


FORM 71  
FORM OF ORDER SHEET

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

Case No. 1855/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	14/09/2023	<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 07.09.2023 while treating the Writ Petition into an appeal and has sent the same to this Tribunal for decision in accordance with law. This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put up there on <u>26.09.2023</u>.</p> <p>By the Order of Chairman</p> <p> REGISTRAR</p>



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

Ph: No. 091-9210149-58

No. 79562 (1)/289/2023/WP-MN

Dated. 12-September-2023

**From**

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

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 7548

**To**

Dated 14/09/23

✓ The Chairman, Khyber Pakhtunkhwa, Service Tribunal, Peshawar.

**Subject: Writ Petitions W.P 459/2023 Title: Dr. Taj Nawaz Khan VS The Govt of KP and others**

**Memo,**

I am directed to send herewith the titled case in original alongwith all annexures and judgment of this Honble Court dated 07.09.2023 for compliance.

**Deputy Registrar (J)**  
13/9/23

**Encl: As above.**

~~11  
14/09/23~~

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

**W.P. No.459-P/2023 with IR**

Dr. Taj Nawaz Khan

Vs.

Government of Khyber Pakhtunkhwa through  
Chief Secretary, Peshawar and others

Date of hearing            07.09.2023  
 Petitioner(s) by:        Mr. Khalid Rehman, Advocate.  
 Respondent(s) by:      Barrister Kamran Qaiser, AAG.

\*\*\*\*\*

**JUDGMENT**

\*\*\*\*\*

**IJAZ ANWAR, J.** This writ petition is filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, with the following prayer:-

*“For the aforesaid reasons, it is, therefore, humbly prayed that on acceptance of this writ petition, this Hon’ble Court may graciously be pleased to declare order and direct that the impugned decision of the PSB made in its meeting held on 02.12.2021 denying promotion to the petitioner, as without lawful authority and hence of no legal effect and this august Court may further be pleased to strike down the same and direct the respondents to act in the matter in accordance with law and to promote petitioner to BPS-19 with effect from the due date with all consequential benefits including re-fixation of pension with arrears”.*

2. Comments were called from respondents No.2 and 3, who furnished the same, wherein, they opposed the issuance of desired writ asked for by the petitioner.
3. Arguments heard and record perused.
4. It appears that the main claim of the petitioner pertains to his proforma promotion from BPS-18 to BPS-19, which according to the recent judgment of the Hon’ble

Supreme Court of Pakistan passed in the case titled "Chief Secretary, Government of Punjab, Lahore and others Vs. Ms. Shamim Usman (2021 SCMR 1390)", even such matters were considered as terms and conditions of service to be specifically dealt with by appropriate Service Tribunal established under the Service Tribunals Act, 1974. We when confronted learned counsel for the petitioner with the above pronouncement of the Hon'ble Supreme Court of Pakistan, he stated that the matter is ripe as comments and even rejoinder have already been submitted and requested that the matter be sent to the Khyber Pakhtunkhwa Service Tribunal for its decision in accordance with law.

5. The request of learned counsel for the petitioner seems genuine. In view thereof, we, instead of dismissing the instant writ petition, treat it as Service Appeal and send it to the Khyber Pakhtunkhwa Service Tribunal for its decision in accordance with law. Office shall retain copies of the memo of this writ petition for the purpose of record. Parties shall appear before the Khyber Pakhtunkhwa Service Tribunal on 26.09.2023 for further proceedings.

Announced  
Dt:07.09.2023



JUDGE



JUDGE

(DB) Hon'ble Mr. Justice Ijaz Anwar and Hon'ble Mr. Justice Shakeel Ahmad

**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.**

**CHECK LIST**

1.	Case Title	..... 3 مئی 2019ء ..... VERSUS ..... 2019ء 2019ء	
2.	Case is duly signed.	Yes	No
3.	The law under which the case is preferred has been mentioned.	Yes	No
4.	Approved file cover is used.	Yes	No
5.	Affidavit is duly attested and appended.	Yes	No
6.	Case and annexures are properly paged and numbered according to index.	Yes	No
7.	Copies of annexures are legible and attested. If not, then better copies duly attested have annexed.	Yes	No
8.	Certified copies of all requisite documents have been filed.	Yes	No
9.	Certificate specifying that no case on similar grounds was earlier submitted in this court, filed.	Yes	No
10.	Case is within time.	Yes	No
11.	The value for the purpose of court fee and jurisdiction has been mentioned in the relevant column.	Yes	No
12.	Court fee in shape of stamp paper is affixed. [For writ Rs. 500, for other as required]	Yes	No
13.	Power of attorney is in proper form.	Yes	No
14.	Memo of addressed filed.	Yes	No
15.	List of books mentioned in the petition.	Yes	No
16.	The requisite number of spare copies attached [Writ petition-3, civil appeal (SB-2) Civil Revision (SB-1, DB-2)]	Yes	No
17.	Case (Revision/ Appeal/petition etc) is filed on a prescribed form.	Yes	No
18.	Power of attorney is attested by jail authority (for jail prisoner only)	Yes	No

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

FOR OFFICE USE ONLY

Name:- Wazir Khan  
 Signature:- [Signature]  
 Dated:- 3-6-20

Case:- \_\_\_\_\_  
 Case received on \_\_\_\_\_  
 Complete in all respect: Yes/ No, (if No, the grounds) \_\_\_\_\_  
 Date in court:- \_\_\_\_\_

Signature \_\_\_\_\_  
 (Reader)  
 Date:- \_\_\_\_\_  
 Countersigned:- \_\_\_\_\_  
 (Deputy Registrar)

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

Writ Petition No. 459-P/23 /2023

*Service Appeal no. 1855/2023*

Dr. Taj Nawaz Khan ..... Petitioner

Versus

The Govt. of KPK and others ..... Respondents

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3.	Seniority List of Dental Surgeons (BPS-18)	2016	A	9-12
4.	Letter regarding approval of 4-Tier Structure for the Oral Health Services (Dental Surgeons), Khyber Pakhtunkhwa	07.07.2017	B	13
5.	Notification of appellant's retirement	23.08.2017	C	14
6.	Application of appellant for promotion	28.07.2017	D	15
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16.	Notification of promotion of Dr. Mohabat Noor by the Competent Authority to BPS-20 on notional basis in consultation with the PSB	18.03.2019	N	55
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Deputy Registrar

1 FEB 2023

Through

&

&

Petitioner

Khaled Rahman  
Advocate, Supreme Court

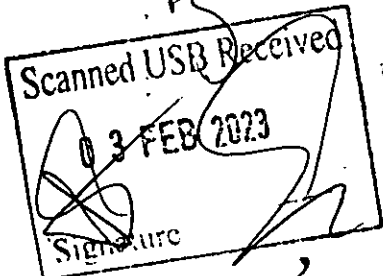
Muhammad Amin Ayub

Muhammad Ghazanfar Ali  
Advocates, High Court  
4-B, Haroon Mansion  
Khyber Bazar, Peshawar  
Off: Tel: 091-2592458

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03 FEB 2023



Dated: 2/1/2023

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

Date of Filing: \_\_\_\_\_

District: PESHAWAR

Case Type: Writ petition

Nature of Original Proceedings: \_\_\_\_\_

Category Code:

5 0 7 0 2

(Categories & Sub categories are given at the back of the opening sheet)

Review/Contempt of Court in respect of: \_\_\_\_\_

Writ of:

Haabus  
Corpus

Prohibition

Mandamus

Qua  
Warranto

Certiorari

If Certiorari:

Forum	Date	Interlocutory/Final Order	Case Pertains to
NIL	NIL	NIL	<input type="checkbox"/> SB
NIL	NIL	NIL	<input checked="" type="checkbox"/> DB
NIL	NIL	NIL	
NIL	NIL	NIL	

Petitioner Name	Dr. Taj Nawaz Khan S/o Gul Janan,
Mobile No.	NIL 0301-80 77313
Address	R/o Flat No.2, Hamza Flats, Warsak Road, Peshawar
CNIC No.	NIL 11101-14 28671-7
Email Address:	NIL

Counsel for Petitioner (s)	Mr. Khaled Rehman
Mobile No.	0345-9337312
Address	4-B, Haroon Manion, Khyber Bazar, Peshawar
CNIC No.	16101-4888813-3
Email Address:	khaledrahman.advocate@gmail.com

Respondent	R-1) Chief Secretary, KPK (R-2) Secretary Health, KP R-3) Secretary Finance, KP
Address	R-1 to 3) Civil Secretariat, Peshawar.
Email:	

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**ORIGINAL ORDER/ ACTION / INACTION COMPLAINED OF:**

Against impugned decision of the PSB made in its meeting held on 02.12.2021 denying promotion to the Petitioner

**PRAYER:**

For the aforesaid reasons, it is therefore, humbly prayed that on acceptance of this Writ Petition this Hon'ble Court may graciously be pleased to declare order and direct that the impugned decision of the PSB made in its meeting held on 02.12.2021 denying promotion to the Petitioner, as without lawful authority and hence of no legal effect and this august Court may further be pleased to strike down the same and direct the Respondents to act in the matter in accordance with law and to promote Petitioner to BPS-19 with effect from the due date with all consequential benefits including re-fixation of pension with arrears.

**LAW/ RULES/ GOVERNING THE ORIGINAL PROCEEDINGS / ACTION / LOCATION:**

Constitution of the Islamic Republic of Pakistan-1973  
Any other case law

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01 FEB 2023

Signature

*[Handwritten Signature]*

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

Writ Petition No. 459-P/23 /2023

*Service Appeal No. 1855/2023*

**Dr. Taj Nawaz Khan**

Ex-Senior Dental Surgeon, Health Department

R/o Flat No.2, Hamza Flats, Warsak Road, Peshawar ..... **Petitioner.**

Versus

1. **The Govt: of Khyber Pakhtunkhwa**  
through Chief Secretary,  
Civil Secretariat, Peshawar.

2. **The Secretary**  
Govt. of Khyber Pakhtunkhwa  
Health Services Department,  
Civil Secretariat, Peshawar.

3. **The Secretary**  
Govt. of Khyber Pakhtunkhwa  
Finance Department,  
Civil Secretariat, Peshawar.....

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Deputy Registrar  
03 FEB 2023

**Respondents**

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

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

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01 FEB 2023

1. **That** Petitioner was senior Officer of the Health Department lastly serving as Senior Dental Surgeon (BPS-18). He has more than 30 year impeccable service at his credit. As per Seniority List (*Annex;- A*) of the Dental Surgeons (BPS-18) as published in January, 2016, the Petitioner dwelt at Serial No.16.
2. **That** on 07.07.2017, the Govt. of Khyber Pakhtunkhwa Finance Department approved the 4-Tier Structure for the Oral Health Services (Dental Surgeons), Khyber Pakhtunkhwa at the ratio of 3:19:36:42 vide letter dated 07.07.2017 (*Annex;-B*). Resultantly, 45 vacancies in BPS-19 were created/sanctioned.
3. **That** due to lethargic attitude on the part of the Department, no timely action was taken and thus meanwhile the Petitioner stood retired on attaining the age of



superannuation on 12.08.2017 vide Notification dated 23.08.2017, (*Annex;-C*). Before such retirement, the Petitioner moved a written request on 28.07.2017 (*Annex;-D*) for promotion that he was nearing his retirement and that vacancies did exist as a result of 4-Tier Formula, however, no step was taken in that direction.

4. **That** when no positive result came out, the Petitioner filed a Writ Petition No.4812-P/2017 (*Annex;-E*) before this Hon'ble Court which was disposed of vide order dated 12.06.2019 (*Annex;-F*) with the direction to the departmental hierarchy that the Provincial Selection Board should consider the Petitioner for notional promotion to BPS-19 on the basis of Seniority-cum-fitness in the next scheduled meeting of the PSB.
5. **That** no action was taken in response to the direction *ibid*, therefore, the Petitioner filed COC No.457-P/2020 (*Annex;-G*) wherein again directions were issued to Respondents to leave up to their commitment and consider the case of the Petitioner in the upcoming meeting of PSB vide order dated 22.09.2021 (*Annex;-H*).
6. **That** the malafide on the part of the Respondents is evident from the Minutes/ Agendas (*Annex;- I*) of the meetings of PSB inas much as during the intervening period, five meetings of the PSB were held but in none of them the Petitioner was considered for promotion inspite of the clear-cut directions of the Hon'ble Court.
7. **That** finally, the case of the Petitioner was placed before the PSB in its meeting held on 02.12.2021 wherein the case of the Petitioner was considered, however, the PSB dropped the case of the Petitioner observing: *Since the posts were created on 07.07.2017 and the Health Department had not forwarded a Working Paper for placement before the PSB till his retirement on 12.08.2017, therefore, the PSB in its meeting held on 25.09.2017 did not consider as he already stood retired and his name was not included in the Working Paper. Thus the Board did not find him suitable for promotion.* The Minutes were communicated to Respondent No.1 vide letter dated 05.01.2022 (Minutes *Annex;- J*).
8. **That** the appellant preferred a Departmental Representation (*Annex;-K*) on 25.08.2022 to Respondent No.1 which is still pending adjudication, hence

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01 FEB 2023

Petitioner having no other adequate and efficacious remedy files this Writ Petition inter-alia on the following grounds:-

**Grounds:**

- A. **That** the Respondents have not treated the Petitioner in accordance with law, rules and policy on the subject and acted in violation of Article-4, 10A of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully refused promotion to the Petitioner, which is illegal, unlawful, unjust and hence not sustainable in the eye of law.
- B. **That** well before the retirement of the Petitioner, vacancies did exist and the Petitioner was eligible and fit for promotion but he was unlawfully not considered for promotion due to the lethargic act on the part of the Department. It is settled law that no one should suffer due to the inaction on the part of the public functionaries. In this view of the matter, the decision of the PSB is without lawful authority and thus liable to be struck down.
- C. **That** be that as it may, even in 2015 the vacancies in the Promotion quota were available inas much as the PERs of the eligible Officers were requisitioned by the Department vide letter dated 16.02.2015 (*Annex;-L*) wherein the name of the Petitioner is reflected at Serial No.7. The same position is reflected also in a letter dated 29.06.2021 (*Annex;-M*) addressed to Respondent No.2 and also noted in the Judgment *ibid*.
- D. **That** in an identical case, in terms of Para-7 of the Promotion Policy one Dr. Mohabat Noor was promoted by the Competent Authority to BPS-20 on notional basis in consultation with the PSB vide Notification (*Annex;-N*) in order to extend him the benefit of promotion before his retirement. However, in the case of the Petitioner a different benchmark was employed and he was not allowed the same benefit in violation of the law.
- E. **That** similar question came for consideration before this Hon'ble Court in the case of *Abdur Rauf..Vs.. The Govt. of Khyber Pakhtunkhwa* in W.P. No.816-P/2017 decided on 11.10.2017 (*Annex;-O*) where in identical circumstances the upgradation was allowed to the Writ Petitioner on proforma basis and his pension was accordingly re-fixed in BPS-9 without arrears. Since Petitioner is also similarly placed, therefore, is entitled to the same benefit under the principle of

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Deputy Registrar

01 FEB 2023

consistency and equality before law.

- F. **That** as per the Judgment of the Hon'ble Supreme Court of Pakistan in case titled "*Muhammad Anjid and others ..Vs.. Dr. Israr and others*" reported in **2010 PLC (CS) 760**: *A civil servant is entitled for promotion with effect from the date when a substantive vacancy in the promotion quota is available and any delay caused due to inaction on the part of public functionaries is no ground for denial of such promotion.* Since Petitioner is also similarly placed, therefore, he is also entitled to the same relief.
- G. **That** under Section-9(1) of the Khyber Pakhtunkhwa Civil Servants Act, 1973: *"A civil servant possessing such minimum qualification as may be prescribed shall be eligible for promotion to a higher post for the time being reserved under the rule for departmental promotion in the service or cadre to which he belongs."* Similarly, Rule-7(3) of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 provides: *"Persons possessing such qualifications and fulfilling such conditions as laid down for the purpose of promotion are transferred to a post shall be considered by the Departmental Promotion Committee or Provincial Selection Board for promotion or transfer as the case may be."* Keeping in view the above provisions, the Petitioner was entitled for promotion but was unlawfully deprived of it in violation of the law.
- H. **That** Petitioner has served the Department dedicatedly for a period of more than 30 years and by dint of his long spotless service, he earned the subject promotion, however, stood deprived of it due to the inaction on the part of the departmental authorities which has resulted in serious miscarriage of justice.

For the aforesaid reasons, it is therefore, humbly prayed that on acceptance of this Writ Petition this Hon'ble Court may graciously be pleased to declare order and direct that the impugned decision of the PSB made in its meeting held on 02.12.2021 denying promotion to the Petitioner, as without lawful authority and hence of no legal effect and this august Court may further be pleased to strike down the same and direct the Respondents to act in the matter in accordance with law and to promote Petitioner to BPS-19 with effect from the due date with all consequential benefits including re-fixation of pension with arrears.

FILIA WALIY  
 Deputy Registrar  
 01 FEB 2023

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to Petitioner.

Through

**Petitioner**

5

**Khaled Rahman**

Advocate, Supreme Court

&

**Muhammad Amin Ayub**

&

**Muhammad Ghazanfar Ali**

Advocates, High Court

Dated 2 / 2 / 2023

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Deputy Registrar

01 FEB 2023

CERTIFICATE

Certified on instruction that petitioner(s) has/have not previously moved this Hon'ble Court under Article 199 of the Constitution of the Islamic Republic of Pakistan, 1973 regarding present matter.

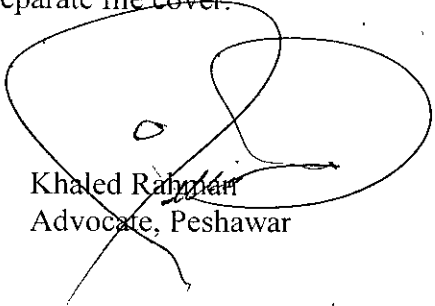
  
Khaled Rahman  
Advocate, Peshawar

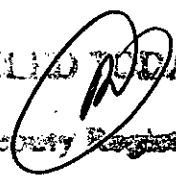
List of Books

1. The Constitution of the Islamic Republic of Pakistan, 1973.

NOTE

1. Three spare copies of the Writ Petition are enclosed in a separate file cover.
2. Memo of addresses is also attached.

  
Khaled Rahman  
Advocate, Peshawar

  
FILED TODAY  
Deputy Registrar  
01 FEB 2023

IN THE PESHAWAR HIGH COURT PESHAWAR

W.P. No. 459-P/23 /2023

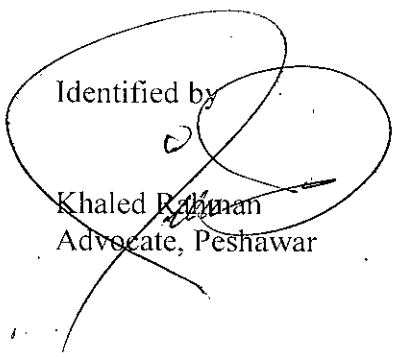
Dr. Taj Nawaz Khan ..... Petitioner

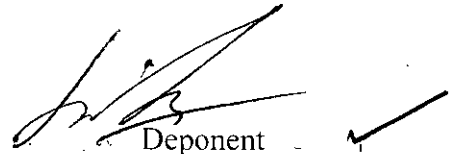
Versus

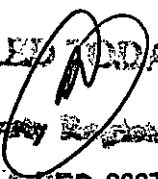
The Govt. of KPK and others ..... Respondents

**Affidavit**

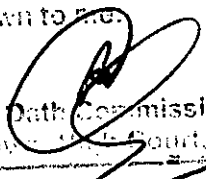
I, Dr. Taj Nawaz Khan S/o Gul Janan, R/o Flat No.2, Hamza Flats, Warsak Road, Peshawar, do hereby solemnly affirm and declare on oath that the contents of this writ petition are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Court.

Identified by  
  
Khaled Rahman  
Advocate, Peshawar

  
Deponent ✓  
CNIC - 11101-1428671-7  
cell - 0301-8077313

**FILED TODAY**  
  
**01 FEB 2023**

No. 29704  
Certified that the above was verified on solemnly affirmation before me in office this 01 day of Feb 2023 by Taj Nawaz Khan s/o Gul Janan R/o Peshawar who was identified by Khaled Rahman Who is personally known to me.  
Oath Commissioner  
Peshawar High Court, Peshawar

  
01/02/2023

## IN THE PESHAWAR HIGH COURT PESHAWAR

W.P. No. 459-1/23 2023

Dr. Taj Nawaz Khan ..... Petitioner

Versus

The Govt. of KPK and others ..... Respondents

Addresses of Parties

Dr. Taj Nawaz Khan  
 Ex-Senior Dental Surgeon, Health Department  
 R/o Flat No.2, Hamza Flats, Warsak Road, Peshawar.....Petitioner.

Versus

1. The Govt. of Khyber Pakhtunkhwa  
 through Chief Secretary,  
 Civil Secretariat, Peshawar.
2. The Secretary  
 Govt. of Khyber Pakhtunkhwa  
 Health Services Department,  
 Civil Secretariat, Peshawar.
3. The Secretary  
 Govt. of Khyber Pakhtunkhwa  
 Finance Department,  
 Civil Secretariat, Peshawar.....Respondents

Through

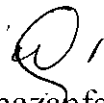
Petitioner

  
 Khaled Rahman,  
 Advocate,  
 Supreme Court of Pakistan

&amp;

  
 Muhammad Amin Ayub

&amp;

  
 Muhammad Ghazanfar Ali  
 Advocates, High Court

FILED TODAY

Deputy Registrar

01 FEB 2023

Dated: 2 / 2 / 2023

TOTAL SANCTIONED POSTS= 64

PERMANENT=64

TEMPORARY=00

## FINAL SENIORITY LIST OF SENIOR DENTAL SURGEON BPS-18 ON GENERAL CADRE (JANUARY-2016)

S.NO.	NAME / QUALIFICATION	DOB/ DOMICILE	DATE/ENTRY /SERVICE B-17	BPS-18	METHOD OF RECRUITMENT	PLACE OF POSTING	REMARKS
1.	DR. MUMTAZ KHAN S/O HAZRAT GUL / BDS	01.01.1961 KARAK	PSC 13.03.1988	10.05.2001	PROMOTION	THQH SAMARBAGH LOWER DIR	
2.	DR. IFTIKHAR UD DIN S/O AKHIA UD DIN / BDS	08.04.1957 BANNU	1. Adhoc 28/07/1987 2. PSC 13.03.1988	10.08.2001	PROMOTION	AHQH MIF ANSHAH	
3.	DR. ABDUR RASHID AFRIDI S/O ZAR KHAN AFRIDI / BDS	09.01.1959 FR PESHAWAR	1. Adhoc 28/07/1987 2. PSC 13.03.1988	10.09.2001	PROMOTION	KCD PESHAWAR	
4.	DR. ZAFAR ALI SHAH S/O ABDUL QAYYUM / BDS	12.04.1958 SW AGENCY	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	RHC AMMAKHEL TANK	
5.	DR. ZAFAR IQBAL AHMAD S/O BASHIR AHMAD / BDS	04.01.1958 PESHAWAR	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	KCD PESHAWAR	
6.	DR. REHMAT ULLAH S/O DIN MOHAMMAD / BDS	12.07.1962 DI KHAN	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	RHC PANIALLA DI KHAN	
7.	DR. MUHAMMD FAROOQ S/O ASMAT ULLAH KHAN / BDS	05.04.1959 BANNU	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	KGTH BANNU	
8.	DR. IFTIKHAR AHMAD KHATTAK S/O MIR ALI SHAH / BDS	18.01.1960 KARAK	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	HMC PESHAWAR	
9.	DR. M.TAHIR JAVED S/O ABDUL AZIZ / BDS	07.10.1958	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	DHO TANK	

**ATTESTED**  
10/10/2016

Section Officer  
Health Department

Assistant Director (P-1)  
Director General Health

Serial No & Date Even.

