08 FEB 2021

**BEFORE THE PESHAWAR HIGH COURT PESHAWAR.**

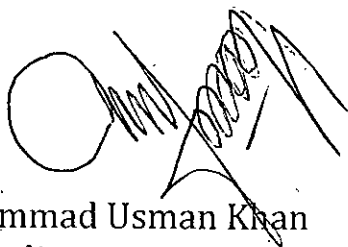
In Ref; to WP No. 3865-P/2020.

Dr. Bakht Zamin Ex-SMO.....VS.....Secretary Health & others.

**AFFIDAVIT.**

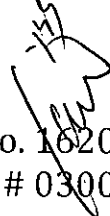
I, Dr. Bakht Zamin Khan (Rtd), Ex- Senior Medical Officer (BPS-18), previously working and posted as SMO at District Headquarter Hospital, do hereby solemnly affirm and declare on oath that the contents of the accompanying Rejoinder are true and correct to the best of my knowledge and belief and that nothing has been kept secret or concealed therein from this august court.

IDENTIFIED BY:



Muhammad Usman Khan  
Turlandi  
Advocate Peshawar.


DEPONENT:



CNIC No. 16201-7830478-5 ✓  
Mobile # 0300-9089727

No: 18569

Certified that the above was verified on solemnly affirmation before me in office, this 30 day of Jan 2020 by Bakht Zamin Khan s/o Mahid Alam who was identified by M. Usman Who is personally known to me:

  
Oath Commissioner  
Peshawar High Court, Peshawar  
30/01/2021

FILED TODAY  
  
Deputy Registrar

08 FEB 2021

BEFORE THE HONORABLE PESHAWAR HIGH COURT, PESHAWAR

WRIT PETITION NO. 3865-P/2020

Dr. Bakht Zamin Khan (Rtd.).....Petitioner

Versus

Government of Khyber Pakhtunkhwa & others ..... Respondents

Index

S. No.	Description	Annexure	Pages No.
1	Signed Comments		1-3
2	Affidavit		4
3	Authority Letter		5

W.P Copy Received  
For A.G.

FILED TODAY  
Deputy Registrar  
05 JAN 2021

SCANNED  
05 JAN 2021  
Signature

①

**BEFORE THE HONORABLE PESHAWAR HIGH COURT PESHAWAR.**

**WRIT PETITION NO. 3865-P/2020**

Dr. Bakht Zamin Khan (Rtd.).....**Petitioner**

**Versus**

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

**Respectfully Sheweth:**


**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO. 3 & 4**

**Preliminary Objections:-**

1. That the Petitioner has got neither cause of action nor locus standi to file the instant Petition.
2. That the Petitioner has deliberately concealed the material facts from the Honorable Peshawar High Court, Peshawar, hence, liable to be dismissed.
3. That the Petitioner has filed the instant petition just to pressurize the respondents and the Government.
4. That the Petitioner has filed the instant petition on mala-fide motives.
5. That the instant Petition is against the prevailing Law and Rules.
6. That the Petition is not maintainable in its present form and also in the present circumstances of the issue.
7. That the Petitioner has not come to this Honorable Court with clean hands.
8. That the Petition is bad due to non-joinder and mis-joinder of necessary parties.
9. That the Petition is time barred and hit by laches.
10. That the Honorable Court has got no jurisdiction to entertain the present Petition.

**ON FACTS:**

1. Para No. 1 is correct.
2. Para No. 2 is correct.
3. Para No. 3 is incorrect as per promotion policy 2009 rule III, II A panel of two senior most officers shall be placed before the PSB for each vacancy in respect of promotion to BPS 18 & BPS-19. Hence the doctor concern was informed to submit PERs etc.
4. Para No. 4 detailed reply has already been furnished in preceding para.


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- 5. Para No. 5 is incorrect. At the time of promotion, the Petitioner was at S. No. 328 while doctors in promotion zone were promoted upto S. No. 389 against the vacant posts. But the PSB differ him due short of PER for the year 2018.
- 6. Para No. 6 detailed reply has already been furnished in preceding para.
- 7. Para No. 7 needs no comments being legal.


