

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 7799/2021

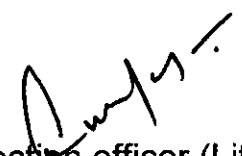
Dr. Muhammad Ali Khan.....(Appellant)

Versus

Government of Khyber Pakhtunkhwa through Secretary Health
Department.....Respondent

INDEX.

S.No.	Description of documents	Annexure	Page
01	Parawise Comments		1 to 03
02	Annexure		4 to 11
03	Affidavit		12


Section officer (Lit-II)
Govt: of Khyber Pakhtunkhwa
Health Department

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL CAMP COURT AT SWAT**

Appeal No.7799/2021

Dr. Muhammad Ali Khan..... (Appellant).

V E R S U S

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 6647

Dated 21/07/23

1. Government of KP through Secretary Health Department
2. Director General Health Services KP
3. Government of KP through Secretary Finance Department
4. Chief Secretary Khyber Pakhtunkhwa.....(Respondents).

**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.01 to
04**

Preliminary objections:

1. That the Appellant has got no cause of action/locus standi to file the instant appeal.
2. That the Appellant has not come to this court with clean hands.
3. That the Appellant has concealed facts from this Tribunal.
4. That the instant appeal is badly time barred.
5. That the appellant is estopped by their own conduct.
6. That the appeal in its present shape is not maintainable, hence liable to be dismissed.

Facts:

1. Correct to the extent that the appellant was initially appointed as Medical Officer (BS-17) on contract basis on 29-11-1995. In 2005, Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005 was enacted sub-section (2) of section 19 whereof provides as under:

"A person though selected for appointment in the prescribed manner to a service or post on or after the 1st day of July, 2001, till the commencement of the said Act, but appointment on contract basis, shall, with effect from the commencement of the said Act, be deemed to have been appointed on a regular basis. All such persons and the persons appointed on regular basis to a service or post in the prescribed manner after the commencement of the said Act shall, for all intents and purposes be civil servant, except for the purpose of pension or gratuity. Such a civil servant shall, in lieu of pension and gratuity, be

Confidential

entitled to receive such amount contributed by him towards the Contributory Provident Fund, along with the contributions made by Government to his account in the said fund, in the prescribed manner”(Annex-I)

It is clear from the above that the officer could not claim any benefits of pay protection before 01-07-2001 under the ibid Act.

2. Incorrect. In pursuance of Peshawar High Court Judgments dated 18-11-2008 and 09-02-2017 the regularization case of the appellant along with other similarly placed employees was referred to committee. In light of committee's recommendations the benefits of Khyber Pakhtunkhwa (Regularization of Services) Act, 2009 section 19 whereof was amended on 22-01-2013 were extended to the appellants. Sub-section 04 of section 19 of the ibid Act provides, inter-alia, as under:

“Provided that those who are appointed in the prescribed manner to a service or post on or after the 01st July, 2001 till 23rd July, 2005 on contract basis shall be deemed to have been appointed on regular basis” .

The regularization order of the appellant dated 17-10-2017 was issued in light of the above provisions of the Act of the Provincial Assembly (Annex-II).

3. Incorrect. The appellant is not entitled to pay protection before 01-07-2001 as his services were regularized w.e.f 01-07-2001. Moreover, as per Finance Department's policy letter regarding pay protection dated 18-03-2021, service rendered on contract basis shall not qualify for pension/ gratuity (Annex-III).
4. Incorrect. As explained in preceding paras.
5. Incorrect. As explained in preceding paras.

Amir

Grounds:

- A. Incorrect. The appellant has been treated in accordance with law and rules.
- B. Incorrect. No violation of law has been made.
- C. Incorrect. Contract service means service without pensionary benefits. The services of the appellant were regularized w.e.f 01-07-2001 and not w.e.f initial appointment. Hence, he is not entitled to pay protection.
- D. Incorrect. As explained above.
- E. Incorrect. The judgments referred by the appellant have no relevance with his case.
- F. Incorrect. As explained in para-A above.
- G. Incorrect. As explained above.
- H. Incorrect. As explained in para-B above.
- I. Pertains to record.
- J. That the respondents also seek permission to raise further points at the time of arguments.

Punji
Keeping in view the aforementioned facts, it is, therefore, most humbly prayed that the instant appeal, having no merits, may, please, be dismissed with cost.