*Handwritten signature/initials*



1.	DR. SANA ULLAH KHAN S/O BALUCH KHAN /BDS	20.03.1959 DI KHAN	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	CH DARADAN D.I.KHAN	
2.	DR. S.M.ARFI SHAH S/O AJMAL SHAH /BDS	10.08.1959 KOHAT	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	RHC LACHI DISTRICT KOHAT	
3.	DR. M.NAEEM AHMAD S/O MOHAMMAD SALIM /BDS	01.01.1961 PESHAWAR	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	KCD PESHAWAR	
4.	DR. NASURULLAH JAN S/O SARDAR KHAN	03.01.1964 FR BANNU	PSC 13.03.1988	11.08.2006	PROMOTION	RHC SERAI GAMBILA LAKKI MARWAT	
5.	DR. S.MUFARIH SHAH S/O MOHAMMAD MUZAMMIL /BDS	01.01.1960 MOHMAND	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	JKMC MARDAN	
6.	DR. AKHTAR NAWAZ KHAN S/O MOHAMMAD DIN /BDS	31.08.1963 ABBOTABAD	PSC 13.03.1988	11.08.2006	PROMOTION	RHC SARIA NAMAT KHAN DISTRICT HARIPUR	
7.	DR. TAJ NAWAZ KHAN S/O GUL JANAN KHAN /BDS	13.08.1957 BANNU	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	CH SERAI NAURANG LAKKI MARWAT	
8.	DR. MUHAMMAD AZHAR S/O SHER ZADA /BDS	24.09.1959 / MOHMAND AGENCY	PSC 13.03.1988	23-10-2014	PROMOTION	RHC NAHAQI PESHAWAR	
9.	DR. RAFIQ MOHAMMAD S/O NATHO KHAN /BDS	02.04.1958 BANNU	1. Adhoc 28/07/1987 2. Regularized Act, 1988 23.01.1988	11.08.2006	PROMOTION	RHC PAROA D.I.KHAN	The services of these Dental Surgeons were regularization under Act 1988 (they shall rank junior to those appointed from serial No. 19 to 24 vide Govt. Notification No. SOH-IV/1-72/72 dated 13/03/1988)
10.	DR. QAZI HANIF UR RAHMAN S/O NAQIB UR RAHMAN /BDS	01.09.1959 BANNU	1. Adhoc 28/07/1987 2. Regularized Act, 1988 23.01.1988	13.06.2009	PROMOTION	RHC GHARA TAJIK PESHAWAR	--do--
11.	DR. MOHAMMAD TAYYAB S/O KHALIL UR RAHMAN /BDS	01.05.1959 SWAT	1. Adhoc 28/07/1987 2. Regularized Act, 1988 23.01.1988	13.06.2009	PROMOTION	KCD PESHAWAR	--do--
12.	DR. SABIR SHAH S/O RAHIM SHAH /BDS	23.01.1958 DI KHAN	1. Adhoc 28/07/1987 2. Regularized Act, 1988 23.01.1988	13.06.2009	PROMOTION	LRH PESHAWAR	--do--

Section Officer (EV)  
Health Department  
Khyber Pakhtunkhwa

Analyst (F-1)  
Director General Health  
Services Khyber Pakhtunkhwa

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ADVISE

Date Even

	DR. M. SALEEM AWAN MOHAMMAD NAWAZ / BDS	S/O	18.07.1956 DI KHAN	1. Adhoc 28/07/1987 2. Regularized Act, 1988 23.01.1988	13.06.2009	PROMOTION	CH CHODWAN DI KHAN	-do-
23.	DR. MOHAMMAD TAHIR MALIK MEHRABAN / BDS	S/O	02.02.1962 DI KHAN	PSC 12.04.1989	13.06.2009	PROMOTION	DHQH D.I KHAN	
24.	DR. AKHTAR GUL SHER AKBAR / BDS	S/O	11.05.1960 MOHMAND	PSC 12.04.1989	13.06.2009	PROMOTION	DHQ: HOSPITAL CHARSADDA.	
25.	DR. ZARQA NASRULLAH JAN NASRULLAH JAN / BDS	D/O	26.04.1963 PESHAWAR	PSC 12.04.1989	13.06.2009	PROMOTION	KCD PESHAWAR	
26.	DR. MOHAMMAD NAZIF ROMAN SHAH / BDS	S/O	04.03.1963. KARAK	PSC 12.04.1989	13.06.2009	PROMOTION	DHQH (KDA) KOHAT	
27.	DR. FAZAL QADEEM FAZAL RAHIM / BDS	S/O	13.02.1962 PESHAWAR	PSC 12.04.1989	13.06.2009	PROMOTION	KCD PESHAWAR	
28.	DR. TAHIR FAROOQ NAWAZ SHAH NAWAZ / BDS	S/O	27.10.1963 FR BANNU	PSC 12/4/1989	13.06.2009	PROMOTION	LRH PESHAWAR	
29.	DR. MOHAMMAD TAUFIQ SALAH UD DIN / BDS	S/O	01.01.1963 CHARSADDA	PSC 10.06.1989	13.06.2009	PROMOTION	SERVICES HOSPITAL PESHAWAR	
30.	DR. RIZWAN ULLAH MOHAMMAD ZAMAN / BDS	S/O	18.03.1962. MARDAN	PSC 16.01.1990	13.06.2009	PROMOTION	THQH TAKHT BHAI MARDAN	
31.	DR. TAJ MALOOK GHULAM FAQIR / BDS	S/O	04.04.1958 BANNU	PSC 16.01.1990	13.06.2009	PROMOTION	DHQH BANNU	
32.	DR. ZIARAT GUL CHAMANAY KHAN / BDS	S/O	01.01.1958 SWAT	PSC 16.01.1990	13.06.2009	PROMOTION	SGTH SWAT	
33.	DR. ABID ZIA ZIA UL HAQ, BDS	S/O	20.08.1968 D.I.KHAN	PSC 02.04.1991	07.08.2009	PROMOTION	RHC GHAZI DISTRICT HARIPUR	
34.	DR. MOHAMMAD IQBAL MOHAMMAD ZAMAN / BDS	S/O	07.03.1965 SWAT	PSC 02.04.1991	13.05.2009	PROMOTION	KCD PESHAWAR	
35.	DR. GUL RAHIM JAN RAHIM UD DIN / BDS	S/O	01.06.1965 MOHMAND	PSC 02.04.1991	13.06.2009	PROMOTION	THQH TANGI CHARSADDA	
36.	DR. NAZIR AHMAD ALI KHAN / BDS	S/O	01.03.1964/ ABBOTTABAD	PSC 02.04.1991	23-10-2014	PROMOTION	CH GHARI HABIBULLAH MANSEHRA	

**ATTENDED**  
 19.06.2014  
 AUSTIN

Section Officer (EV)  
 Health Department  
 Khyber Pakhtunkhwa

(3-D)  
 Director  
 Health Services

Attached  
 (P)

	DR. MOHAMMAD ILYAS / BDS	S/O	04.04.1966 / D.I.KHAN	PSC 17.11.1991	23-10-2014	PROMOTION	MMM TEACHING HOSPITAL DIKHAN.
38.	DR. KHIAL ZADA / BDS	S/O	17.05.1966 / MOHMAND	PSC 24.07.1993	23-10-2014	PROMOTION	RHC BADBHER PESHAWAR.
39.	DR. MOHAMMAD FAROOQ / BDS	S/O	01.03.1967 / FR BANNU	PSC 24.07.1993	23-10-2014	PROMOTION	BMC BANNU.
40.	DR. SAJJAD AHMAD / BDS	S/O	15.03.1969 / MOHMAND	PSC 24.07.1993	23-10-2014	PROMOTION	KCD PESHAWAR.
41.	DR. HAZRAT S/O ALAM ZEB KHAN / BDS	MIR	07.09.1965 / MOHMAND	PSC 24.07.1993	23-10-2014	PROMOTION	LRH PESHAWAR
42.	DR. S/O RAFIULLAH / BDS	IMDADULLAH	23.03.1967 / MANSEHRA	PSC 25.08.1994	23-10-2014	PROMOTION	KCD PESHAWAR
43.	DR. SHAZIA NADEEM / BDS	D/O	26.07.1967 / BANNU	PSC 25.08.1994	23-10-2014	PROMOTION	ON DEPUTATION TO ISLAMABAD.
44.	DR. MOHAMMAD SALEH / BDS	S/O	08.02.1966 / FR BANNU	PSC 25.08.1994	23-10-2014	PROMOTION	RHC AMBARKUNDA SWABI.
45.	DR. TAJ MOHAMMAD / BDS	S/O	09.06.1964 / BUNER	PSC 25.08.1994	23-10-2014	PROMOTION	DHQ. HOSPITAL DAGGAR BUNER.
46.	DR. M. IKRAM ULLAH / BDS	S/O	01.09.1967 / KOHAT	PSC 21.11.1994	23-10-2014	PROMOTION	WOMAN & CHILDREN HOSPITAL KOHAT.
47.	DR. SHARAFAT ALI / BDS	S/O	01.05.1969 / SWAT	PSC 21.11.1994	23-10-2014	PROMOTION	THQ: H MATTA SWAT.
48.	DR. UMAR SHAH / BDS	S/O	11.08.1968 / HARIPUR	PSC 21.11.1994	23-10-2014	PROMOTION	DHQ. HOSPITAL LAKKI MARWAT.
49.	DR. S. MAQBOOL SHAH / BDS	S/O	05.04.1970 / MOHMAND	PSC 03.09.1995	23-10-2014	PROMOTION	BKMC MARDAN.

ATTENDED  
 13/11/2014  
 10/11/2014

Section Officer (EV)  
 Health Department  
 Khyber Pakhtunkhwa

Assistant Director (P-1)  
 Director General Health  
 Services Khyber Pakhtunkhwa

Attached  
 [Signature]



- 13 -

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**FINANCE DEPARTMENT**  
**(REGULATION WING)**

*Amir B*

No. SO(FR)/FD/7-3/2016-17/6226  
Dated Peshawar, the 07-07-2017

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

Subject: - STRENGTHENING OF ORAL HEALTH SERVICES IN KHYBER PAKHTUNKHWA.

Dear Sir,

I am directed to refer to the subject noted above and to state that the Competent Authority has been pleased to approve upgradation of the existing sanctioned Dental Surgeon posts (BPS-17 to BPS-20) under 4-tier formula at the ratio of 3:19:36:42 on the existing strength of 353 number of posts as below:-

BPS	%as per 4-tier formula	Existing	Required	To be upgraded
20	03	02	11	09
19	19	22	67	45
18	36	44	127	83
17	42	285	148	137
<b>Total</b>	<b>100</b>	<b>353</b>	<b>353</b>	<b>274</b>

*S No 11*

Audit copies may be prepared and sent to this department for authentication.

Yours faithfully,

*sd/z*

SECTION OFFICER (FR)

Endst No. & Date even.

Copy of the above is forwarded to the Budget Officer-VI, Finance Department for information and further necessary action, please.

*sd/z*

SECTION OFFICER (FR)

**ATTESTED**  
to be true copy  
Advocate

Dated Peshawar the 23<sup>rd</sup> August, 2017NOTIFICATIONNO.SOH(E-V)1-499/2016

In terms of provisions of Rule-20 of the Khyber Pakhtunkhwa Civil Servants Revised Leave Rules 1981 and instructions there under issued from time to time, sanction is hereby accorded to the grant of 365 days leave encashment in lieu of L.P.R in respect of Dr. Taj Nawaz Khan Senior Dental Surgeon (BS-18) attached to Category-C Hospital Serai Naurang Lakki Marwat.

2. In terms of Section-13 of the Khyber Pakhtunkhwa Civil Servants Act 1973, the officer shall stand retired from service on 12.08.2017 on attaining the age of superannuation.

SECRETARY HEALTH  
Govt. of Khyber Pakhtunkhwa

Endst. No. & Date even.

Copy to:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director General Health Services Khyber Peshawar
3. District Health Officer Lakki Marwat.
4. MS Category-C Hospital Serai Naurang Lakki Marwat.
5. District Accounts Officer Lakki Marwat
6. DHIS Cell DGHS Office, Peshawar.
7. Computer Programmer Health Department.
8. PS to Secretary Health Department
9. Doctor concerned.

( MUHAMMAD ARSHID )  
SECTION OFFICER(E-V)

OFFICE OF THE DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA PESHAWAR

No. 18848-59 /E-1(17-36)

Dated: 19/09-20

Copy of the above is forwarded to the:-

1. District Health Officer Lakki Marwat.
2. District Accounts Officer Lakki Marwat.
3. DHIS Cell DGHS KPK Peshawar.
4. AE-I, AE-II, AE-IV DGHS KPK Peshawar.
5. Doctor Concerned.

For information and necessary action.

DEPUTY DIRECTOR (HRM)  
DIRECTORATE GENERAL HEALTH  
SERVICES KHYBER PAKHTUNKHWA

ATTACHED  
18/09/2017

1578/17  
1578C

18  
Anna D  
The Secretary  
Govt: of Khyber Pakhtunkhwa Health  
Department Peshawar.

THROUGH: PROPER CHANNEL

SUBJECT: PROMOTION FROM BPS-18 TO BPS-19

Sir,

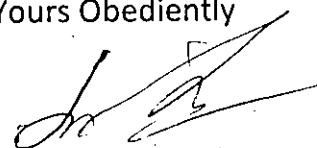
I am working as Senior Dental Surgeon BPS-18 at Category "C" Hospital Sarai Naurang District Lakki Marwat that:

1. I am proceeding on Superannuation "Retirement" on 12-08-2017.
2. As 4 Tier "Formula" for promotion has been approved by Govt: and also by Finance Department Khyber Pakhtunkhwa Peshawar and budget for that allocated.
3. As per that formula almost 67 Dental Surgeons of BPS-18 are due for promotion to BPS-19.
4. I am almost at the top of the list. My Performance Evaluation Reports are completed and already submitted in office.

PSB yet not announced but my case may please be considered individually as a special case for promotion to BPS-19 with giving back benefits of BPS-19 and obliged.

Dated: 28-07-2017

Yours Obediently



Dr. Taj Nawaz Khan  
Senior Dental Surgeon  
Category "C" Hospital  
Sarai Naurang District  
Lakki Marwat.

Cell#: 03018077313

Forward to DGHS  
12.4.17  
7

ATTESTED  
to make copy  
Advocate

WC  
- 16  
Amir K  
1  
**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.**

Writ Petition No. \_\_\_\_\_ /2017

Taj Nawaz Khan S/o Gul Janan, Retd: dental Surgeon,  
Flat No. 2 Hamza Flats, Warsak Road Peshawar.



**PETITIONER**

**VERSUS**

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar.
2. The Chief Secretary Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
3. The Secretary Health Department Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
4. The Director General Health Services, Near Judicial Complex, Khyber Pakhtunkhwa, Peshawar.
5. The Secretary Finance Department Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.

**RESPONDENTS**

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

**RESPECTFULLY SHEWETH:**

Brief facts giving rise to present petition are as under:-

1. That the petitioner was initially appointed as Dental Surgeon (BPS-17) on regular basis on the recommendation of the Khyber Pakhtunkhwa Public Service Commission vide notification dated 13.03.1988. Later on vide notification dated 11.08.2006 the

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**ATTESTED  
EXAMINER  
Peshawar High Court**

petitioner was promoted to (BPS-18) on regular basis. The petitioner's service record during his in entire service career is remained good. (Copies of appointment order and promotion order are attached as Annexure-A & B.

2. That It is also worth to mention here that the petitioner was due for promotion from the post of Dental Surgeon (BPS-18) to BPS-19 but due to missing ACRs for the year 2014, the petitioner was not promoted in time. This aspect is very much clear from the letter dated 16.02.2015 of the Health Department which is attach as Annexure-C. Thus the petitioner is deprived from his due right of promotion to (BPS-19) due to slackness of the respondent department.
3. That the Finance Department KPK vide memo dated 7.7.2017 conveyed that the competent authority was pleased to approve **upgradation** of the existing sanctioned Dental Surgeon posts (BPS-17 to BPS-20) under 4-tier formula at the ratio of 3:19:36:42 on the existing strength of 353 number of posts. Meaning thereby the total 83 posts of (BS-18) is required to be upgraded to BPS-19 and for BPS-19 , 45 posts are to be upgraded as per table given in the memo referred above. Thus keeping in view the seniority list the petitioner is at Sr. No. 27 presently whereas the petitioner was at Sr. No. 35 as per seniority list of 2010. (Copies of memo and seniority list are attached as Annexure-D & E.
4. That though the petitioner his due from promotion BPS-19 since 2015 as evident from Annexure-C with the writ petition and was also entitled for **upgradation** to (BPS-19) w.e.f 07.07.2017 as evident from Annexure-D with the writ petition, but the petitioner has neither been promoted nor upgraded till date despite the fact that junior colleagues of the petitioner have been promoted to (BPS-19) vide notification dated 25.09.2017. (Copy of the promotion order is attached as Annexure-F.
5. That as the petitioner has neither been promoted nor upgraded and he has stood retired on 12.08.2017. The petitioner before his retirement has requested for the grant of BPS-19 before his retirement on the basis of upgradation notification as well as on the basis of promotion ,but that request of petitioner met no response. ( Copy of retirement order and application are attached as Annexure-G & H.

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

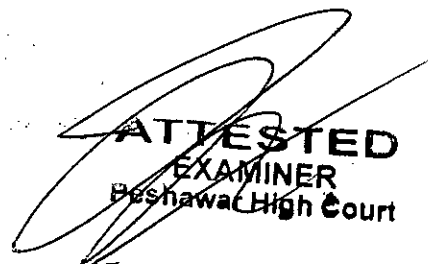


- 18
6. That as the petitioner has no other remedy to claim upgradation to (BPS-19) and also because of the Honorable Supreme Court of Pakistan has held that the upgradation is not terms and condition and High Court can exercise jurisdiction in matter of upgradation. Therefore the petitioner comes to this august Court for his claim on the following ground amongst the others.

**GROUND:**

- A) That not granting the upgradation benefits to the petitioner and depriving the petitioner from the retirement benefits in BS-19 is against the law, facts, and norms of justice and principle of fair play.
- B) That the upgradation was allowed/approved on 7.07.2017 and by that time the petitioner was in active service because the petitioner was retired on 12.08.2017. But the petitioner was deprived from the benefits of the upgradation from 07.07.2017 due to inaction and slackness of the respondent department.
- C) That the upgradation was approved on 07.07.2017 but the petitioner has been depriving from such benefit of upgradation for the faults of the respondents because despite the allocation of funds and approval, the department could not carried out the upgradation process in time.
- D) That the petitioner is legally entitled for upgradation benefits in BS-19 and fixation thereof in his pension which cannot be denied at any cost to the petitioner.
- E) That this august Court has already allowed a writ petition No. 816-P/2017 decided on 11.10.2017 having similar facts and situation. Therefore the petitioner is also entitled for the same relief. ( Copy of the judgment is attached as **Annexure-I**.)
- F) That the petitioner seeks permission to advance other grounds and proofs at the time hearing.

It is, therefore, most humbly prayed that on acceptance of this writ petition the inaction of the respondent in granting upgradation (BS-19) w.e.f 7.7.2017 and not granting the upgradation benefits to the petitioner may be declared as illegal, unlawful without lawful authority and against the spirit of Constitution and guaranteed fundamental rights. The respondents

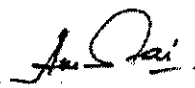
  
**ATTESTED**  
**EXAMINER**  
**Peshawar High Court**

may further please be directed to grant upgradation to petitioner to BS-19 as per notification dated 07.07.2017 with all back and consequential benefits and the benefits of upgradation may also be included in pension fixation. Any other remedy deems appropriate by this court may also awarded in favor of petitioner.

PETITIONER  
Taj Nawaz Khan



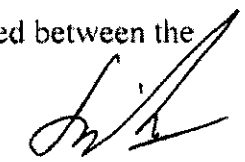
THROUGH:



(M. ASIF YOUSAFZAI)  
ADVOCATE SUPREME COURT,  
PESHAWAR.

**VERIFICATION:**

It is verified that no other Writ Petition earlier has been filed between the present parties, except the present one.



DEPONENT

**LIT OF BOOKS:**

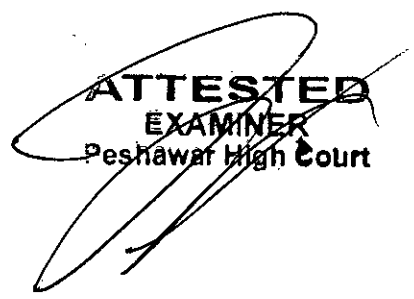
1. Constitution of the Islamic Republic of Pakistan, 1973.
2. Any other case law as per need.

**NOTE:** Prior Notice along with the copies of the Writ Petition has already been given to the respondents as per amended High Court's Rules dated. 23.02.2016



( M. ASIF YOUSAFZAI )  
ADVOCATE SUPREME COURT,  
PESHAWAR.

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



**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.**

Writ Petition No. \_\_\_\_\_/2017

Dr. Taj Nawaz Khan

V/S

Govt: of KPK

.....

**ADDRESSES OF PARTIES**

**PETITIONER:**

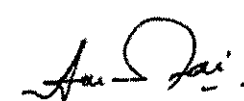
Taj Nawaz Khan S/o Gul Janan,  
Flat No. 2 Hamza Flats, Warsak Road Peshawar.

**RESPONDENTS**

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar.
2. The Chief Secretary Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
3. The Secretary Health Department Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
4. The Director General Health Service Near judicial Complex Khyber Pakhtunkhwa, Peshawar.
5. The Secretary Finance Department Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.

  
PETITIONER  
Dr. Taj Nawaz Khan

THROUGH:

  
(M. ASIF YOUSAFZAI)  
ADVOCATE SUPREME COURT,  
PESHAWAR

  
ATTESTED  
EXAMINER  
Peshawar High Court

**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.**

Writ Petition No. \_\_\_\_\_/2017

Dr. Taj Nawaz Khan

V/S

Govt: of KPK

**AFFIDAVIT**

I, Dr. Taj Nawaz Khan S/o Gul Janan ~~Taj~~, Flat No. 2 Hamza Warsak Road Peshawar Petitioner do hereby affirm that the contents of this writ petitions are true and correct and nothing has been concealed from this august Court.

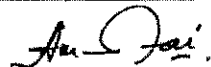
DEPONENT



Dr. Taj Nawaz Khan

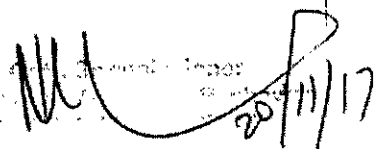
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**IDENTIFY BY:**



**M.ASIF YOUSAFZAI  
ADVOCATE SUPREME COURT,  
PESHAWAR.**

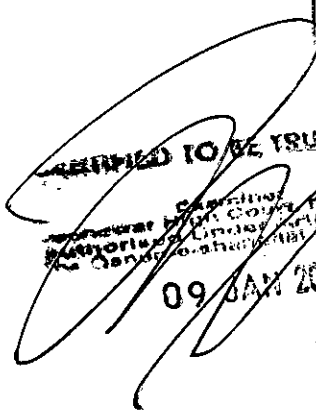
No.	9751
Case No.	
Filed for	
day of	Nov 17
at	Gul Janan
who was	Dr. Taj Nawaz Khan
Who is present	Dr. Taj Nawaz Khan in Asst. Peshawar




**DECLARED TO BE TRUE COPY**

Secretary, Peshawar High Court, Peshawar  
 Authority Under Article 175-B  
 of the Constitution of Pakistan

09 JAN 2023



**PESHAWAR HIGH COURT PESHAWAR**  
**ORDER SHEET**

Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
1	2
12.06.2019	<div data-bbox="1136 311 1372 535" style="text-align: right;">  </div> <p><u>Writ Petition No. 4812-P of 2017.</u></p> <p>Present: Mr. M. Asif Yousafzai, advocate for the petitioner.</p> <p>Syed Qaiser Ali Shah, AAG on behalf of respondents.</p> <p>*****</p> <p><b><u>WAOAR AHMAD SETH, CJ:-</u></b> By invoking constitutional jurisdiction of this Court under Article-199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioner has prayed for grant of upgradation BS-19 w.e.f. 7.7.2017 and not granting the upgradation benefits to the petitioner may be declared as illegal, unlawful without lawful authority and against the spirit of constitution and guaranteed fundamental rights. The respondents may further be directed to grant upgradation to petitioner to BS-19 as per notification dated 7.7.2017 with all back benefits and consequential</p>

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

benefits and the benefits of upgradation may also be included in pension fixation.

2. Although this case was heard at length and learned counsel for the petitioner was of the view that benefits / upgradation to petitioner has not been given in view of letter / circular dated 7.7.2017 whereby upgradation under 4-tier formula was approved, however, this Court is of the opinion that vide letter dated 16.2.2015, petitioner had the very right of promotion to BS-19, but the same was not given to him on account of some deficiency i.e. non-availability of ACR for the year 2014, and if the same deficiency had latter been rectified and petitioner had provided the same then he is supposed to be promoted to BS-19 in due course. Since petitioner attaining the age of superannuation on 12.08.2017 got retired from service, therefore, this Court in the circumstances deem

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**EXAMINER**  
Peshawar High Court

necessary to dispose of the writ petition by referring the matter to departmental hierarchy in the manner that competent authority / Provincial Selection Board shall consider the petitioner for notional promotion to BS-19 on the basis of seniority cum-fitness, if otherwise he is eligible. Office is directed to send copy of this order to respondents-department for onward submission, in next schedule meeting.



*[Signature]*  
Chief Justice

*[Signature]*

Judge

65600  
 Date of Presentation of Application *09/1/2023*  
 No of Pages *88*  
 Copying fee  
 Total *35-00*  
 Date of Preparation of Copy *09/1/2023*  
 Date of Delivery of Copy *09/1/2023*  
 Received By *Taj Nawaz*

REQUIRED TO BE TRUE COPY  
 Chamber  
 Supreme High Court, Peshawar  
 09 JAN 2023

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Amir G



**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.**

C.O.C. No. \_\_\_\_\_/2020

IN

Writ Petition No. 4812-P/2017



Dr. Taj Nawaz Khan S/o Gul Janan, Rtd Dental Surgeon,  
Flat No. 2 Hamza Flats, Warsak Road, Peshawar.

**PETITIONER**

**VERSUS**

1. Dr. Kazim Niaz, Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. Imtiaz Ali Khan, the Secretary Health Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
3. Dr. Muhammad Niaz, the Director General, Health Services, Near Judicial Complex, Khyber Pakhtunkhwa, Peshawar.
4. Atif-Ur-Rahman, the Secretary Finance Department Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.

**RESPONDENTS**

.....

**CONTEMPT OF COURT PETITION UNDER  
ARTICLE 204 OF THE CONSTITUTION OF  
PAKISTAN 1973 READ WITH SECTION-3 OF THE  
CONTEMPT OF COURT ORDINANCE 2003 FOR  
INITIATING CONTEMPT PROCEEDINGS  
AGAINST THE RESPONDENTS.**

**RESPECTFULLY SHEWETH:-**

Brief facts giving rise to present COC are as under:-

1. That the Petitioner filed a writ petition bearing No. 4812-P/2017, wherein they prayed for grant of upgradation to

G





petitioner to BPS-19 as per notification dated 07.07.2017 with all back and consequential benefits and the benefits of upgradation may also be included in pension fixation.

2. That the Writ Petition was finally heard by this august Court on 12.06.2019 and the august Court was kind enough to allow the writ petition of the petitioner with the direction to the respondents that since the missing of ACR was not fault on the part of petitioner and if the same deficiency had latter been rectified then the petitioner is supposed to be promoted to BPS-19 in due course. Since the petitioner attained the age of superannuation, therefore, this Court in the circumstance to dispose of the writ petition by referring the matter to departmental hierarchy in the manner that Competent Authority/Provincial Selection Board shall consider the petitioner for notional promotion to BPS-19 on the basis of seniority-cum-fitness, if otherwise he is eligible. Copy of the judgment is attached as Annexure-A.
3. That being the Apex Court of the Province, the respondents are legally bound to obey the directions by august Court in letter and spirit, but the respondents are totally failed in that regard.
4. That despite the clear direction of the Honorable Court the PSB meetings were convened thrice but the petitioner case was not considered at all.
5. Thus the inaction and omission of the respondent shows that they are not willing to obey the judgment of this Honorable Court in letter and spirit which certainly amounts to Contempt of Court.
6. That the judgment is still in the field and has not been suspended or set aside by the Supreme Court of Pakistan, therefore, the department is legally bound to obey the judgment dated 12.06.2020 of this Honorable Court in letter and spirit.
7. That in the circumstances the petitioner has no other remedy but to file the instant Contempt of Court Petition due to inaction of the respondents.

**ATTESTED**  
EXAMINER  
Peshawar High Court

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It is, therefore, most humbly prayed that a proper Contempt of Court proceedings may be initiated against the respondents and may also be directed to implement the directions of Peshawar High Court, Peshawar delivered in judgment dated 12.06.2019 without any further delay. Any other remedy which this august Court deems fit and appropriate that may also be awarded in favour of the petitioner.

**PETITIONER**

Dr. Taj Nawaz Khan

**THROUGH:**

**(M. ASIF YOUSAFZAI)**

**ADVOCATE SUPREME COURT  
OF PAKISTAN.**

VERIFIED TO BE TRUE COPY

**30 MAR 2022**

- 28



**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.**

C.O.C. No. \_\_\_\_\_/2020

IN

Writ Petition No. 4812-P/2017

Dr. Taj Nawaz Khan V/S Dr. Kazim Niaz, Chief Secretary  
Govt: of KPK & etc.

.....

**AFFIDAVIT**

I, Dr. Taj Nawaz Khan S/o Gul Janan Flat No. 2 Hamza Warsak Road, Peshawar (Petitioner) do hereby solemnly affirm and declare that the contents of this Contempt of Court Petition are true and correct to the best of my knowledge and belief.

DEPONENT

*[Signature]*  
Dr. Taj Nawaz Khan  
11101-1428671-7  
03018077313  
03349352855

**IDENTIFIED BY:**

*[Signature]*  
**(M. ASIF YOUSAFZAI)**  
**ADVOCATE SUPREME COURT**  
**OF PAKISTAN.**

No: 4626

Certified that the above was verified on solemnly affirmation before me on this 29<sup>th</sup> day of July 2020 at Peshawar.

