

25<sup>th</sup> April, 2023

25<sup>th</sup> April has been declared as public holiday on account of Eid-Ul-Fitr, therefore, the case is adjourned. To come up for the same on 06.07.2023.


  
Reader


6<sup>th</sup> July, 2023

1. Learned counsel for the appellant present. Asif Masood Ali Shah learned Deputy District Attorney for the respondents present.
2. Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 31.10.2023 before D.B. P.P given to the parties.

SCANNED  
BY  
FOLLOWER

\*Mutazem Shah\*

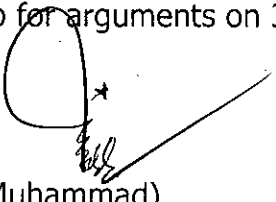
  
(Rashida Bano)  
Member (J)

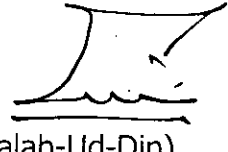
  
(Kalim Arshad Khan)  
Chairman.

20.09.2022

Junior of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 30.11.2022 before the D.B.

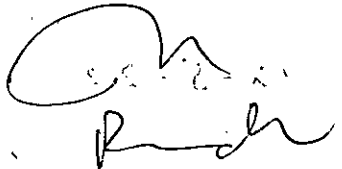
  
(Mian Muhammad)  
Member (E)

  
(Salah-Ud-Din)  
Member (J)

30/11/22

deleted from list to come

up on 22-02-23.



22.02.2023 Bench is incomplete, therefore, case is adjourned  
to 25.04.2023 for the same as before.

  
Reader

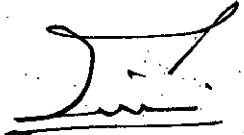
29.03.2022

Counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General on behalf of respondents No. 1 to 3 present. Mr. Gul Afsar Khan as representative of respondent No. 4 present and produced Authority letter, which is placed on file.

Comments on behalf of respondents No. 1 to 3 submitted, which are placed on file. To come up for rejoinder, if any, as well as arguments before the D.B on 12.05.2022 before the D.B.



(Rozina Rehman)  
Member (J)



(Salah-ud-Din)  
Member (J)

12-5-22

*Proper DB not available the case is adjourned on 26-5-22*

*Sp. Adv.  
Reader*

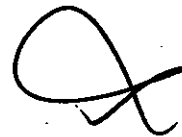
26<sup>th</sup> May, 2022

Counsel for the appellant present. Mr. Muhammad Rasheed, Deputy District Attorney for respondents present.

Learned counsel for the appellant seeks time to further prepare the brief. Adjourned. To come up for arguments on ~~25.07~~ 2022 before D.B.



(Fareeha Paul)  
Member(E)



(Kalim Arshad Khan)  
Chairman

25.7.22

*Proper DB not available to come up for the same as before on 20-9-22*



10.11.2021

Junior of learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents No. 1 to 3 and 5 alongwith Mr. Gul Afsar Khan and Mr. Ikram Ullah, Advocate for respondent No.4 present.

Junior of learned counsel for the appellant requested for adjournment on the ground that senior learned counsel was busy before the Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 12.01.2022 before D.B.



(Mian Muhammad)  
Member(E)



(Rozina Rehman)  
Member(J)

12.01.2022

Junior of learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG alongwith Mr. Saleem Altaf respondents present.

Former made a request for adjournment as senior counsel for the appellant is busy before Hon'ble Peshawar High Court, Bannu Bench. Adjourned. To come up for arguments before the D.B on 29.03.2022.



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



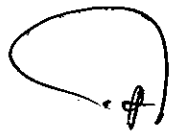
Chairman

16.09.2021

Counsel for appellant present.

Muhammad Adeel Butt learned Additional A.G alongwith Khitab Gul Law Officer (representative of respondent No.5) present. Junior to counsel for respondent No.4 present.

Cost of Rs.2000/- imposed upon respondents vide order dated 16.07.2021 received from the respondents, given to appellant. Copies of notification dated 02.04.2021, letter of the Health Department dated 01.07.2021, letter of the Establishment Department dated 02.07.2021 and letter of the Khyber Pakhtunkhwa Public Service Commission dated 17.08.2021 have been produced by representative of respondent No.5 and have been placed on file. Among the said letters, the letter dated 01.07.2021 of the Health Department Khyber Pakhtunkhwa, addressed to the Secretary Establishment reveals that the status of Gajju Khan Medical College, Swabi has been converted to M.T.I vide Department's notification dated 02.04.2021. Consequently, it was requested to approach the K.P.P.S.C to stop all requisitions pending recruitments against all the posts in Gajju Khan Medical College, Swabi. Vide letter dated 17.08.2021, the K.P.P.S.C has agreed to withdrawal of all requisitioned posts of Gajju Khan Medical College, Swabi. The representative of the respondent No.5. Request is accorded. The name of respondent No.5 be deleted. In view of position emerged as to status of Gajju Khan Medical College as discussed above, question is apt to arise as jurisdiction of this Tribunal for determination within meaning of the provisions of Khyber Pakhtunkhwa M.T.I Reforms Act, 2015. To come up for arguments on the said point on 10.11.2021 before D.B.



(Rozina Rehman)  
Member (J)



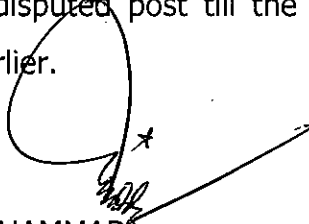
Chairman

25.08.2021

Appellant alongwith his counsel Mr. Noor Muhammad Khattak, Advocate present. Mr. Usman Ghani, District Attorney alongwith Mr. Mehtab Gul, Law Officer for respondent No. 5 and Mr. Afsar Khan, Warden for respondent No.4 alongwith his counsel present.

Learned District Attorney sought time for submission of reply on behalf of respondents No. 1 to 3. Adjourned. Last opportunity given but on payment of cost of Rs. 2000 which shall be borne by the respondents from their own pockets. To come up for arguments before the D.B on 16.09.2021. Khyber Pakhtunkhwa Public Service Commission be restrained from announcement of result of the disputed post till the disposal of this appeal, if not acted upon earlier.

cost received  
2000/-  
Sarfraz  
16/9/2021



(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)  
MEMBER (JUDICIAL)



Appeal No. 3491/2021  
Saidul Abrar vs Govt

16.07.2021

Appellant present through counsel.

Muhammad Adeel Butt learned A.A.G alongwith Gul Afsar Khan Warden (for respondent No.4) and Mehtab Gul Law Officer (for respondent No.5) present.

Reply on behalf of respondent No.4 submitted. Representative of respondent No.5 stated that respondent No.5 is a proforma respondent and the said respondent have to rely on the reply of the remaining official respondents. None is present on behalf of respondents No.1 to 3. Learned A.A.G made a request for time to furnish reply on behalf of respondents No.1 to 3; granted with direction to furnish reply within 10 days in office positively. Otherwise their right of respondents No.1 to 3 for submission of reply shall stand ceased. To come up for arguments on 25.08.2021 before D.B. Khyber Pakhtunkhwa Public Service Commission be restrained from announcement of result of the disputed post till the disposal of this appeal, if not acted upon earlier.



(Rozina Rehman)  
Member (J)



Chairman

16.06.2021

Junior to counsel for appellant present.

Muhammad Adeel Butt learned Additional Advocate General alongwith Khitab Gul Law Officer and Gul Afsar Khan Warden for respondents present.

Former made a request for adjournment as senior counsel is not in attendance. Written reply on behalf of respondent is still awaited. Representatives of the respondents made a request for time to furnish reply; granted with direction to furnish reply within 10 days. In case of non-compliance, office shall put a note on the margin of order sheet. To come up for reply/arguments on 16.07.2021 before D.B. Khyber Pakhtunkhwa Public Service Commission be restrained from announcement of result of the disputed post till the disposal of this appeal, if not already announced..

*Stipulated time  
passed reply not  
submitted*

  
(Rozina Rehman)  
Member(J)

  
Chairman



3491/2021

28.05.2021


Counsel for the appellant present. Preliminary arguments heard.

The application submitted for early hearing as available on record is accompanied by a copy of advertisement wherein one post of Professor Community Medicine (BPS-20) in Gaju Khan Medical College, Swabi is reflected as having been advertised.

In term of normal procedure, the appeal appears to be time barred but in view of Section 30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020, the limitation period provided under any law shall remain frozen. This appeal having been filed after promulgation of the said Act, is not affected by bar of limitation. Points raised need consideration. The appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the receipt of notices positively. If the written reply/comments are not submitted within the stipulated time, the office is directed to submit the file with a report of non-compliance. File to come up for arguments on 16.06.2021.

The appeal is also accompanied by an application for interim injunctive relief to restrain the respondents not to fill up the post of Professor Community Medicine BPS-20 through initial recruitment.

On requisition of respondents, recruitment process through the Khyber Pakhtunkhwa Public Service Commission is in progress but

  
Appellant Deposited  
Security & Process Fee  
Security & Process Fee

they in view of implementation of their requisition are not  
to stop the Commission from recommendations if the p  
concluded. With this position, the Commission has become  
party. Under the Khyber Pakhtunkhwa Service Tribunal Ru  
this Tribunal is empowered to add or delete any of the  
Therefore, the Khyber Pakhtunkhwa Public Service Commissio  
added as a party and restrained from announcement of result of  
disputed post till the disposal of this appeal, if not already announced.

  
Chairman

21.04.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 28.05.2021 for the same as before.




  
Reader

Form- A

FORM OF ORDER SHEET

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

Case No.- 3491 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/03/2021	<p>The appeal of Mr. Said-ul-Abrar resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>24/03/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	24.03.2021	<p>Junior to counsel for appellant present.</p> <p>He made a request for adjournment as senior counsel is indisposed; granted. To come up for preliminary hearing on <u>06/07/2021</u> before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>


SCANNED  
KPST  
Peshawar

The appeal of Dr. Said-ul-Abrar Associate Professor department of community medicine Gajju Khan Medical College Swabi received today i.e. on 04/03/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days:

- 1- Annexure-C of the appeal is missing.
- 2- Copy of departmental appeal is not attached with the appeal which may be placed on it.
- 3- Memorandum of appeal may be got signed by the appeal.
- 4- Appeal has not been flagged/marked annexures' marks.
- 5- Annexures of the appeal may be attested.
- 6- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 490 /S.T,

Dt. 05/03 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

*Note:* Objections Nos. 1, 2, 3, 4, 5, 6 are removed.  
While objection No. 2 is attached as Ann-H,  
Hence re-submitted today dated 10.03.2021

*Handwritten signature*

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

**APPEAL NO. \_\_\_\_\_/2021**

**SAIDUL ABRAR**

**V/S**

**HEALTH DEPTT:**

**INDEX**

<b>S.NO.</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
1.	Memo of appeal	.....	1 - 4
2.	Stay Application	.....	5
3.	Charge Report	<b>A</b>	6
4.	Notification dt; 23.08.2017	<b>B</b>	7
5.	Notification dt; 08.01.2019	<b>C</b>	8
6.	Order dt; 11.04.2019	<b>D</b>	9
7.	Rule-2015	<b>E</b>	10-12
8.	Recognition Experience dt; 20.05.2019	<b>F</b>	13-14
9.	Accreditation Of Publication dt; 20.05.2019	<b>G</b>	15-17
10.	Application	<b>H</b>	18
11.	Latter dt; 21.05.2019	<b>I</b>	19-21
12.	Certification & PERs	<b>J</b>	22-49
13.	Latter dt; 13.08.2019	<b>K</b>	50
14.	Judgment dt; 26.01.2012	<b>L</b>	51-54
15.	Notification dt; 08.10.2019	<b>M</b>	55
16.	Wakalatnama	.....	56

**APPELLANT**

THROUGH:

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

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

APPEAL NO. 3491 /2021

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 3414

Dated: 04/03/2021

**Dr. Saidul Abrar, Associate Professor (BPS-19),  
Presently serving as Professor BPS-20 (OPS),**

Department of Community Medicine, Gajju Khan Medical College Swabi.