[Signature]
Secretary to Govt. of KPK,
Health Department,
(Respondent No.1 & 4)

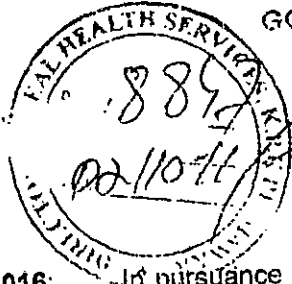
[Signature]
Director General Health Services KP
(Respondent No.2)

[Signature]
Secretary to Govt. of KPK,
Finance Department,
(Respondent No.3)

BE SUBSTITUTED FOR THE NOTIFICATION BEARING THE SAME NO. AND DATE



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT



Dated Peshawar the 17th October, 2017

NOTIFICATION

No. SO(E)H-II/3-18/2016: In pursuance of Judgment of Peshawar High Court Peshawar dated 18-11-2008 in Writ Petition No. 1510 of 2007 read with sub section 2 of Section 2 of the Khyber Pakhtunkhwa, Civil Servant (Amendment) Act, 2005 (Khyber Pakhtunkhwa Act No. IX of 2005) and provision under sub section 4 of section 19 of Civil Servant (Amendment) Act 2013 coupled with the regularization order of appellants and similarly placed w.e.f 2005, the services of following doctors (appellants as well as similarly placed) are hereby regularized with effect from dates as mentioned against each:

S.#	Name of Doctor	D.O.B / Domicile	Date of Initial Appointment on contract basis	Date of Regularization under Act 2005
1.	Dr. Shujai Ahmad S/O Shoukat Ali	16.04.1961 / Chitral	21.11.1995	01-07-2001
2.	Dr. Munawar S/O Molvi Hassan	07.01.1966 / Kohistan	21.11.1995	01-07-2001
3.	Dr. Taj Muhammad S/O Jan Muhammad	01.03.1966 / Kohistan	21.11.1995	01-07-2001
4.	Dr. Malik/Khushi Mohammad S/O Malik Faqir Mohammad	06.02.1962 / Mansehra	21.11.1995	01-07-2001
5.	Dr. Ibrahim Iqbal S/O Salah Khan	03.09.1961 / Bannu	22.11.1995	01-07-2001
6.	Dr. Sheikh Muhammad Farooq Azam S/O Sheikh Muhammad Bashir	07.05.1964 / D.I.Khan	22.11.1995	01-07-2001
7.	Dr. Habib ur Rehman S/O Abdul Aziz Khan, GMC D.I.Khan	15.06.1960 / D.I.Khan	22.11.1995	01-07-2001
8.	Dr. Saadullah Khan S/O Ayub Khan MO DMC Bannu	10.04.1953 / Bannu	22.11.1995	01-07-2001
9.	Dr. Manzoor Ahmad S/O Mir Sahib Khan, SMO Central Jail Bannu	05.01.1958 / Bannu	22.11.1995	01-07-2001
10.	Dr. Rabja Mehr D/O Mehr Dil Khan, SMO Cat: D Hopsital Gara Tajik Peshawar	01.03.1968 / FR Tank	22.11.1995	01-07-2001
11.	Dr. Surat Khan S/O Mardan Shah, SMO AHQH Orakzai	01.05.1960 / Orakzai Agency	23.11.1995	01-07-2001
12.	Dr. Bakht Zada S/O Gul Muhammad, MBBS	01.01.1959 / Swat	23.11.1995	01-07-2001
13.	Dr. Dawa Khan S/O Badshah Khan MBBS	01.09.1951 / Swat	23.11.1995	01-07-2001
14.	Dr. Haroon Nasir Khattak S/O Rab Nawaz MBBS	1.3.1966 / Karak	23.11.1995	01-07-2001
15.	Dr. Yousaf Khan S/O Said Rehman MBBS	14.3.1968 / Mardan	23.11.1995	01-07-2001
16.	Dr. Riaz Ahmed S/O Rehmattullah MBBS	15.8.1951 / Mohmand Agency	23.11.1995	01-07-2001
17.	Dr. Alamgir Khan S/O Darwesh Khan, MBBS	16.04.1962 / Mohmand A.	23.11.1995	01-07-2001