Gul Janan Taj Nawaz Peshawar

M. Asif

*[Signature]*  
Notary Commissioner  
Peshawar



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

29

Amir H

**PESHAWAR HIGH COURT, PESHAWAR.**  
**FORM 'A'**  
**FORM OF ORDER SHEET**



Date of order.	Order or other proceedings with the order of the Judge
22.09.2021	<p><b><u>COC No. 457-P/2020 in WP No. 4812-P/2017.</u></b></p> <p><b>Present:</b> Mr. M. Asif Yousafzai, advocate for the petitioner.</p> <p>Mr. Mujahid Ali Khan, Addl. AG alongwith Muhammad Asif, SO Health.</p> <p>-----</p> <p><b><u>LAL JAN KHATTAK, J.-</u></b> The learned Addl. AG stated before the Court that the order of this Court dated 12.06.2019 regarding the petitioner's consideration for grant of notional promotion to him in BPS-19 will be implemented by the respondents in the forthcoming meeting of Provincial Selection Board.</p> <p>2. In view of the above, we dispose of this writ petition by directing the respondents to live up to their commitment so made at the bar on their behalf by the learned Addl. AG and consider the petitioner's case in light of the ibid order of this Court in the upcoming meeting of the Provincial Selection Board. In case the respondents failed to comply with the court's order then in that situation the petitioner will be at liberty to file application for restoration of the instant petition so that action under the law be taken against the respondents.</p> <p style="text-align: right;">   <b>JUDGE</b>    <b>JUDGE</b> </p>

31639

Tariq Jan, PS

(DB) Mr. Justice Lal Jan Khattak, HJ & Mr. Justice Abdul Shakoor, HJ.

Date of Presentation of Application..... 30-3-22

No of Pages..... 5

Copying fee..... 20/-

Total.....

Date of Preparation of Copy..... 30/3/22

Date of Delivery of Copy..... 30/3/22

Received By.....

VERIFIED TO BE TRUE COPY

High Court, Peshawar

Authorized Under Article 87 of the Constitution of Pakistan

30 MAR 2022

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- 30

*Amir J*

**AGENDA OF THE PSB MEETING  
TO BE HELD ON 12.06.2020 AT 1100 HOURS.**

S.#	DESCRIPTION OF CASES	Panel	Posts	Deptt
1.	Promotion of Assistant Administration/District Zakat Officer BS-17 to the post Deputy Administrator/Senior District Zakat Officer BS-18.	07	03	Zakat
2.	Promotion of GIS Development Officer BS-17 to the post of Deputy Director GIS BS-18.	02	01	Mineral
3.	Promotion /Appointment of Assistant Engineer BS-17 to the post of Executive Engineer BS-18 on Regular basis /Acting charge basis.	08	04	Irrigation
4.	Promotion of Assistant Director Information BS-17 to the post of Deputy Director Information BS-18.	02	01	Information
5.	Promotion of Assistant Engineer BS-17 to the post of Executive Engineer BS-18.	08	05	PHE
6.	Promotion of Deputy Director BS-18 to the post of Director Skill Development and Vocational BS-19.	01	01	Industries
7.	Promotion of Chief Instructors, Training Managers, Principals/Vice Principals, Senior Instructors, Trainers and Staff Trainers BS-17 to the post of Principals/Vice Principals BS-18.	19	09	Industries
8.	Promotion of Associate Professor Medicine BS-19 to the post of Professor Medicine BS-20 in Gajju Khan Medical college Swabi.	01	01	Health
9.	Promotion of Dr. Sijad-Ur-Rehman Assistant Professor Paeds BS-18 to the post of Associate Professor Paeds BS-19.	01	01	Health
10.	Promotion of Computer Programmer BS-17 to the post Deputy Director I.T BS-18 in Provincial Health Services Academy (PHSA)	01	01	Health
11.	Promotion of Senior Public Prosecutors BS-19 to the post of Regional Director Prosecution BS-20.	03	04	Home
12.	Promotion of Deputy Public Prosecutor BS-18 to the post of Senior Public Prosecutor BS-19.	54	55	Home
13.	Promotion of Assistant Public Prosecutors BS-17 to the post of Deputy Public Prosecution Bs-18 on regular basis.	21	14	Home
14.	Promotion of SUB Divisional Wildlife BS-17 to the of Divisional Wildlife officer BS-18.	14	07	Environment
15.	Promotion of Assistant Wood Technologist BS-17 to the post of Logging Officer BS-18	02	01	Environment
16.	Promotion of Lecturer in Forestry BS-17 to the post of Assistant Professor BS-18.	01	01	Environment
17.	Promotion of BIO Chemist BS-17 to the post of Forest Chemist BS-18.	01	01	Environment
18.	Promotion of Assistant Director (Litigation) BS-17 to the post of Deputy Director (Litigation) BS-18.	01	01	Environment
19.	Promotion of BS-19 officers of Lives stock and Dairy Development Department (Extension Wing) to BS-20.	03	02	Agriculture
20.	Promotion of BS-18 Officers of Livestock and Dairy Development Department (Extension Wing) to BS-19.	12	05	Agriculture
21.	Promotion of District officer Soil and Water Conservation/Deputy Director Soil Conservation BS-18 to the post of Director Soil Conservation BS-19.	04	02	Agriculture
22.	Promotion of Soil Conservation Assistant BPS-17 to the post of Deputy Director/District Officer BPS-18.	08	07	Agriculture

**ATTESTED**

*To be true copy*  
*Attested*

23.	Promotion of Farm Water Management Wing BS-17 officer to the post BS-18.	01	02	Agriculture
24.	Promotion of Associate Professor BS-19 (Male) to the post of Professor/Principal BS-20 (Male) (Commerce Wing).	03	01	Higher
25.	Promotion of Associate Professor BS-19 to the post of Professor/Principal BS-20 (Female) (Commerce Wing).	02	02	Higher
26.	Promotion of Lecturer BS-17 to the post of Assistant Professor BS-18 (Commerce Wing).	32	16	Higher
27.	Promotion of Librarian BS-17 to the post of Senior Scale Librarian BS-18 GCMS/GCCS/GCTI.	13	08	Higher
28.	Promotion of Associate Professor BS-19 to the post of Professor BS-20 (Male).	15	05	Higher
29.	Promotion of Associate Professor BS-19 to the post of Professor BS-20 (Female).	12	04	Higher
30.	Promotion of Assistant Professor BS-18 to the post of Associate Professor BS-19 (Male).	66	73	Higher
31.	Promotion of Assistant Professor BS-18 to the post of Associate Professor BS-19 (Female).	34	12	Higher
32.	Promotion of Lecturer BS-17 to the post of Assistant Professor BS-18 (Male).	99	148	Higher
33.	Promotion of Lecturer BS-17 to the post of Assistant Professor BS-18 (Female).	91	100	Higher



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT

PSB on 29<sup>8</sup>/<sub>2019</sub>

No. SO(PSB)ED/ 1-1/2019/(5)  
Dated Peshawar, the 20.08.2019

To

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

D. 22477  
Date 20-08-19

SUBJECT: MEETING OF THE PROVINCIAL SELECTION BOARD.

Dear Sir,

I am directed to refer to the subject and to say that meeting of Provincial Selection Board will be held on 29.08.2019 at 10:00 am under the chairmanship of Chief Secretary, Khyber Pakhtunkhwa in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa. Agenda of the meeting is enclosed.

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

SS. put up on file please. H

Yours faithfully,

(Abdul Hameed)  
SECTION OFFICER (PSB)

Encl. As above  
Endst. of even No. & date.

A copy is forwarded to:-

1. The P.S to Chief Secretary, Khyber Pakhtunkhwa.
2. The P.S to Secretary Establishment Department.
3. The P.S to Special Secretary (Reg.) Establishment Department.
4. The P.Ss to Additional Secretaries (Reg.-I&II) Establishment Department.

SECTION OFFICER (PSB)

Zia/\*  
20/8/19

PA DS

So-III  
put up  
21/8/19

AS

PI jof down.

Entered to engagement Diary. 20/8

ATTESTED  
to be true copy  
Advocate

Endst. of even No. & date.

A copy is forwarded to: -

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Administration Department
2. The Secretary to Govt. of Khyber Pakhtunkhwa, C&W Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Law Department.
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Home Department.
5. The Secretary to Govt. of Khyber Pakhtunkhwa, Information Department.
6. The Secretary to Govt. of Khyber Pakhtunkhwa, Minerals Development Department.
7. The Secretary to Govt. of Khyber Pakhtunkhwa, Population Welfare Department.
8. The Secretary to Govt. of Khyber Pakhtunkhwa, Industries Department.
9. The Secretary to Govt. of Khyber Pakhtunkhwa, E&SE Department. He is requested to forward the promotion case of Mst. Safia Begum, Head Mistress, GGHS, Palosai, Peshawar to BS-18 for placement before the PSB.
10. The Secretary to Govt. of Khyber Pakhtunkhwa, Agriculture Department.
11. The Secretary to Govt. of Khyber Pakhtunkhwa, Environment Department.
12. The Secretary to Govt. of Khyber Pakhtunkhwa, Health Department
13. The Secretary to Govt. of Khyber Pakhtunkhwa, Higher Education Department.

They are requested to kindly attend meeting of the PSB to be held on 29.08.2019 at 10:00 am in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa. They are further requested to bring synopsis of PERs, original PER files and other service record of the officers concerned for perusal of the Board.

*[Signature]*  
SECTION OFFICER (PSB)

Endst of even No. & date.

A copy is forwarded to: -

1. PAs to Deputy Secretaries (Reg.-I, II & III), Establishment Department.
2. The Section Officer-(E-I), Establishment Department. He is requested to provide six sets of working papers in respect of agenda items No. 01 to 04, duly signed and vetted by the Regulation Wing.
3. The Section Officer (Admn), Administration Department. He is requested to provide six sets of working papers in respect of agenda items No. 08 to 10, duly signed and vetted by the Regulation Wing.
4. The Section Officer-(E-II), Establishment Department.
5. The Section Officer-(E-IV), Establishment Department.

**ATTENDED**  
To the true copy  
Advocate



34

**AGENDA OF THE PSB MEETING**  
**TO BE HELD ON 29.08.2019 AT 10.00 AM**

Sl. No.	DESCRIPTION OF CASE	PANEL	POSTS	DEPARTMENT
1.	Promotion of PCS(EG) from BS-19 to BS-20	--	04	Establishment
2.	Promotion of PCS(SG) from BS-19 to BS-20	--	02	Establishment
3.	Joint working paper for promotion of PCS(EG) and PMS BS-18 to BS-19	--	07	Establishment
4.	Promotion of PMS BS-17 to BS-18	--	07	Establishment
5.	Promotion of Private Secretary BS-17 to the post of Sr. Private Secretary BS-18.	08	04	Establishment
6.	Promotion of Superintendent BS-17 to PMS BS-17	43	04	Establishment
7.	Promotion of Personal Assistant BS-16 to PMS BS-17.	09	02	Establishment
8.	Promotion of Director Protocol BS-19 to the post of Director General Protocol BS-20	01	01	Administration
9.	Promotion of Deputy Director Protocol BS-18 to the post of Director Protocol BS-19	02	01	Administration
10.	Promotion of Protocol Officer BS-17 to the post of Deputy Director BS-18	02	01	Administration
11.	Appointment of Superintending Engineer BS-19 to the post of Chief Engineer BS-20 on acting charge basis	03.	01	C&W
12.	Promotion of Assistant District Attorney BS-17 to the post of Deputy District Attorney BS-18	05	04	Law
13.	Promotion of Assistant Public Prosecutor BS-17 to the post of Deputy Public Prosecutor BS-18	18	09	Home
14.	Appointment of Mr. Shahzad Iqbal as Senior Public Prosecutor BS-19 w.e.f. 14.02.2013 to 10.04.2017 in pursuance of Services Tribunal judgment dated 17.05.2016	01	01	Home
15.	Promotion of Assistant Director Information/Information officers and Producers BS-17 to Deputy Director Information/Public Relations officer to Governor/Station Director BS-18.	04	02	Information
16.	Promotion of Director Licensing/ Additional Director General BS-19 to the post of Director General, Mines & Minerals BS-20	03	01	Minerals
17.	Promotion of Deputy Director (Non/Tech) BS-18 to the post of Director (Non/Tech)/ District Population Welfare Officer BS-19	04	02	Population Welfare
18.	Promotion of Associate Professor BS-19 (Tech. Subjects) to the post of Professor BS-20 (Tech. Subjects)	06 ✓	02 ✓	Industries ✓
19.	Promotion of Associate Professor BS-19 (Basic Sciences & Humanity) to the post of Professor BS-20 (Basic Sciences & Humanity)	06 ✓	02 ✓	Industries ✓
20.	Appointment of Deputy Director BS-18 to the post	01 ✓	01 ✓	Industries ✓

**ATTESTED**

In the true copy  
 Attested

	of Director BS-19 in TEVTA			
21.	Promotion of Assistant Director BS-17 to the post of Deputy Director BS-18	01 ✓	01 ✓	Industries ✓
22.	Promotion of Administrative Officer and Accounts Officer BS-17 to the post of Deputy Director Administration BS-18	02 ✓	01 ✓	Industries ✓ Dic.
23.	Promotion of Male Senior Instructor Physical Education BS-18 to Chief Instructor Physical Education BS-19	80	63	E&SE
24.	Promotion from BS-18 to BS-19 (teaching cadre).	43	27	E&SE
25.	Promotion of officers from BS-17 to BS-18 Male Management cadre.	30	15	E&SE
26.	Promotion of Additional Director Fisheries BS-19 to the post of Director Fisheries BS-19	02	01	Agriculture
27.	Promotion of Senior Research Officer BS-18 to the post of Principal Research Officer BS-19 of Livestock and Dairy Development (Research Wing).	02	01	Agriculture
28.	Promotion of BS-18 officers of On Farm Water Management to BS-19	06	03	Agriculture
29.	Promotion of BS-18 officers of Livestock & Dairy Development (Extension Wing) to BS-19	04	02	Agriculture
30.	Promotion of Officers of Agriculture Extension Wing from BS-18 to BS-19.	04	02	Agriculture
31.	Promotion of Research Officer BS-17 to the post of Senior Research Officer BS-18 in Livestock and Dairy Development (Research) wing	06	03	Agriculture
32.	Promotion of officers from BS-17 to BS-18 of Agriculture Engineering Wing	04	03	Agriculture
33.	Antedated promotion of Mr. Shafiq ur Rehman to BS-19 of Agriculture Extension Wing of Agriculture Department	01	01	Agriculture
34.	Promotion of Forest Chemist BS-18 to the post of Director Biological Sciences Research Division BS-19.	01	01	Environment
35.	Promotion of Logging Officer BS-18 to the post of Director Forest Products Research Division BS-19.	01	01	Environment
36.	Promotion of Assistant Professor of Forestry BS-18 to the post of Director Forest Education Division BS-19.	01	02	Environment
37.	Promotion of Assistant Forest Economist BS-17 to the post of Forest Economist BS-18.	01	01	Environment

**ATTEST**  
 10/10/2010 copy  
 Advocate

38.	Promotion of Assistant Director BS-17 to the post of Deputy Director NTFP BS-18 in NTFP Directorate.	02	01	Environment
39.	Appointment of Assistant Director BS-17 to the post of Deputy Director BS-18 on acting charge basis in EPA	06	02	Environment
40.	Promotion/appointment of Sub Divisional Forest Officers BS-17 to the post of Divisional Forest Officer BS-18 on regular/ acting charge basis	14	04 (reg) 02 (act)	Environment
41.	Promotion of Senior District Specialist ENT BS-19 to the post of Chief District Specialist ENT BS-20	02	01	Health
42.	Promotion of Senior Drug Analyst BS-19 to the post of Chief Drug Analyst BS-20	01	01	Health
43.	Promotion of Associate Professor BS-19 to the post of Professor/ Principal BS-20 in GCMS/GCC	06	03	Higher Education
44.	Promotion of Associate Professor BS-19 (Female) to the post of Professor BS-20 of College cadre.	12	03	Higher Education
45.	Promotion of Male Associate Professor BS-19 to the post of Professor BS-20 of College cadre	29	18	Higher Education
46.	Promotion of Assistant Professor BS-18 Female to the post of Associate Professor BS-19 (Commerce wing).	08	06	Higher Education
47.	Promotion of Assistant Professor BS-18 to the post of Associate Professor BS-19 (Commerce Wing).	24	09	Higher Education
48.	Promotion of Assistant Professor BS-18 Male to the post of Associate Professors BS-19 of College cadre.	44	86	Higher Education
49.	Promotion of Female Assistant Professor BS-18 to the post of Associate Professor BS-19 of college cadre	46	47	Higher Education
50.	Promotion of Assistant Director BS-17 to the post of Deputy Director BS-18.	02	01	Higher Education
51.	Promotion of Female Lecturer BS-17 to the post of Assistant Professor BS-18 of college cadre	10	72	Higher Education
52.	Promotion of Lecturers BS-17 Male to the post of Assistant Professors BS-18 of College cadre.	86	122	Higher Education
53.	Promotion of Research Officer/ Assistant Director BS-17 to the post of Deputy Director BS-18	03	01	Higher Education
54.	Proforma promotion of Ms. Tabassum Naheed to the post of Professor BS-20 in pursuance of Peshawar High Court judgment dated 19.03.2019	01	01	Higher Education

**ATTESTED**  
 To be true copy  
 Attest

**MOST IMMEDIATE**

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT



No. SO(PSB)(ED)1-1/2020(1)  
Dated Peshawar 28.05.2020

To

All Administrative Secretaries to Government:  
Of Khyber Pakhtunkhwa *Industries*

*02436*  
*01/06/20*

**SUBJECT: - MEETING OF PROVINCIAL SELECTION BOARD**

Dear Sir,

I am directed to refer to the subject noted above and to say that the competent authority has desired to hold PSB meeting (list enclosed) in the 1st week of June 2020 in which all items included in previous PSB meeting which was scheduled on 20.2.2020 and was subsequently postponed will be discussed. The working papers included in the said meeting agenda were returned to your respective departments for inclusion of PERs 2019, which had become due.

2. It is, therefore, requested that all the working papers/agenda items as per enclosed list may be submitted to Establishment Department by Wednesday, the 03<sup>rd</sup> June, 2020 without fail incorporating/calculating the PER of 2019 of the officer (s) in the panel alongwith fresh item, if any, complete in all respect.

3. The above directive of the competent authority be given top priority.

Yours faithfully,

*Handwritten signature*  
*DS-1*

*Handwritten signature* 28/5/2020  
SECTION OFFICER (PSB)

*Handwritten signature* 202/06

Copy to:

1. PS to Chief Secretary Khyber Pakhtunkhwa.
2. PS to Secretary Establishment.
3. PS to Secretary Administration.
4. PS to Special Secretary (Estab) Establishment Department.
5. PS to Special Secretary (Regulation) Establishment Department.
6. All Additional Secretaries, Deputy Secretaries and Section Officers with the request to prepare themselves for PSB/Pre PSB. Moreover, any new item pending in their respective wing/section may be cleared immediately.

*Handwritten signature* So(III)

*Handwritten signature* 28/5/2020  
SECTION OFFICER (PSB)

**ATTESTED**  
To be signed by  
Attendant

	DESCRIPTION OF CASE	PANEL	POSTS	DEPARTMENT
	Promotion of Assistant Administrators and District Zakat Officers BS-17 to the post of Deputy Administrator/Senior District Zakat Officers BS-18.	07	01	Zakat
2.	Promotion of Assistant Director Information/ Information Officers and Producers BS-17 to the post of Deputy Director Information/Public Relation Officer to Governor/Station Director BS-18.	02	01	Information
3.	Promotion of Assistant Director/Deputy District Population Welfare officers (Non-Tech)/Deputy Demographer/Instructor (Non-Tech)/Account officer BS-17 to the post of Deputy Director (Non-Tech)/DPWO BS-18.	04	02	Population
4.	Promotion of GIS Development officer BS-17 to the post of Deputy Director GIS BS-18	02	01	Mineral
5.	Promotion of Chief Instructors, Training Managers, Principals/Vice Principals, Senior Instructors, Trainers and Staff Trainers BS-17 to the post of Principals/ Vice Principals BS-18	19	09	Industries
6.	Promotion /Appointment of Assistant Engineer BS-17 to the post of Executive Engineer BS-18 on Regular basis /Acting charge basis.	08	04	Irrigation
7.	Promotion of Associate Professor Medicine BS-19 to the post of Professor Medicine BS-20 in Gajju Khan Medical College Swabi.	01	01	Health
8.	Promotion of Computer Programmer BS-17 to the post of Deputy Director IT BS-18 in Provincial Health Services Academy (PHSA).	01	01	Health
9.	Promotion of Executive Engineer BPS-18 to the posts of Superintending Engineer BPS-19	02	01	PHE
10.	Promotion of Assistant Engineer/Sub Divisional Officers BS-17 to the post of Executive engineers BPS-18.	08	04	PHE
11.	Promotion of District Officers Soil and Water conservation/Deputy Director Soil Conservation BS-18 to the post of Director Soil Conservation BS-19.	02	01	Agriculture
12.	Promotion of Soil conservation Assistant BS-17 to the post Deputy Director /District Officers BS-18	08	06	Agriculture
13.	Promotion of Deputy Public Prosecutor BS-18 to the post of Senior Public Prosecutor BS-19.	54	55	Home
14.	Promotion of Assistant Public Prosecutors BS-17 to the post of Deputy Public Prosecution Bs-18 on regular basis	21	14	Home
15.	Promotion of Assistant Wood Technologist BS-17 to the post of Logging Officer BS-18 on regular basis in PFI.	02	01	Environment
16.	Promotion of Sub-Divisional Wildlife Officer BS-17 to the post of Divisional Wildlife Officer BS-18	14	07	Environment
17.	Promotion of Bio Chemist BS-17 to the post of Forest Chemist BS-18	01	01	Environment
18.	Promotion of Lecturer in Forestry BS-17 to the post of Assistant Professor of Forestry BS-18	01	01	Environment
19.	Promotion of Associate Professor BS-19 (Male) to the post of Professor BS-20 of college Cadre Higher Education Department.	15	05	Higher Education
20.	Promotion of Associate Professor BS-19 (Female) to the post of Professor BS-20 of college Cadre Higher Education Department.	12	04	Higher Education
21.	Promotion of Associate Professor BS-19 (Male) to the post of Professor/principal BS-20 GCMS/GCC/GCTIs	04	01	Higher Education
22.	Promotion of Associate Professor BS-19 (Female) to the post of Professor/Principal BS-20 Female (Commerce Wing) High Education Department.	02	02	Higher Education
23.	Promotion of Female Assistant Professor BS-18 to the post of Associate Professors BS-19.	34	20	Higher Education
24.	Promotion of Librarian BS-17 to the post of Senior Scale	13	08	Higher Education

**ATTESTED**

is a true copy

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

S#	Description of case	Panel	Posts	Department
1.	Promotion of Assistant Administrators and District Zakat Officers BS-17 to the post of Deputy Administrator/Senior District Zakat Officers BS-18	07	01	Zakat
2.	Promotion of Assistant Director Information/Information Officers and Producers BS-17 to the post of Deputy Director Information/Public Relation Officer to Governor/Station Director BS-18	02	01	Information
3.	Promotion of Assistant Director/Deputy District Population Welfare Officers (Non-Tech)/Deputy Demographer/Instructor (Non Tech)/Account Officer BS-17 to the post of Deputy Director (Non Tech)/DPWO BS-18	04	02	Population
4.	Promotion of GIS Development Officer BS-17 to the post of Deputy Director GIS BS-18	02	01	Mineral
5.	Promotion of Chief Instructors, Training Managers, Principals/Vice Principals, Senior Instructors, Trainers and Staff Trainers BS-17 to the post of Principals/Vice Principals BS-18	19	09	Industries
6.	Promotion/Appointment of Assistant Engineer BS-17 to the post of Executive BS-18 on Regular basis/Acting charge basis	08	04	Irrigation
7.	Promotion of Associate Professor Medicine BS-19 to the post of Professor Medicine BS-20 in Gajju Khan Medical College Swabi	01	01	Health
8.	Promotion of Computer Programmer BS-17 to the post of Deputy Director I.T BS-18 in Provincial Health Services Academy (PHSA)	01	01	Health
9.	Promotion of Executive Engineer/Sub Divisional Officers BS-17 to the post of Superintending Engineer BPS-19	02	01	PHE
10.	Promotion of Assistant Engineer/Sub Divisional Officers BS-17 to the post of Executive Engineers BPS-18	08	04	PHE
11.	Promotion of District Officers Soil and Water Conservation/Deputy Director Soil Conservation BS-18 to the post of Director Soil Conservation BS-19	02	01	Agriculture
12.	Promotion of Soil Conservation Assistant BS-17 to the post of Deputy Director/District Officers BS-18	08	06	Agriculture
13.	Promotion of Deputy Public Prosecutor BS-18 to the post of Senior Public Prosecutor BS-19	54	55	Home
14.	Promotion of Assistant Public Prosecutors BS-17 to the post of Deputy Prosecution BS-18 on regular basis	21	14	Home
15.	Promotion of Assistant Wood Technologist BS-17 to the post of Logging Officer BS-18 on regular basis in PFI	02	01	Environment
16.	Promotion of Sub-Divisional Wildlife Officer BS-17 to the post of Divisional Wildlife Officer BS-18	14	07	Environment
17.	Promotion of Bio Chemist BS-17 to the post of Forest Chemist BS-18	01	01	Environment
18.	Promotion of Lecturer in Forestry BS-17 to the post of Assistant Professor of Forestry BS-18	01	01	Environment
19.	Promotion of Associate Professor BS-19 (Male) to the post of Professor BS-20 of college Cadre Higher Education Department	15	05	Higher Education
20.	Promotion Associate Professor BS-19 (Female) to the post of Professor BS-20 of college Cadre Higher Education Department	12	04	Higher Education
21.	Promotion of Associate Professor BS-19 (Male) to the post of Professor/principal BS-20 GCMS/GCC/GCTIs	04	01	Higher Education
22.	Promotion of Associate Professor BS-19 (Female) to the post of Professor/principal BS-20 Female (Commerce Wing) High Education Department	02	02	Higher Education
23.	Promotion of Female Assistant Professor BS-18 to the post of Associate Professor BS-19	34	20	Higher Education
24.	Promotion of Librarian BS-17 to the post of Senior Scale	13	08	Higher Education

*Handwritten signature*

25.	Librarian BS-18 GCMS/GCCS/GCTI Promotion Lecturer BS-17 Male to the post of Assistant professor BS-18	103	92	Higher Education
26.	Promotion of Female Lecturers BS-17 to the post of Assistant Professors BS-18	91	100	Higher Education
27.	Promotion of Lecturer BS-17 to the post of Assistant Professor BS-18 (Commerce wing)	32	16	Higher Education
28.	Promotion of Assistant Professor Paeds BS-18 to the post of Associate Professor Paeds BS-19 in Gajju Khan Medical college Swabi.	01	01	Health

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	Librarian BS-18 GCMS/GCCS/GCTI			
25.	Promotion Lecturer BS-17 Male to the post of Assistant Professor BS-18	103	92	Higher Education
26.	Promotion of Female Lecturers BS-17 to the post of Assistant Professors BS-18	91	100	Higher Education
27.	Promotion of Lecturer BS-17 to the post of Assistant Professor BS-18 (Commerce Wing)	32	16	Higher Education
28.	Promotion of Assistant Professor Paeds BS-18 to the post of Associate Professor Paeds BS-19 in Gajju Khan Medical College Swabi	01	01	Health

AG





- 40

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

No. SO(PSB)ED/-1-1/2021/(9)  
Dated Peshawar, the 28.07.2021

To

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

**SUBJECT: - MEETING OF THE PROVINCIAL SELECTION BOARD.**

Dear Sir,

I am directed to refer to the subject and to say that meeting of Provincial Selection Board will be held on 30.07.2021 at 01:30 PM and 31.07.2021 at 10:30 AM under the chairmanship of Chief Secretary, Khyber Pakhtunkhwa in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa. Agenda of the meeting alongwith working papers are enclosed.