..... **APPELLANT**

**VERSUS**

- 1- Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
- 2- The Secretary, Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariat, Peshawar.
- 3- The Director General Health Services, Khyber Pakhtunkhwa, Warsak Road, Peshawar.
- 4- The Principal, Gajju Khan Medical College, Swabi.

*order dt 28/02/21* (5) Khyber Pakhtunkhwa Public Service Commission, Peshawar.  
..... **RESPONDENTS**

*deleted 16/9/21*  
**APPEAL UNDER SECTION- 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR PROMOTION TO THE POST OF PROFESSOR (BPS-20) COMMUNITY MEDICINE ON REGULAR BASIS W.E.F. 8.1.2019 I.E. FROM THE DATE WHEN THE POST OF PROFESSOR (BPS-20) WAS LYING VACANT AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.**

*Filed to-day*  
*aw*  
**Registrar**  
*04/03/2021*

**PRAYER:**

That on acceptance of this appeal the respondents may kindly be directed to consider the appellant for promotion to the post of Professor (BS-20) w.e.f. 08-01-2019 with all back benefits including seniority. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favor of the appellant.

*Resubmitted to -day and filed.*  
**Registrar**  
*10/9/2021*

**R/SHEWETH:**  
**ON FACTS:**

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

- 1- That the appellant is the employee of the respondents and was initially appointed as Associate Professor Community Medicine (BPS-19) vide order dated 28-02-2017 on adhoc basis. That pursuance to the said order the appellant took over the charge of the post on 01-3-2017 and started performing his duty quite efficiently, whole heartedly, with full devotion and up to the entire

satisfaction of his high ups. Copy of Charge Report is attached as Annexure ..... **A.**

- 2- That with the promulgation of the Khyber Pakhtunkhwa Employees of Health Department (Regularization of Services) Act, 2017 the services of the appellant were regularized vide notification dated 23-08-2017 wherein the name of the appellant appeared at Serial No. 3 of the said notification. Copy of Notification dated 23.08.2017 is attached as annexure ..... **B.**
- 3- That the appellant while performing his duty as Associate Professor (BS-19) one of the Senior colleague of the appellant namely Dr. Sartaj Khan Professor of Community Medicine (BPS-20) got retired on attaining the age of superannuation vide notification dated 08-01-2019 and the post of Community Medicine (BPS-20) became vacant. Copy of notification dated 08.01.2019 is attached as Annexure ..... **C.**
- 4- That, the appellant being most senior and experience employee of the respondent Department was posted against the post of Professor/Head of Department of Community Medicine in his own pay with immediate effect vide order dated 11-04-2019 issued from the office of respondent No.4. Copy of the order dated 11-04-2019 is attached as Annexure ..... **D.**
- 5- That according to the respondent Department Rules notified on 15-12-2015 the appellant was fully entitled to be promoted to the post of Professor (BPS-20) Community Medicine on the basis of Seniority-Cum-Fitness and as per the criteria mention in Column-3 of the ibid rules the appellant made request to PM&DC for recognition of Experience which was addressed vide letter dated 13-05-2019 and other relevant documents required vide letter dated 20-05-2019 for promotion. Copy of the Rule-2015, Recognition of Experience dated 13.05.2019 & Accreditation of Publication dated 20-05-2019 is attached as annexure ..... **E, F & G.**
- 6- That after completion of all the requisites the appellant submitted Departmental Appeal for his regular promotion to the post of Professor (BPS-20) which was forwarded to Respondent No. 2 along with various certificates as well as PER of the appellant vide letter dated 21-05-2019. Copy of Application, letter dated 21.05.2019 along with certificates and PERs are attached as annexure ..... **H, I & J.**
- 7- That the appellant was called for personal hearing to the office of Respondent no.4 on 17-08-2019 but that too did not pay any head to the case of the appellant, hence the appellant filed Writ Petition No. 2727-P/2020 but the same was dismissed being not maintainable vide judgment dated 26-01-2021. That copy of the said judgment was delivered to the appellant on 09-02-2021. Copy



of the letter dated 13.08.2019 & Judgment dated 26.01.2021 is attached as Annexure ..... **K & L.**

- 8- That feeling aggrieved and having no other remedy the appellant filed the instant appeal on following grounds inter alia.

**GROUND:**

- A- That the inaction of the respondents by not promoting the appellant against the post of Professor BPS-20 w.e.f. 08-01-2019 is against the law, facts, norms of natural justice and materials on the record hence not tenable in the Eye of Law.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondents acted in arbitrary and mala fide manner by not promoting the appellant against the post of Professor BPS-20 w.e.f. 08-01-2019 and as such the inaction of the respondents is violative of law and rules.
- D- That the inaction of the respondents is discriminatory and against the norms of natural justice, by not promoting the appellant against the post of Professor BPS-20 w.e.f. 08-01-2019 therefore not tenable in the eye of law.
- E- That under Article 38 (e) of the Constitution of Pakistan, 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various services of Pakistan, therefore in light of the above mentioned Article the appellant is fully entitle to be promoted against the post of Professor BPS-20 w.e.f. 08-01-2019 on regular basis.
- F- That act of the respondent by not promoting the appellant against the post of Professor BPS-20 w.e.f. 08-01-2019 is illegal as on the pretext on which the appellant is not allowed promotion another colleague is given promotion vide notification dated 08-10-2019. Copy of the notification dated 08.10.2019 is attached as Annexure ..... **M.**
- G- That act of the respondent by not promoting the appellant against the post of Professor BPS-20 w.e.f. 08-01-2019 on regular basis is against Section-9 of the Civil Servant Act 1973 read with Rule-7 of the Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules, 1989.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.


Dated: 04-03-2021

APPELLANT

  
**DR. SAIDUL ABRAR**

Through:

  
**NOOR MOHAMMAD KHATTAK**

  
**MUHAMMAD MAAZ MADNI**  
ADVOCATES, HIGH COURT,  
PESHAWAR

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

C.M. NO. \_\_\_\_\_/2021

IN

APPEAL NO. \_\_\_\_\_/2021

SAIDUL ABRAR

VS

GOVT: OF KPK & OTHERS

**APPLICATION FOR RESTRAINING THE RESPONDENTS**  
**NOT TO FILL UP THE POST OF PROFESSOR (BPS-20) IN**  
**THE DEPARTMENT OF COMMUNITY MEDICINE**  
**THROUGH INITIAL RECRUITMENT TILL THE FINAL**  
**DISPOSAL OF THE INSTANT APPEAL**

**R.SHEWETH:**

1. That, the appellant has filed the above titled service appeal before this Honorable Tribunal in which no date has so far been fixed.
2. That, appellant filed the above mentioned service appeal against the inaction of the respondents by not promoting the appellant against the post of Professor (BPS-20) w.e.f. 8.1.2019.
3. That, all the three ingredients required for grant of stay are in favor of the appellant.
4. That, any other ground would be taken at the time of arguments with prior permission of this Honorable Tribunal.

It is therefore, most humbly prayed that on acceptance of this application the respondents may kindly be restrained not to fill up the posts of professor (BPS-20) in the Department of community medicine through initial recruitment till the disposal of the instant service appeal.

APPELLANT  
  
SAIDUL ABRAR

THROUGH:

  
NOOR MOHAMMAD KHATTAK  
ADVOCATE,  
High Court Peshawar

(6)  
ANNEXURE - A

CHARGE ASSUMPTION REPORT

Annex - III  
11  
Gajju Khan Medical College S  
Record Section  
2-7

In compliance with Govt. of Khyber Pakhtunkhwa Health Department Notification issued vide F.No.2-5/2017-Admin/GKMCS dated 28-02-2017, I hereby assumed charge of the post of Associate Professor Community Medicine BPS-19 at Gajju Khan Medical College Swabi on Ad-hoc basis today on 01-03-2017 (F/N).

01.03-17  
Dr. Said Ul Abrar  
Associate Professor Community Medicine BPS-19  
GKMC Swabi  
Cell No. 0321-9103569

8267-77

OFFICE OF THE PRINCIPAL GAJJU KHAN MEDICAL COLLEGE SWABI.

Endst No.2-7/2017-Admin/GKMCS (Dr. Said Ul Abrar AS P)

Dated: 24/03/2017

Copy Forwarded for information to the:-

1. Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
2. Director General Health Services. Khyber Pakhtunkhwa Peshawar.
3. Accountant General Khyber Pakhtunkhwa Peshawar.
4. Director of Information, Khyber Pakhtunkhwa Peshawar.
5. Vice Principal Academic GKMC Swabi.
6. Principal Women Medical College Nawan Sheher Abbottabad
7. HoD Community Medicine GKMC Swabi.
8. District Accounts Officer Swabi.
9. Accounts Officer GKMC Swabi.
10. Doctor Concerned.

Zulair Khan  
(PRINCIPAL)  
Gajju Khan Medical College  
Swabi

A Hestel  
Q



ATTESTED

(7)  
**ANNEXURE - B**



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

Gajju Khan Medical College Swabi  
Record Section

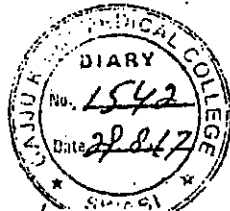
File No \_\_\_\_\_  
Page No 13

**NOTIFICATION**

Peshawar, dated the 23<sup>rd</sup> Aug, 2017

No.SOH-I/HD/7-53/2017 In pursuance of section 3 of the Khyber Pakhtunkhwa employees of Health Department (Regularization of Services) Act, 2017 (Khyber Pakhtunkhwa Act No.VII of 2017), the following employees of Gajju Khan Medical College, Swabi, appointed on adhoc basis, shall stand regularized from 13/3/2017 against the posts which they are holding at the time of commencement of the Act ibid:

S.No	Name of doctor	Appointed as
1	Dr. Shams ur Rehman	Professor of Medicine (BS-20)
2	Dr. Ishfaq Ali Khan	Professor of Surgery (BS-20)
3	Dr. Said ul Ibrar	Associate Professor Community Medicine (BS-19)
4	Dr. Subhan ud Din	Associate Professor Hematology (BPS-19)
5	Dr. Mohammad Khalid Khan	Assistant Professor (BS-18) Community Medicine
6	Dr. Junaid Ahsan	Assistant Professor Community Medicine (BS-18)
7	Dr. Shazia Allauddin	Assistant Professor Microbiology (BS-18)
8	Dr. Muhammad Sajid	Professor Pharmacology (BS-20)
9	Dr. Sartaj Khan	Professor Community Medicine (BS-20)
10	Dr. Shahid Nisar Khalid	Associate Professor Surgery (BS-19)
11	Dr. Muhammad Fayaz Khan Barki	Associate Professor Paediatrics (BS-19)
12	Dr. Muhammad Kashif	Assistant Professor Surgery (BS-18)
13	Dr. Muhammad Daraz	Assistant Professor Paediatric (BS-18)
14	Dr. Sher Ali Khan	Assistant Professor Pulmonology (BS-18)
15	Dr. Niaz ud Din	Senior Registrar Surgery (BS-18)
16	Dr. Sadiq Khan	Senior Registrar Dermatology (BS-18)
17	Dr. Alamgir Khan	Senior Registrar Urology (BS-18)
18	Dr. Sibghatullah	Assistant Professor Anaesthesia (BS-18)
19	Dr. Shah Said	Assistant Professor Anatomy (BS-18)



SECRETARY TO  
GOVT OF KHYBER PAKHTUNKHWA

**ATTESTED**

8

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Annexure C

DATED Pesh: the 27<sup>th</sup> March 2019

NOTIFICATION

No. SOH-I/HD/1-770/15: In terms of provision of Rule-20 of the Khyber Pakhtunkhwa Civil Servants Revise Leave Rules, 1981 and instruction thereunder occurred from time to time, the competent authority has been please to accord sanction to the grant of three Hundred and Sixty Five (365) days Leave encashment in lieu of LPR (as conferred by DAO Swabi) in favour of Dr. Sartaj Khan, Professor of Community Medicine (BS-20 Civil Servant) Gajju Khan Medical College, Swabi.