Susli

81	Dr. Sarfaraz Khan S/O Abdul Sattar Khan	01.04.1963/ Bajour Agency	27.11.1995	01-07-2001
82	Dr. Muhammad Shah Rawan S/O Muhammad Alamzeb, MO AHQH Khar Bajour	17.04.1966 / Bajour Agency	27.11.1995	01.07.2001
83	Dr. Rafiullah Khan S/O Arsala Jan	16.01.1960/ Bannu	28.11.1995	01-07-2001
84	Dr. Muhammad Ayub Khan s/o Badshah Gul, MBBS	1.5.1965 / Bajaur Agy	28.11.1995	01-07-2001
85	Dr. Muhammad Tariq S/O Wazir Jang, MBBS	01.01.1961/ Bajaur Agy	28.11.1995	01-07-2001
86	Dr. Akram Khan S/O Arbab Khan, MBBS	01.05.1961/ Khy: Agy	28.11.1995	01-07-2001
87	Dr. Abdul Rehman S/O Mir Gul Khan	03.03.1966 FR Peshawar	28.11.1995	01-07-2001
88	Dr. Ijaz Akbar S/O Mir Akbar	03.03.1962 /Swabi	28.11.1995	01-07-2001
89	Dr. Abdul Jalil S/O Mohibullah	08.08.1964/ Nowshera	28.11.1995	01-07-2001
90	Dr. Awal Sher S/O Khan Sher MBBS	04.02.1957 Swabi	28.11.1995	01-07-2001
91	Dr. Muhammad Iqbal S/O Muhammad Fahim	19.06.1963/ Peshawar	28.11.1995	01-07-2001
92	Dr. Shah-e-Rome S/O Hussain Badshah	15.04.1962. Swabi	28.11.1995	01-07-2001
93	Dr. Shamsur Rahman S/O Abdul Qadir, MO FR Surgeon F.R. Lakki Marwat	01.04.19968/ F.R Bannu	28.11.1995	01-07-2001
94	Dr. Falak Naz S/O H Arsala Khan, MO RHC Gul Imam Tank	13.01.1958 / FR Tank	28.11.1995	01-07-2001
95	Dr. Masnad Ali S/O Haji Nisar Ali,	01.08.1961/ Kurram Agency	28.11.1995	01.07.2001
96	Dr. Muhammad Hanif S/O Yar Baz Khan	Hangu	29.11.1995	01-07-2001
97	Dr. Abbas Khan S/O Ajab Khan, MBBS	01.03.1963 DIKhan	29.11.1995	01-07-2001
98	Dr. Umar zada S/O Zar Noor MBBS	25.04.1960 Bajaur/	29.11.1995	01-07-2001
99	Dr. Muhammad Ali Khan S/O Haji Badshah Gul	01.01.1969/ Bajaur Agy	29.11.1995	01-07-2001
100	Dr. Izzat Khan S/O Rasool Khan, MBBS	01.01.1964 /Bajaur Agy	29.11.1995	01-07-2001
101	Dr. Fida Hussain S/O Haji Kifayat Hussain	03.04.1968/ Kurr Age	29.11.1995	01-07-2001
102	Dr. Jabbar Khan S/O Quwat Khan	03.10.1967/ Khyber Agency	29.11.1995	01.07.2001
103	Dr. Sahib Noor S/O Muhammad Amin, MBBS	12.08.1958/ Kurram Agy	29.11.1995	01-07-2001
104	Dr. Habibullah Jan S/O Mir Abdullah Jan, MBBS.	08.04.1964/ Kurram Agy	29.11.1995	01-07-2001
105	Dr. Yousaf Jan s/o Karam Khan, MBBS.	1.2.1958/ NW Ag	29.11.1995	01-07-2001
106	Dr. Mir Qadir S/O Amin Gul, MBBS.	11.8.1963/ NW Agency	29.11.1995	01-07-2001
107	Dr. Muhammad Gul S/O Rehmat Gul, MBBS	02.01.1969 Bajaur Agy	29.11.1995	01-07-2001
108	Dr. Fazal Rehman s/o Gul Sheikh, MBBS	7.2.1963/ Bajaur Agy	29.11.1995	01-07-2001
109	Dr. Meraj Gul S/O Sahib Din	24.12.1962/ FR Peshawar	29.11.1995	01-07-2001
110	Dr. Anwar Khan S/O Nazar Gul MBBS	FR Pesh/ 05.01.1958	29.11.1995	01-07-2001
111	Dr. Syed Muhammad Tariq Shah S/O S. Ghulam Mustafa Shah	10.01.1961 / Nowshera	29.11.1995	01-07-2001
112	Dr. Sharifullah s/o Muhammad Zaman Khan,	2.01.1960/ Bajaur Agy	29.11.1995	01-07-2001