2. You are requested to kindly make it convenient to attend the meeting as per agenda of the meeting attached.

Yours faithfully,

  
SECTION OFFICER (PSB)

**Encl. As above**

**Endat. of even No. & date.**

A copy is forwarded to: -

1. The P.S to Chief Secretary, Khyber Pakhtunkhwa.
2. The P.S to Secretary Establishment Department.
3. The P.S to Special Secretary (Establishment), Establishment department.
4. The P.S to Special Secretary (Reg.) Establishment Department.
5. The P.Ss to Additional Secretaries (Reg.-I&II) Establishment Department.

SECTION OFFICER (PSB)

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P.T.O.

41

**AGENDA OF THE PMS MEETING  
TO BE HELD ON 31.07.2021 AT 10:30 AM**

	<b>DESCRIPTION OF CASE</b>	<b>PANEL</b>	<b>POSTS</b>	<b>DEPARTMENT</b>
30.	Promotion of Senior Research Officer BS-16 to the post of Principal Research Officer BS-19 in L&DD	6	3	Agriculture
31.	Promotion of Deputy Director Fisheries BS-18 to the post of Additional Director Fisheries / Director Fisheries BS-19	9	4	Agriculture
32.	Promotion of Assistant Director Fisheries BS-17 to the post of Deputy Director Fisheries BS-18 in Agriculture, Livestock & Cooperative Department	4	2	Agriculture
33.	Promotion of Research Officer BS-17 to the post of Senior Research Officer BS-18 in L&DD	6	3	Agriculture
34.	Promotion of Instructor BS-17 to the post of Deputy Registrar / Principal BS-18, Cooperative Department	1	1	Agriculture
35.	Promotion of Statistical Officer BS-17 to the post of Statistician BS-18 in the Directorate of Crop Reporting Services	1	1	Agriculture
36.	Promotion of officers of Agriculture Research Wing from BS-17 to BS-18	2	1	Agriculture
37.	Promotion of Associate Professor Medicine BS-19 to the post of Professor Medicine BS-20 in Saidu Medical College, Swat.	2	1	Health
38.	Promotion of Associate Professor of Surgery BS-19 to the post of Professor of Surgery BS-20 in Saidu Medical College, Swat.	1	2	Health
39.	Promotion of Associate Professor ENT BS-19 to the post of Professor ENT BS-20 in Saidu Medical College, Swat	2	1	Health
40.	Promotion of Associate Professor of Biochemistry BS-19 to the post of Professor of Biochemistry BS-20	1	1	Health
41.	Promotion of Associate Professor Pathology BS-19 to the post of Professor Pathology BS-20 in Saidu Medical College, Swat	1	2	Health
42.	Promotion of District Specialist Gynae / OBS: BS-19 to the post of Chief District Specialist Gynae / OBS: BS-20	5	6	Health
43.	Promotion of Assistant Professor Gynaecology / OBS BS-18 to the post of Associate Professor Gynaecology / OBS BS-19 in Saidu Medical College, Swat.	2	2	Health
44.	Promotion of Assistant Professor Pharmacology BS-18 to the post of Associate Professor Pharmacology BS-19 in Saidu Medical College, Swat.	1	1	Health
45.	Promotion of Assistant Professor Pathology BS-18 to the post of Associate Professor Pathology BS-19 in Saidu Medical College, Swat.	2	3	Health
46.	Promotion of District Specialist Psychiatry BS-18 to the post of Senior District Specialist Psychiatry BS-19	6	2	Health
47.	Promotion case of Senior Registrar Cardiology (BS-18) to the post of Assistant Professor Cardiology (BS-18) in Saidu Medical College, Swat.	1	1	Health
48.	Promotion of Senior Registrar Orthopedic BS-18 to the post of Assistant Professor Orthopedic BS-18 in Saidu Medical College, Swat.	2	1	Health
49.	Promotion of Senior Registrar Pulmonology BS-18 to the post of Assistant Professor Pulmonology BS-18 in Saidu Medical College, Swat	1	1	Health
50.	Promotion of Senior Clinical / PHC Technologist BS-18 to the post of Chief Clinical / PHC Technologist BS-19	8	9	Health
51.	Promotion of Clinical / PHC Technologist BS-17 to the post of Senior Clinical / PHC Technologist BS-18	64	148	Health

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Advocate

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**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

No. SO(PSB)ED/ 1-1/2020/(5)  
Dated Peshawar, the 29.12.2020

To

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

**SUBJECT: - MEETING OF THE PROVINCIAL SELECTION BOARD.**

Dear Sir,

I am directed to refer to the subject and to say that meeting of Provincial Selection Board will be held on **30.12.2020 at 1100 hours** under the chairmanship of Chief Secretary, Khyber Pakhtunkhwa in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa. Agenda of the meeting alongwith working papers are enclosed.

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

Yours faithfully,

SECTION OFFICER (PSB)

**Encl. As above**

**Endst. of even No. & date.**

A copy is forwarded to: -

1. The P.S to Chief Secretary, Khyber Pakhtunkhwa.
2. The P.S to Secretary Establishment Department.
3. The P.S to Special Secretary (Establishment), Establishment department.
4. The P.S to Special Secretary (Reg.) Establishment Department.
5. The P.Ss to Additional Secretaries (Reg.-I&II) Establishment Department.

SECTION OFFICER (PSB)

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Advocate

Endst. of even No. & date.

- 43

A copy is forwarded to: -

1. The Secretary to Govt. of Khyber Pakhtunkhwa, Zakat & Usher Department
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Information PRs Department.
3. The Secretary to Govt. of Khyber Pakhtunkhwa, Health department.
4. The Secretary to Govt. of Khyber Pakhtunkhwa, Higher Education department.
5. The Secretary to Govt. of Khyber Pakhtunkhwa, Irrigation department.
6. The Secretary to Govt. of Khyber Pakhtunkhwa, Public Health Engineering department.
7. The Secretary to Govt. of Khyber Pakhtunkhwa, Environment department.
8. The Secretary to Govt. of Khyber Pakhtunkhwa, Mineral Development department.
9. The Chairman, Provincial Inspection Team, Khyber Pakhtunkhwa.
10. The Secretary to Govt. of Khyber Pakhtunkhwa, Agriculture department.
11. The Secretary to Govt. of Khyber Pakhtunkhwa, Industries department.
12. The Secretary to Govt. of Khyber Pakhtunkhwa, Elementary & Secondary Education department.

**They are requested to kindly attend meeting of the PSB to be held on 30.12.2020 at 1100 hours in the Conference Room of Chief Secretary, Khyber Pakhtunkhwa. They are further requested to bring synopsis of PERs, original PER files and other service record of the officers concerned for perusal of the Board.**

SECTION OFFICER (PSB)

Endst of even No. & date.

A copy is forwarded to: -

1. The Section Officer (E-I) / (E-II) / (Secret), Establishment Department.
2. PAs to Deputy Secretaries (Reg.-I, II & III), Establishment Department.

SECTION OFFICER (PSB)

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ADYU/2020

- 44

**AGENDA OF THE PSB MEETING  
TO BE HELD ON 30.12.2020 AT 1100 HOURS.**

#	Description of cases	Panel	Posts	Deptt
1.	Promotion of Assistant Administrator / District Zakat Officer BS-17 to the post Deputy Administrator/Senior District Zakat Officer BS-18.	07	03	Zakat
2.	Promotion of Deputy Director Information / PRO to Governor / Station Director BS-18 to the post of Director Information BS-19 on regular basis	04	02	Information
3.	Promotion of Member of Service Management Cadre BS-18 to the post of Member of Service BS-19 in Health Department	20	52	Health
4.	Promotion of Assistant Professor Community Medicine BS-18 to the post of Associate Professor Community Medicine BS-19, SMC Swat	01	01	Health
5.	Promotion of Senior District Specialist Radiology BS-19 to the post of Chief District Specialist Radiology BS-20	01	04	Health
6.	Proforma promotion of Mr. Muhammad Sharif (Retired) Associate Professor BS-19 to the post of Professor BS-20, Higher Education Department	01	01	HED
7.	Proforma promotion in COC No. 623-P/2019 in W.P No.1160-P/2013 Nighat Shehnaz Vs Govt. of Khyber Pakhtunkhwa.	01	01	HED
8.	Promotion of Superintending Engineer BS-19 to the post of Chief Engineer BS-20 Irrigation Department	03	03	Irrigation
9.	Promotion of Executive Engineer BS-18 to the post of Superintending Engineer BS-19	02	03	Irrigation
10.	Promotion of Assistant Engineer / Sub Divisional Officer BS-17 to the post of Executive Engineer BS-18	06	03	Irrigation
11.	Promotion of Deputy Collector BS-17 to the post of Canal Collector BS-18	02	01	Irrigation
12.	Promotion of Superintending Engineer BS-19 to the post of Chief Engineer BS-20	09	04	PHE
13.	Promotion of Executive Engineer BS-18 to the post of Superintending Engineer BS-19	16	7	PHE
14.	Promotion of Assistant Director BS-17 to the post of Deputy Director R&D BS-18	02	01	Environment
15.	Promotion of Assistant Director BS-17 to the post of Deputy Director BS-18 in EPA	06	04	Environment
16.	Promotion of GIS Development Officer BS-17 to the post of Deputy Director GIS BS-18.	02	01	Mineral Dev: Department
17.	Proforma promotion of Muhammad Shoaib, Ex-Deputy Director Exploration BS-18 to the post of Director Exploration BS-19 in pursuance of Services Tribunal judgment dated 17-01-2018	01	01	Mineral Dev: Department
18.	Promotion of Mr.Liaqat Ali, Member BS-18 to the post of Member Enquiries BS-19, Provincial Inspection Team	01	01	PIT
19.	Appointment of Mr.Khalid Khan, Research Officer BS-17 to the post of Member BS-18 on acting charge basis, Provincial Inspection Team	02	01	PIT
20.	Promotion of BS-17 Officers of Livestock and Dairy Development Department (Extension Wing) to BS-18.	04	02	Agriculture
21.	Promotion of BS-17 officers to BS-18 of Agriculture Department (Extension Wing)	10	05	Agriculture
22.	Promotion of Statistical Officer BS-17 to the post of Statistician BS-18, Directorate Crop Reporting Services	11	08	Agriculture
23.	Promotion of Officers of Agriculture Research Wing from BS-17 to 18.	09	04	Agriculture
24.	Promotion of Inspector of Boilers BS-17 to the post of Chief Inspector of Boilers BS-18	01	01	Industries
25.	Promotion from BS-18 TO BS-19 (Male) (Teaching Cadre)	114	68	E&SE
26.	Working paper for appointment on acting charge basis of Deputy DEOs / Deputy Directors BS-18 to District Education Officer / Additional Director BS-19 (Management Cadre)	18	17	E&SE
27.	Promotion of Instructor Physical Education BS-17 to the post of Senior Instructor Physical Education BS-18	81	66	E&SE
28.	Promotion of PCS EG BS-19 to BS-20	06	11	Establishment
29.	Promotion of PMS BS-18 to BS-19	37	11	Establishment
30.	Promotion of PMS BS-17 to BS-18	34	07	Establishment
31.	Promotion of Superintendent BS-17 to PMS BS-17	58	14	Establishment
32.	Promotion of PA BS-16 to PMS BS-17	18	07	Establishment
33.	Promotion of Tehsildar BS-16 to PMS BS-17	59	41	Establishment

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Approved

**IMMEDIATE  
CONFIDENTIAL**



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

NO. SO(PSB)ED/1-8/2021/P-752  
Dated Peshawar the 05.01.2022

Diary No. 1534  
Dated: 12-1-22  
SOH (E-V), Health Department

To

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

L.No. 110  
Date: 5/1/22  
Secretary Health

**SUBJECT: - MINUTES OF THE MEETING OF PROVINCIAL SELECTION  
BOARD HELD ON 02.12.2021**

**WORKING PAPER FOR PROMOTION IN RESPECT OF DR.TAJ  
NAWAZ KAHN (COURT MATTER).**

Dear Sir,

I am directed to refer to Health Department letter No. SOH-V/3-3/2021, Dr. Taj Nawaz Khan dated 21.09.2021 on the subject and to forward herewith an extract of **Agenda Item No (59)** of the minutes/recommendations of the meeting of Provincial Selection Board held on **02.12.2021** as well as copy of approved summary wherein the Chief Minister, Khyber Pakhtunkhwa being competent authority in terms of Rule 4 (1) (a) of the Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules, 1989 has approved the recommendations of the PSB, for further necessary action.

Yours faithfully,

SSH (E&A)  
AS - ESTT  
AS - MTI  
06/1/22

5/1/22  
SECTION OFFICER (PSB)

**Encl: As Above.**

DS - Admin  
DS - Legal  
DS - ESTT ✓

Hawab  
20/1/19  
19/1/2022

50 (V)  
6/1/22  
**ATTESTED**  
to be true copy  
Assessors

ITEM NO. (59)

- 46

**HEALTH DEPARTMENT**

(Meeting of PSB held on 02.12.2021)

SUBJECT:- PROFORMA PROMOTION CASE OF DR. TAJ NAWAZ TO THE POST OF PRINCIPAL DENTAL SURGEON BS-19 IN PURSUANCE OF PESHAWAR HIGH COURT DIRECTION IN ITS JUDGEMENT DATED 12.06.2019.

The Special Secretary Health apprised the Board that Dr. Taj Nawaz Senior Dental Surgeon BS-18 was the employee of Health Department who retired from service on 12.08.2017 on attaining the age of superannuation. Finance Department upgraded 45 posts of Senior Dental Surgeon to the post of Principal Dental Surgeon BS-19 on 07.07.2017 under four tier structure. Health Department forwarded a working paper on 29.08.2017 for promotion of Senior Dental Surgeon BS-18 to the post of Principal Dental Surgeon BS-19 which was considered in PSB meeting held on 25.09.2017. He was appearing at S.No 10 of the Seniority List but the department had not included his name in the panel as he had already retired from service on 12.08.2017.

After his retirement, he filed a writ petition in Peshawar High Court and the Court directed to consider his promotion on notional basis to BS-19 based on Seniority cum fitness, if otherwise he is eligible. Subsequently, he filed CoC in the Court which was disposed of by directing the respondents to live up to their commitment so made at the bar on their behalf by the learned AAG and consider the petitioner's case in light of the ibid order of this Court in the upcoming meeting of the PSB.

Keeping in view the direction of the Peshawar High Court, his case was considered/discussed in detail. However, the Board observed that since the posts were created on 07.07.2017 and Health Department had not forwarded a Working Paper for placement before PSB till his retirement on 12.08.2017. Therefore, the PSB in its meeting held on 25.09.2017 did not consider as he already stood retired and his name was not included in the working paper. Thus the Board did not find him suitable for promotion.

Section Officer (PSB)  
Govt. of Khyber Pakhtunkhwa  
Establishment Department

**ATTESTED**  
to be true copy  
Attestant

To

Honourable Chief Secretary,  
Govt: of Khyber Pakhtoonkhwa,  
Main Secretariat, CIVIL Secretariat,  
PESHAWAR.

Subject: APPEAL IN RESPECT OF PSB MEETINGS 2-12-2021

Sir, With due respect I most humbly submit that as per judgment of my WP 4812-P/2017 for promotion from Senior Dental Surgeon BS, 18 to Principal Dental Surgeon BS, 19 in Peshawar High Court, dated 12.6.2019, the worthy Chief Justice disposed of the writ by "referring the matter to Departmental hierarchy in the manner that Competent Authority/PSB shall consider the petitioner for NOTIONAL Promotion to BS-19" (Annex A)

- ② That after disposal of my writ, five (5) times P.S.B meetings were held on 29/8/2019, 21/6/2020, 12/6/2020, 30/12/2020, 30/7/2021 and 31/7/2021 but I was not considered (Annex B, B<sub>1</sub>, B<sub>2</sub>, B<sub>3</sub>, B<sub>4</sub>)
- ③ That refer to Annex "C", I thereafter filed Contempt of Court (COC) writ where in the worthy judge ordered to consider me in the upcoming meeting of the PSB, failing which I (the petitioner) will be at liberty to file an application for restoration of the instant petition.
- ④ That my case was considered in PSB Meeting of 02-12-2021.



- ⑤ That I was outstation for long period in Path of Allah in "Tablighi Jamaat" and on my return to home station somebody told me that I was dropped from promotion.
- ⑥ That I personally visited Section Officer PSB and requested him to provide me "Minutes of the PSB Meeting of 02-12-2021" but he did not do the needful and told me to approach to R-T-I office for that. We cannot give you directly.
- ⑦ That refer to Annex D, D1, D2, D3, D4, D5, <sup>D6</sup> on 3/2/2022, 19/4/22, 27/4/2022, <sup>05/4/22</sup> 15/6/2022, 7/7/2022 and 10/8/2022 respectively, I moved applications through Urgent Mail Service (UMS) Registered and through simple Postal letters to SO PSB/ SO I Health by RTI Public Information Officer and RTI Chief Information Officer but they did not provide me "Minutes of the 02/12/2021 PSB Meeting".
- ⑧ That as a result of my repeated personal requests and efforts I got "watsapp draft" and came to know why I was dropped from promotion. (Annex "E" Item 59 PSB 2/12/21 minutes)
- ⑨ That in light of Annex E and other supportive documents I appeal to your good Honour and humbly submit that Special Secretary Health was not well versed with my promotion case and could not present it in detail. More over some supportive documents and proofs were

ATTESTED  
10/12/2022

missed by him in his brief. (a) Ref to Lines 4 & 5 of 1st Para the worthy special secretary admits 45 posts of Principal Dental Surgeons BS 19 availability w.e.f 7-7-2017 and Deptt: Could arrange PSB and give me promotion but-not. Ref to Annex "F" I had forwarded an application (through proper channel) that I have to get retired on Superannuation on 12-8-2017, therefore I may be given promotion notionally or by immediate PSB Meeting. (The Honorable Court had ordered for "Notional Promotion" and as such Seniority of no other dental Surgeon was to be suffered, nor I was in Competition with any other dental Surgeon. Therefore I should have been promoted to BS-19.)

(b) Again refer to <sup>Annex E</sup> Line no: 3 1st Para, The worthy special secretary Health admits that posts of BS-19 were created on 7-7-2017 but "Health Deptt:" had not completed my working paper, nor forwarded the working paper for placement before PSB and even not demanded for PSB. For that reason too I was due and deserving for "Notional Promotion". SIR, Cases are on record that your GOOD HONOR have accorded Notional Promotion many times in the past- without placement in PSB meetings by circulation. Recently Dr. Mahabat

RECEIVED  
 10 NOV 2019  
 HEALTH DEPTT  
 GOVT OF PUNJAB

Noor, Principal Medical Officer (PMO) BS-19 Civil Hospital  
Kot Jai Distt: D. Khan <sup>promoted</sup> to Chief Medical Officer BS-20 (Copy  
attached as Annex "G" and Dr. Hidayat Ullah Daur PMO BS-19  
C.H Mir Ali (Ex NWA) to CMO, BS 20 D.H. Q Hospital, Bannu.

(c) Ref to last Para of Annex "E" The PSB Meeting of 25/9/2017  
(Copy attached as annex "H") I was senior to (3) Dental Signs  
(i.e SNO: 9 to SNO: 21) and if this PSB could be held in  
time before my retirement, I could be easily promoted.

(10) That ref to Annex "J" (D.G Health Services letter No: 9385/E1 29/6/2021)  
Point No: 3 PER (Performance Evaluation Report) OR ACR of year 2014  
was demanded from me with remarks that the same was needed  
for promotion of senior Dental Surgeon BS-18 to Principal  
Dental Surgeon BS-19 which was submitted for 2<sup>nd</sup> time. The  
2014 ACR was previously submitted in the same year but D.G H  
office lost it. It means vacant posts of BS 19 were available  
or would have to be created by Govt: but upto my Pension  
2 years, 6 Months passed and promotion not accorded to me,  
although D.G. Health Services remarked in the letter that the  
followings Senior Dental Surgeons are due for Promotion  
but their ACRs are missing. (Annex J1)

(11) That again refer to Point No: 4 of Annex "J" (D.G.H letter)  
worthy D.G Health clearly mentions that Vacant Posts of  
Principal Dental Surgeons BS-19 were available but PSB  
date was not fixed. (If the same was to be fixed in time,

ATTESTED  
TO THE ADVANCE

25/8  
2022

DR TAJ NAWAZ SENIOR DENTIST  
SURGEON Retd. OPP Pasban  
Plaza, Dist. Council Market  
SERAI NAURANG  
LAKKI MARRAT.  
Cell 03018077313/03349352855

Your obedient servant,

It would have definitely be promoted. Meanwhile Finance Deptt: notified 4-tier formula of upgradation of various posts on 7-7-2017 (before my retirement). According to that break up, (45) posts were upgraded from Senior Dental Surgeons B5-18 to Principal Dental Surgeons B5-19. So work on preparation of working papers started. I had already completed all ACRs and submitted well before that. Also he had submitted all relevant documents. Also he had quered application through proper channel for promotion to B5-19. But due to lapse of time in preparing total full career in PSB, it could not be held on in-time before my retirement. However it was held on 25/9/2017 after my retirement, in which my (3) No: Juniors promoted (see Annex H above) (12) That ref to Annex "K" & K19 was promoted to BPS 18 w.e.f 11-8-2006 and completed almost 12 years service upto my retirement 12-8-2017. As per annex K1 after 12 years service one will be promoted to BPS-19. Sir, I feel that my case was not presented properly in PSB and now your Honor may examine my appeal sympathetically and promote me to Principal Dental Surgeon B5-19 along with back benefits from the date of my Retirement i.e 12/8/2017

-52 Amal



DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR

All communications should be addressed to The Director  
General Health Services Peshawar and not to any official by name  
Office Ph: 1071-1072289 Fax: 1071-5210167, 1071-2310173 FRK 11 021-2310230

MOST URGENT  
To,

No 2984-5

Dated the Pesh: 15/10/21

- 9. The Principals KCD Peshawar.
- 10. The Principal Zasha Khan Medical College Mardan.
- 11. Director Health Services FATA Peshawar.
- 12. The M.S HMC Peshawar.
- 13. The District Officers Health, Haripur, Kohat, Lakki Marwat, Tank, D.Khan., Dir Lower.
- 14. The M.S KGNTH Banna.
- 15. The M.S H.O. Hospital Miranshah.

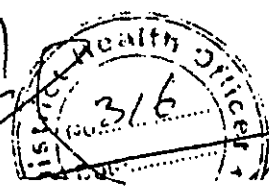
PROMOTION OF SENIOR DENTAL SURGEON FROM (BS-18) TO PRINCIPAL DENTAL SURGEON (BS-19)

This is to inform you that following Senior Dental Surgeon (BS-18) are due for promotion to the post of Principal Dental Surgeon (BS-19), but their ACRs for the period mentioned against each have not been received to this Directorate General Health Services Khyber Pakhtunkhwa.

You are requested to provide the same within a week time to the receipt of this communication, failing which you will be held responsible for delaying the promotion case.

S. No.	NAME OF DENTAL SURGEON/WITH INSTITUTE	PERIOD REQUIRED
1.	Dr. Mumtaz Khan THQ: Hospital Samer Bagh Dir Lower.	2014
2.	Dr. Ittikher uddin AHQ: Hospital Miranshah.	2014
3.	Dr. Aadar Rashid Afridi KCD Peshawar	2014.
4.	DR. Zafar Ali Shah RHC Ama Khel Tank.	2014.
5.	Dr. Zafar Iqbal Ahmad KCD Peshawar.	2014.
6.	Dr. Rehmat Ullah RHC Paniala: D.Khan.	2013 & 2014.
7.	Dr. Farid Ullah Shan BKMC Mardan.	2010, 2011, 2013 & 2014
8.	Dr. Muhammad Farooq KGNTH Banna.	2014.
9.	Dr. Ittikher Ahmad Khattak HMC Peshawar.	2014.

ATTESTED



Official

52

**LEGIBLE COPY**

**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

**No.2984-9**

**Dated the Pesh 18/02/**

**Most Urgent**

To,

- 9. The Principal KCD, Peshawar
- 10. The Principal Bacha Khan Medical College, Mardan
- 11. Director Health Services FATA, Peshawar
- 12. The M.S.HMC, Peshawar.
- 13. The District Officer Health  
Haripur, Kohat, Lakki Marwat, Tank, DIKhan, Dir Lower
- 14. The M.S KGNTH, Bannu.
- 15. the M.S AHO, Hospital

Subject:- **PROMOTION OF SENIOR DENTAL SURGEON FROM (BS-18)  
TO PRINCIPAL DENTAL SURGEON (BS-19).**

Memo:-

This to inform that following Senior Dental Surgeon (BS-18) are due to promotion to the post of Principal Dental Surgeon (BS-19) but their ACRs for the period mentioned against each have not been recelve to this Directorate General Health Services Khyber Pakhtunkhwa.

Your are requested to provide the same within a week time to the receipt of this communication falling which you will be held responsible for delaying the promotion case.

S.No	Name of Dental Surgeon/with Institute	Period Required
1.	Dr. Mumtaz Khan THQ, Hospital Samer Bagh Dir Lower	2014
2.	Dr. Iftikhar Uddin AHO Hospital Miranshah	2014
3.	Dr. Abdur Rashid Afridi KCD, Peshawar	2014
4.	Dr. Zafar Ali Shah RHC Ama Khel Tank	2014
5.	Dr. Zafar Iqbal Ahmad KCD Peshawar	2014
6.	Dr. Rehmat Ullah RHC Paniala DI Khan	2014
7.	Dr. Farid Ullah Shah BKMC Mardan	2010,2011,2013 & 2014
8.	Dr. Muhammad Farooq KGNTH Bannu	2014
9.	Dr. Iftikhar Ahmad Khattak HMC Peshawar	2014

AD

NOT ESTEED

DISTRICT HEALTH OFFICER  
LAKKI MARWAT

1-2-2015

1. Dr. Nasrullah Jan Dental Surgeon RHC: Laddiwal.
2. Dr. Taj Nawaz Dental Surgeon Category - C Hosp: S/Naurang.
3. The Director, General Health Services, Khyber Pakhtunkhwa for information and necessary action.
4. Khyber Pakhtunkhwa Health Department for information.

Copy forwarded to the:-  
 NO/084-89-B-1 Dated Lakki the 09/3/2015  
 OFFICE OF THE DISTRICT HEALTH OFFICER LAKKI MARWAT.

Secretary to Govt of Khyber Pakhtunkhwa Health Department for information  
 DIRECTOR GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA PESHAWAR  
 ASSISTANT DIRECTOR (SII)  
 DIRECTORATE GENERAL HEALTH SERVICES

10 copies  
 10 copies  
 10 copies

1. Passport size photographs.
2. No Departmental Judicial/Anti Corruption/enquiry certificate.
3. Three Months Training Certificate.
4. Two Weeks R-24 Certificate.

A part from the above the following documents may also be furnished in respect of each Senior Dental Surgeon.