2. Consequently, the doctor concerned stood retired from government service with effect from 08-01-2019 (AN).

SECRETARY HEALTH DEPARTMENT

Endst: No & date even

CC to

1. Principal Gajju Khan Medical College Swabi
2. District Accounts Officer, Swabi
3. Doctor concerned.
4. Personal File of the Doctor Concerned.

ATTESTED

ANNEXURE 2 (8)



GOVERNMENT OF MADHYA PRADESH  
HEALTH DEPARTMENT

...

**NOTIFICATION**

No SOH-IHD.1-770-15 ... of the ... Madhya Pradesh Civil Servants Revised Leave Rules, 1957 and instructions ... under occurred from time to time, the Government has been ... to accord ... to the limit of Three Hundred ... in ... Swamy, in ... Gajanan ...

... from government service with ...

SECRETARY HEALTH DEPARTMENT

...

- 1. ...
- 2. ...
- 3. ...
- 4. Persons ...

*[Signature]*  
Section Officer (B-1)



**ATTACHED**

Health Department





**OFFICE OF THE PRINCIPAL / CHIEF EXECUTIVE**

**GAJJU KHAN MEDICAL COLLEGE / BACHA KHAN MEDICAL COMPLEX**

**Swabi**

(Khyber Pakhtunkhwa)

Phone# +92-938-280421 Fax # +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)

F.No: 2-7/2019-Admin/GKMCS

Date: 11-Apr-2019

**OFFICE ORDER:**

**ANNEXURE 'D'**

Dr. S. Abrar Lakhkar Khan, Associate Professor and HOD Community Medicine BS-19, GKMC Swabi having attained PM & DC eligibility is hereby re-designated as Professor and HOD Community Medicine, in his own pay with immediate effect in the public interest.

**(PROF. DR. FASSEH-UZ-ZAMAN)**  
**(PRINCIPAL / CHIEF EXECUTIVE)**

GKMC / BKMC

Swabi

**Endst; No & Date Even:**

Copy forwarded for information to the:

1. Vice Principal Admin / Clinical GKMC Swabi.
2. Director Academics GKMC Swabi.
3. All HOD's Basic / Clinical Sciences GKMC Swabi.
4. Dean Public Health KMU Peshawar.
5. Director Institute of Public Health KMU Peshawar.
6. Controller Examination KMU Peshawar.
7. Doctor Concerned.
8. Personal File.

**(PRINCIPAL / CHIEF EXECUTIVE)**

**ATTESTED**



10

ANNEXURE-E

P-16

*C. M. R.*  
*20/11/2015*

**GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

*Annex-I*  
*P-7*

**NOTIFICATION**

*Peshawar, dated the 15<sup>th</sup> December 2015.*

No SOH-I/HD/SSRC/2014. In exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of this Department's Notification No. SOH-I/HD/8-76/07 dated 05/04/2007, the Health Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to the posts in Medical Colleges or Institutions in the Province of the Khyber Pakhtunkhwa specified in column 2 of the said Appendix.

**APPENDIX**

A. Basic Medical Sciences Subject: Anatomy, Physiology, Biochemistry, Pharmacology, Toxicology, Pathology, Hematology, Chemical Pathology, Histopathology, Microbiology.

S. NO.	Nomenclature of the post.	Minimum qualification and experience for appointment by initial recruitment or promotion.	Age limit	Method of Recruitment.
1.	2.	3.	4.	5.
1.	Professor (Anatomy, Physiology, Biochemistry,	(i) <b>Qualification:</b> (a) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the Pakistan Medical and Dental Council; and	40-50 years	By promotion, on the basis of seniority-cum-fitness, from amongst Associate Professors, who

*Attested*

*Handwritten signature/initials*

ATTESTED

11

19  
19/11/2015  
[Handwritten signatures and notes]

19

(B) COMMUNITY MEDICINE AND FORENSIC MEDICINE

P-8

S. NO.	Nomenclature	Minimum Qualification & Experience for appointment by Initial Recruitment and Promotion	Age limit for Appointment by initial recruitment	Method of Recruitment
1.	2.	3.	4.	5.
4.	Professor Community medicine Forensic medicine	<p>(i) Qualification:</p> <p>(a) MBBS (duration of 5 or 6 years) or equivalent medical qualification recognized by the Pakistan Medical and Dental Council; and</p> <p>(b) FCPS/Ph.D (duration of 4 years) or qualification with other nomenclatures, in respective basic science subject or equivalent qualification recognized by Pakistan Medical and Dental Council; or</p> <p>(c) M.Phil (duration of 2 years) or qualification with other nomenclature, in respective basic science subject or equivalent qualification in the respective specialty recognized by Pakistan Medical and Dental Council; and</p> <p>(ii) Experience: Three years teaching experience as an Associate Professor and five years teaching experience as Assistant Professor in the respective basic science subject or nine years teaching experience as an Assistant and Associate Professor in the respective basic science subject calculated as per Pakistan Medical and Dental Council Regulations and in case of private sector medical colleges, the experience is duly certified by Pakistan Medical and Dental Council; and</p> <p>(iii) Research Publications: A total of at least five Research Publications in the respective basic subjects are required. Only an original article published in a</p>	40-50 years	<p>By promotion, on the basis of seniority-cum-fitness, from amongst Associate Professors, who possess the qualification, experience and research publication as provided for initial recruitment:</p> <p>Provided that if no suitable person is available for promotion then by Initial recruitment.</p>

[Handwritten signature]

Hashtul

ATTACHED

20

P.9

Endst No and date even

Copy forwarded to:-

1. The Vice Chancellor, Khyber Medical University, Peshawar.
2. The Chief Executive, SGTH, Swat/DHQTH, DIKhan/GTHs, Bannu, Swabi/DHQTH Nowshera/ MMC Mardan.
3. Dean PGMI/ LRH at HMC Peshawar.
4. Hospital Director/Medical Director KTH/LRH/HMC, Peshawar/AMI, Abbottabad
5. Principals Public Sector Medical Colleges, Health Department Khyber Pakhtunkhwa
6. Director Recruitment Khyber Pakhtunkhwa Public Service Commission Peshawar
7. Director General Health Services Khyber Pakhtunkhwa Peshawar
8. Accountant General Khyber Pakhtunkhwa, Peshawar.
9. Secretary PMDC Islamabad
10. The Assistant Legal Drafter-III, Law Department, with ten printed copies w/r to his letter No.ALD-III/Reg:1(4)81/Vol-VI dated 7/5/2015.
11. Section Officer (Reg-II), Establishment Department.
12. Section Officer (O&A) Establishment Department.
13. Section Officer (SR-III), Finance Department.
14. Librarian Establishment/Law Department.
15. The Manager Govt. Printing Press Peshawar for publication in the next Gazette and provide 250 copies of the gazette to this department.
16. All Section Officers in Health Department. The Section Officer (Gen) Health Department is requested to approach the Press for publication of the notification of these rules in the next official gazette Khyber Pakhtunkhwa and also obtain the gazette notification from the Press for circulation to all concerned.
17. PS to Minister Health Khyber Pakhtunkhwa
18. PS to Secretary Health Khyber Pakhtunkhwa
19. PA to Special Secretary, Health Department
20. PAs to Additional Secretaries, Health Department
21. PAs to Deputy Secretaries, Health Department

12

23/12/10

A. Hashmi

(Shabbir Af  
Section Off

12/12/10

13

ANNEXURE - F

No. PE/1.G-2018/12051-N/ 4970  
The Statutory Regulatory & Registration Authority for  
Medical & Dental Education and Practitioners



PAKISTAN  
MEDICAL & DENTAL COUNCIL  
G-10/4, Mauve Area,  
ISLAMABAD.

Dated: 13<sup>th</sup> May, 2019

Dr. Said Ul Abrar  
Department of Community Medicine,  
Gajju Khan Medical College,  
Shah Mansoor, Swabi

SUBJECT: RECOGNITION OF EXPERIENCE

Dear Sir,

I am directed to refer your application dated 10<sup>th</sup> April, 2019 and dated Nil on the subject cited above. It is to inform you that your following experience can be counted as under:-

QUALIFICATION

- 1. M.B.B.S. Peshawar University 2004
- 2. Master of Public Health (Public Health) Khyber Med. Univ. Peshawar 2011 (20-09-2011)

TEACHING EXPERIENCE

	<u>Y</u>	<u>M</u>	<u>D</u>
1. Lecturer in the Department of Community Medicine at Frontier Medical & Dental College, Abbottabad from 01-11-2006 to 31-12-2008 = 02 years & 02 months (to be counted as pre requisite experience for Assistant Professor).	00	00	00
2. Lecturer in the Department of Community Medicine at Jinnah Medical College, Peshawar from 01-01-2009 to 16-01-2009 = 15 days (No teaching benefit because Jinnah Medical College closed from 02-10-2007 to 16-01-2009).	00	00	00
3. Lecturer in the Department of Community Medicine at Jinnah Medical College, Peshawar from 17-01-2009 to 16-11-2009 = 10 months (to be counted as pre requisite experience for Assistant Professor).	00	00	00
4. Lecturer in the Department of Community Medicine at Jinnah Medical College, Peshawar from 17-11-2009 to 02-09-2011 = 01 year, 09 months & 16 days (to be counted at the ratio of 4:1).	00	05	11
5. Assistant Professor in the Department of Community Medicine at Jinnah Medical College, Peshawar from 03-09-2011 to 19-09-2011 = 17 days (to be counted as Lecturer at the ratio of 4:1).	00	00	04

ATTESTED

*[Signature]*

14

Dr. Said Ul Abrar, Reg No. 12051-N

6.	Assistant Professor in the Department of Community Medicine at Jinnah, Medical College, Peshawar from 20-09-2011 to 27-02-2013 = 01 year, 05 months & 08 days.	01	05	08
7.	Assistant Professor in the Department of Community Medicine at Women Medical & Dental College, Abbottabad from 28-02-2013 to 08-04-2016 = 03 years, 01 month & 11 days.	03	01	11
8.	Associate Professor in the Department of Community Medicine at Women Medical & Dental College, Abbottabad from 09-04-2016 to 30-09-2016 = 05 months & 22 days.	00	05	22
9.	Associate Professor in the Department of Community Medicine at M. Islam Medical & Dental College, Gujranwala from 01-10-2016 to 28-02-2017 = 05 months.	00	05	00
10.	Associate Professor Community Medicine at Gajju Khan Medical College, Swabi from 01-03-2017 to 10-04-2019 = 02 years, 01 month & 10 days.	02	01	10
				08 00 06

You have 08 years & 06 days teaching experience as Assistant Professor and Associate Professor in the subject of Community Medicine and have five research publications in PM&DC approved journals with full credits. You are eligible for the post of Professor in the subject of Community Medicine according to the regulations of the Council for the appointment of Lecturers / Senior Registrars, Assistant Professors, Associate Professors, Professors and Examiners.

This supersedes our previous letter No. PF.1-G-2012/12051-N/5443 dated 10<sup>th</sup> April 2013, PF.1.G-2012/12051-N/5573 dated 18<sup>th</sup> April 2013 and PF.1.G-2013/12051-N/779 dated 27<sup>th</sup> January 2014 and PF.1.G-2018/12051-N/4929 dated 30<sup>th</sup> April, 2019.