**ON GROUNDS**

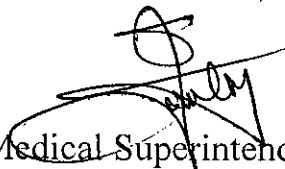
- a) Para-a) detailed reply has already been furnished in Para No. 5 of Facts above.
- b) Para-b) is incorrect. The Petitioner is responsible to fill up the PERs first and submit to the reporting officer for further processing.
- c) Para-c) is incorrect. No. discrimination has been done in the case and no violation of constitution of Islamic Republic of Pakistan, 1973 has been occurred.
- d) Para-d) is incorrect. No. violation of the right of the Petitioner has done as his required documents were not completed at the time promotion therefore, he was deferred by the competent authority.
- e) Para-e) pertains to record, hence no comments.
- f) Para-f) not related to the replying respondents.
- g) Para-g) is incorrect. Detailed reply has already been furnished in Para-c) & d) above.
- h) Para-h) pertains to record, hence no comments.
- i) Para-i) pertains to record, hence no comments.
- j) Para-j) is incorrect. Reply has already been furnished in Para-c & Para-d above.
- k) Para-k) Reply has already been furnished in Para-c & Para-d above.
- l) In reply to Para-l) it is submitted that the promotion of the Petitioner was deferred due to short of PER for the year 2018.
- m) Para-m) is incorrect. Reply has already been furnished in Para-c & Para-d above.
- n) Para-n is incorrect. Reply has already been furnished in Para-c & Para-d above.
- o) Para-o) is incorrect. No. violation of constitution of Islamic Republic of Pakistan, 1973 has been done in this case as already been explained above.
- p) Para-p) needs no comments being formal.


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**PRAYER:**

It is therefore humbly prayed that on acceptance of the parawise comments, the instant Petition of the Petitioner may very graciously be dismissed upto the extent of replying respondents with cost.

  
Director General Health Services  
Khyber Pakhtunkhwa  
**Respondent No. 03**

  
Medical Superintendent DHQ  
Hospital Swabi  
**Respondent No. 04**

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BEFORE THE HONORABLE PESHAWAR HIGH COURT, PESHAWAR

WRIT PETITION NO. 3865-P/2020

Dr. Bakht Zamin Khan (Rtd.).....Petitioner

Versus

Government of Khyber Pakhtunkhwa & others ..... Respondents

Affidavit

I, Asif Mukhtiar, Focal Person, (Litigation Section), DGHS Office, Peshawar, under the directions of the Competent Authority, do hereby solemnly affirm that Comments on behalf of Respondent No. 3 & 4 (Director General Health Services Khyber Pakhtunkhwa & Medical Superintendent DHQ Hospital Swabi) are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'able Court.

*[Signature]*  
Deponent

17301-1632208-1

0333-9172322

Identified by:

*[Signature]*  
Advocate General  
Peshawar High Court, Peshawar.

Advocate General  
Peshawar High Court, Peshawar.

*[Signature]*

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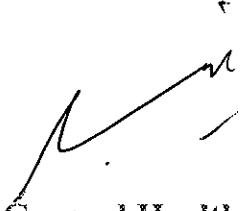
Deputy Registrar

05 JAN 2021

No: 16384
Certified that the above was verified on solemnly affirmation before me in office, this 5 day of Jan 2021 at Dept. Mullat Peshawar
sl. No. F.P.
who was identified by A.G.
Who is personally known to me:
<i>[Signature]</i> Oath Commissioner Peshawar High Court, Peshawar
05/01/2021

AUTHORITY LETTER

Mr. Asif Mukhtiar, Focal Person, (Litigation), Directorate General Health Services, Khyber Pakhtunkhwa, is hereby authorized to filing of comments / Reply to COC on behalf of Secretary to the Govt. Khyber Pakhtunkhwa Health Department & Director General Health Services Khyber Pakhtunkhwa before the Honorable Peshawar High Court, Peshawar & all its branches.



**Director General Health Services  
Khyber Pakhtunkhwa, Peshawar.**