10	Dr. Muhammad Farid Ayub DHO	2014
11	Dr. Saad Ullah Ch. Durrani DHO	2005 to 2014
12	Dr. Muhammad Ali Shah Bukhari RHC Laddiwal	2008 to 2014
13	Dr. Muhammad Nadeem Ahmed KCD Peshawar	2014
14	Dr. Nasrullah Jan RHC Saha Gambia Lakki Marwat	2014
15	Dr. Aftab Shah DHO C Mardan	2007, 2013 & 2014
16	Dr. Saad Ullah Ch. Durrani RHC Saha Gambia Lakki Marwat	2006, 2007, 2011 2012 & 2014
17	Dr. Saad Ullah Ch. Durrani RHC Saha Gambia Lakki Marwat	2014
18	Dr. Zahir Hussain KCD Peshawar	2014

53

10.	Dr. Muhammad Tahir Javed DHQ Tank	2014
11.	Dr. Sana Ullah, CH, Draban DI Khan	2006 to 2014
12.	Dr. Muhammad Arif Shah Bukhari RHC Lachi, Kohat	2008 to 2014
13.	Dr. Muhammad Nasim Ahmad KCD, Peshawar	2014
14.	Dr. Nasrullah Jan RHC Saria Gumbila Lakki Marwat	2014
15.	Dr. Mufrah Shah DK/C, Mardan	2007, 2013 & 2014
16.	Dr. Akhtar Nawaz Khan RHC Sari Naimat Khan Haripur	2006,2007,2011,2012 & 2014
17.	Dr. Taj Nawaz Khan CH Sari Naurang Lakki Marwat	2014
18.	Dr. Zakir Hussain KCD, Peshawar	2014

A Para from the above the following documents may also be furnished in respect of Senior Dental Surgeon.

- |   |           |
|---|-----------|
| 1. Passport size photographs                                    | 10 Copies |
| 2. No Departmental Judicial/Anti Corruption/enquiry/certificate | 10 Copies |
| 3. Three Months Training Certificates                           | 10 Copies |
| 4. Two Weeks PHSA Certificate                                   | 10 Copies |

**Assistant Director (P-1)  
Directorate General Health  
Services Khyber Pakhtunkhwa, Peshawar**

Cc to:-

Secretary to Govt of Khyber Pakhtunkhwa Health Department Peshawar for information.

**OFFICE OF THE DISTRICT HEALTH OFFICER LAKKI MARWAT**

No.1024-26/E-1 Dated Lakki the 09.03.2015

Copy forwarded to the:-

1. Dr. Nasrullah Jan Dental Surgeon RHC: Landiwah.
2. Dr. Taj Nawaz Dental Surgeon Category-C Hosp: S/Naurang.  
For information and necessary action.
3. The Director General Health Services Khyber Pakhtunkhwa Peshawar for information please.

**DISTRICT HEALTH OFFICER  
LAKKI MARWAT**



- 54      *Amir M<sup>2</sup>*

DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR

All communications should be addressed to The Director General,  
Health Services Peshawar and not to any official by name  
Office Ph (091) - 9210269 Exchange \* 091 - 9210187, Fax (091) - 9210270



No. 9385 /E.I      Dated: 29/06/2021

To

The Secretary Govt. of Khyber Pakhtunkhwa  
Health Department.

**Attention:-Section officer -V**

**Subject:- WORKING PAPER FOR PROMOTION IN RESPECT OF DR. TAJ NAWAZ KHAN (COURT MATTER).**

With reference to your letter No. SOH (E-V) 3-3/2021/Dr. Taj Nawaz Khan/Promotion dated 07.06.2021 on the subject noted above and to state that Original working papers have not been received in this Directorate however Para-wise reply in the subject case in respect of Taj Nawaz Khan Ex-Sr. Dental Surgeon (BS-18) attached to CH Sarai Naurang District Lakki Marwat is again furnish herewith, for further necessary action as desired please.

1. Legible copies are not available in the DG Health office for which SO (Budget) Health Department may please be approached.
2. Pertains to Health Department (SO- Litigation).
3. A copy of this Directorate letter dated 16.02.2015 is attached herewith.
4. He was working as senior Dental Surgeons BS-18 attached to Cat-C Hospital Sarai Naurang Lakki Marwat before his retirement. He got retired on 12.08.2017. During his service vacant posts of Principal Dental Surgeons BS-19 were available but PSB date was not fixed. Meanwhile on 07.07.2017 Finance Department notified 4-tier formula of up gradation of various posts of Dental Surgeons. According to that break up of 45-posts of Senior Dental Surgeons upgraded to the post of Principal Dental Surgeons BS-19, so work on preparation of working papers for promotion was started. He also submitted PERs and other relevant documents. He also moved an application through Proper Chancel for promotion to BS-19. PSB meeting could not be arranged by the Govt: due to lapse of time preparing working papers for various Categories of doctors. The promotion of Senior Dental Surgeons to the Principal Dental Surgeons BS-19 was done on 25.09.2017 and 21-Senior Dental Surgeons BS-18 were promoted to the post of Principal Dental Surgeons BS-19 however the applicant could not be promoted to the post of Principal Dental Surgeon BS-19 as he was retired on 12.08.2017 before the PSB meeting was held.

*[Signature]*  
DIRECTOR GENERAL HEALTH SERVICES  
DGHS, KHYBER PAKHTUNKHWA PESHAWAR

**ATTESTED**

*[Signature]*  
10/06/2021  
Assistant Secretary

- 54      *Hand M<sup>e</sup>*

DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR

All communications should be addressed to The Director General,  
Health Services Peshawar and not to any official by name  
Office Ph (091) - 9210269 Exchange 091 - 9210137, Fax (091) - 9210230



No. 9385 /E.I      Dated: 29/06/2021

To  
The Secretary Govt. of Khyber Pakhtunkhwa  
Health Department.

**Attention:-Section officer -V**

**Subject: - WORKING PAPER FOR PROMOTION IN RESPECT OF DR. TAJ NAWAZ KHAN (COURT MATTER).**

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DIRECTOR GENERAL HEALTH SERVICES  
DGHS, KHYBER PAKHTUNKHWA PESHAWAR

**APPROVED**

10/06/2021  
Director



55 G Raza N  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

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

NOTIFICATION

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

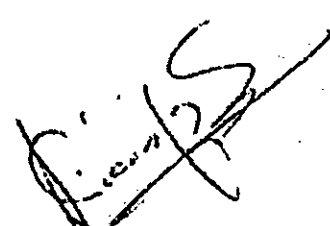
The Competent Authority in consultation with the Provincial Selection Board, is pleased to order the promotion of Dr.Mahabat Noor S/O Sahib Noor Principal Medical Officer BS-19 to the post of Chief Medical Officer BS-20 attached to DHO Office DIKhan with effect from the date of PSB i.e 27.02.2019 on 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. Director Health Services Merged Districts.
6. District Health Officer DIKhan
7. District Accounts Officer DIKhan
8. PS to Minister Health, Khyber Pakhtunkhwa
9. PS Secretary Health, Khyber Pakhtunkhwa
10. Officers/doctors concerned.

  
(FAZAL ALI)  
SECTION OFFICER (E-V)

ATTESTED  
18 to the copy  
Advocate

M

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JUDGMENT SHEET  
IN THE PESHAWAR HIGH COURT PESHAWAR  
JUDICIAL DEPARTMENT

Writ Petition No. 816-P/2017.

*Abdur Rauf*

Vs.

*Government of Khyber Pakhtunkhwa, Home & T.As.Deptt. etc.*

JUDGMENT

Date of hearing: 11.10.2017

Petitioner(s): By Mr. Muhammad Asif Yousafzai, advocate.

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

\*\*\*\*\*

IJAZ ANWAR, J. - Through the instant petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner, a retired Dispenser, Inspectorate of Prison, Peshawar has filed this writ petition with the following prayer:-

*"It is, therefore, most humbly prayed that on acceptance of this writ petition, the respondents may be directed to grant benefits of up-gradation (BPS-9) with effect from 2.3.2009 and the same may also be adjusted in the pension of the petitioner with all back and consequential benefits by proper fixation of pension. Any other remedy, which this august tribunal deems fit and proper that may also be awarded in favour of petitioner"*

**ATTESTED**  
10.10.2017  
Advocate

57



2. The facts as narrated in the writ petition are that the petitioner was serving in the Prison Department as Dispenser in BPS-6 and stood retired from service with effect from 13.5.2009. The Finance Department vide Notification dated 2.3.2006 has accorded approval for the upgradation of 40 Nos posts of Dispenser (B-6) and the post of Laboratory Assistant (B-5) and its re-designation as Junior Technician (BPS-9) of the Home & Tribal Affairs/Prison Department with immediate effect. The respondents placed the matter before the Departmental Selection/Promotion Committee, accordingly, approval was accorded and recommendation was made whereby about twenty (20) Dispensers were upgraded and re-designated as Junior Technician Pharmacy (BPS-9). The petitioner was, however not included in the upgradation/promotion on the ground that he stood retired from service with effect from 13.05.2009. He submitted representation on 16.05.2011 and approached the Provincial Service Tribunal, however, in view of the recent judgment of the Apex Court, the service appeal before the Service Tribunal was dismissed as withdrawn vide order and judgment dated 19.01.2017 for want of jurisdiction, hence this petition.

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✓ 3. The respondents were issued notices, they filed their respective comments and it was submitted that the meeting of the Departmental Promotion Committee was held on 13.03.2010 and by that time, the petitioner has already retired, therefore, a retired employee cannot be considered for promotion/up-gradation.

4. Learned counsel for the petitioner argued that mere retirement of the appellant shall not be considered a ground for denying the upgradation/promotion to the appellant. He argued that by the time, when the post of Dispenser was upgraded, the petitioner was very much in the active service. He in support of his contention placed reliance on 2012 SCMR-126 and 2009 PLC (CS) 229. ✓

1  
2

5. Learned AAG appearing on behalf of the respondents contended that a retired employee cannot ask for promotion, therefore, the petitioner was having no right whatsoever to be considered as such.

6. Arguments heard and record perused.

7. Admittedly, by the time, when the Finance Department, Government of KPK has upgraded the post of Dispenser (BPS-6) and re-designated it as Junior Technician (BPS-9), the petitioner was in the government service, similarly, the wordings of the upgradation letter

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are very much clear wherein the approval was accorded for the upgradation/re-designation of the post of Dispenser (BPS-6) to that of Junior Technician (BPS-9) with immediate effect, therefore, it will be considered effective from the date of its approval and with immediate effect.

8. Though, the respondents convened a meeting of the Departmental Promotion Committee (DPC) on 13.03.2010 and thereby upgraded all the incumbents of the post of Dispenser but the petitioner remained deprived on account of his retirement from service. The superior Courts have in a number of judgments held that mere retirement from service would not deprive a civil servant of his right of promotion, in case he has matured that their rights prior to his retirement from service. Many a time, the Department consumed much time in processing the cases of promotion, therefore, any delay or slackness on the part of the Department shall not be made a hurdle in consideration for promotion. The Hon'ble Supreme Court of Pakistan in the case titled "Secretary School of Education and others vs. Rana Arshad Khan and others" (2012 SCMR-126) while refusing leave to appeal held that the Department had delayed matter of appellants' promotion without any justifiable reason for which they could not suffer rather appellants' promotion after retirement from service would

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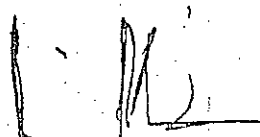
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SECRETARY  
AD, Sindh



be proforma promotion, similar view was taken by the Division Bench of Sindh High Court at Karachi in case titled "Mrs.Naseem M.Oadri vs. Federation of Pakistan and another (2009 PLC (C.S) 229).

9. We, thus while respectfully following the dictum of the Apex Court declare the petitioner entitle to upgradation to the post of Junior Technician (BPS-9) with immediate effect i.e. from the date when this post was upgraded i.e. 02.03.2009 on proforma basis, his pension shall be re-fixed accordingly in BPS-9, but without arrears.

10. This writ petition is allowed in the above terms.

  
JUDGE

  
JUDGE

office  
17/10/17

Announced.  
Dated: 11.10.2017.

\*T.Shah, PS\*

(DB of Hon'ble Mr. Justice Qasir Rashid Khan and Hon'ble Mr. Justice Ijaz Anwar).

ATTESTED  
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AD/00812



**BEFORE THE HON'BLE PESHAWAR HIGH COURT, PESHAWAR**

**WRIT PETITION NO. 459-P/2023**

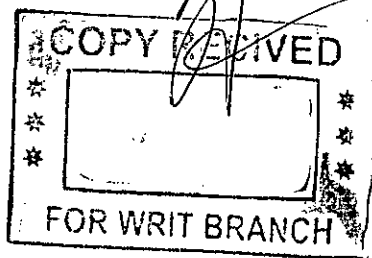
Dr. Taj Nawaz Khan ..... (Petitioners)

**Versus**

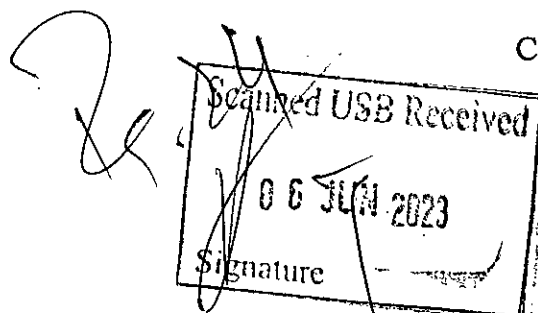
Govt. of Khyber Pakhtunkhwa and others..... (Respondents)

**INDEX**

S. No.	Description of Documents	Annexure	Pages
1.	Parawise Comments on behalf of Respondent No. 02 & 03		01-03
2.	Copy of the Seniority List 2017	A	04-08
3.	Finance Department letter dated 07-07-2017.	B	09
4.	Notification dated 02-10-2017	C	10-12
5.	Letter dated 10-03-2020	D	13
6.	PSB observation vide letter dated 06-05-2020	E	14
7.	Letter dated 07-09-2020	F	15
8.	Letters dated 02-06-2021 & 29-07-2021	G & H	16-17
9.	Letter dated 21-09-2021	I- K	18-20
10.	Letter dated 02-12-2021	L	21-22
2.	Affidavit.		23
3.	Authority Letter.		24



*Shah Baz Khan*  
**(SHAH BAZ KHAN)**  
SUPERINTENDENT (LIT-I)  
GOVT: OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT  
C.N.I.C No. 21407-3147523-3  
Mob No.0333 9324204



**FILED TODAY**  
*Deputy Registrar*  
**06 JUN 2023**

(1)

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

**WRIT PETITION NO. 459-P/2023**

Dr. Taj Nawaz.....Petitioner

**Versus**

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

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS No. 02 & 03**

**RESPECTFULLY SHEWETH:**

**PRELIMINARY OBJECTIONS:-**

1. That the Petitioner has got no cause of action / 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.
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.
7. That the Petitioner has not come to this Honorable Court with clean hands.
8. That the Petition is bad due to non-joinder of necessary and mis-joinder of unnecessary parties.
9. That the petitioner was a civil servant, therefore, the Honorable Court has got no jurisdiction to adjudicate the matter under Article 212 of the Constitution of Islamic Republic of Pakistan 1973.
10. That the petitioner is not an aggrieved person within the meaning of Article 199 of the Constitution of Islamic Republic of Pakistan 1973.

**ON FACTS:**

**FILED TODAY**

**Deputy Registrar**

**06 JUN 2023**

1. Pertains to record however As per Seniority List of Senior Dental Surgeons (BS-18) as stood on 01.01.2017, the petitioner was at S. No. 10 of the list. (Copy of the seniority list 2017 is Annexure A).
2. Incorrect. In fact the respondent No. 03 sent a letter dated 07.07.2017 to respondent No. 02 for preparation of Audit copies and resubmission of the case to respondent No. 03 for authentication (Annexure-B). Thereafter fulfilling of the codal formalities the respondent No. 02 notified up-gradation with immediate effect vide Notification dated 02.10.2017 (Annexure-C). It is worth to mention that the petitioner got retirement from his services on 23.08.2017 therefore; he could not get the benefit of up gradation.
3. Incorrect. In fact at the time of submission of working paper vide letter dated 09.08.2017 by the DGHs Khyber Pakhtunkhwa there were only six (05) vacant posts, whereas the petitioner was at S.No. 10 of the Seniority List 2017 already

annexed so he could not be considered for promotion as there was no vacancy available for promotion.

- 4. Incorrect. The judgment of the Peshawar High Court Peshawar dated 12.06.2019 was implemented in its true letters and spirits by the replying respondents. Respondent No 02 submitted working paper to PSB vide letter dated 10.03.2020 ((Annexure-D). The PSB returned the said working paper and raised certain observations vide letter dated 06.05.2020((Annexure-E). After clarification of the observations, the case was again submitted to PSB for consideration of notional promotion vide this Department's letter dated 07.09.2020 ((Annexure-F). After submission of observations, the PSB again returned the said case with the observations vide letter dated 02.06.2021 and 29.07.2021((Annexure G & H). after removing the same was again forwarded to PSB vide letter dated 21.09.2021 (Annexure-I). The PSB in its meeting held on 02.12.2021 considered his case and was thoroughly discussed however, the Board did not find him suitable for promotion. (Annexure-J). It is worth to mention that before the PSB meeting the petitioner filed a CoC No. 457-P/2020 in WP 4812-P/2017 which was decided on 22.09.2021 with the direction to the department to consider his case and in case of failure the petitioner may apply to the Court for restoration of the instant petition. The replying respondents implemented the judgment, however, if the petitioner still feeling aggrieved, he has to apply to the honorable Court as directed in the CoC instead of filling fresh instant petition.
- 5. As explain in Para-4 above.
- 6. Incorrect. No supportive document has been annexed by the petitioner however, detail reply has been given in Para-4 above.
- 7. As explain in Para-4 above.

**FILED TODAY**  
**Deputy Registrar**

**06 JUN 2023**

8. Subject to proof. However, the petitioner was required to file Service Appeal before the Service Tribunal under section 4 of the Khyber Pakhtunkhwa service Tribunal Act 1974 instead of filling the instant constitutional petition as the same is barred by Article 212 of the Constitution of Islamic Republic of Pakistan 1973.


**ON GROUNDS:**

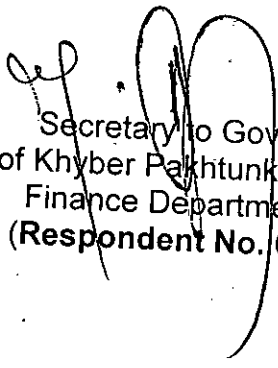
- A. Incorrect, misleading hence denied. The answering respondent acted as per Law, Rules and Policy.
- B. Incorrect, misleading hence denied. However, detail reply has been given in Para 3 of the Facts.
- C. Incorrect, already explained in Para 4 of the Facts.
- D. Incorrect, misleading hence denied. No vested right of the petitioner has been violated by the replying respondents; the appellant has been treated in accordance with law and rules.
- E. Incorrect, misleading hence denied. Each and every case has different facts which need to be decided on its own merits as laid down by the Apex Court in 2010 PLC CS 924 SC.
- F. As per para E above.

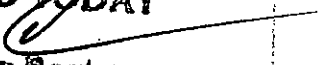
- G. Incorrect, misleading hence denied. As explained in para 4 of the facts.
- H. Incorrect, misleading hence denied. No vested right of the petitioner has been violated.

**PRAYER:**

It is, therefore, humbly prayed that the instant petition may graciously be dismissed with cost.

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

  
Secretary to Govt.  
of Khyber Pakhtunkhwa  
Finance Department  
(Respondent No. 03)

**FILED TODAY**  
  
**Deputy Registrar**  
**06 JUN 2023**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

E! 7183  
16/06/17

Dated Peshawar the 31<sup>st</sup> May, 2017

NOTIFICATION

NO.SOH(E-V)4-4/2017

In terms of Section 8(1) of the Khyber Pakhtunkhwa Civil Servant Act 1973 read with Establishment & Administration Department circular letter No.SOR-I(E&AD) 3-15/88(Vol.1) dated 09-05-2002, the final seniority list of Senior Dental Surgeons (BS-18) and Principal Dental Surgeon (BS-19) in the Health Department as stood, on 01-01-2017 is hereby notified for the information of all concerned.

SECRETARY HEALTH  
Govt. of Khyber Pakhtunkhwa

Endst. No. & Date Even

Copy to the:-

1. Accountant General Khyber Pakhtunkhwa.
2. Director General, Health Services, Khyber Pakhtunkhwa with the request to circulate the list amongst the all concerned.
3. Director Health Services FATA, Peshawar.
4. Medical Director LRH, KTH, HMC, Peshawar.
5. All District Health Officers in Khyber Pakhtunkhwa.
6. All MS DHQs Hospitals in Khyber Pakhtunkhwa.
7. All MS AHQ Hospitals in Khyber Pakhtunkhwa.
8. All District Accounts officers in Khyber Pakhtunkhwa
9. PS to Secretary Establishment Department.
10. PS to Secretary Finance Department.
11. PS to Minister Health Khyber Pakhtunkhwa.
12. PS to Secretary Health Department.
13. Computer Programmer Health Deptt.

Attested  
S. Aziz Khan

(MUHAMMAD ARSHID)  
SECTION OFFICER (E-V)

DD (HEM)  
16/6/17

Copy is attached  
for signature 16/6/17

7 5

- i) Total Permanent sanction posts=64
- ii) Total posts shifted to MTI = 15
- iii) Total remaining sanction posts=49

**FINAL SENIORITY LIST OF SENIOR DENTAL SURGEON BPS-18  
ON GENERAL CADRE (JANUARY-2017)**

S.NO	NAME/ QUALIFICATION	DOB/ DOMICILE	DATE/ENTRY SERVICE B-17	BPS-18	METHOD OF RECRUITMENT	PLACE OF POSTING	REMARKS
1.	DR. MUHAMMD FAROOQ S/O ASMAT ULLAH KHAN/BDS	05.04.1959 BANNU	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	KGTH BANNU	
2.	DR. IFTIKHAR AHMAD KHATTAK S/O MIR ALI SHAH/BDS	18.01.1960 KARAK	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	HMC PESHAWAR	
3.	DR. M.TAHIR JAVED S/O ABDUL AZIZ /BDS	07.10.1958 DI KHAN	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	DHQ H TANK	
4.	DR. SANA ULLAH KHAN S/O BALUCH KHAN /BDS	20.03.1959 DI KHAN	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.03.2006	PROMOTION	CH DARABAN D.I.KHAN	
5.	DR. S.M.ARIF SHAH S/O AJMAL SHAH/ BDS	10.08.1959 KOHAT	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	RHC LACHI DISTRICT KOHAT	
6.	DR. M.NAEEM AHMAD S/O MOHAMMAD SALIM /BDS	01.01.1961 PESHAWAR	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	KCD PESHAWAR	
7.	DR. NASURULLAH JAN S/O BANI SARDAR KHAN	03.01.1964 FR BANNU	PSC 13.03.1988	11.08.2006	PROMOTION	RHC SERAI GAMBILA LAKKI MARWAT	
8.	DR. S.MUFARIH SHAH S/O MOHAMMAD MUZAMMIL /BDS	01.01.1960 MOHMAND	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	BKMC MARDAN	
9.	DR. AKHTAR NAWAZ KHAN S/O MOHAMMAD DIN/ BDS	31.08.1963 ABBOTABAD	PSC 13.03.1988	11.08.2006	PROMOTION	RHC SARIA NAMAT KHAN DISTRICT HARIPUR	

*attested  
S. B. Khan*

*[Signature]*  
Services E.I. 10/10/17

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10.	DR. TAJ NAWAZ KHAN S/O GUL JANAN KHAN /BDS	13.08.1957 BANNU	1. Adhoc 28/07/1987 2. PSC 13.03.1988	11.08.2006	PROMOTION	CH SERAI NAURANG LAKKI MARWAT	
11.	DR. MUHAMMAD AZHAR S/O SHER ZADA / BDS	24.09.1959 / MOHMAND AGENCY	PSC 13.03.1988	23-10-2014	PROMOTION	CH MATTANI PESHAWAR.	
12.	DR. RAFIQ MOHAMMAD S/O NATHO KHAN /BDS	02.04.1958 BANNU	1. Adhoc 28/07/1987 2. Regularized Act, 1988 23.01.1988	11.08.2006	PROMOTION	RHC PAROA D.I.KHAN	The services of these Dental Surgeons were regularization under Act 1988 (they shall rank junior to those appointed from serial No. 19 to 24 vide Govt. Notification No. SOH- IV/1-72/72 dated 13/03/1988)
13.	DR. QAZI HANIF UR RAHMAN S/O NAQIB UR RAHMAN/ BDS	01.09.1959 BANNU	1. Adhoc 28/07/1987 2. Regularized Act, 1988 23.01.1988	13.06.2009	PROMOTION	RHC GHARA TAJIK PESHAWAR	--do--
14.	DR. MOHAMMAD TAYYAB S/O KHALIL UR RAHMAN / BDS	01.05.1959 SWAT	1. Adhoc 28/07/1987 2. Regularized Act, 1988 23.01.1988	13.06.2009	PROMOTION	KCD PESHAWAR	--do--
15.	DR. SABIR SHAH S/O RAHIM SHAH / BDS	23.01.1958 DI KHAN	1. Adhoc 28/07/1987 2. Regularized Act, 1988 23.01.1988	13.06.2009	PROMOTION	DHO DIKHAN	--do--
16.	DR. MOHAMMAD TAHIR S/O MALIK MEHRABAN / BDS	02.02.1962 DI KHAN	PSC 12.04.1989	13.06.2009	PROMOTION	DHQH D.I KHAN	
17.	DR. AKHTAR GUL S/O SHER AKBAR / BDS	11.05.1960 MOHMAND	PSC 12.04.1989	13.06.2009	PROMOTION	DHQ: HOSPITAL CHARSADDA.	
18.	DR. ZARQA NASRULLAH JAN D/O NASRULLAH JAN / BDS	26.04.1963 PESHAWAR	PSC 12.04.1989	13.06.2009	PROMOTION	KCD PESHAWAR	
19.	DR. MOHAMMAD NAZIF S/O ROMAN SHAH / BDS	04.03.1963 KARAK	PSC 12.04.1989	13.06.2009	PROMOTION	DHQH (KDA) KOHAT	
20.	DR. TAHIR FAROOQ NAWAZ S/O SHAH NAWAZ / BDS	27.10.1963 FR BANNU	PSC 12/4/1989	13.06.2009	PROMOTION	CH MATTANI PESHAWAR	
21.	DR. MOHAMMAD TAUFIQ S/O SALAH UD DIN / BDS	01.01.1963 CHARSADDA	PSC 10.06.1989	13.06.2009	PROMOTION	SERVICES HOSPITAL PESHAWAR	