S. J. Ali

(5)

85	Dr. Samreen Jamal D/O Jamal Shah	24.02.1975/ Bannu	12.07.2004 Vide Notification	Removed from service
86	Dr. Muhammad Hussain S/O Shah Hussian	Malakand/	08.02.2005 Vide Notification	Record not tracable
87	Dr. Kamran Khan S/O Wahab Ali Khan	07.02.1975/ Kohat	08.02.2005 Vide Notification	Record not tracable
88	Dr. Mir Rehman S/O Abdur Rehman	15.04.1961/ FR Pesh	29.11.1995 Vide Notification	01.7.2001 Removed from service

Note: Any omission/error will be rectified after verification. This Notifications / Corrigendum shall supercede all previous Notifications / Corrigendums.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

End: of even No. and date.

Dated Peshawar, the 01.10.2019

1. Registrar, Peshawar High Court, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa.
3. Director General, Health Services, Khyber Pakhtunkhwa.
4. PSO to Chief Secretary, Khyber Pakhtunkhwa.
5. Coordinator PMRU, O/O Chief Secretary, Khyber Pakhtunkhwa.
6. All District Health Officers in Khyber Pakhtunkhwa.
7. All Medical Superintendents of all Category Hospitals in Khyber Pakhtunkhwa.
8. All District Accounts Officers in Khyber Pakhtunkhwa.
9. Manager Printing Press Khyber Pakhtunkhwa with the request to publish in the official gazette.
10. PS to Secretary Health Khyber Pakhtunkhwa.


(HAMID IQBAL)
SECTION OFFICER (E-II)

... of the Civil Servants, under this Act shall be
 ... by the Government, according to the service rules in vogue.

Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005

(Khyber Pakhtunkhwa Act No. IX of 2005)

An Act further to amend the Khyber Pakhtunkhwa Civil Servants Act, 1973

of Khyber Pakhtunkhwa, Extraordinary, Page No. 202-203, 23rd July, 2005]

No. PA/Khyber Pakhtunkhwa/Legis:1/2005/20440.---The Khyber
 Pakhtunkhwa Civil Servants (Amendment) Bill, 2005 having been passed by the
 Provincial Assembly of Khyber Pakhtunkhwa on the 5th July, 2005 and assented to by
 the Governor of the Khyber Pakhtunkhwa on 12th July, 2005 is hereby published as
 law of the Provincial Legislature of the Khyber Pakhtunkhwa.

Preamble.---WHEREAS it is expedient further to amend the Khyber
 Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973)
 for the purpose hereinafter appearing;

It is hereby enacted as follows:--

1. Short title and commencement.---(1) This Act may be called
 the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005.

(2) It shall come into force at once.

**2. Amendment of section 19 of Khyber Pakhtunkhwa Act No.
 XVIII of 1973.**--- In the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber
 Pakhtunkhwa Act No. XVIII of 1973), for section 19, the following shall be
 substituted, namely:

19. Pension and gratuity.---(1) On retirement from service, a civil
 servant appointed on regular basis in the prescribed manner before the
 commencement of the Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005
 (hereafter referred to as the said Act), shall be entitled to receive such pension or
 gratuity as are admissible to him under the West Pakistan Civil Service Pension

Provided that in the event of the death of such a civil servant, whether
 before or after retirement, his family shall be entitled to receive such pension, or
 gratuity or both, as admissible under the said rules.

(2) A person though selected for appointment in the prescribed
 manner before the commencement of the said Act, but who has not been appointed
 to a service or post on or after the 1st day of July, 2001, till the

commencement of the said Act, but appointment on contract basis, shall, with effect from the commencement of the said Act, be deemed to have been appointed on a regular basis. All such persons and the persons appointed on regular basis to a service or post in the prescribed manner after the commencement of the said Act shall, for all intents and purposes be civil servant, except for the purpose of pension or gratuity. Such a Civil servant shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by him towards the Contributory Provident Fund, along with the contributions made by Government to his account in the said fund, in the prescribed manner:

Provided that in the event of death of such a civil servant, whether before or after retirement his family shall be entitled to receive the said amount, if it has already not been received by such deceased civil servant.