  
 ASSISTANT REGISTRAR  
 (Recognition Section)

Note

1. Errors and omissions in the experience certificate shall be accepted and corrected if is so warranted to comply with these regulations.
2. This certificate has been prepared by PM&DC staff on the basis of documents of appointment / publication submitted by applicant doctor concerned of Principal / Dean / Vice Chancellor / Rector of the institution or MS of a recognized teaching hospital where the applicant doctor concerned is working and all liabilities in this matter lie with such applicant doctor concerned or issuing authority (college / hospital / university / DAI).
3. The experience certificate shall be issued by the Registrar or an officer authorized by President as the case may be and the issuing authority shall have the power to any time recall, modify, or cancel the experience certificate so issued, within the provisions of regulations of PM&DC.
4. If there is any grievance about the experience certificate or its effect or correction / cancellation etc, the aggrieved applicant doctor concerned or Principal or Dean of the institute or MS of a recognized teaching hospital where the applicant doctor / recipient of experience certificate is working or may agency, may prefer an appeal to the Registrar PM&DC for elaboration, redressal of grievances or correction in experience certificate. The Registrar shall give an opportunity of hearing to PM&DC staff, which prepared the certificate and the appellant, and the appeal shall be accepted or rejected by the Registrar by a speaking order, which shall be communicated in writing by the Registrar to the appellant within four weeks of receiving the complaint. If the appellant is not satisfied, he may file an appeal against the order of the Registrar before the Standing Recognition Committee of the Council under regulation 34 of the gazette S.R.O.07(KE)/2009 Pakistan registration of medical and dental practitioners regulations.

RECEIVED

Web Site : www.pmdc.org.pk  
E-mail : pmdc@pmdc.org.pk

No. 27-Acc-Pub/(12051-N)Journal/2018/317663  
The Statutory Regulatory & Registration Authority for  
Medical & Dental Education and Practitioners

PAKISTAN  
MEDICAL & DENTAL COUNCIL  
G-10/4, Mauve Area,  
ISLAMABAD.



JAN : 111-321-786  
Tel : (92 51) 9106151-54  
Fax : (92 51) 9106159

ANNEXURE - G

Dated: 20<sup>th</sup> May, 2019

Dr. Said Ul Abrar  
Associate Professor & HOD,  
Deptt. Of Community Medicine,  
Gajju Khan Medical College Swabi.  
0321-9103569

Subject: ACCREDITATION OF PUBLICATIONS / RESEARCH PAPERS IN  
RESPECT OF DR. SAID UL ABRAR, PM&DC NO. (12051-N)

Sir,

I am directed to refer your application dated 11<sup>th</sup> April, 2019 on the subject sited above. It is to inform you that your 15 research papers have been accredited as per PM&DC rules. The accreditation certificate is attached for perusal please.

  
Dr. Muhammad Iqbal  
Deputy Registrar

CC.

1. P.S to Acting Registrar, PM&DC.

Required 15 @ click

ATTESTED

S.No	Papers	Nature of papers	Accepted or /not	Credit
1.	GAPS in the Understanding of disease early warning system by health care workers in District Swat, Khyber Pakhtunkhwa, Pakistan. KJMS Jan-Jun, 2013, Vol. 6, No. 1. 1 <sup>st</sup> Author.	Original Article	Accepted	Full
2.	Effect of Temperature and Humidity on Epistaxis in Hazara Division. J Ayub Med.Col. Abbottabad 2013, 25(3-4) 3 <sup>rd</sup> Author.	Original Article	Accepted	Full
3.	Estimating the Burden of Intestinal Helminths Among Pregnant Women in Khyber Pakhtunkhwa. KJMS (January-June 2014 Vol. 07, NO. 1) 2 <sup>nd</sup> Author.	Original Article	Accepted	Full
4.	Prevalence of Intestinal Helminths Among School Children In Khyber Pakhtunkhwa. KJMS (July-Dec, 2014, Vol. 7 No.2) 2 <sup>nd</sup> Author.	Original Article	Accepted	Full
5.	Choice of Profession Among Female Medical Students at Khyber Pakhtunkhwa, Pakistan. KJMS (July-Dec, 2014, Vol. 7 No.2) 1 <sup>st</sup> Author.	Original Article	Accepted	Full
6.	Evaluation of Hepatitis-B Tests Documentation at a Teaching Hospital in Khyber Pakhtunkhwa, Pakistan. Journal of Saidu Medical College 2015, 5(1) 1 <sup>st</sup> Author.	Original Article	Accepted	Full
7.	Status of Ethical Review Boards at all Medical Colleges of Khyber Pakhtunkhwa. J Ayub Med.Col. Abbottabad 2015, 27(2) 1 <sup>st</sup> Author.	Original Article	Accepted	Full
8.	Status of PM&DC Recognized Research Journals of Khyber Pakhtunkhwa, Pakistan. Medi. Forum Monthly. Vol. 26 No. 8 Aug-2015 1 <sup>st</sup> Author.	Original Article	Accepted	Full
9.	Association Between Placental Abruption and Caesarean Section Among Patients At Khyber Teaching Hospital Peshawar. J Ayub Med.Col. Abbottabad 2016, 28(1) 2 <sup>nd</sup> Author.	Original Article	Accepted	Full
10.	GAPS the Documentation of Hepatitis-C at a Teaching Hospital in Khyber Pakhtunkhwa, Pakistan. KMUJ 2015, Vol. 7 No. 3. 1 <sup>st</sup> Author.	Original Article	Accepted	Full
11.	Healthcare seeking behavior of Eunuchs: A qualitative	Original	Accepted	Full

TE 20/5/2019

ATTEST

	study. KJMS Jan-April, 2016, Vol. 9 No. 1 1 <sup>st</sup> Author.	Article		
12.	Problems and Suggestions Regarding Disease Early Warning System, Communicated by Health Care Workers of District Swat Khyber Pukhtoonkhwa. Journal of Saidu Medical College 2016, 6(1) 1 <sup>st</sup> Author.	Original Article	Accepted	Full
13.	Pregnancy Outcomes of Consanguinity Among Antenatal Patients Attending Combined Military Hospital Quetta, Pakistan. J Ayub Med.Col. Abbottabad 2018, 30(3) 1 <sup>st</sup> Author.	Original Article	Accepted	Full
14.	Effect of Socio-Economic Status on the Attitudes and Practices of Ante Natal Women Attending Combined Military Hospital Quetta. KJMS May-Aug, 2018 Vol. 11, No. 2. 1 <sup>st</sup> Author.	Original Article	Accepted	Full
15.	Variation in Haematological Profile of Pregnant Women attending Combine4d Military Hospital Quetta. J Ayub Med.Col. Abbottabad 2019, 31(2) 1 <sup>st</sup> Author.	Original Article	Accepted	Full

Tx  
20/5/2019

~~ATTESTED~~



(18)

To

ANNEXURE A

The principal,  
Gujarat Medical College,  
Surabhi.

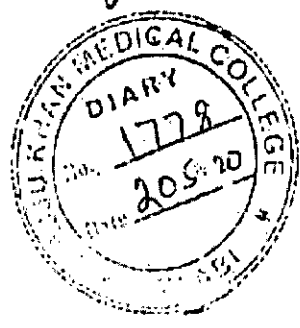
Subject's promotion to the post of  
Prof Community Medicine.

Sir,

It is submitted in your that my  
case may kindly be reprocessed for  
promotion to BPS 20. All my relevant document  
and eligibility certificate are attached here.  
My case is already submitted for PSB but  
the only objection was that I needed to complete  
3 years in BPS-19.  
Regards

18-5-2020

Dr S. Abbas  
Associate prof & HOD  
Community medicine GIMCS



ATTESTED

19

ANNEXURE - I



**OFFICE OF THE PRINCIPAL / CHIEF EXECUTIVE**  
**GAJU KHAN MEDICAL COLLEGE / BACHA KHAN MEDICAL COMPLEX**  
**SWABI**



(Khyber Pakhtunkhwa)

Phone # +92-938-280421 Fax # +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)

F.No 2-7/2019-Admin/GKMC 1365

Date: 21-May-19

To

The Secretary to Govt; of Khyber Pakhtunkhwa,  
Health Department

Attention: Section Officer-I

Subject: PROMOTION TO THE POST OF PROFESSOR COMMUNITY  
MEDICINE BS-20 IN R/O DR. SAID UL ABRAR ASSOCIATE  
PROFESSOR COMMUNITY MEDICINE BS-19 GKMC SWABI

Sir,

Enclosed please find herewith an application along with supporting documents in-r/o Dr. Said Ul Abrar Associate Professor Community Medicine BS-19 GKMC to the post of Professor Community Medicine BS-20 in Gajju Khan Medical College Swabi submitted for further necessary action please.

(~~PROF. DR. FASSEH-UZ-ZAMAN~~)  
(PRINCIPAL / CHIEF EXECUTIVE)

X GKMC / BKMC  
Swabi

ATTACHED

20



**OFFICE OF THE PRINCIPAL / CHIEF EXECUTIVE**  
**GAJJU KHAN MEDICAL COLLEGE / BACHA KHAN MEDICAL COMPLEX**  
**Swabi**

(Khyber Pakhtunkhwa)

Phone# +92-938-280421 Fax # +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)

F. No 2-7/2019-Admin/Gkmc 1362

Date: 21-May-19

CERTIFICATE

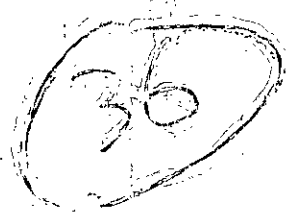
This is to certify that the post of Professor Community Medicine BPS-20 in Gajju Khan Medical College Swabi, Gajju Khan Medical College Swabi is not subjudice in any court of law.

**(PROF. DR. FASSEH-UZ-ZAMAN)**  
**(PRINCIPAL / CHIEF EXECUTIVE)**

GKMC / BKMC  
Swabi

**Principal**  
Gajju Khan Medical  
College & Group Of  
Teaching Hospitals Swabi

**ATTESTED**



21



**OFFICE OF THE PRINCIPAL / CHIEF EXECUTIVE**  
**GAJJU KHAN MEDICAL COLLEGE / BACHA KHAN MEDICAL COMPLEX**  
**Swabi**



(Khyber Pakhtunkhwa)  
Phone# +92-938-280421 Fax # +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)  
website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)

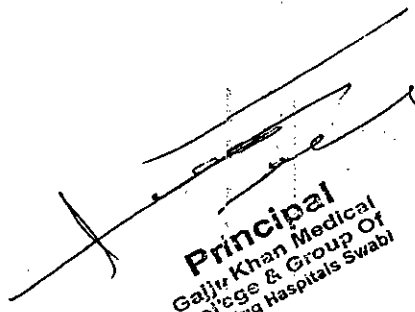
F. No 2-7/2019-Admin/exmcr 1364

Date: 21-May-19

CERTIFICATE *Non-MTI*

This is to certify that MTT reform A.CT-2015 has not been extended to Gajju Khan Medical College Swabi.

  
**(PROF. DR. FASSEH-UZ-ZAMAN)**  
**(PRINCIPAL / CHIEF EXECUTIVE)**  
GKMC / BKMC  
Swabi

  
**Principal**  
Gajju Khan Medical  
College & Group Of  
Teaching Hospitals Swabi

**ATTESTED**



**OFFICE OF THE PRINCIPAL**  
**GAJJU KHAN MEDICAL COLLEGE SWABI**

(Khyber Pakhtunkhwa)

Phone# +92-938-280421 Fax # +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)

F.No 2-7/2018-Admin/gkmc 274

Date: 31-Jan-19

22

To,

The Secretary to Govt. of Khyber Pakhtunkhwa  
Health Department Peshawar

**ANNEXURE-J**

Attention: Section Officer (Secret)

Subject: PER IN R/O DR. SAID UL ABRAR ASSOCIATE PROFESSOR BPS-19 FOR THE YEAR 2017

I have the honor to enclosed herewith the PER for the year 2017 in original in r/o Dr. Said Ul Abrar Associate Professor Community Medicine BPS-19 Gajju Khan Medical College Swabi for countersignature and for onward submission to the quarter concerned please.