Attested  
S. Bog Khan

*[Signature]*  
Director, Health  
Services Peshawar

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	DR. RIZWAN ULLAH S/O MOHAMMAD ZAMAN / BDS	18.03.1962 MARDAN	PSC 16.01.1990	13.06.2009	PROMOTION	THQH TAKHT BHAJ MARDAN
	DR. TAJ MALOOK S/O GHULAM FAQIR / BDS	04.04.1958 BANNU	PSC 16.01.1990	13.06.2009	PROMOTION	DHQH BANNU
	DR. ZIARAT GUL S/O CHAMANAY KHAN / BDS	01.01.1957 SWAT	PSC 16.01.1990	13.06.2009	PROMOTION	SGTH SWAT
25.	DR. ABID ZIA S/O ZIA UL HAQ, BDS	20.08.1968 D.I.KHAN	PSC 02.04.1991	07.08.2009	PROMOTION	RHC GHAZI DISTRICT HARIPUR
26.	DR. MOHAMMAD IQBAL S/O MOHAMMAD ZAMAN / BDS	07.03.1955 SWAT	PSC 02.04.1991	13.06.2009	PROMOTION	KCD PESHAWAR
27.	DR. GUL RAHIM JAN S/O RAHIM UD DIN / BDS	01.06.1965 MOHMAND	PSC 02.04.1991	13.06.2009	PROMOTION	THQH TANGI CHARSADDA
28.	DR. NAZIR AHMAD S/O ALI KHAN / BDS	01.03.1964 / ABBOTTABAD	PSC 02.04.1991	23-10-2014	PROMOTION	DHQ H HARIPUR
29.	DR. MOHAMMAD ILYAS S/O MOHAMMAD ASHIQ / BDS	04.04.1966 / D.I.KHAN	PSC 17.11.1991	23-10-2014	PROMOTION	MMM TEACHING HOSPITAL DIKHAN.
30.	DR. KHIAL ZADA S/O HAKIM KHAN / BDS	17.05.1966 / MOHMAND	PSC 24.07.1993	23-10-2014	PROMOTION	THQ H SHABQADAR CHARSADDA
31.	DR. MOHAMMAD FAROOQ S/O FATEH GUL / BDS	01.03.1967 / FR BANNU	PSC 24.07.1993	23-10-2014	PROMOTION	BMC BANNU.
32.	DR. SAJJAD AHMAD S/O MOHAMMAD ASLAM / BDS	15.03.1969 / MOHMAND	PSC 24.07.1993	23-10-2014	PROMOTION	KCD PESHAWAR.
33.	DR. HAZRAT MIR S/O ALAM ZEB KHAN / BDS	07.09.1965 / MOHMAND	PSC 24.07.1993	23-10-2014	PROMOTION	ON STUDY LEAVE
34.	DR. IMDADULLAH S/O RAFIULLAH / BDS	23.03.1967 / MANSEHRA	PSC 25.08.1994	23-10-2014	PROMOTION	KCD PESHAWAR
35.	DR. FARIA HASSAN D/O HASSAN DIN AWAN/BDS	13.03.1969 ABBOTTABAD	PSC 25.08.1994	19.01.2017	PROMOTION	CH GARI HABIBULLAH MANSEHRA

*attested  
S. bog Khan*

*[Signature]*  
Director General (I)  
Health Services  
Government of Punjab



10 (8)

36.	GUL BADSHAH / BDS	BANNU	25.08.1994			ISLAMABAD.
37.	DR. MOHAMMAD SALEH S/O ABDUL KHALIQ / BDS	08.02.1966 / FR BANNU	PSC 25.08.1994	23-10-2014	PROMOTION	RHC AMBARKUNDA SWABI.
38.	DR. TAJ MOHAMMAD S/O GULZAR KHAN / BDS	09.06.1964 / BUNER.	PSC 25.08.1994	23-10-2014	PROMOTION	DHQ: HOSPITAL DAGGAR BUNER.
39.	DR. M. IKRAM ULLAH S/O MALIK AFZAL / BDS	01.09.1967 / KOHAT	PSC 21.11.1994	23-10-2014	PROMOTION	WOMAN & CHILDREN HOSPITAL KOHAT.
40.	DR. SHARAFAT ALI S/O SHER ALI KHAN / BDS	01.05.1969 / SWAT	PSC 21.11.1994	23-10-2014	PROMOTION	THQ: H MATTA SWAT.
41.	DR. UMAR SHAH S/O ABDUL RASHID / BDS	11.08.1968 / HARIPUR	PSC 21.11.1994	23-10-2014	PROMOTION	DHQ: HOSPITAL LAKKI MARWAT.
42.	DR. S. MAQBOOL SHAH S/O HABIB SAID MIAN / BDS	05.04.1970 / MOHMAND	PSC 03.09.1995	23-10-2014	PROMOTION	BKMC MARDAN.
43.	DR. IQBAL UD DIN S/O SHAHDAT KHAN/BDS	13.10.1969 CHITRAL	PSC 03.09.1995	19.01.2017	PROMOTION	DHQ H CHITRAL
44.	DR. ATTA UR REHMAN S/O JAN BAHADAR/BDS	04.03.1964 SWABI	PSC 02.05.1997	19-01-2017	PROMOTION	BKMC SWABI.
45.	DR. HUMA JABEEN D/O INAYATULLAH/BDS	02.05.1970 MOHMAND	PSC 02.05.1997	19-01-2017	PROMOTION	DHQH MARDAN
46.	DR. MUHAMMAD ISLAM S/O NOOR MUHAMMAD/BDS	01.10.1969 MALAKAND	PSC 02.05.1997	19.01.2017	PROMOTION	THQ H DARGAI MALAKAND
47.	DR. ABDUL QADOOS S/O KHAN ZAMAN/BDS	05.11.1964 KARAK	PSC 07.10.1999	19.01.2017	PROMOTION	TYPE C HOSPITAL TAKHTI NUSRATI KARAK
48.	DR. SARTAJ ALI SHAH S/O MOHTRARAM SHAH/BDS	15.04.1974 NOWSHERA	PSC 07.10.1999	19-01-2017	PROMOTION	DHO SWABI

Attested  
S. bag Khan

*[Signature]*  
 Director (Genl)  
 Director General Health  
 Services & Hygiene Department



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

No. SO(FR)/FD/7-3/2016-17/6226  
Dated Peshawar, the 07-07-2017

To

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

Subject: - STRENGTHENING OF ORAL HEALTH SERVICES IN KHYBER PAKHTUNKHWA.

Dear Sir,

I am directed to refer to the subject noted above and to state that the Competent Authority has been pleased to approve upgradation of the existing sanctioned Dental Surgeon posts (BPS-17 to BPS-20) under 4-tier formula at the ratio of 3:19:36:42 on the existing strength of 353 number of posts as below:-

BPS	%as per 4-tier formula	Existing	Required	To be upgraded
20	03	02	11	09
19	19	22	67	45
18	36	44	127	83
17	42	285	148	137
<b>Total</b>	<b>100</b>	<b>353</b>	<b>353</b>	<b>274</b>

Audit copies may be prepared and sent to this department for authentication.

Yours faithfully,

*sd/*

SECTION OFFICER (FR)

Endst No. & Date even.

Copy of the above is forwarded to the Budget Officer-VI, Finance Department for information and further necessary action, please.

*sd/*

SECTION OFFICER (FR)

*Attested  
S. Buz Khan*

**NOTIFICATION**

**NO.SOB/HD/2-4/2016.** In pursuance of Finance Department letter No. FR/FD/7-3/2016-17/6226 dated 07-07-2017, sanction is hereby accorded to the upgradation of the posts of Principal Dental Surgeon (BS-19), Senior Dental Surgeon (BS-18) and Dental Surgeon (BS-17) of the General Cadre in the Health Department under Four Tier Formula as under with immediate effect:-

**UPGRADATION OF THE POST OF PRINCIPAL DENTAL SURGEON (BS-19) TO CHIEF DENTAL SURGEON (BS-20)**

**09-POSTS**

S.No	DDO Code	Nomenclature of Post	Existing Grade	Proposed Grade
1.	SW4341	Saidu Group of Teaching Hospital Swat	BPS-19	BPS-20
2.	DA7005	DHQ Teaching Hospital Timergara Dir Lower	BPS-19	BPS-20
3.	MA7010	King Abdullah Teaching Hospital Mansehra	BPS-19	BPS-20
4.	PR4334	Govt: Naseerullah Khan Babar Hospital Peshawar	BPS-19	BPS-20
5.	NR4304	DHQ Hospital Nowshera	BPS-19	BPS-20
6.	CA7005	DHQ Hospital Charsadda	BPS-19	BPS-20
7.	HR7008	DHQ Hospital Haripur	BPS-19	BPS-20
8.	SU7005	DHQ Hospital Swabi	BPS-19	BPS-20
9.	KK7008	DHQ Hospital Karak	BPS-19	BPS-20

**UP GRADATION OF THE POST OF SENIOR DENTAL SURGEON (BS-18) TO PRINCIPAL DENTAL SURGEON (BS-19)**

**45-POSTS**

S.No	DDO Code	Nomenclature of Post	Existing Grade	Proposed Grade
1.	SW4341	Saidu Group of Teaching Hospital Swat	BPS-18	BPS-19
2.	MA7010	King Abdullah Teaching Hospital Mansehra	BPS-18	BPS-19
3.	SU7011	Bacha Khan Medical Complex Swabi	BPS-18	BPS-19
4.	DA7005	DHQ Teaching Hospital Timergara Dir Lower	BPS-18	BPS-19
5.	PR4334	Category-B Govt: Naseerullah Khan Babar Hospital Peshawar	BPS-18	BPS-19
6.	NR4304	DHQ Hospital Nowshera	BPS-18	BPS-19
7.	CA7005	DHQ Hospital Charsadda	BPS-18	BPS-19
8.	HR7008	DHQ Hospital Haripur	BPS-18	BPS-19
9.	BD7008	DHQ Hospital Daggar Buner	BPS-18	BPS-19
10.	DA7005	DHQ Hospital Timergara	BPS-18	BPS-19
11.	SH7008	DHQ Hospital Alpurai Shangla	BPS-18	BPS-19
12.	DP7005	DHQ Hospital Dir Upper	BPS-18	BPS-19
13.	CL7005	DHQ Hospital Chitral	BPS-18	BPS-19
14.	BM7005	DHQ Hospital Battagram	BPS-18	BPS-19
15.	HG7005	DHQ Hospital Hangu	BPS-18	BPS-19
16.	LK6076	City Hospital Lakki Marwat	BPS-18	BPS-19
17.	KT7010	Category-C Women & Children Hospital (LMH) Kohat	BPS-18	BPS-19
18.	MR6326	Category-C THQ Hospital Takhtbhai District Mardan	BPS-18	BPS-19
19.	MD6092	Category-C THQ Hospital Dargai District Malakand	BPS-18	BPS-19
20.	SW6201	Category-C THQ Hospital Matta Swat	BPS-18	BPS-19
21.	DA6129	Category-C THQ Hospital Samarbagh Dir Lower	BPS-18	BPS-19
22.	DA6129	Category-C THQ Hospital Chakdara Dir Lower	BPS-18	BPS-19
23.	CA6226	Category-C THQ Hospital Shabqadar Charsadda	BPS-18	BPS-19
24.	LK6107	Category-C Hospital Sarai Naurang Lakki Marwat	BPS-18	BPS-19
25.	KK6269	Category-C Hospital Takht-e-Nasrati Karak	BPS-18	BPS-19
26.	SW6201	Category-C Hospital Khwazakhela District Swat	BPS-18	BPS-19
27.	PW6155	Category-C Emergency Satellite Center Nahaqi Peshawar	BPS-18	BPS-19
28.	PW6149	Category-D Hospital Badaber Peshawar	BPS-18	BPS-19
29.	PW6149	Category-D Hospital Garha Tajik Peshawar	BPS-18	BPS-19
30.	HR6223	Category-D Hospital Ghazi Haripur	BPS-18	BPS-19
31.	TK6115	Category-D Hospital Ama Khel Tank	BPS-18	BPS-19
32.	DI6309	Category-D THQ Hospital Paharpur D.I.Khan	BPS-18	BPS-19

Attested  
S. Aziz Khan

33.	DI6308	Category-D THQ Hospital Paroà D.I.Khan	BPS-18	BPS-19
34.	DI6306	Category-D Hospital Panyala D.I.Khan	BPS-18	BPS-19
35.	NR6323	Category-D Hospital Akora Khattak Nowshera	BPS-18	BPS-19
36.	PW6149	Category-D Hospital Mattani Peshawar	BPS-18	BPS-19
37.	LK6220	Category-D Hospital Tittar Khel Lakki Marwat	BPS-18	BPS-19
38.	SW6202	Category-D Hospital Madyan Swat	BPS-18	BPS-19
39.	SW6202	Category-D Hospital Kabal Swat	BPS-18	BPS-19
40.	MA6151	Category-D Hospital Ghari Habibullah Mansehra	BPS-18	BPS-19
41.	DI6311	Category-D Hospital Chowdwan D.I.Khan	BPS-18	BPS-19
42.	MD6087	Category-D Hospital Thana Malakand	BPS-18	BPS-19
43.	KT6350	Type-D Hospital Lachi Kohat	BPS-18	BPS-19
44.	NR6319	RHC Khesghi Nowshera	BPS-18	BPS-19
45.	SU6142	RHC Ambar Kunda Swabi	BPS-18	BPS-19

**UP GRADATION OF THE POST OF DENTAL SURGEON (BS-17) TO SENIOR DENTAL SURGEON (BS-18)**

**83-POSTS**

S.No	DDO Code	Nomenclature of Post	Existing Grade	Proposed Grade
1.	SW4341	Saidu Group of Teaching Hospital Swat	BPS-17	BPS-18
2.	DA7005	DHQ Teaching Hospital Timergara Dir Lower	BPS-17	BPS-18
3.	AD7009	BBS Teaching Hospital Abbottabad	BPS-17	BPS-18
4.	MA7010	King Abdullah Teaching Hospital Mansehra	BPS-17	BPS-18
5.	KT7009	DHQ Teaching Hospital KDA Kohat	BPS-17	BPS-18
6.	NR4304	DHQ Hospital Nowshera	BPS-17	BPS-18
7.	CA7005	DHQ Hospital Charsadda	BPS-17	BPS-18
8.	SH7008	DHQ Hospital Alpurai Shangla	BPS-17	BPS-18
9.	MD7010	DHQ Hospital Batkkhela Malakand	BPS-17	BPS-18
10.	DP7005	DHQ Hospital Dir Upper	BPS-17	BPS-18
11.	CL7005	DHQ Hospital Chitral	BPS-17	BPS-18
12.	HR7008	DHQ Hospital Haripur	BPS-17	BPS-18
13.	MR7010	DHQ Hospital Mardan	BPS-17	BPS-18
14.	BD7008	DHQ Hospital Daggar Buner	BPS-17	BPS-18
15.	BM7005	DHQ Hospital Battagram	BPS-17	BPS-18
16.	HG7005	DHQ Hospital Hangu	BPS-17	BPS-18
17.	TK7006	DHQ Hospital Tank	BPS-17	BPS-18
18.	PR4334	Category-B Govt: Naseerullah Babar Hospital Peshawar	BPS-17	BPS-18
19.	NR6195	Category-B MRHSM Hospital Pabbi Nowshera	BPS-17	BPS-18
20.	PR4328	Category-C Services Hospital Peshawar	BPS-17	BPS-18
21.	KK6216	Category-C Women & Children Hospital Karak	BPS-17	BPS-18
22.	SU6274	Category-C THQ Hospital Lahor Swabi	BPS-17	BPS-18
23.	MD6092	Category-C THQ Hospital Dargai Malakand	BPS-17	BPS-18
24.	SW6201	Category-C THQ Hospital Matta Swat	BPS-17	BPS-18
25.	DA6129	Category-C THQ Hospital Chakdara Dir Lower	BPS-17	BPS-18
26.	CA6108	Category-C THQ Hospital Tangi Charsadda	BPS-17	BPS-18
27.	CA6226	Category-C THQ Hospital Shabqadar Charsadda	BPS-17	BPS-18
28.	SW6201	Category-C Khwazakhela Swat	BPS-17	BPS-18
29.	HR6387	Category-C Hospital Kotla Haripur	BPS-17	BPS-18
30.	HR6388	Category-C Hospital Kalabat Township Haripur	BPS-17	BPS-18
31.	SH6063	Category-C Hospital Puran Shangla	BPS-17	BPS-18
32.	NR6119	Category-C Hospital Dag Ismail Khel Nowshera	BPS-17	BPS-18
33.	HR6389	Category-C Hospital Rehana Haripur	BPS-17	BPS-18
34.	CL6029	Category-D THQ Hospital Booni Chitral	BPS-17	BPS-18
35.	DI6307	Category-D THQ Hospital Kulachi D.I.Khan	BPS-17	BPS-18
36.	SH6063	Category-D THQ Hospital Besham Shangla	BPS-17	BPS-18
37.	KK6115	Category-D THQ Hospital Banda Daud Shah Karak	BPS-17	BPS-18
38.	DI6309	Category-D THQ Hospital Paharpur D.I.Khan	BPS-17	BPS-18
39.	CL6029	Category-D THQ Hospital Darosh Chitral	BPS-17	BPS-18
40.	NR6323	Category-D Hospital Akora Khattak Nowshera	BPS-17	BPS-18
41.	NR6324	Category-D Hospital Kaka Saib Nowshera	BPS-17	BPS-18
42.	NR6322	Category-D Hospital Nizam Pur Nowshera	BPS-17	BPS-18
43.	NR6320	Category-D Hospital Manki Sharif Nowshera	BPS-17	BPS-18
44.	MR6170	Category-D Hospital Toru Mardan	BPS-17	BPS-18
45.	MD6087	Category-D Hospital Thana Malakand	BPS-17	BPS-18
46.	MD6087	Category-D Hospital Agra Malakand	BPS-17	BPS-18
47.	DA6131	Category-D Hospital Lal Qila Dir Lower	BPS-17	BPS-18
48.	DA6131	Category-D Hospital Munda Dir Lower	BPS-17	BPS-18

*Attested*  
*S. Bag Khan*

49.	DA6131	Category-D Hospital Ziarat Talash Dir Lower	BPS-17	BPS-18
50.	DP6134	Category-D Hospital Barawal Banda Dir Upper	BPS-17	BPS-18
51.	DP6133	Category-D Hospital Warri Dir Upper	BPS-17	BPS-18
52.	DP6117	Category-D Hospital Patrak Dir Upper	BPS-17	BPS-18
53.	HR6223	Category-D Hospital Ghazi Haripur	BPS-17	BPS-18
54.	AD6242	Category-D Hospital Havelian Abbottabad	BPS-17	BPS-18
55.	AD6134	Category-D Hospital Boi Abbottabad	BPS-17	BPS-18
56.	AD6134	Category-D Hospital Lora Abbottabad	BPS-17	BPS-18
57.	MA6151	Category-D Hospital Baffa Mansehra	BPS-17	BPS-18
58.	MA6150	Category-D Hospital Balakot Mansehra	BPS-17	BPS-18
59.	MA6151	Category-D Hospital Oghi Mansehra	BPS-17	BPS-18
60.	SU6145	Category-D Hospital Topi Swabi	BPS-17	BPS-18
61.	SW6202	Category-D Hospital Barikot Swat	BPS-17	BPS-18
62.	CA6115	Type-D Hospital Jamal Abad Charsadda	BPS-17	BPS-18
63.	MR6170	Type-D Hospital Katlang Mardan	BPS-17	BPS-18
64.	MR6170	Type-D Hospital Shahbaz Ghari Mardan	BPS-17	BPS-18
65.	SU6195	Type-D Hospital Kalu Khan Swabi	BPS-17	BPS-18
66.	MD6087	Type-D Hospital Totakan Malakand	BPS-17	BPS-18
67.	BD6212	Type-D Hospital Pacha Kaly Buner	BPS-17	BPS-18
68.	HR6222	Type-D Hospital Khanpur Haripur	BPS-17	BPS-18
69.	HR6361	Type-D Hospital Sarai Niamat Khan Haripur	BPS-17	BPS-18
70.	BM6013	Type-D Hospital Banna Battagram	BPS-17	BPS-18
71.	KT6350	Type-D Hospital Lachi Kohat	BPS-17	BPS-18
72.	KK6265	Type-D Hospital Latambar Karak	BPS-17	BPS-18
73.	BU6327	Type-D Hospital Kakki Bannu	BPS-17	BPS-18
74.	HG6035	Type-D Hospital Thall Hangu	BPS-17	BPS-18
75.	CL6029	THQ Hospital Garam Cheshma Chitral	BPS-17	BPS-18
76.	AD6134	Civil Hospital Nathia Gali Abbottabad	BPS-17	BPS-18
77.	PW6155	RHC Takhtabad Peshawar	BPS-17	BPS-18
78.	CA6115	RHC Sherpao Charsadda	BPS-17	BPS-18
79.	MR6176	RHC Shergarh Mardan	BPS-17	BPS-18
80.	HR6435	RHC Sirikot Haripur	BPS-17	BPS-18
81.	MA6155	RHC Lassa Nawab Sahib Mansehra	BPS-17	BPS-18
82.	KT6098	RHC Gumbat Kohat	BPS-17	BPS-18
83.	KO6004	RHC Dassu Kohistan	BPS-17	BPS-18

No.FR/FD/7-3/2016-17/6226

SECRETARY HEALTH

Dated: 07-07-2017

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. All District Comptroller of Accounts/Senior District Accounts Officer/Accounts Officer, Khyber Pakhtunkhwa.

SECTION OFFICER (FR)  
FINANCE DEPARTMENT

**ENDST: Even No & Date**

Copy for information to the:

1. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
2. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
3. Director General Health Services, Peshawar.
4. All District Health Officer, Khyber Pakhtunkhwa.
5. All MS, District Headquarter Hospitals, Khyber Pakhtunkhwa.
6. All Medical Superintendents (concerned).
7. Section Officer (FR), Govt. of Khyber Pakhtunkhwa Finance Department.
8. Budget Officer-VI, Govt. of Khyber Pakhtunkhwa Finance Department.
9. PS to Secretary Health Department.

SECTION OFFICER (B-II)

Attested  
S. Bazz Khan

(13)

Annex-D

27



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

NO. SOH(E-V)3-3/2019/Dr. Taj Nawaz Khan / Promotion  
Dated Peshawar the March 10, 2020

To,

*Time 6:30 3-10-20 2 set*

The Secretary to Government of Khyber Pakhtunkhwa,  
Establishment Department,  
Peshawar

Attention: SECTION OFFICER (PSB)

Subject: WORKING PAPER FOR PROMOTION IN RESPECT OF DR. Taj Nawaz Khan (COURT MATTER)

Dear Sir,

I am directed to refer to the above captioned subject and to enclose herewith working papers (duly signed by the competent authority) in respect of Dr. Taj Nawaz Khan, Ex-Senior Dental Surgeon (BS-18) CH Sarai Naurang District Lakki Marwat regarding his notional promotion to the post of Principal Dental Surgeon (BS-19) for information and further necessary action, please.

Moreover, the doctor concerned had been retired from government service on 2.08.2017 (duly flagged).

In light of Hon'ble Peshawar High Court Peshawar judgment dated 12.06.2019, the Peshawar High Court Peshawar ordered to place working papers of the doctor concerned for his notional promotion before the PSB (copies enclosed).

In view of the above, working papers as well as judgment under implementation dated 12.06.2019 is submitted for consideration of PSB to implement the case, please.

Yours faithfully,

*[Signature]*  
SECTION OFFICER (E-V)

Encl. As Above

Endst. No. & Date Even

Copy to the:-

1. Director General Health Services, Khyber Pakhtunkhwa, Peshawar w/r to his letter No. 1971/E-I dated 11.02.2020.
2. Section Officer (Lit-I & II), Health Department, Peshawar
3. P.S to Secretary Health.

*attested*  
*s. baz Khan*

*[Signature]*  
SECTION OFFICER (E-V)

14 Annex-E



GOVERNMENT OF KHYBER PAKHTUNKHWA ESTABLISHMENT DEPARTMENT

No. SO(RSB)ED/1-8/2020/P-752 Dated Peshawar, the 06.05.2020

2872 07-05-20

To The Secretary to Government of Khyber Pakhtunkhwa, Health Department.

SUBJECT: WORKING PAPER FOR PROMOTION IN RESPECT OF DR. TAJ NAWAZ KHAN (COURT CASE).

Dear Sir,

I am directed to refer to Health Department letter No. SOH(E-V)-3-3/2019/Dr. Taj Nawaz-Khan/Promotion dated 10.03.2020 on the subject and to say that the case has been examined in Regulation Wing and observed that:-

- i. The vacant posts reflected in the working paper are of the year 2019 whereas the doctor concerned retired from service in 2017. Thus, the administrative department may reflect in the working paper the vacant post before his retirement. Moreover, budgetary documents of the sanctioned strength of the cadre alongwith list of incumbents before his retirement may be attached with the working paper.
ii. The officer retired from service on 12.08.2017, hence his PERs should have been available upto the year 2017 whereas the quantification of PERs attached to the working paper reflects PERs upto the year 2015 which need completion.
iii. Peshawar High Court Judgment dated 12.06.2019 has directed to consider the Petitioner for promotion to BS-19 on the basis of seniority cum fitness if eligible for promotion. Health Department has not mentioned in the working paper where any CPLA was filed in the Supreme Court of Pakistan against the Judgment of the Peshawar High Court or otherwise. Moreover, the 1st page of judgment of Peshawar High Court is missing.
iv. The petitioner retired from service on 12.08.2017 on attaining the age of superannuation and till his retirement he was not considered for promotion in any PSB meeting. It may be clarified as to how the issue of his missing PER for the year 2014 was raised as mentioned in the judgment, as he was not considered in any PSB meeting for promotion.
v. As mentioned above, the certificate given under the PSB-II proforma does not match with the factual position due to above deficiencies.

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

Yours faithfully, (ABDUL HAMEED) SECTION OFFICER (PSB)

Endst. of Even No. & Date.

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

SECTION OFFICER (PSB)

SO(V)

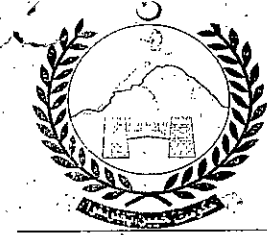
Handwritten signatures and dates: 13/5/2020, 08/05, SSH-1, AS-D

Attested s. bag Khan

Handwritten signature: DS (KB) 13/5/20

"Most Immediate"

Annex-F



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

(15)

NO. SOH(E-V)3-3/2019/Dr. Taj Nawaz Khan/ Promotion  
Dated Peshawar the September 07, 2020

To,

The Secretary to Government of Khyber Pakhtunkhwa,  
Establishment Department,  
Peshawar

Attention: SECTION OFFICER (PSB)

Subject: WORKING PAPER FOR PROMOTION IN RESPECT OF DR. Taj Nawaz Khan (COURT MATTER)

Dear Sir,

I am directed to refer to your letter No. SO(PSB)ED/1-8/2020/P-752 dated 06.05.2020 on the above captioned subject and to enclose herewith revised working papers (duly signed by the competent authority) in respect of Dr. Taj Nawaz Khan, Ex-Senior Dental Surgeon (BS-18) CH Sarai Naurang District Lakki Marwat regarding his notional promotion to the post of Principal Dental Surgeon (BS-19) for information and further necessary action, please.

Moreover, the doctor concerned had been retired from government service on 23.08.2017.

In light of Hon'ble Peshawar High Court Peshawar judgment dated 12.06.2019, the Peshawar High Court Peshawar ordered to place working papers of the doctor concerned for his notional promotion before the PSB (**copies enclosed**).

In view of the above, working papers as well as judgment under implementation dated 12.06.2019 is submitted for consideration of PSB to implement the case, please.