(3) No pension to a civil servant, who is otherwise entitled to it, shall be admissible to him, if he is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such a civil servant, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalidated from service on the date of such dismissal or removal.

Provided that a civil servant referred to in sub-section (2), in case of such dismissal or removal, may, in addition to his own contributions to the Contributory Provident Fund, be allowed, on account of such compassionate allowance, a sum not exceeding two-third of Government contributions in his account.

(4) If the determination of the amount of pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualified for pension or gratuity; and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family.

Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009

Khyber Pakhtunkhwa Act No. XVI of 2009

AN ACT to provide for the regularization of the services of certain employees appointed on adhoc or contract basis.

[Gazette of Khyber Pakhtunkhwa, Extraordinary, Page No. 289 - 291, 24TH October, 2009

Provided further that where a civil servant has, under an order which is later set aside, been dismissed or removed from service or reduced in rank, he shall, on the setting aside of such order, be entitled to such arrears of pay as the authority setting aside such order may determine.

18. Leave.---A civil servant shall be allowed leave in accordance with the leave rules applicable to him; provided that the grant of leave will depend on the exigencies of service and be at the discretion of the competent authority.

[19 Pension and gratuity.---(1) On retirement from service, a civil servant shall be entitled to receive such pension or gratuity as may be prescribed.

(2) In the event of death of a civil servant, whether before or after retirement, his family shall be entitled to receive such pension or gratuity, or both, as may be prescribed.

(3) No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but government may sanction compassionate allowance to such civil servant, not exceeding two-third of the pension or gratuity which would have been admissible to him had he been invalided from service on the date of such dismissal or removal.

(4) If the determination of the amount of Pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualifies for pension or gratuity, and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family:

Provided that those who are appointed in the prescribed manner to a service or post on or after the 1st July, 2001 till 23rd July, 2005 on contract basis shall be deemed to have been appointed on regular basis:

Provided further that the amount of Contributory Provident Fund subscribed by the civil servant shall be transferred to his General Provident Fund.

(5) In case any difficulty arises in giving effect to any of the provisions of this section, the Secretary to Government, Establishment Department shall constitute a Committee comprising of the Secretary to Government, Finance Department, Secretary to Government Law Department and Accountant General, Khyber Pakhtunkhwa for removal of the difficulty.]

20. Provident Fund.---(1) Before the expiry of the third month of every financial year, the Accounts Officer or other officer required to maintain provident fund accounts shall furnish to every civil servant subscribing to a provident



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GoKPPD](https://www.facebook.com/GoKPPD) twitter.com/GoKPPD

NO. FD (SOSR-1) 12-2/2020(34323)
Dated Peshawar the: 18th March, 2021

To:

1. The Addl: Chief Secretary, P&D Department, Khyber Pakhtunkhwa.
2. The Addl: Chief Secretary, Merged Areas Sectt: Khyber Pakhtunkhwa.
3. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
4. All Administrative Secretaries to Govt: of Khyber Pakhtunkhwa.
5. The Principle Secretary to Governor, Khyber Pakhtunkhwa.
6. The Principle Secretary to Chief Minister, Khyber Pakhtunkhwa
7. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa
8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
9. The Registrar, Peshawar High Court, Peshawar.
10. All District & Sessions Judges in Khyber Pakhtunkhwa
11. The Chairman, Public Service Commission, Khyber Pakhtunkhwa.
12. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.
13. All Deputy Commissioners, in Khyber Pakhtunkhwa

Subject:

**PROTECTION OF PAY OF CONTRACT EMPLOYEES ON
REGULARIZATION / APPOINTMENT ON REGULAR
BASIS.**

Dear Sir,

In pursuance to the Finance Division's Office Memorandum No.4(2)R-2/2014-237 dated 7th April, 2015, the Competent Authority (Provincial Cabinet) is pleased to allow the pay protection to gazetted contract employees on their regularization / appointment on regular basis subject to the following conditions:-

- i) That the contract appointment has been made in BPS on standard terms and conditions, circulated by this Provincial Government as amended from time to time.
- ii) That the contract employee has applied through proper channel and has been properly relieved by the appointing authority. This condition shall not apply in case of regularization on the same post.
- iii) That regularization / regular appointment has been made with the approval of competent authority.
- iv) That there is no break / interruption between contract service and regular service.