**(PROF. DR. FASSEH-UZ-ZAMAN)**

**(PRINCIPAL)**

Gajju Khan Medical College  
Swabi

Endst: No. & Date Even:

Copy forwarded for information and n/a to the:

1. Doctor Concerned.

**(PRINCIPAL)**

**ATTESTED**

CERTIFICATE

23

Certified that I Dr Saif ul Abrar Teaching 19  
(Name of Officer) (Group/Service) (BS)

have on \_\_\_\_\_ submitted my Performance Evaluation Report.  
(Date)

to Dr Sartaj Khan, Prof & HOD  
(Name/Designation of Reporting Officer)

My countersigning officer is Prof Dr Zubair Khan  
(Name/Designation of Countersigning Officer)

S. Abrar / Associate Prof / Health  
Name/Designation/Department of officer

Note:- This certificate is required to be dispatched by the officer being reported upon to the officer Incharge entrusted with the maintenance of his/her C.R dossier on the same date the PER is forwarded to his/her reporting officer.

~~ATTACHED~~

24

FOR OFFICERS IN BPS 19 & 20

RESTRICTED

بصیغہ راز

اسکیل ۱۹ اور ۲۰ کے افسران کے لیے

GOVERNMENT OF KHYBER PAKHTUNKHWA

حکومت خیبر پختونخواہ

Department/Office Health

Service/Group Teaching

ادارہ/دفتر

سرویس/گروپ

PERFORMANCE EVALUATION REPORT

کارکردگی رپورٹ

FOR THE PERIOD 28-2-2017 TO 31-12-2017

PART I

حصہ اول

(TO BE FILLED IN BY THE OFFICER REPORTED UPON)

(متعلقہ افسر خود پُر کریں)

1. Name (in block letters) Dr SAIDUL ABRAR  
(نام (دائیں حروف میں)
2. Personnel number 00857275  
(انفرادی نمبر)
3. Date of birth 21st Feb 1979  
(تاریخ پیدائش)
4. Date of entry in service 20-2-2017  
(ملازمت اختیار کرنے کی تاریخ)
5. Post held during the period (with BPS) Associate Prof (BPS 19)  
(پیش نظر عہدہ میں عہدہ (مع اسکیل)
6. Academic qualifications MBBS, MPH, PHD (E)  
(تعلیم)
7. Knowledge of languages (Please indicate proficiency in speaking (S), reading (R) and writing (W))  
(زبانوں کا علم)  
Pashto (S, R, W)  
Urdu (S, R, W)  
English (S, R, W)

ATTESTED

8. Training received during the evaluation period (Training courses attended earlier, if any, may please be listed separately on the back page of the report):

مفتاحہ عرصہ کے دوران تو بیعت کی تفصیل (اس سے پہلے تو بیعتی کورسوں میں شرکت، رپورٹ کے صفحہ کی پشت پر درج کریں)

Name of course attended کورس کا نام	Duration with dates تاریخوں کے ساتھ دورانیہ	Name of institution and country ادارے اور ملک کا نام

9. Period served

عرصہ ملازمت

- (i) In present post

موجودہ عہدہ پر

- (ii) Under the reporting officer

رپورٹنگ افسر کے ماتحت

## PART II

حصہ دوم

(TO BE FILLED IN BY THE OFFICER REPORTED UPON)

(مفتاحہ افسر خود پُر کریں)

1. Job description

ذمہ داریوں کی تفصیل

- delivering lectures to undergraduate students on community medicine
- publications of Pakistan Journal of Health Sciences
- conducting exams and keeping relevant records
- Review of research articles and thesis
- Conducting research
- Supervision of students' research activities.

ATTESTED



2. Brief account of achievements during the period supported by statistical data where possible. Targets given and actual performance against such targets should be highlighted. Reasons for shortfall, if any, may also be stated:

پیش نظر عرصہ میں کارکردگی کو اعداد و شمار کے ساتھ مختصر بیان کریں۔ دیے گئے اہداف اور کارکردگی کو نمایاں طور پر لکھیں۔ اہداف نامکمل رہ جانے کی وجہ بھی بیان کریں۔

- Participant in 01 workshop on research methodology as facilitator
- Reviewed 09 research articles and MPH thesis
- Delivered lectures on community medicine to the 1st yr students (25 hrs)

**PART III - حصہ سوم**  
 (EVALUATION BY THE REPORTING OFFICER)  
 (رپورٹنگ افسر کا جائزہ)

1. Please comment on the officer's performance on the job as given in Part II (2) with special reference to his knowledge of work, ability to plan, organize and supervise, analytical skills, competence to take decisions and quality and quantity of output. How far was the officer able to achieve the targets? Comment on the officer's contribution, with the help of statistical data, if any, in the overall performance of the organization. Do you agree with what has been stated in Part II (2)?

حصہ دوم (۲) میں بیان کی گئی کارکردگی کا جائزہ لیں۔ افسر کے کام، تنظیم اور نگرانی کرنے کی صلاحیت، تجزیاتی اور فیصلہ کرنے کی صلاحیت کے متعلق برائے دس۔ کارکردگی کے معیار اور حوالے سے بھی ۱۰ لیں۔ ایسا افسر پورا کرنے میں افسر کی حد تک کامیاب رہا ہے۔ ادارے کی مجموعی کارکردگی میں افسر کے کردار کی اہم اور شمار کے حوالے سے نشاندہی کریں۔ کیا آپ حصہ دوم (۲) میں دی گئی معلومات سے متفق ہیں؟

agree with part II (2)  
 officer has good communication skills, command on his subject, good managerial skills, command on his subject, achieving targets efficiently & effectively

**ATTESTED**

2. Integrity (Morality, uprightness and honesty)

دائرت (اخلاق، راست بائزگه ايملائي)

3

do

3. Pen picture including the officer's strengths and weaknesses with focus on emotional stability, ability to work under pressure, communication skills and interpersonal effectiveness. (Weakness will not be considered as adverse entry unless intended to be treated as adverse).

قلمی خاکہ: افسر کی خوبیوں اور کمزوریوں کا جائزہ لیں، خصوصاً جذباتی ٹھہراؤ، دباؤ کی حالت میں کام کرنے کی صلاحیت، رابطہ اور باہمی اقبام و تقسیم پیدا کرنے کی صلاحیت بیان کریں (کوٹاہی کو اس وقت تک منفی تصور نہ کیا جائے جب تک رپورٹنگ افسر ضروری نہ سمجھے)

officer has full control on his emotion and has good stress management skills believes in team work, excellent communication skills.

4. Role of the officer in vaccination immunization campaign (applicable to District officers like DCOs, Political Agents, EDOs Health and other dealing Officers)

NA

5. Area and level of professional expertise with suggestions for future posting.

پیشہ ارانہ مہارت اور آئندہ تعیناتی کی نشاندہی

on the basis of his knowledge of skills he is able to be posted/promoted any any academic/research or managerial post.

ATTESTED

28

6. Training and development needs.

تربیت کے لیے تجاویز

after his Ph-D degree may receive  
a post-Doc in public health.

7. Overall grading

تعمیراتی درجہ

Very Good  
بہت اچھا

Good  
اچھا

Average  
وسط

Below Average  
اوسط سے کم

V. Good

8. Fitness for promotion

ترقی کے لیے مہارت

Comment on the officer's potential for holding a higher position and additional responsibilities.

افسر کی اعلیٰ عہدے پر کام کرنے اور اضافی ذمہ داریاں سنبھالنے کی صلاحیت کے بارے میں رائے دیں

Capable and confident enough to be  
given any responsibilities of posit.

DK SARTAT KHAN

Name of the reporting officer

(Capital letters)

رپورٹنگ افسر کا نام (دو سچے حروف میں)

Signature

(دستخط)

Designation

عہدہ

Prof. (HAD) Community  
Medicine

Date

تاریخ

ATTESTED

PART IV

حصہ چہارم

(REMARKS OF THE COUNTERSIGNING OFFICER)

(کاؤنٹر سائینگ افسر کی رائے)

1. How often have you seen the work of the officer reported upon?

افسر کا کام کس حد تک آپ کی نظر سے گزارا رہا؟

Very frequently اکثر و بیشتر	Frequently اکثر	Rarely شاذ و نادر	Never کبھی نہیں
---------------------------------	--------------------	----------------------	--------------------

✓

2. How well do you know the officer? If you disagree with the assessment of the reporting officer, please give reasons.

آپ افسر کو کس حد تک جانتے ہیں؟ اگر آپ رپورٹنگ افسر کی رائے سے متفق نہیں تو اس کی وجہ بیان کریں

Agreed

3. Overall grading

مجموعی درجہ

Very Good  
اعلیٰ

Good  
اچھا

Average  
اوسط

Below Average  
اوسط سے کم

✓

4. Recommendation for promotion (Comment on the officer's potential for holding a higher position and additional responsibilities).

ترقی کے لیے سفارش

(افسر کی اعلیٰ عہدے پر کام کرنے اور اضافی ذمہ داریاں سنبھالنے کی صلاحیت کے بارے میں رائے دیں)

Yes

ATTESTED

30

5. Evaluation of the quality of assessment made by the reporting officer.

رپورٹنگ افسر کے جائزہ کے معیار کے بارے میں کاؤنٹر سائننگ افسر کی رائے

Exaggerated  
(مبالغہ آمیز)

Fair  
(مناسب)

Biased  
(جانب دار)

✓

Name of the countersigning officer  
(Capital letters)

*Zulkaif*

Signature Zulkaif

کاؤنٹر سائننگ افسر کا نام (دائیں طرف میں)

(دستخط)

Designation

*C.E./Principal*

Date 21-1-18

نہد

تاریخ

Stamp: THE HON. CHIEF JUSTICE OF THE SUPREME COURT OF PAKISTAN

PART V

حصہ پنجم

REMARKS OF THE SECOND COUNTERSIGNING OFFICER (IF ANY)

دوسرے کاؤنٹر سائننگ افسر (بشرط موجودگی) کی رائے

Name \_\_\_\_\_

Signature \_\_\_\_\_

نام

(دستخط)

Designation \_\_\_\_\_

Date \_\_\_\_\_

نہد

تاریخ

ATTESTED

GUIDELINES FOR FILLING UP THE PER

- After initiation of their PER, the officers under report should immediately fill up the detachable 'certificate' giving names of the RO/CO and forward the same to the Officer Incharge of their respective confidential records. This exercise will ensure proper follow-up of the pending performance evaluation reports by the concerned Ministry/Division/Provincial Government etc.
- Forms should be filled in duplicate. Parts I and II are to be filled by the officer under report and should be typed. Part III will be filled by the Reporting Officer while the Countersigning/Second Countersigning Officers will fill parts IV and V respectively.
- Each Division, Department, autonomous body and office etc. is required to prepare specific job descriptions giving main duties of each job to be mentioned in Part II. (1). The job descriptions may be finalized with the approval of the Head of the Organization or any person authorized by him.
- The officer under report should fill Part II (2) of the form as objectively as possible and short term and long term targets should be determined/assigned with utmost care. The targets for each job may be formulated at the beginning of the year wherever possible. In other cases, the work performed during the year needs to be specifically mentioned.
- Assessment by the Reporting Officer should be job-specific and confined to the work done by the officer during the period under report. They should avoid giving a biased or evasive assessment of the officer under report, as the Countersigning Officers would be required to comment on the quality of the assessment made by them.
- The Reporting Officers should carryout their assessment in Part III through comments against each characteristic. Their opinions should represent the result of careful consideration and objective assessment so that, if called upon, they could justify the remarks/comments. They may maintain a record of the work done by the subordinates in this regard.
- The Reporting Officers should be careful in giving the overall and comparative gradings. Special care should be taken so that no officer is placed at an undue disadvantage.
- The Countersigning Officers should weigh the remarks of the RO against their personal knowledge of the officer under report, compare him with other officers of the same grade working under different reporting Officers, but under the same Countersigning Officer, and then give their overall assessment of the officer. In case of disagreement with the assessment done by the Reporting Officer, specific reasons should be recorded by the Countersigning Officers in Part IV (2).
- The Countersigning Officers should make an unbiased evaluation of the quality of performance evaluation made by the RO by categorizing the reports as exaggerated, fair or biased. This would evoke a greater sense of responsibility from the reporting officers.
- The Countersigning Officers should underline, in red ink, remarks which in their opinion are adverse and should be communicated to the officer reported upon. All adverse remarks whether remediable or irremediable should be communicated to the officer under report, with a copy of communication placed in the CR dossier. Reporting Officers should ensure that they properly counsel the officer under report before adverse remarks are recorded.
- The Reporting and Countersigning Officers should be clear, direct, objective and unambiguous in their remarks. Vague impressions based on inadequate knowledge or isolated incidents should be avoided.
- Reports should be consistent with the pen picture, overall grading and comparative grading.