Yours faithfully,

SECTION OFFICER (E-V)

Encl. As Above

Endst. No. & Date Even

Copy to the:-

1. Director General Health Services, Khyber Pakhtunkhwa, Peshawar w/r to his letter No. 12209/E-I dated 24.07.2020.
2. Section Officer (Lit-I & II), Health Department, Peshawar
3. P.S to Secretary Health:

M. Medid (Lit-I)  
8-9-2020

Attested  
S. Taj Khan

SECTION OFFICER (E-V)

Peshawar High Court



Annex-9 (16)



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

No. SO (PSB) ED/1-8/2020/P-752  
Dated Peshawar, the June 2, 2021

4580  
2.6.21

To

The Secretary to Government of Khyber Pakhtunkhwa,  
Health Department.

**SUBJECT: WORKING PAPER FOR PROMOTION IN RESPECT OF  
DR. TAJ NAWAZ KHAN (COURT MATTER).**

Dear Sir,

I am directed to refer to Health Department letter No. SOH(E-V)-3-3/2021/Dr. Taj Nawaz Khan/Promotion, dated 20.05.2021 on the subject and to say that the case has been examined in Regulation wing and observed that the following observations conveyed vide this department letter of even number dated 18.02.2021 have not been attended: -

- i. Budget copies of 15 instead of 16 posts have been annexed to the working paper. Moreover, the copies attached are not legible.
- ii. Health department has not confirmed as to whether they have referred the case to Law department for filing CPLA or otherwise.
- iii. The letter dated 16.02.2015 as mentioned in the judgment of Peshawar High Court dated 12.06.2019 has not been annexed to the working paper.
- iv. His juniors were promoted in PSB meeting held on 25.09.2017 when he stood retired from service on 12.08.2017. Health department may submit a detailed case clarifying his position as to whether he was eligible for promotion or otherwise during his service.

2. It is requested that the administrative department may submit its reply in annotated shape with supporting documents to avoid any wastage of time. The working paper and other documents received with the letter quoted above are returned herewith in original for doing the needful.

SSR (E/SA) AS(E)  
DS(E) SO (E)

Yours faithfully,

2.6.21  
SECTION OFFICER (PSB)

**Encl: As above.**

**ENDST. EVEN NO. & DATE.**

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

SECTION OFFICER (PSB)

Report from DGHS by today  
3/6/21 DS/E 216  
Attested  
S. Bay Khan



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

No. SO (PSB) ED/1-8/2020/P-752  
Dated Peshawar, the July 29, 2021

Annex-H

(17)

To

The Secretary to Government of Khyber Pakhtunkhwa,  
Health Department.

L.No. 6001  
D: 29.7.21  
Secretary Health

**SUBJECT: WORKING PAPER FOR PROMOTION IN RESPECT OF  
DR. TAJ NAWAZ KHAN (COURT MATTER).**

Dear Sir,

I am directed to refer to Health Department letter No. SOH(E-V)2-2/2021/Dr. Taj Nawaz Khan/Promotion/193, dated 12.07.2021 on the subject and to say that the case has been examined in Regulation wing and observed that the following observations conveyed vide this department letter of even number dated 18.02.2021 and 02.06.2021 have not been attended: -

- i. Budget copies of 15 instead of 16 posts have been annexed to the working paper. Moreover, the copies attached are not legible. ✓
- ii. { Health department has not confirmed as to whether they have referred the case to Law department for filing CPLA or otherwise. } so lit
- iii. His juniors were promoted in PSB meeting held on 25.09.2017 when he stood retired from service on 12.08.2017. Health department may submit a detailed case clarifying his position as to whether he was eligible for promotion or otherwise during his service. DGHs

2. It is requested that a well conversant representative may be deputed to attend this department for discussing the case. The working paper and other documents received with the letter quoted above are returned herewith in original for doing the needful.

Yours faithfully,

S. S. (E. S. A.)

(A. S. E.)

29-7-2021  
SECTION OFFICER (PSB)

**Encl: As above.****ENDST. EVEN NO. & DATE.**

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

Attested  
S. S. (E. S. A.)

29/7  
D. S. (E)

SECTION OFFICER (PSB)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Annex-3

(18)

NO. SOH(E-V)/5-5/2021/Dr. Taj Nawaz Khan/  
Dated Peshawar the 26<sup>th</sup> August, 2021

To

The Director General, Health Services  
Khyber Pakhtunkhwa, Peshawar

Subject:

WORKING PAPER FOR PROMOTION IN RESPECT OF  
DR. TAJ NAWAZ KHAN (COURT MATTER)

Dear Sir

I am directed to refer to the subject noted above and to enclose herewith the letter No. SO(PSB)ED/1-8/2020/P-752 and 12/07/2021 requisite information, in respect of Dr. Taj Nawaz Khan, Senior Dental Surgeon (BS-18) which is self-explanatory. Particularly the Para-III, need to be address i.e.

“His juniors were promoted in PSB meeting held on 25/09/2017 back then, where he stood stand retired from the services dated 12/08/2017, Health Department may submit a detailed case clarify his position as to, whether he was eligible for promotion or otherwise during his service.”

I am further directed to state that comments/ opinion in the instant case may be prepared and nominated well conversant representative may be relinquished to attend the respective department for discussing the case effectively, all necessary documents may also provide to this department at the earliest, for addressing further please.

Yours faithfully

(LATIF UR REHMAN)  
SECTION OFFICER (E-V)

Endst. No. & Date Even

Copy to the:-

1. PS to Secretary Health Department, Khyber Pakhtunkhwa.
2. PA to DS (Lit) Health Department, Khyber Pakhtunkhwa.

3. SO - (LIT) 1

SECTION OFFICER (E-V)

26.8.2021

Attested  
S. Bag Khan



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Annex - 12

19

NO. SOH(E-V)/3-3/2021/Dr. Taj Nawaz Khan  
Dated Peshawar the September 21, 2021

To

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

Attention: SECTION OFFICER (PSB)

4

21-9-2021

4:00 PM

Subject: WORKING PAPER FOR PROMOTION IN RESPECT OF  
DR. TAJ NAWAZ KHAN (COURT MATTER)

Dear Sir,

I am directed to refer to your letter No. SO (PSB) ED/ 1-8/2020/ P-752 dated 29.07.2021 on the above captioned subject and furnish the complete file regarding promotion of Dr. Taj Nawaz Khan from Senior Dental Surgeon (BS-18) to Principal Dental Surgeon (BS-19) with the following reply of the observations raised by your respective Department:-

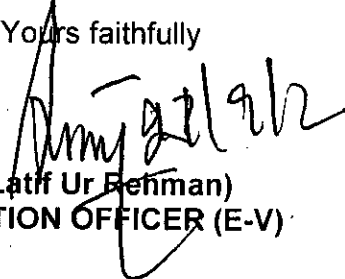
- i. New Budget Book Copy is annexed.
- ii. The subject case did not refer to the Law Department for filling CPLA.
- iii. Before the retirement of Petitioner, promotion case was sent to PSB and 05-Senior Dental Surgeons (BS-18) on top of the seniority list were promoted to the post of Principal Dental Surgeon (BS-19) and the petitioner (Dr. Taj Nawaz) were at S.No. 10 of the seniority list. Again on the verbal direction of the then Secretary Health, promotion case under 4-tire formula of Senior Dental Surgeon BS-18 to Principal Dental Surgeon BS-19 was submitted to PSB. The PSB meeting was held September, 2017. Consequently 21-Senior Dental Surgeons BS-18 were promoted on 25.09.2017 to new upgraded posts of Principal Dental Surgeons under 4-tire formula while the petitioner was retired on 12.08.2017 before the promotion process is done.

Attested  
S. Buz Khan

27

I am therefore, directed to state that (07) sets of working papers (duly signed by the worthy Secretary Health) is placed in the upcoming PSB for notional promotion in respect of above mentioned doctor, please.

Yours faithfully

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

Encl: As above

Endst. No. & Date Even

Copy to the:-

1. The Director General Health Services, Khyber Pakhtunkhwa.
2. PS to Secretary Health, Khyber Pakhtunkhwa.

  
SECTION OFFICER (E-V)

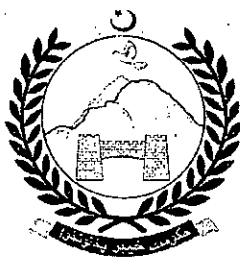
Attested  
S. Bag Khan

Annex-2

(21)

**IMMEDIATE  
CONFIDENTIAL**

Diary No. 1534  
Dated: 12-1-22  
SOH (E-V), Health Department



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

NO. SO(PSB)ED/1-8/2021/P-752  
Dated Peshawar the 05.01.2022

L.No. 110  
Date 5/1/22  
Secretary Health

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

SUBJECT: **MINUTES OF THE MEETING OF PROVINCIAL SELECTION  
BOARD HELD ON 02.12.2021**

**WORKING PAPER FOR PROMOTION IN RESPECT OF DR.TAJ  
NAWAZ KAHN (COURT MATTER).**

Dear Sir,

I am directed to refer to Health Department letter No. SOH-V/3-3/2021, Dr. Taj Nawaz Khan dated 21.09.2021 on the subject and to forward herewith an extract of **Agenda Item No (59)** of the minutes/recommendations of the meeting of Provincial Selection Board held on **02.12.2021** as well as copy of approved summary wherein the Chief Minister, Khyber Pakhtunkhwa being competent authority in terms of Rule 4 (1) (a) of the Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules, 1989 has approved the recommendations of the PSB, for further necessary action.

Yours faithfully,

Attested  
S. Naz Khan

06/1/22

Nawaz  
5/1/22

5.1.2022  
SECTION OFFICER (PSB)

**Encl: As Above.**

Hawas  
20/1/9  
10/1/2022

50 (V)  
6/1/22

ITEM NO. (59)HEALTH DEPARTMENT  
(Meeting of PSB held on 02.12.2021)

SUBJECT:- PROFORMA PROMOTION CASE OF DR. TAJ NAWAZ TO THE POST OF PRINCIPAL DENTAL SURGEON BS-19 IN PURSUANCE OF PESHAWAR HIGH COURT DIRECTION IN ITS JUDGEMENT DATED 12.06.2019.

The Special Secretary Health apprised the Board that Dr. Taj Nawaz Senior Dental Surgeon BS-18 was the employee of Health Department who retired from service on 12.08.2017 on attaining the age of superannuation. Finance Department upgraded 45 posts of Senior Dental Surgeon to the post of Principal Dental Surgeon BS-19 on 07.07.2017 under four tier structure. Health Department forwarded a working paper on 29.08.2017 for promotion of Senior Dental Surgeon BS-18 to the post of Principal Dental Surgeon BS-19 which was considered in PSB meeting held on 25.09.2017. He was appearing at S.No 10 of the Seniority List but the department had not included his name in the panel as he had already retired from service on 12.08.2017.

After his retirement, he filed a writ petition in Peshawar High Court and the Court directed to consider his promotion on notional basis to BS-19 based on Seniority cum fitness, if otherwise he is eligible. Subsequently, he filed CoC in the Court which was disposed of by directing the respondents to live up to their commitment so made at the bar on their behalf by the learned AAG and consider the petitioner's case in light of the ibid order of this Court in the upcoming meeting of the PSB.

Keeping in view the direction of the Peshawar High Court, his case was considered/discussed in detail. However, the Board observed that since the posts were created on 07.07.2017 and Health Department had not forwarded a Working Paper for placement before PSB till his retirement on 12.08.2017. Therefore, the PSB in its meeting held on 25.09.2017 did not consider as he already stood retired and his name was not included in the working paper. Thus the Board did not find him suitable for promotion.

Attest  
S. Bag Khan  
Secretary (Health)  
Peshawar

**WRIT PETITION NO. 459-P/2023**

Dr. Taj Nawaz Khan ..... (Petitioners)

**Versus**

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

**Affidavit**

I, **SHAH BAZ KHAN**, Superintendent, (BPS-17) Khyber Pakhtunkhwa, Health Department do hereby solemnly affirm and declare that the contents of the Parawise Comments at Page 01-03 submitted on behalf of Respondent No. 02 & 03 are true and correct to the best of my knowledge, belief and that nothing has been concealed from this Hon'ble Court.

*Shah Baz Khan*

**(SHAH BAZ KHAN)**  
SUPERINTENDENT (LIT-I)  
GOVT: OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT  
C.N.I.C No. 21407-3147523-3  
Mob No.0333 9324204

Identified by

*Mahid*  
for **Advocate General**  
**Khyber Pakhtunkhwa**

40/76

Certified that the above was verified on solemnly affirmation before me in office, this 05 day of June 2023 by Shah Baz Khan s/o Supra who resides at Peshawar who is personally known to me.

*[Signature]*  
5/6/2023  
Deputy Registrar Peshawar

**FILED TODAY**  
*[Signature]*  
**Deputy Registrar**  
**06 JUN 2023**



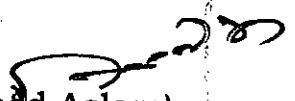


(24)

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

**AUTHORITY LETTER**

**Mr. Shah Baz Khan**, Superintendent (BPS-17) (Litigation Section), 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 Hon'ble Supreme Court of Pakistan, Peshawar High Court Peshawar and its Benches in the Province as well as Lower Courts.

  
(Mahmood Aslam)  
Secretary to Govt. of Khyber Pakhtunkhwa  
Health Department.

*Attested*  
*S. Baz Khan*

IN THE PESHAWAR HIGH COURT PESHAWAR

W.P. No. 459-P/2023

Dr. Taj Nawaz.....Petitioner

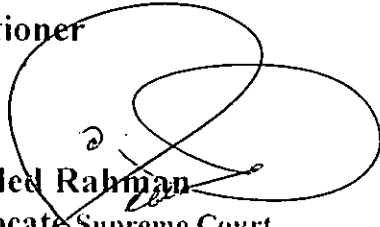
Versus

Gov of Khyber Pakhtunkhwa and others .....Respondents


**INDEX**

S.No.	Description of Documents	Date	Annexure	Pages
1.	Memo of Rejoinder with Affidavit			1-3
2.	Letter addressed to the Secretary Health & Promotion Notification	29.06.2021 25.09.2017	R/1	4-5
3.	Letter	16.02.2015	R/2	6-7
4.	Other Relevant Record		R/3	8-17

Through Petitioner

  
Khaled Rahman  
Advocate, Supreme Court  
4-B, Haroon Mansion  
Khyber Bazar, Peshawar  
Off: Tel: 091-2592458  
Cell # 0345-9337312

Dated: 01/08/2023

Scanned USB Received  
01 SEP 2023  
Signature 

**FILED TODAY**  
Deputy Registrar  
01 SEP 2023

# IN THE PESHAWAR HIGH COURT PESHAWAR

W.P. No.459-P/2023

Dr. Taj Nawaz.....Petitioner

Versus

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

## REJOINDER ON BEHALF OF PETITIONER IN RESPONSE TO PARA WISE COMMENTS FILED BY RESPONDENT N0.3.

Respectfully Sheweth,

### **Preliminary Objections:**

Preliminary objections raised by answering Respondents are erroneous and frivolous. The Petitioners have got a strong cause of action and for that matter locus standi to file the instant petition. Petitioner is highly aggrieved of the acts and omissions of the Respondents and has approached the Hon'ble Court with clean hands. There is no unwanted litigation against the Department rather the Petitioners had to be treated as per the law. All the relevant facts have been incorporated in the memo of Writ Petition. This Hon'ble Court has the jurisdiction to entertain the instant Petition.

### **Facts:**

1. Partially admitted. As per the 4-Tier Formula vide letter dated 07.07.2017 45 posts of Principal Dental Surgeon (BPS-19) were approved by Finance Department. Respondents admit the fact that the petitioner is at serial No.10 of the Seniority list 2017 while he stood retired on 12.08.2017 which clearly makes the petitioner entitled for benefit of promotion.
  
- 2&3. Not plausibly explained. Petitioner was eligible but was unlawfully not promoted to the subject post with effect from occurrence of vacancy which caused financial loss to the petitioner on the one hand and damaged his career progression on the other. Moreover, according to the letter dated 29.06.2021 and Notification dated 25.09.2017 (**Annex;-Rj/1**) 21 Senior Dental Surgeon BS-18 were promoted to the post of Principal Dental Surgeon BS-19 while petitioner being at Serial No.10 was not considered and amongst them 13 persons were established juniors to the petitioner while he was not considered for promotion. It is incorrect that 5 posts were available as explained hereinabove and the cited letter dated 09.08.2017 is neither available on the file nor has ever been discussed in the

**FILED TODAY**

**Deputy Registrar**

**01 SEP 2023**

documents. It is clearly mentioned by Director General Health Services Khyber Pakhtunkhwa in his letter dated 29.06.2021 *ibid* that vacant posts of Dental Surgeon BS-19 were available in the Department and that requisite ACRs and other relevant documents were placed before PSB but PSB meeting could not be held and in the meanwhile the Petitioner superannuated and could not be promoted due to lethargy of Department for which the petitioner was not responsible.

- 4-7. Not admitted. After the order of the Court, a lengthy and cumbersome correspondence ensued between the Administrative Department and Establishment Department wherein almost 10 months period was lost without any sound justification but just to linger on the matter and add to the agonies of the petitioner. It was observed by the High Court in the judgment passed in W.P No.4812-P/2017 dated 12.06.2019:- *“However, this court is of the opinion that vide letter dated 16.02.2015, petitioner had the very right of promotion to BS-19, but the same was not given to him on account of deficiency i.e. non availability of ACR for the year 2014, and if the same deficiency had later been rectified and petitioner had provided the same then he is supposed to be promoted to BS-19 in due course”*. The judgment was not honored and the matter was delayed so petitioner still being not contented filed COC before the Court. It is necessary to add here that previously the ACR's for the year 2014 (*Annex;-Rj/2*) the matter was kept pending regarding non completion of ACR dossier which was also the key point of non-consideration for promotion of petitioner to the next higher grade. The case of petitioner was forwarded after 9 months which was later on regretted.
8. Misconceived. The jurisdiction of the Services Tribunal in the matter falling within the ambit of Section 4(1)(b) of Khyber Pakhtunkhwa Service Tribunals Act,1974 is barred under Article 212 of the Constitution of Pakistan, 1973.

**Grounds: -**

A-H. Incorrect, the replies to the grounds as mentioned in comments are not upto-the-mark as contended by the answering Respondents while the grounds embodied in the writ petition are well reasoned based upon prevailing law and facts.

It is therefore, humbly prayed that the Parawise Comments of Respondents may kindly be rejected and petition as prayed for may graciously be accepted.

Dated: 01/08/2023

Through  
**FILED TODAY**  
 Deputy Registrar  
**01 SEP. 2023**

Petitioner

Khaled Rahman ASC

IN THE PESHAWAR HIGH COURT PESHAWAR

W.P. No.459-P/2023

Dr. Taj Nawaz.....Petitioner

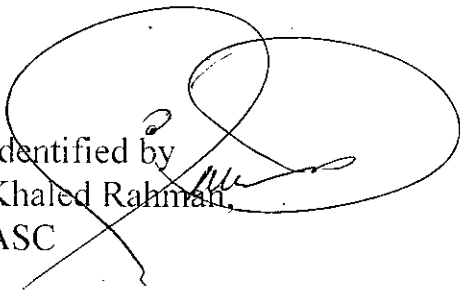
Versus

Gov of Khyber Pakhtunkhwa and others .....Respondents

Affidavit

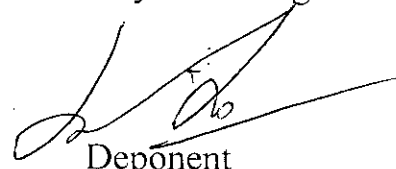
I, Taj Nawaz S/o Gul Janan , R/o Flat No.2 Hamza flats, warsak road, Peshawar , do hereby affirm and declare on oath that the contents of this rejoinder with attached documents are true and correct to the best of my knowledge.

Identified by  
Khaled Rahman,  
ASC



Deponent

CNIC: 11101-1428671-7  
Cell No. 0301-8077313



No. 46689

Certified that the above was verified on solemn affirmation before me in office, this 01 day of Self 2023 Taj Nawaz s/o Gul Janan who was identified by Self who is personally known to me:

[Signature] 1/9/2023

**FILED TODAY**  
**Deputy Registrar**  
**01 SEP 2023**

4

R/1

DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR

All communications Should be Addressed to The Director General,  
Health Services Peshawar and not to any official by name  
Office Ph (091 - 9210269 Exchange 28 091 - 9210187, Fax (091 - 9210230)



No. 9385 /E.I Dated: 29/06/2021

To

The Secretary Govt. of Khyber Pakhtunkhwa  
Health Department.

**Attention:-Section officer -V**

Subject: - WORKING PAPER FOR PROMOTION IN RESPECT OF DR. TAJ NAWAZ KHAN (COURT MATTER).

With reference to your letter No. SOH (E-V) 3-3/2021/Dr. Taj Nawaz Khan/Promotion dated 07.06.2021 on the subject noted above and to state that Original working papers have not been received in this Directorate however Para-wise reply in the subject case in respect of Taj Nawaz Khan Ex-Sr. Dental Surgeon (BS-18) attached to CH Sarai Naurang District Lakki Marwat is again furnish herewith, for further necessary action as desired please.

1. Legible copies are not available in the DG Health office for which SO (Budget) Health Department may please be approached.
2. Pertains to Health Department (SO- Litigation).
3. A copy of this Directorate letter dated 16.02.2015 is attached herewith.
4. He was working as senior Dental Surgeons BS-18 attached to Cat-C Hospital Sarai Naurang Lakki Marwat before his retirement. He got retired on 12.08.2017. During his service vacant posts of Principal Dental Surgeons BS-19 were available but PSB date was not fixed. Meanwhile on 07.07.2017 Finance Department notified 4-tier formula of up gradation of various posts of Dental Surgeons. According to that break up of 45-posts of Senior Dental Surgeons upgraded to the post of Principal Dental Surgeons BS-19, so work on preparation of working papers for promotion was started. He also submitted PERs and other relevant documents. He also moved an application through Proper Chanel for promotion to BS-19. PSB meeting could not be arranged by the Govt. due to lapse of time preparing working papers for various Categories of doctors. The promotion of Senior Dental Surgeons to the Principal Dental Surgeons BS-19 was done on 25.09.2017 and 21-Senior Dental Surgeons BS-18 were promoted to the post of Principal Dental Surgeons BS-19 however the applicant could not be promoted to the post of Principal Dental Surgeon BS-19 as he was retired on 12.08.2017 before the PSB meeting was held.

ATTESTED

DIRECTOR GENERAL HEALTH SERVICES  
DGHS, KHYBER PAKHTUNKHWA PESHAWAR

128/6

R/1



GOVERNMENT OF KHYBER PAKHTUNKHWA

HEALTH DEPARTMENT

11185  
03-10-17

Dated Peshawar, the 25<sup>th</sup> September, 2017

**NOTIFICATION**

**SOH(E-V) 4-4/2017**

The Government of Khyber Pakhtunkhwa on the recommendations of the Provincial Selection Board is pleased to promote the following Senior Dental Surgeons 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 Farooq	12	Dr. Akhtar Gul
2	Dr. Iftikhar Ahmad Khattak	13	Dr. Muhammad Taufeeq
3	Dr. Muhammad Tahir Javed	14	Dr. Rizwanullah
4	Dr. Sanaullah Khan	15	Dr. Taj Malook
5	Dr. S.M. Arif Shah	16	Dr. Ziarat Gul
6	Dr. Muhammad Naeem Ahmad	17	Dr. Muhammad Ilyas
7	Dr. Nasrullah Jan	18	Dr. Muhammad Farooq
8	Dr. S.M. Mufarrah Shah	19	Dr. Shazia Nadeem
9	Dr. Muhammad Azhar	20	Dr. Taj Muhammad
10	Dr. Qazi Hanifur Rehman	21	Dr. Sharafat Ali
11	Dr. Sabir Shah		

2. 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 for a period of one year extendable for another year.

3. The postings/transfers of the above named doctors shall be notified later on.

SECRETARY HEALTH  
Govt of Khyber Pakhtunkhwa

ATTESTED

R/A

R/2

Handwritten signature and initials



ATTESTED

S. No.	NAME OF DENTAL SURGEON WITH INSTITUTE	PERIOD REQUIRED
1.	Dr. Murtaza Khan THQ Hospital 2014	
2.	Dr. Bakht Azzam AHQ Hospital 2014	
3.	Dr. Aqbar Rashid AHQ Hospital 2014	
4.	Dr. Zafar Ali Shah RHC Anna Khal Tank Peshawar 2014	
5.	Dr. Zafar Iqbal Ahmad KCD Peshawar 2014	
6.	Dr. Rahmet Ullah RHC Panjala Dikhan 2013 & 2014	
7.	Dr. Farid Ullah Shah RHC Mardan KCD 2010, 2011, 2013 & 2014	
8.	Dr. Muhammad Farooq KCD 2014	
9.	Dr. Rehman Ahmad Wastak RHC 2014	

Your are requested to provide the same within a week time to the receipt of this communication, failing which you will be held responsible for delaying the promotion of Kyber Pakhtunkhwa.

This is to inform you that following Senior Dental Surgeon (DS-13) are due for promotion to the post of Principal Dental Surgeon (DS-16), but their ACRs for the period mentioned against each have not been received to this Directorate General Health Services

- | S. No. | Name  | Address |
|--------|---|---------|
| 5.     | The Principal KCD Peshawar                      |         |
| 10.    | The Principal Eshta Khan Medical College Mardan |         |
| 11.    | Director Health Services PATA Peshawar          |         |
| 12.    | The M.S. RHC Peshawar                           |         |
| 13.    | The District Officers Peshawar                  |         |
| 14.    | Major, Royal Army Medical Corps                 |         |
| 15.    | The M.S. KCD Bannu                              |         |
| 16.    | The M.S. RHC Mardan, Tank, Dikhan, Dr. Lowan    |         |
| 17.    | The M.S. RHC Mardan, Tank, Dikhan, Dr. Lowan    |         |

Dated the Pesh: 16/02/2015  
No. 2984-35E-1

DEPARTMENT OF HEALTH SERVICES  
PESHAWAR  
All communications should be addressed to the Director  
General Health Services Peshawar and not to any official by name  
Office of the Director General Health Services Peshawar  
Office of the Director General Health Services Peshawar  
Office of the Director General Health Services Peshawar



R/2

8

9



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

No.2984-85/E-1

Dated the Pesh: 16/02/2015

**MOST URGENT**

To,

9. The Principals KCD Peshawar.
10. The Principal Bacha Khan Medical College Mardan.
11. Director Health Services FATA Peshawar.
12. The M.S HMC Peshawar.
13. The District Officers Health  
Haripur, Kohat, Lakki Marwat, Tank, DIKhan, Dir Lower.
14. The M.S KGNTH Bannu.
15. The M.S AHQ Hospital Miranshah.

Subject:- **PROMOTION OF SENIOR DENTAL SURGEON FROM (BS-18) TO  
PRINCIPAL DENTAL SURGEON (BS-19)**

Memo,

This is to inform you that following Senior Dental Surgeon (BS-18) are due for promotion to the post of Principal Dental Surgeon (BS-19), but their ACRs for the period mentioned against each have not been received to this Directorate General Health Services Khyber Pakhtunkhwa.

You are requested to provide the same within a week time to the receipt of this communication, failing which you will be responsible for delaying the promotion case.