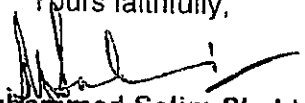
F.T.O

(6)

- 13
- 11
- v) That the service rendered on contract basis shall not qualify for pension / gratuity.
 - vi) That in case of regular appointment in lower grade, pay shall not be protected.
 - vii) That the pay protection / fixation of pay will be admissible with immediate effect with regard to old / new cases which are fulfilling the pay protection criteria mentioned above.

2. In addition to the above, the Accountant General Khyber Pakhtunkhwa may make fixation of pay in terms of above guidelines and only those cases may please be referred to Finance Department where some clarification or advice is required.

Yours faithfully,


(Muhammad Salim Shah)
Deputy Secretary (Reg-I & II)

Ends: No & Date even.

A Copy for information & necessary action is forwarded to the:-

1. Secretaries to Government of Punjab, Sindh, Balochistan, Finance Departments.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. All Heads of Autonomous / Semi Autonomous Bodies in Khyber Pakhtunkhwa.
4. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
5. All the District Comptroller of Accounts in Khyber Pakhtunkhwa.
6. The Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
7. The Director, FMIU, Finance Deptt: with the request to upload the same on FD's Website.
8. The Manager, Govt. Printing Press, Printing & Press Department, Peshawar.
9. All the District Accounts Officers in Khyber Pakhtunkhwa.
10. The Section Officer (Cabinet) Estt: Deptt:, Khyber Pakhtunkhwa with reference to his letter No.SOC(E&A)9-51/2021 dated 08-03-2021.
11. The Section Officer (Estab), C&W Deptt: with reference to his letter No.SOE/C&WD/1-51/2010 dated 26-10-2020 in respect of Eng. Syed Nasir Jehan, Asstt: Engineer / SDO (BS-17) of C&W Deptt: KP.
12. The Private Secretary to Chief Secretary, Khyber Pakhtunkhwa.
13. The Private Secretary to Minister for Finance, Khyber Pakhtunkhwa.
14. The Private Secretary to Secretary, Finance Deptt: Khyber Pakhtunkhwa.
15. PA to Special Secretary, Finance Department, Khyber Pakhtunkhwa.
16. PAs to Additional Secretaries / Deputy Secretaries in Finance Department, Peshawar.


(REHMAT KHAN)
SECTION OFFICER (SR-1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 7799/2021

Dr. Muhammad Ali Khan**Appellant**

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Health
Department**Respondent**

AFFIDAVIT

I Muhammad Tufail Section Officer (Lit-II) govt. of Khyber Pakhtunkhwa Health Department do hereby solemnly affirm and declare that the joint parawise comments in Service Appeal No.7799/2021 is submitted on behalf of respondents is true and correct to the best of my knowledge, belief and that nothing has been concealed from this Hon'ble Court.

Section officer (Lit-II)
Govt: of Khyber Pakhtunkhwa
Health Department

Identified by:-

**Addl: Advocate General,
Khyber Pakhtunkhwa**



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

AUTHORITY LETTER

Mr. Safi Ullah, Focal Person (Litigation-II), Health Department, Civil Secretariat is hereby authorized to attend/defend the Court Cases and file comments on behalf of Secretary Health Government of Khyber Pakhtunkhwa before the Service Tribunal and lower Courts.

(MAHMOOD ASLAM)

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department
Secretary to Govt. of
Khyber Pakhtunkhwa
Health Department

9/15/23



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

AUTHORITY LITTEr

Mr. Safi Ullah, Focal Person (Litigation-II), Health Department, Civil Secretariat is hereby authorized to attend/defend the Court Cases and file comments on behalf of Secretary Health Government of Khyber Pakhtunkhwa before the Service Tribunal and lower Courts.

(MAHMOOD ASLAM)

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department
Secretary to Govt. of
Khyber Pakhtunkhwa
Health Department

9/15/23

Safi Ullah
21/7/23
Section Officer (Lit-II)
Health Department
Khyber Pakhtunkhwa