IMPORTANT

- Parts I and II of the PER should be duly filled and dispatched to the Reporting Officer not later than the 15th of January. The ROs should forward the report to the Countersigning Officer within two weeks of receipt after giving their views in Part III. The COs should then finalize their comments in Part IV within two weeks of receipt of PER. The Second Countersigning Officers, if any, should also complete their assessment within a period of two weeks.
- Name and designation of the Reporting/Countersigning Officers should be clearly written. Comments should be legible and in the prescribed format and which can be easily scanned.
- Personnel Number is to be filled in by the officer under report, if allotted.
- Proforma has been devised in English/Urdu to provide flexibility to RO/CO in the choice of language.
- Comparative grading only applies to officers falling in very good, good and average categories. This grading would not apply to anyone falling in below average category in part III (6).

~~ATTESTED~~

OFFICE OF THE PRINCIPAL  
GAJJU KHAN MEDICAL COLLEGE SWABI

(Khyber Pakhtunkhwa)

Phone# +92-938-280421 Fax # +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)

F.No 2-7/2018-Admin/Gkmc 275

Date: 31-Jan-19

To,

The Secretary to Govt. of Khyber Pakhtunkhwa  
Health Department Peshawar

Attention: Section Officer (Secret)

Subject: PER IN R/O DR. SAID UL ABRAR ASSOCIATE PROFESSOR BPS-19  
FOR THE YEAR 2018

I have the honor to enclosed herewith the PER for the year 2018 in original in  
r/o Dr. Said Ul Abrar Associate Professor Community Medicine BPS-19 Gajju Khan  
Medical College Swabi for countersignature and for onward submission to the quarter  
concerned please.

  
(PROF. DR. FASSEH-UZ-ZAMAN)

(PRINCIPAL)  
Gajju Khan Medical College  
Swabi

Encls: No. & Date Even:

Copy forwarded for information and n/a to the:

1. Doctor Concerned.

  
(PRINCIPAL)

ATTACHED

CERTIFICATE

33

Certified that I Dr Saiful Abbas Teaching 19  
(Name of Officer) (Group/Service) (BS)

have on \_\_\_\_\_ submitted my Performance Evaluation Report.  
(Date)

to Dr Sartaj Khan, Prof & HoD  
(Name/Designation of Reporting Officer)

My countersigning officer is Prof Dr Zubair Khan  
(Name/Designation of Countersigning Officer)

S-Abbas / Associate Prof / Health  
Name/Designation/Department of officer

Note:-This certificate is required to be dispatched by the officer being reported upon to the officer Incharge entrusted with the maintenance of his/her C.R dossier on the same date the PER is forwarded to his/her reporting officer.

~~ATTESTED~~



FOR OFFICERS IN BPS 19 & 20

RESTRICTED

اسکیل 19 اور 20 کے افسران کے لیے

بصیغہ راز

GOVERNMENT OF KHYBER PAKHTUNKHWA

حکومت خیبر پختونخواہ

Department/Office Health

Service/Group Teaching

ادارہ / دفتر

سروس / گروپ

PERFORMANCE EVALUATION REPORT

کارکردگی رپورٹ

FOR THE PERIOD 1st Jan 2018 TO 31st Dec 2018

PART I

حصہ اول

(TO BE FILLED IN BY THE OFFICER REPORTED UPON)

(مستحقہ افسر خود پُر کریں)

- Name (in block letters) DR SAIDULABRAR  
(نام (واضح حروف میں))
- Personnel number 00857275  
(انفرادی نمبر)
- Date of birth 21st Feb 1979  
(تاریخ پیدائش)
- Date of entry in service 28-02-2017  
(ملازمت اختیار کرنے کی تاریخ)
- Post held during the period (with BPS) ASSOCIATE PROF (BPS 19)  
(پیش نظر عہدہ میں عہدہ (مع اسکیل))
- Academic qualifications MBBS, MPH, PHD(F)  
(تعلیم)
- Knowledge of languages (Please indicate proficiency in speaking (S), reading (R) and writing (W))  
(زبانوں کا علم) (بولنے (ب)، پڑھنے (پ)، اور لکھنے (ل) کی صلاحیت)

Pashto (S, R, W)  
Urdu (S, R, W)  
English (S, R, W)

ATTESTED

8. Training received during the evaluation period (Training courses attended earlier, if any, may please be listed separately on the back page of the report).

متعلقہ عرصے کے دوران تربیت کی تفصیل (اس سے پہلے تربیتی کورسوں میں شرکت، رپورٹ کے صفحہ کی پشت پر درج کریں)

Name of course attended کورس کا نام	Duration with dates تاریخوں کے ساتھ دورانیہ	Name of institution and country ادارے اور ملک کا نام
Nil		

9. Period served.

عرصہ ملازمت

(i) In present post 04/10M  
موجودہ عہدہ پر

(ii) Under the reporting officer 04/10M  
رپورٹنگ افسر کے ماتحت

PART II

حصہ دوم

(TO BE FILLED IN BY THE OFFICER REPORTED UPON)

(متعلقہ افسر خود پُر کریں)

1. Job description

فہمدا ریوں کی تفصیل

- Delivering lectures to undergrad students on Community Medicine.
- Publication of Pakistan Journal of Health Sciences
- Conducting Exams & keeping record of relevant work
- Conducting Research
- Supervision of students literary activities

~~ATTACHED~~

2. Brief account of achievements during the period supported by statistical data where possible. Targets given and actual performance against such targets should be highlighted. Reasons for shortfall, if any, may also be stated.

پیش نظر عرصہ میں کارکردگی کو اندازہ شمار کے ساتھ مختصر بیان کریں۔ دیے گئے اہداف اور کارکردگی کو نمایاں طور پر لکھیں۔ اہداف تکمیل سے رو جانے کی وجہ سے بھی بیان کریں

Supervised 2 post graduate research projects.  
Evaluated 4 post graduate MPT thesis for KM.U.  
published 3 research articles as a principal author.  
delivered lectures on community medicine to 1st yr (25 hrs), 2nd yr (25 hrs) and 3rd yr (50 hrs)

PART III - حصہ سوم  
(EVALUATION BY THE REPORTING OFFICER)  
(رپورٹنگ آفسر کا جائزہ)

1. Please comment on the officer's performance on the job as given in Part II (2) with special reference to his knowledge of work, ability to plan, organize and supervise, analytical skills, competence to take decisions and quality and quantity of output. How far was the officer able to achieve the targets? Comment on the officer's contribution, with the help of statistical data, if any, in the overall performance of the organization. Do you agree with what has been stated in Part II (2)?

حصہ دوم (۲) میں بیان کی گئی کارکردگی کا جائزہ لیں۔ آفسر کے کام، تنظیم اور نگرانی کرنے کی صلاحیت، تجزیاتی مہارت اور فیصلہ کرنے کی صلاحیت کے حلقے راسخوں سے۔ کارکردگی کے معیار و معیار کے حوالے سے کبھی رائے دیں۔ اہداف تکمیل سے رو جانے کی وجہ سے بھی بیان کریں۔ اہداف تکمیل سے رو جانے کی وجہ سے بھی بیان کریں۔ اہداف تکمیل سے رو جانے کی وجہ سے بھی بیان کریں۔

Supervised 2 post graduate research projects  
Evaluated 4 post graduate MPT thesis for KM.U.  
published

Agree with part II (2)  
officer has good communication skills,  
knowledge on his subject, good managerial  
skills, achieving targets efficiently &

ATTESTED

2. Integrity (Morality, uprightness and honesty)

دیانت (اخلاق، راستبازی، ایمانداری)

3

do

3. Pen picture including the officer's strengths and weaknesses with focus on emotional stability, ability to work under pressure, communication skills and interpersonal effectiveness. (Weakness will not be considered as adverse entry unless intended to be treated as adverse).

قلمی خاکہ: افسر کی خوبیوں اور کمزوریوں کا جائزہ لیں، خصوصاً جذباتی ٹھہراؤ، دباؤ کی حالت میں کام کرنے کی صلاحیت، رابطہ اور باہمی اقبام و تقسیم پیدا کرنے کی صلاحیت بیان کریں (کوئی بھی کو اس وقت تک منفی تصور نہ کیا جائے جب تک رپورٹنگ افسر ضروری نہ سمجھے)

officer has full control on his emotions and has good stress management skills, believes in team work & excellent communication skills.

4. Role of the officer in vaccination immunization campaign (applicable to District officers like DCOs, Political Agents, EDOs Health and other dealing Officers)

NA

5. Area and level of professional expertise with suggestions for future posting.

پیشہ وارانہ مہارت اور آئندہ تعیناتی کی نشاندہی

on the basis of knowledge & skills he is able to be posted/promoted as any academic/research or managerial posts

ATTESTED

6. Training and development needs.

تربیت کے لیے تجاویز

after his Ph D degree may pursue a post-Doc in public health.

7. Overall grading

مجموعی درجہ

Very Good  
بہت اچھا

Good  
اچھا

Average  
وسط

Below Average  
اوسط سے کم



V. Good

8. Fitness for promotion

ترقی کے لیے مناسبت

Comment on the officer's potential for holding a higher position and additional responsibilities.

افسر کی اعلیٰ عہدے پر کام کرنے اور اضافی ذمہ داریاں سنبھالنے کی صلاحیت کے بارے میں رائے دیں

Capable & Compreh enough to be given any responsibilities & position

Name of the reporting officer  
(Capital letters)

DR. SAKHAI KHAN

Signature

رپورٹنگ افسر کا نام (واچ حرف میں)

(دستخط)

Designation

Prof (HOD) Community Medicine

Date

تاریخ

ATTESTED

39

5. Evaluation of the quality of assessment made by the reporting officer.

رپورٹنگ افسر کے جائزہ کے معیار کے بارے میں کاؤنٹر سائننگ افسر کی رائے

Exaggerated  
(مبالغہ آویز)

Fair  
(مناسب)

Biased  
(جانب دار)

Name of the countersigning officer  
(Capital letters)

کاؤنٹر سائننگ افسر کا نام (دو اعلیٰ حروف میں)

Signature

(دستخط)

Designation

تہذیب

Date

تاریخ

PART V

REMARKS OF THE SECOND COUNTERSIGNING OFFICER (IF ANY)

دوسرے کاؤنٹر سائننگ افسر (بشرط موجودگی) کی رائے

Name

نام

Signature

(دستخط)