S.No.	NAME OF DENTAL SURGEON/WITH INSTITUTE	PERIOD REQUIRED
1.	Dr. Mumtaz Khan THQ: Hospital Samar Bagh Dir Lower	2014
2.	Dr. Iftikhar uddin AHQ: Hospital Miranshah	2014
3.	Dr. Abdur Rashid Afridi KCD Peshawar	2014
4.	DR. Zafar Ali Shah RHC Ama Khel Tank	2014
5.	Dr. Zafar Iqbal Ahmad KCD Peshawar	2014
6.	Dr. Rehmat Ullah RHC Paniala DIKhan	2023 & 2014
7.	Dr. Farid Ullah Shah BKMC Mardan	2010, 2011, 2013 & 2014
8.	Dr. Muhammad Farooq KGNTH Bannu	2014
9.	Dr. Iftikhar Ahmad Khattak HMC Peshawar.	2014

**ATTESTED**

10.	Dr. Muhammad Tahir Javed DHO Tank.	2014.
11.	Dr. Sara Ullah CH Dabber Dikhan.	2006 to 2014.
12.	Dr. Muhammad Asif Shah Bukhari RHC Lachi Kohat.	2008 to 2014.
13.	Dr. Muhammad Nadim Qureshi, RCD Peshawar.	2014.
14.	D. Nasrullah Jan RHC Sari Garghila Lakki Marwat.	2014.
15.	Dr. Saifullah Shah DHO S Mardan.	2007, 2013 & 2014.
16.	Dr. Ahsan Nawaz Khan RHC Sari Naimat Khan Maripun.	2006, 2007, 2011, 2012 & 2014.
17.	Dr. Taj Nawaz Khan CH Sari Naurang Lakki Marwat.	2014.
18.	Dr. Zakir Hussain RCD Peshawar.	2014.

A part from the above the following documents may also be furnished in respect of each Senior Dental Surgeons.

1. Passport size photographs. 10 copies.
2. No Departmental Judicial/Anti Corruption/enquiry certificate. 10 copies.
3. Three Months Training Certificate. 10 copies.
4. Two Weeks PHSA Certificate. 10 copies.

*[Signature]*  
 ASSISTANT DIRECTOR (P-1)  
 DIRECTORATE GENERAL HEALTH SERVICES  
 KHYBER PAKHTUNKHWA PESHAWAR

Cc to:-  
 Secretary to Govt of Khyber Pakhtunkhwa Health Department Peshawar for information.

OFFICE OF THE DISTRICT HEALTH OFFICER LAKKI MARWAT.

NO/024-26 E-1 Dated Lakki the 09/3/2015

Copy forwarded to the:-

1. Dr, Nasrullah Jan Dental Surgeon RHC: Landiwah.
2. Dr, Taj Nawaz Dental Surgeon Category-C Hosp: S/Naurang. for information and necessary action.
3. The Director General Health Services Khyber Pakhtun Khwa Peshawar for information please.

*[Signature]*  
 DISTRICT HEALTH OFFICER  
 LAKKI MARWAT.

**ATTACHED**

10.	Dr. Muhammad Tahir Javed DHO Tank	2014
11.	Dr. Sana Ullah CH Darban DIKhan	2006 to 2014
12.	Dr. Muhammad Arif Shah Bukhari RHC Lachi Kohat	2008 to 2014
13.	Dr. Muhammad Nasim Ahmad KCD Peshawar	2014
14.	Dr. Nasrullah Jan RHC Saria Gambila Lakki Marwat	2014
15.	Dr. Mufrah Shah DIG/C Mardan	2007, 2013 & 2014
16.	Dr. Akhtar Nawaz Khan RHC Sari Naimat Khan Haripur	2006, 2007, 2011, 2012 & 2014
17.	Dr. Taj Nawaz Khan CH Sari Naurang Lakki Marwat	2014
18.	Dr. Zakir Hussain KCD Peshawar.	2014

A part from the above the following documents may also be furnished in respect of each Senior Dental Surgeons.

- |   |           |
|---|-----------|
| 1. Passport size photographs                                    | 10 copies |
| 2. No Departmental Judicial/Anti Corruption/enquiry certificate | 10 copies |
| 3. Three Months Training Certificates                           | 10 copies |
| 4. Two Weeks PHSA Certificate                                   | 10 copies |

Sd/-  
 ASSISTANT DIRECTOR (P-I)  
 DIRECTORATE GENERAL HEALTH  
 SERVICES KHYBER PAKHTUNKHWA PESHAWAR

Cc to:-

Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar for information.

OFFICE OF THE DISTRICT HEALTH OFFICER LAKKI MARWAT.

NO.1024-26/E-1 Dated Lakki the 09/03/2015

Copy forwarded to the:-

1. Dr. Nasrullah Jan Dental Surgeon RHC: Landiwah.
2. Dr. Taj Nawaz Dental Surgeon Category-C Hosp: S/Naurang.  
for information and necessary action.
3. The Director General Health Services Khyber Pukhtun Khwa Peshawar for information please.

Sd/-  
 DISTRICT HEALTH OFFICER  
 LAKKI MARWAT

ATTESTED



ATTESTED

R/3

Handwritten notes in Urdu script, possibly a date or reference number.

S.O(P.S.B)

SECTION OFFICER (R-II)

Handwritten signature and date: 14/4/20

Office for further examination.

Handwritten number: 1/20

SO (PSB) may examine the Working Paper and forward the same to this

12-6-2019 of the Hon'ble Peshawar High Court, Peshawar in WP No. 4812-P/2017.

Department to the post of Principal Dental Surgeon (BS-19) in light of the orders dated

nonational promotion of Dr. Taj Nawaz Khan, ex Senior Dental Surgeon (BS-18) Health

Health Department vide PUC has forwarded Working Paper for the

PUC at Page 01/C

Handwritten number: 1

NAWAZ KHAN (COURT MATTER)

SUBJECT: WORKING PAPER FOR PROMOTION IN RESPECT OF DR. TAJ

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- 9

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

Para-1 & 2/N refers

Regulation Wing has submitted the file in hand to this section for examination of the working paper forwarded by Health Department for placement before PSB for consideration of Proforma Promotion of Dr. Taj Nawaz Khan to the post of Principal Dental Surgeon (BS-19) in pursuance of Peshawar High Court judgment dated 12.06.2019. It has been stated in the judgment that the petitioner had the right of promotion to BS-19 but the same was not given to him due to non availability of his PER for the year 2014 and if the same deficiency has later been rectified and the petitioner had provided the same; then he is supposed to be promoted to BS-19 in due course

It is pointed out that:-

- i. The working paper for promotion of Dental Surgeon as Principal Dental Surgeon BS-19 was placed in PSB meeting held on 09.03.2017. The Board was informed that five posts had been vacant due to retirement and promotion and 02 more posts also became vacant resultantly. Thus seven posts were vacant against which 06 officers were promoted and one post was reserved for an officer who was deferred due to his missing PER (F/A).
- ii. The seniority list of the officers on the basis of which the above working paper was considered for the year 2016 in which the petitioner was appearing at S. No. 16 (F/B) and his name was also not included in the panel.
- ✓ iii. He retired from service on 12.08.2017 on attaining the age of superannuation and till his retirement the department did not submit any working paper for placement before PSB. Thus the issue of his missing PER for the year 2014 has never been raised at the forum of PSB.
- iv. The vacant posts reflected in the working paper are of the year 2019 while the petitioner retired from service in 2017. The department may show in the working paper the details of vacant post before retirement of the doctor with documentary proof.
- ✓ v. The judgment of Peshawar High Court dated 12.06.2019 and quantification of PERs of the doctor attached with the working paper are incomplete.
- vi. The budget documents of the sanctioned strength of the cadre have not been attached with the working paper.
- vii. The department may clarify as to whether the case was referred to Law Department for seeking their advice for filing CPLA or otherwise. The copy of their advice is also required with the working paper.
- ✓ viii. The administrative Department may give its proposal in the working paper for consideration the proforma promotion of the petitioner.
- ✓ ix. 08 sets of the working paper, complete in all respects are required for placement before PSB with the attested documents as mentioned above.

It is proposed that the case may be passed on to Regulation Wing for further examination.

**ATTESTED**

6 DS/R-I

SOIR-10

For examination please

15/11/2020  
S.O (PSB)

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**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

Para-1 & 2/N refers

Regulation Wing has submitted the file in hand to this section for examination of the working paper forwarded by Health Department for placement before PSB for consideration of Proforma Promotion of Dr. Taj Nawaz Khan to the post of Principal Dental Surgeon (BS-19) in pursuance of Peshawar High Court judgment dated 12.06.2019. It has been stated in the judgment that the petitioner had the right of promotion to BS-19 but the same was not given to him due to non availability of his PER for the year 2014 and if the same deficiency has later been rectified and the petitioner had provided the same, then he is supposed to be promoted to BS-19 in due course.

It is pointed out that:-

- i. The working paper for promotion of Dental Surgeon as Principal Dental Surgeon BS-19 was placed in PSB meeting held on 09.03.2017. The Board was informed that five posts had been vacant due to retirement and promotion and 02 more posts also became vacant resultantly. Thus seven posts were vacant against which 06 officers were promoted and one post was reserved for an officer who was deferred due to his missing PER (F/A).
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- iii. He retired from service on 12.08.2017 on attaining the age of superannuation and till his retirement the department did not submit any working paper for placement before PSB. Thus the issue of his missing PER for the year 2014 has never been raised at the forum of PSB.
- iv. The vacant posts reflected in the working paper are of the year 2019 while the petitioner retired from service in 2017. The department may show in the working paper the details of vacant post before retirement of the doctor with documentary proof.
- v. The judgment of Peshawar High Court dated 12.06.2019 and quantification of PERs of the doctor attached with the working paper are incomplete.
- vi. The budget documents of the sanctioned strength of the cadre have not been attached with the working paper.
- vii. The department may clarify as to whether the case was referred to Law Department for seeking their advice for filing CPLA or otherwise the copy of their advice is also required with the working paper.
- viii. The administrative Department may give its proposal in the working paper for consideration the proforma promotion of the petitioner.
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It is proposed that the case may be passed on to Regulation Wing for further examination.

For examination please

DS (R-I)

SO (R-II)

**ATTESTED**

Sd/- 15/4/2020  
S.O (PSB)

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT**

Para-1 & 2/N refers

Regulation Wing has submitted the file in hand to this section for examination of the working paper forwarded by Health Department for placement before PSB for consideration of Proforma Promotion of Dr. Taj Nawaz Khan to the post of Principal Dental Surgeon (BS-19) in pursuance of Peshawar High Court judgment dated 12.06.2019. It has been stated in the judgment that the petitioner had the right of promotion to BS-19 but the same was not given to him due to non availability of his PER for the year 2014 and if the same deficiency has later been rectified and the petitioner had provided the same, then he is supposed to be promoted to BS-19 in due course.

It is pointed out that:-

- i. The working paper for promotion of Dental Surgeon as Principal Dental Surgeon BS-19 was placed in PSB meeting held on 09.03.2017. The Board was informed that five posts had been vacant due to retirement and promotion and 02 more posts also became vacant resultantly. Thus seven posts were vacant against which 06 officers were promoted and one post was reserved for an officer who was deferred due to his missing PER (F/A).
- ii. The seniority list of the officers on the basis of which the above working paper was considered for the year 2016 in which the petitioner was appearing at S. No. 16 (F/B) and his name was also not included in the panel.
- iii. He retired from service on 12.08.2017 on attaining the age of superannuation and till his retirement the department did not submit any working paper for placement before PSB. Thus the issue of his missing PER for the year 2014 has never been raised at the forum of PSB.
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- viii. The administrative Department may give its proposal in the working paper for consideration the proforma promotion of the petitioner.
- ix. 08 sets of the working paper complete in all respects are required for placement before PSB with the attested documents as mentioned above.

It is proposed that the case may be passed on to Regulation Wing for further examination.

For examination please

DS (R-I)

SO (R-II)

**ATTESTED**

Sd/- 15/4/2020  
S.O (PSB)

Working paper regarding notional promotion of Dr. Taj Nawaz (retired Senior Dental Surgeon BS-18) to the post of Principal Dental Surgeon (BS-19) has been examined:

S#	Check	Views/ examination of the regulation wing of Establishment Department.
i.	The Availability of post(s) with documentary proof.	Document at <b>Annex-I</b> shows four (04) posts of Principal Dental Surgeon (BS-19) are available. <u>However, budget copies have not been provided by the Health Department.</u>
ii.	The eligibility of the panel-list.	
	a) The required length of service of officer(s) in the panel in light of the promotion policy and as per service rules framed for the post.	The officers served as Dental Surgeon (BS-17) w.e.f 13-3-1988 for 18 years and Senior Dental Surgeon (BS-18) w.e.f 11-08-2006 for 11 years is eligible for promotion to the post of Principal Dental Surgeon (BS-19) <b>(Annex-II)</b>
	b) The PER dossier is complete	The officer retired from service on 12-08-2017 (Annex-III). Hence his PERs for the period <del>from</del> 12-08-2006, till 12-8-2017 are <u>missing</u> <b>(Annex-IV)</b>
	c) The quantification score in respect of each officer included in the panel is in line with the promotion policy	As examined by the SO (PSB)
	d) Experience.	As at Para ii (a)
	e) The probation period	The officer in the panel has completed the prescribed probation period.
	f) The research paper	Not Applicable
	g) The training and any other requirement (if any) etc. as per service rules framed for the post	DHQ Bannu vide its letter dated 3-8-2012 (Annex-V) has confirmed that the officer has completed 03 months training.
iii.	The date of issuance of Seniority List. The certificate that the seniority is final/ updated and undisputed	Certificate that the seniority is final/ updated and undisputed is available <b>(Annex-VI)</b>
iv.	The name of officer(s) under LPR in the panel and their date of retirement	Not Applicable

**ATTESTED**



Ref: Para-3-6N

Working paper regarding notional promotion of Dr. Taj Nawaz (retired Senior Dental Surgeon BS-18) to the post of Principal Dental Surgeon (BS-19) has been examined:

S#	Check	Views/ examination of the regulation wing of establishment Department
i.	The Availability of posts(s) with documentary proof.	Document at <b>Annex-I</b> shows four (04) posts of Principal Dental Surgeon (BS-19) are available. However, budget copies have not been provided by the Health Department.
ii.	The eligibility of the panel-List.	
	a) The required length of service of officer(s) in the panel in light of the promotion policy and as per service rules framed for the post	The officers served as Dental Surgeon (BS-17) w.e.f 13-3-1988 for 18 years and Senior Dental Surgeon (BS-18) w.e.f 11-08-2006 for 11 years is eligible for promotion to the post of Principal Dental Surgeon (BS-19) ( <b>Annex-II</b> )
	b) The PER dossier is complete	The officer retired from service on 12-08-2017 ( <b>Annex-III</b> ). Hence his PERs for the period from 12-08-2006 till 12-8-2017 are missing ( <b>Annex-IV</b> )
	c) The quantification score in respect of each officer included in the panel is in line with the promotion policy	As examined by the SO(PSB)
	d) Experience	As at Para ii (a)
	e) The probation period	The officer in the panel has completed the prescribed probation period.
	f) The research paper	Not Applicable
	g) The training and any other requirement (if any) etc. as per service rules framed for the post	DHQ Bannu vide its letter dated 3-8-2012 ( <b>Annex-V</b> ) has confirmed that the officer has completed 03 months training
iii.	The date of issuance of Seniority List. The certificate that the seniority is final/ updated and undisputed	Certificate that the seniority is final/ updated and undisputed is available ( <b>Annex-VI</b> )
iv.	The name of officer(s) under LPR in the panel and their date of retirement	Not Applicable

**ATTESTED**


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23-04-2020

v.	The date of birth of officers(s) included in the list and ensure that name(s) of retired officer(s) is not included in the panel	Not Applicable
vi.	To ensure that the certificate given under the PSB-II proforma match with the factual position shown against the name of an officer in the panel	As mentioned above, the certificate given under the PSB-II proforma does not match with the factual position due to the above deficiencies.
vii.	The complete background of a case involves court decision i.e. CPLA, time limitation and issue of COC if any	Peshawar High Court vide Orders dated 12-6-2019 <b>[Annex-VII]</b> in WP No. <b>4812-P/2017</b> has directed the competent authority/Provincial <b>Selection</b> Board to consider the Petitioner for notional promotion to BS-19 on the basis of seniority cum fitness if otherwise he is eligible (Annex). Health Department has not informed whether any CPLA against Judgment of the Peshawar High Court was filed in the Supreme Court of Pakistan or otherwise.
viii.	Whether officer(s) included in the panel are eligible for regular promotion or acting charge appointment	Entitlement for regular promotion in respect of the panelist officer cannot be considered due to the above clarifications.

18

Working paper <sup>may be</sup> returned to Health Department for clarification of the observations at Para-(i),(ii-a, b), vi, vii & viii/N in addition to observations of SO(PSB) in the preceding paras is submitted for approval please.

20/4/20  
SECTION OFFICER (R-II)

1167  
23/4/20

DEPUTY SECRETARY (R-I) Transferred  
Addl. Secy (R-I)

9. SSR  
10. ASRT  
Para 8/14 endorsed pl.  
**ATTESTED**  
ok  
Sd/-  
Sd/-  
Sd/-  
23-4-20  
28/4/20  
ASR1

v.	The date of birth of officer(s) included in the list and ensure that name(s) of retired officer(s) is not included in the panel.	Not Applicable
vi.	To ensure that the certificate given under the PSB-II proforma match with the factual position shown against the name of an officer in the panel.	As mentioned above, the certificate given under the PSB-II proforma does not match with the factual position due to the above deficiencies.
vii.	The complete background of a case involves court decision i.e. CPLA, time limitation and issue of COC if any.	Peshawar High Court vide Orders dated 12-6-2019 (Annex-VII) in WP No.4812-P/2017 has directed the competent authority/Provincial Selection Board to consider the Petitioner for notional promotion to BS-19 on the basis of seniority cum fitness if otherwise he is eligible( Annex). Health Department has not informed whether any CPLA against Judgment of the Peshawar High Court was filed in the Supreme Court of Pakistan or otherwise.
viii.	Whether officer(s) included in the panel are eligible for regular promotion or acting charge appointment.	Entitlement for regular promotion in respect of the panelist officer cannot be considered due to the above clarifications.

Working paper may be returned to Health Department for clarification of the observations at Para-(i),(ii-a), b), vi, vii & viii/N in addition to observations of SO(PSB) in the preceding paras is submitted for approval please.

Sd/-  
**SECTION OFFICER (R-II)**

DEPUTY SECRETARY (R-I) Transferred  
Addl. Secy(R-I)

9. Para 8/n enclosed pl.

Sd/- 28/4/20  
ASRI

SSR

Ok.

**ATTESTED**

Sd/- 23.4.20

10.

ASRI

SOR-II

Sd/- 23/4

SO(PSB)

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT


Reference paras 3-10/N.

12

11

Necessary action please.

SO(PSB)

  
SO(R-11)  
17/2/21

b

~~ATTESTED~~



## Provincial Health Services Academy

Department of Health  
Government of Khyber Pakhtunkhwa  
Budhni Road Duranpur Peshawar  
☎ 0912650861 / 2264718; Fax: 0912261249 / 2264717  
E-mail: [info@phsa.edu.pk](mailto:info@phsa.edu.pk)  
Website: [www.phsa.edu.pk](http://www.phsa.edu.pk)

13

F.No. 353/PHSA/HRD/SHRPD/2013-14/10592-97

Dated: 20-12-2013

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

Subject: COMPLETION OF TWO WEEKS IN-SERVICE TRAINING OF DOCTORS OF  
GENERAL CADRE FROM BPS-18 TO BPS-19.

Sir,

Reference Director General Health Services Office Order No.32283-303/AE.I, Dated: 20-11-2013. The following participants of General Cadre (BPS-18) have completed their two weeks mandatory promotional training (w.e.f. 09-12-2013 to 20-12-2013) and have been relieved w.e.f. 20-12-2013 (Afternoon). The participants have not been paid any TA/DA. However, Boarding/Lodging facility was provided to the participants during course.

S. #	NAME OF DOCTOR	DESIGNATION & PLACE OF POSTING
1	Dr. Aminul Haq	SMO, A&E Deptt; LRH Peshawar
2	Dr. Nehar Noor	SMO, SWMO, Skin Unit, LRH Peshawar
3	Dr. Naveed Irfan	SMO, (Psychiatrist), King Abdullah Hospital (KATH), Mansehra
4	Dr. Shafiqur Rehman	SMO, DHQ Hospital, Abbottabad
5	Dr. Muhammad Shuaib	SMO, RHC Chatterplain, Mansehra
6	Dr. Muhammad Roshan	SMO, Police Hospital, D.I.Khan
7	Dr. Zar Khan	SMO (Suergy), King Abdullah Hospital (KATH), Mansehra
8	Dr. Muhammad Khalid	AD Public Health, DGHS, Peshawar
9	Dr. Mashal Khan	MS, DHQ Hospital Lakki Marwat
10	Dr. Syed Mufarih Shah	Senior Demonstrator, Dentistry Deptt; BKMC Mardan
11	Dr. Akhtar Nawaz Khan	Senior Dental Surgeon, RHC Kot Najibullah, Haripur
12	Dr. Taj Nawaz Khan	Senior Dental Surgeon, THQ Hospital Serai Naurang, Distt; Lakki
13	Dr. Zakir Hussain	Demonstrator, Maxillo Facial Surgery Deptt; KCD Peshawar
14	Dr. Muhammad Tayyab	Senior Lecturer, KCD Peshawar

ATTESTED

13-A

15	Dr. Sabir Shah	Senior Dental Surgeon, RHC Badaber, Peshawar
16	Dr. Muhammad Nazir	Deputy Director (Admn), Health Directorate FATA
17	Dr. Mohammad Naeem Ahmad	Senior Dental Surgeon, KCD Peshawar
18	Dr. Akhtar Gul	Senior Dental Surgeon, DHQ Hospital Charsadda

*[Signature]*  
20/11/2013  
DIRECTOR  
PROVINCIAL HEALTH SERVICES ACADEMY  
PESHAWAR

Copy forwarded for information and necessary action to;

m:

1. Director General Health Services, Govt. of Khyber Pakhtunkhwa, Peshawar, with reference to Office Order No.32283-303/AE.I, Dated: 20-11-2013.
2. Chief, HSRU, Health Department, Peshawar.
3. Assistant Director (P-I), DGHS Office, Govt. of Khyber Pakhtunkhwa, Peshawar.
4. SO-V (Health), Govt. of Khyber Pakhtunkhwa, Peshawar.
5. P.A to Additional Secretary (Admin), Health Department, Govt. of Khyber Pakhtunkhwa, Peshawar.

*[Signature]*  
ATTESTED

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GOVERNMENT OF N.W.F.P.  
HEALTH DEPARTMENT.

DATED PESHAWAR THE 11th AUGUST, 2006.

NOTIFICATION.

NO.SO(ESTAB:)H-II/4-1/2006:- The Competent Authority in Consultation with the Provincial Selection Board, is pleased to promote the following Dental Surgeons from BS-17 to BS-18, on regular basis with immediate effect:.

Sl:No.	Name of Officer.
01.	Dr. Zafar Ali Shah.
02.	Dr. Zafar Iqbal Ahmed.
03.	Dr. Rahmatullah.
04.	Dr. Faridullah Shah.
05.	Dr. Muhammad Farooq.
06.	Dr. Iftikhar Ahmed Khattak.
07.	Dr. Muhammad Tahir Javed.
08.	Dr. Muhammad Haroon Shah.
09.	Dr. Sanaullah.
10.	Dr. Muhammad Arif Shah Bokhari.
11.	Dr. Muhammad Naeem Ahmed.
12.	Dr. Nasrullah Jan.
13.	Dr. Syed Mufarrek Shah.
14.	Dr. Akhtar Nawaz Khan.
15.	Dr. Taj Nawaz Khan.
16.	Dr. Zakir Hussain.
17.	Dr. Rafique Muhammad.

02. On promotion they will be on probation for a period of one year in terms of section-6(2) of NWFP Civil Servants act, 1973 read with Rule 15(1) of NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.

03. Consequent upon above, the following posting/transfer are hereby ordered in the public interest henceforth:-

Sl:No.	Name of Doctor	From	To
01.	Dr. Zafar Ali Shah (BS-18).	Dental Surgeon RHC, Ama Khel Distt: Tank.	Dental Surgeon RHC Ama Khel Distt: Tank.
02.	Dr. Zafar Iqbal Ahmed (BPS-18).	Dental Surgeon CH, Pabbi Distt: Nowshera.	Dental Surgeon CH, Pabbi Distt: Nowshera.
03.	Dr. Rahmatullah (BS-18).	Dental Surgeon, CH, Paniala Distt: DIKhan.	Dental Surgeon CH, Paniala Distt: DIKhan.

ATTESTED

373

15

(P-4)

OFFICE OF THE DIRECTORATE GENERAL HEALTH SERVICES, NWFP, PESHAWAR.

No. 667-700 /ADD Dated Peshawar the 22/08/2006.

Copy of the above is forwarded to the:-

1. Principal, K.C.D., Peshawar.
2. Director Health Services, FATA NWFP, Peshawar.
3. Executive District Officers (Health), Peshawar, Charsadda, Nowshera, Malakand, Haripur, Mansehra, Kohat, Hangu, Lakki-Marwat, Bannu, Karak, Tank & D.I.Khan.
4. Medical Superintendent, Govt:L.R.H., Peshawar.
5. Medical Superintendent, AMC, Abbottabad.
6. Medical Superintendent, DHQ:Hospital, Karak.
7. Agency Surgeon North Waziristan, Miranshah.
8. Accountant General NWFP, Peshawar.
9. District Accounts Officers, Charsadda, Nowshera, Malakand, Haripur, Abbottabad, Mansehra, Kohat, Hangu, Lakki-Marwat, Bannu, Karak, Tank & D.I.Khan.
10. Agency Accounts Officer, North Waziristan, Miranshah.
11. Doctor Concerned.

for information and necessary action.

*(Signature)*  
 (DR. MANZAR ANWAR KHAN)  
 ASSISTANT DIRECTOR (DENTISTRY)  
 DGHS NWFP, PESHAWAR. 22/8

/\*IJAZ AHMED IJAZ\*/  
2286

**ATTESTED**



- 16  
**A**

Dr. Tej Nawaz  
Dental Surgeon,  
Serai Naurang,  
Distt: LAIKKI  
03018077313

25<sup>04</sup>/<sub>2.11</sub>

# COMPENDIUM

**OF**

# SERVICE & FINANCIAL RULES

**COMMON TO ALL DEPARTMENTS OF  
THE GOVERNMENT OF  
KHYBER PAKHTUNKHWA**

**Updated January, 2011**

**Compiled by  
Amir Badshah**

0333 910-9645  
**ATTESTED**

7. Prescribed length of service for the purpose of pay and increments.

a) The minimum length of service (in BPS-17 and above) prescribed for the purpose of drawl of pay and increments on promotion to posts carrying BPS-18 and above shall be as under:

17

BPS of the Post	Prescribed length of service
BPS-18	5 years
BPS-19	12 years
BPS-20	17 years
BPS-21	22 years
BPS-22	22 years

In calculating the service rendered in BPS-17 and above, half of the service rendered in BPS-16 and 1/4th of service rendered in scale below-16, if any, shall be added for the purpose of computing total length of service. These orders shall take immediate effect.

No. FD(PRC)1-1/86-VI(B), dated 5.6.1986.

b) Service rendered in the Federal Government or any other Provincial Government shall also be taken into account for the purposes of, and in the manner

**ATTESTED**