Designation

تہذیب

Date

تاریخ

7

~~ATTACHED~~

GUIDELINES FOR FILLING UP THE PER

- After initiation of their PER, the officers under report should immediately fill up the detachable 'certificate' giving names of the RO/CO and forward the same to the Officer Incharge of their respective confidential records. This exercise will ensure proper follow-up of the pending performance evaluation reports by the concerned Ministry/Division/Provincial Government etc.
- Forms should be filled in duplicate. Parts I and II are to be filled by the officer under report and should be typed. Part III will be filled by the Reporting Officer while the Countersigning/Second Countersigning Officers will fill parts IV and V respectively.
- Each Division, Department, autonomous body and office etc. is required to prepare specific job descriptions giving main duties of each job to be mentioned in Part II. (1). The job descriptions may be finalized with the approval of the Head of the Organization or any person authorized by him.
- The officer under report should fill Part II (2) of the form as objectively as possible and short term and long term targets should be determined/assigned with utmost care. The targets for each job may be formulated at the beginning of the year wherever possible. In other cases, the work performed during the year needs to be specifically mentioned.
- Assessment by the Reporting Officer should be job-specific and confined to the work done by the officer during the period under report. They should avoid giving a biased or evasive assessment of the officer under report, as the Countersigning Officers would be required to comment on the quality of the assessment made by them.
- The Reporting Officers should carryout their assessment in Part III through comments against each characteristic. Their opinions should represent the result of careful consideration and objective assessment so that, if called upon, they could justify the remarks/comments. They may maintain a record of the work done by the subordinates in this regard.
- The Reporting Officers should be careful in giving the overall and comparative gradings. Special care should be taken so that no officer is placed at an undue disadvantage.
- The Countersigning Officers should weigh the remarks of the RO against their personal knowledge of the officer under report, compare him with other officers of the same grade working under different reporting Officers, but under the same Countersigning Officer, and then give their overall assessment of the officer. In case of disagreement with the assessment done by the Reporting Officer, specific reasons should be recorded by the Countersigning Officers in Part IV (2).
- The Countersigning Officers should make an unbiased evaluation of the quality of performance evaluation made by the RO by categorizing the reports as exaggerated, fair or biased. This would evoke a greater sense of responsibility from the reporting officers.
- The Countersigning Officers should underline, in red ink, remarks which in their opinion are adverse and should be communicated to the officer reported upon. All adverse remarks whether remediable or irremediable should be communicated to the officer under report, with a copy of communication placed in the CR dossier. Reporting Officers should ensure that they properly counsel the officer under report before adverse remarks are recorded.
- The Reporting and Countersigning Officers should be clear, direct, objective and unambiguous in their remarks. Vague impressions based on inadequate knowledge or isolated incidents should be avoided.
- Reports should be consistent with the pen picture, overall grading and comparative grading.

IMPORTANT

- Parts I and II of the PER should be duly filled and dispatched to the Reporting Officer not later than the 15th of January. The ROs should forward the report to the Countersigning Officer within two weeks of receipt after giving their views in Part III. The COs should then finalize their comments in Part IV within two weeks of receipt of PER. The Second Countersigning Officers, if any, should also complete their assessment within a period of two weeks.
- Name and designation of the Reporting/Countersigning Officers should be clearly written. Comments should be legible and in the prescribed format and which can be easily scanned.
- Personnel Number is to be filled in by the officer under report, if allotted.
- Proforma has been devised in English/Urdu to provide flexibility to RO/CO in the choice of language.
- Comparative grading only applies to officers falling in very good, good and average categories. This grading would not apply to anyone falling in below average category in part III (6).

~~ATTESTED~~

41

**CERTIFICATE**

Certified that Dr. Saadul Abbas Teaching 19  
(Name of Officer) (Group/Service) (BS)

have on 10-01-2020 submitted my Performance Evaluation Report  
(Date)

to Dr. Ihtiyar, Prof & VP Academics  
(Name/Designation of Reporting Officer)

My countersigning officer is Prof. Dr. Faseeha Zaman, Principal & CE  
(Name/Designation of Countersigning Officer)

S. Abbas / Associate Prof / Health  
Name/Designation/Department of Officer

Note:- This certificate is required to be dispatched by the officer being reported upon to the Officer incharge entrusted with the maintenance of his/her C.R. Dossier on the same date the PER is forwarded to his/her reporting officer.

Guideline 1

**ATTESTED**



42

For Officers in BPS 19 & 20

اسکیل 19 اور 20 کے افسران کے لیے

RESTRICTED

مہتمم محدود

GOVERNMENT OF KHYBER PAKHTUNKHWA

حکومت خیبر پختونخواہ

Department/Office Health  
عہدہ دفتر

Service/Group Teaching  
سروس/گروپ

PERFORMANCE EVALUATION REPORT

کارکردگی رپورٹ  
FOR THE PERIOD 1-1-2019 TO 31-12-2019  
۱۔۱۔۲۰۱۹ تا ۳۱۔۱۲۔۲۰۱۹

PART I

حصہ اول

(TO BE FILLED IN BY THE OFFICER REPORTED UPON)

(متعلقہ افسر خود پُر کریں)

- Name (in block letters) DR SAIDUL ABRAR  
نام (واضح حروف میں)
- Personnel number 00857275
- Date of birth 21-02-1979  
انفرادی نمبر  
تاریخ پیدائش
- Date of entry in service 20-02-2017  
ملازمت اختیار کرنے کی تاریخ
- Post held during the period (with BPS) Associate Professor BS 19  
پیش نظر عہدہ میں عہدہ (اسکیل)
- Academic qualifications MBS, MPH, PHD (E)  
تعلیم
- Knowledge of languages (Please indicate proficiency in speaking (S), reading (R) and writing (W))  
زبانوں کا

Pashto (S-R-W)  
Urdu (S-R-W)  
English (S-R-W)

ATTESTED

43

8. Training received during the evaluation period (Training courses attended earlier, if any, may please be listed separately on the back page of the report)

(اس سے پہلے ترقی کورسوں میں شرکت، رپورٹ کے صفحہ کی پشت پر درج کریں)

متعلقہ عرصہ کے دوران تربیت کی تفصیل

Name of course attended کورس کا نام	Duration with dates تاریخوں کے ساتھ دورانیہ	Name of institution and country ادارے اور ملک کا نام
H.D.		

9. Period served

فہرست

(i) In present post

۲۰۱۶ء سے

02 years & 10 months

(ii) Under the reporting officer

رپورٹنگ افسر کے ماتحت

01 one year

PART II

حصہ دوم

(TO BE FILLED IN BY THE OFFICER REPORTED UPON)

(متعلقہ افسر خود پر کریں)

10. Job description

ذمہ داریوں کی تفصیل

- As a Head of Deptt, management of all academic & administrative affairs of the department: Community medicine
- Delivering lectures, supervising research and under library society & discipline Committee
- maintaining discipline as a chief proctor
- publication of Pakistan journal of Health Sci

2

ATTESTED

2. Brief account of achievements during the period supported by statistical data where possible. Targets given and actual performance against such targets should be highlighted. Reasons for shortfall, if any, may also be stated.

جس فقرہ میں نمایاں کام کا اعداد و شمار کے ساتھ ذکر بیان کریں۔ اہداف اور کارکردگی کو نمایاں طور پر لکھیں۔ اہداف تکمیل نہ جانے کی وجوہات بھی بیان کریں

- Conducted or Training workshops as principal investigator in Abbottabad
- Reviewed 09 masters/MPH thesis of public health students
- Delivered lectures to the 1st, 2nd, 3rd and 4th years of MBBS.

PART III

حصہ سوم

(REPORTING OFFICER'S EVALUATION)

(رپورٹنگ افسر کا جائزہ)

1. Please comment on the officer's performance on the job as given in Part II (2) with special reference to his knowledge of work, ability to plan, organize and supervise, analytical skills, competence to take decisions and quality and quantity of output. How far was the officer able to achieve the targets? Comment on the Officer's contribution, with the help of statistical data, if any, in the overall performance of the organization. Do you agree with what has been stated in Part II (2)?

حصہ (۲) میں بیان کی گئی کارکردگی کا جائزہ لیں۔ افسر کے علم، تنظیم اور نگرانی کرنے کی صلاحیت، تجزیاتی مہارت اور فیصلہ کرنے کی صلاحیت کے حلقہ مائے دہیں۔ کارکردگی کے معیار و نتائج کے حوالے سے بھی رائے دیں۔ اہداف کو پورا کرنے میں افسر کی مددگار کامیابیوں کا جائزہ لیں۔ ادارے کی مجموعی کارکردگی میں افسر کے کردار کی اعداد و شمار کے حوالے سے تبصرہ کریں۔ کیا آپ حصہ (۲) میں دی گئی معلومات سے متفق ہیں؟

agree with part II  
officer has good communication skills/ command on his subject, good managerial skills, achieving targets efficiently & effectively.

ATTESTED

2. Integrity (Morality, uprightness and honesty)

(راست بازی، ایمان داری) ریاست

do

3. Pen picture including the officer's strengths and weaknesses with focus on emotional stability, ability to work under pressure, communication skills and interpersonal effectiveness (Weakness will not be considered as adverse entry unless intended to be treated as adverse).

تعمیراتی خاک: افسر کی خوبیوں اور کمزوریوں کا جائزہ لیں، خصوصاً جذباتی ٹھہراؤ، دباؤ کی حالت میں کام کرنے کی صلاحیت، رابطہ اور باہمی التفہیم پیدا کرنے کی صلاحیت بیان کریں (کوئی اس وقت تک نمی قصور نہ کیا جائے جب تک رپورٹ افسر ضروری نہ سمجھے)

officer has full control on his emotions  
and has good stress management skills  
believe in team work & excellent communication.

4. Role of the officer in vaccination/immunization campaign (applicable to district officers like DCOs, Political Agents, EDOs Health and other dealing Officers).

پولیسٹیم کے دوران افسر کا کردار (مضامی افسران جیسا کہ ڈی۔سی۔ او، پولیٹیکل ایجنٹ، ای۔ڈی۔ او یا ایڈمنسٹریٹو آفیسر) (معلقہ افسران کے لیے)

NA

5. Area and level of professional expertise with suggestions for future posting

پیشہ وارانہ مہارت اور اہلیت کی نشاندہی

On the basis of his knowledge & skills,  
he is able to be posted / promoted  
to any academic / research or  
managerial post.

ATTESTED

6. Training and development needs

ترقی و تربیت کے لئے تجاویز

after the Ph-D degree may pursue a post Doc in public health

7. Overall grading

مجموعی درجہ

Very Good  
اعلیٰ ✓

Good  
اچھا

Average  
اوسط

Below Average  
اوسط سے کم

V. Good

8. Fitness for promotion

ترقی کے لیے ماسبت

Comment on the officer's potential for holding a higher position and additional responsibilities

آفسر کی اعلیٰ عہدے پر کام کرنے اور اضافی ذمہ داریاں سنبھالنے کی صلاحیت کے بارے میں رائے دیں

Capable & competent enough to be given any responsibilities & position

Name of the Reporting Officer

Dr. ISHTIAQALI KHAN

Signature

*[Signature]*

Capital letters)

رپورٹنگ آفسر کا نام (دائیں حروف میں)

VICE PRINCIPAL ACADEMICS  
Ghaffar Khan Medical College  
Swabi

Designation

V-P Academics

Date  
تاریخ

20/01/2020

ATTEST

47

PART IV

حصہ چہارم

(REMARKS OF THE COUNTERSIGNING OFFICER)

(کاؤنٹر سائینگ افسر کی رائے)

1. How often have you seen the work of the officer reported upon?

افسر کا کام کس حد تک آپ کی نظر سے گزرتا رہا؟

Very Frequent بہت زیادہ اکثر	Frequently اکثر	Rarely شاذ و نادر	Never کبھی نہیں
---------------------------------	--------------------	----------------------	--------------------

2. How well do you know the officer? If you disagree with the assessment of the reporting officer, please give reasons.

آپ کیسے جانتے ہیں؟ اگر آپ رپورٹنگ افسر کی رائے سے متفق نہیں تو اس کی وجوہات بیان کریں

*As assessed with the Recommendation of the Reporting Officer*

*I know the officer who is a good & honest person. I agree with the Recommendation of the Reporting Officer.*

3. Overall grading

مجموعی درجہ

Very Good اعلیٰ	Good اچھا	Average اوسط	Below Average اوسط سے کم
--------------------	--------------	-----------------	-----------------------------

4. Recommendation for promotion (Comment on the officer's potential for holding a higher position and additional responsibilities)

ترقی کے لیے سفارش

(افسر کی اعلیٰ عہدے پر کام کرنے اور اضافی ذمہ داریاں سنبھالنے کی صلاحیت کے بارے میں رائے دیں)

*Recommended*

*[Signature]*

ATTACHED

48

ly of assessment made by the Reporting Officer

رپورنگ افسر کے جائزہ کے معیار کے بارے

Fair  
جانب

Biased  
جانب دار

g officer  
USEERHUZAMAN

Signature

[Handwritten signature]

Principal

Date

11/11/20

PART V

حصہ پنجم

Principal  
Gajju Khan Medical  
College & Group of  
Teaching Hospitals Swabi

SECOND COUNTERSIGNING OFFICER (IF ANY)

دوسرے کاؤنٹر سائننگ افسر کے نام لکھیں اگر کوئی ہو

Signature

[Handwritten signature]

Date

تاریخ

ATTACHED

**GUIDELINES FOR FILLING UP THE PER**

- After initiation of their PER, the officers under report should immediately 'Certificate' giving names of the RO/CO and forward the same to their respective confidential records. This exercise will ensure proper follow-up evaluation reports by the concerned Ministry/Division/Provincial Government.
- Forms should be filled in duplicate. Parts I and II are to be filled by the officer under report. Part III will be filled by the Reporting Officer while Countersigning Officers will fill Parts IV and V respectively.
- Each Division, Department, autonomous body and office etc. is required to provide descriptions giving main duties of each job to be mentioned in Part-II (1), finalized with the approval of the Head of the Organization or any person authorized by him.
- The officer under report should fill Part II (2) of the form as objectively as possible. Long term targets should be determined/assigned with utmost care. The targets should be formulated at the beginning of the year wherever possible. In other cases, the year needs to be specifically mentioned.
- Assessment by the Reporting Officers should be job-specific and confidential. They should avoid giving a biased assessment of the officer under report, as the Countersigning Officers would be required to verify the assessment made by them.
- The Reporting Officers should carry out their assessment in Part III through a fair and objective characteristic. Their opinions should represent the result of careful assessment so that, if called upon, they could justify the remarks/complaints recorded in the record of the work done by the subordinates in this regard.
- The Reporting Officers should be careful in giving the overall and composite assessment. It should be taken so that no officer is placed at an undue disadvantage.
- The Countersigning Officers should weigh the remarks of the RO against the officer under report, compare him with other officers of the same grade and position, but under the same Countersigning Officer, and the overall assessment of the officer. In case of disagreement with the assessment done by the Reporting Officers, reasons should be recorded by the Countersigning Officers in Part IV (2).
- The Countersigning Officers should make an unbiased evaluation of the evaluation made by the RO by categorizing the reports as exaggerated or understated to evoke a greater sense of responsibility from the reporting officers.
- The Countersigning Officers should underline, in red ink, remarks which are adverse and should be communicated to the officer reported upon. All adverse remarks should be communicated to the officer under report, and placed in the CR dossier. Reporting Officers should ensure that they provide a fair report before adverse remarks are recorded.
- The Reporting and Countersigning Officers should be clear, direct, objective and specific in their remarks. Vague impressions based on inadequate knowledge or isolated incidents should be avoided.
- Reports should be consistent with the pen picture, overall grading and composite assessment.

**IMPORTANT**

- Part I and II of the PER should be duly filled and dispatched to the Head of the Office by the 15th of January. The ROs should forward the report to the Countersigning Officers for their views in Parts III. The COs should then finalize their assessment within a period of two weeks.
- Name and designation of Reporting/Countersigning Officers should be legible and in the prescribed format and which can be easily verified.
- Personnel Number is to be filled in by the officer under report, if allotted.
- Proforma has been devised in English/Urdu to provide flexibility to RO/CO.
- Comparative grading only applies to officers falling in very good, good and average categories. Grading would not apply to anyone falling in below average category or below.



**BACHA KHAN MEDICAL COMPLEX/ GAJJU KHAN MEDICAL COLLEGE SWABI**

(Khyber Pakhtunkhwa)

Phone# +92-938-280221 Fax # +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

Website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)

50

F.NO. 2-7/2020-Admin-6663-65

DATE-13-AUG-20

To

ANNEXURE-K

Dr. Said ul Abrar  
Associate Professor Community Medicine GKMC Swabi.

Subject: CALL FOR PERSONAL HEARING TO THE PRINCIPAL OFFICE  
REGARDING YOUR PROMOTION CASE.

Your promotion case was discussed in detail in a meeting. In order to intimate it to you, you are advised to appear in person to the office of the undersigned on 17-08-2020 01:30 PM sharply.

(PRINCIPAL/CHIEF-EXECUTIVE)

Gajju Khan Medical College/Bacha Khan  
Medical Complex Swabi

Copy Forwarded to:

1. Secretary to Govt, of Khyber Pakhtunkhwa Health Department Peshawar.
2. Master File.

(PRINCIPAL/CHIEF-EXECUTIVE)

ATTACHED

(51)

ANNEXUR-1

**IN THE HONORABLE PESHAWAR HIGH COURT, PESHAWAR**



Writ Petition No. \_\_\_\_\_

**SAID UL ABRAR** s/o Nurul Muhammad  
Address: Qasim, Post Office Turu, Qasim, Tehsil and District Mardan

.....**PETITIONER**

**VERSUS**

**1. KP PUBLIC SERVICE COMMISSION**

THROUGH its  
**CHAIRMAN**

Address: 2-Fort Road, Peshawar Cantonment

**2. HEALTH DEPARTMENT, GOVT. OF KPK**

THROUGH its  
**SECRETARY**

Address: Gate # 5, HRD Building Khyber Road, Peshawar, Khyber Pakhtunkhwa

**3. ESTABLISHMENT DEPARTMENT**

THROUGH its  
**SECRETARY**

Address: Establishment & Administration Department, Civil Secretariat, Peshawar

**4. PROVINCIAL SELECTION BOARD**

THROUGH its  
**CHAIRMAN**

Address: Establishment & Administration department, Civil Secretariat, Peshawar

**5. GAJJU KHAN MEDICAL COLLEGE**

THROUGH its  
**PRINCIPAL**

Address: Shah Mansoor, Sawabi, KP

**ATTESTED**  
**EXAMINER**  
Peshawar High Cou

.....**RESPONDENTS**

1

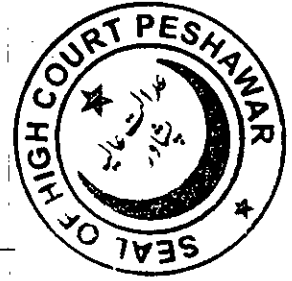

**JUDGMENT SHEET**  
**PESHAWAR HIGH COURT, PESHAWAR**  
**JUDICIAL DEPARTMENT**

WP No. 2727-P/2020 with  
CM No. 1037-P/2020

Said-ul-Abrar

Vs

**Khyber Pakhtunkhwa Public Service  
Commission through its Chairman and others.**



Date of hearing \_\_\_\_\_ 26.01.2021 \_\_\_\_\_

Petitioner (by) \_\_\_\_\_ Mr. Adnan Iqbal, Advocate \_\_\_\_\_

Respondents (by) \_\_\_\_\_ Mr. Sohail Ahmad, AAG \_\_\_\_\_

**JUDGMENT**

MUSARRAT HILALI, J.- The instant writ petition has been filed by the petitioner under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, wherein he has prayed for the following relief:-

- A. Writ of mandamus directing the respondents to place the file of the petitioner on the agenda of the PSB forthcoming meeting, scheduled to be held in the second week of June, 2020 for weighing and considering his eligibility and fitness for the Post of Professor (BPS-20) Community Medicine;*
- B. Writ of Prohibition prohibiting the respondent No.1 from infringing upon the rights of the petitioner and violating the law of the land by advertising and calling application for the vacant post which could only be filled through promotion;*
- C. Writ of Mandamus directing the respondent No.01 to immediately withdraw the advertisement;*

**ATTESTED**

**EXAMINER**  
Peshawar High Court



53

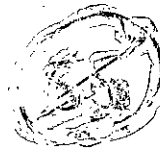
*D. Writ directing the respondent No.01 to stay the Advertisement No.02 / 2020, and meeting of the PSB for promotion till final disposal of the writ petition;*

*E. Writ of Prohibition prohibiting the Establishment Department / Respondent No.03 to schedule the meeting of the PSB without putting the file of the petitioner on the agenda for the meeting.*

2. In essence, it is the petitioner's case that he is serving in the respondents and submitted documents alongwith all credentials to the Health Secretariat for his promotion to the post of Professor (BPS-20) of Community Medicine in Gajju Khan Medical College, however, when he came to know that the Khyber Pakhtunkhwa Public Service Commission has advertised the subject vacant post. Feeling aggrieved therefrom, petitioner has filed the instant constitutional petition.

3. Respondents submitted their comments, wherein they have raised a preliminary objection that the petitioner is a civil servant and the relief claimed comes within the terms and conditions of his services, therefore, the jurisdiction of this Court is barred under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973.

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



54

4. We have heard arguments of learned counsel for the parties and have perused the documents available on the file.

5. Admittedly, the petitioner is a civil servant and his grievance relates to the terms and conditions of service, so, the appropriate remedy for seeking his redressal would surely be the Services Tribunal, as there is a complete and absolute bar in considering any matter relating to the terms and conditions of service of a Government servant. The Apex Court has laid down salutary principles relating to the 'terms and conditions' of service not to be entertained in constitutional jurisdiction under Article 199 being barred under Article 212 of the Constitution.

6. In view of the above, this writ petition is dismissed alongwith CM, being not maintainable.

JUDGE

JUDGE

Announced  
26.01.2021

(DB) Hon'ble Justice Musarrat Hilali  
Hon'ble Mr. Justice Muhammad Nasir Mahfooz

Noor Shah



CERTIFIED TO BE TRUE COPY

Examiner  
Peshawar High Court, Peshawar  
Authenticated Under Article 217  
of Pakistan Constitution Order 100

09 FEB 2021

No. 25365  
Date of Presentation of Application 09/25/02  
No of Pages 16  
Copying fee 64/-  
Total  
Date of Preparation of Copy 09/25/02  
Date of Delivery of Copy 09/25/02  
Received By *[Signature]*

NOTED TO BE TRUE COPY

RECEIVED  
2002 FEB 28

2002 FEB 28





GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

ANNEXURE M

Dated Peshawar the 8<sup>th</sup> Oct. 2019

## NOTIFICATION

NO.SOH.1/HD/GKMC/8-45/19:- Consequent upon the recommendation of Provincial Selection Board in its meeting held on 23/09/2019 and subsequent approval by the competent authority (Chief Minister, Khyber Pakhtunkhwa) Dr. Raza Muhammad, Assistant Professor ENT (BS-18) is hereby promoted to the post of Associate Professor ENT (BS-19) on regular basis with immediate effect.

2. In terms of Section 6 (2) of Khyber Pakhtunkhwa Civil Servant Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa (Appointment, Promotion & Transfer) Rules 1989, he shall be on probation for a period of one year.

3. Posting / transfer notification of the newly promoted Dr. will be separately issued.

SD/-  
SECRETARY HEALTH

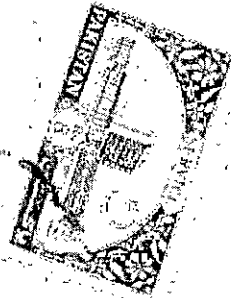
### Endst of Even No. & date

Copy of the above is forwarded to the:-

1. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
2. Principal / Chief Executive, Gajju Khan Medical College / Bacha Khan Medical Complex, Swabi.
3. District Account Officer, District Swabi.
4. Section Officer (PSB), Establishment Department w.r to letter No. SO(PSB)ED/1-8/2019/P-703, dated 02/10/2019.
5. PS to Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
6. Dr. Raza Muhammad, Gajju Khan Medical College / Bacha Khan Medical Complex, Swabi.

(MUHAMMAD IRFAN USMAN)  
SECTION OFFICER (ESTAB-I)  
HEALTH DEPARTMENT

Dispatched  
Khyber Pakhtunkhwa  
Health Department



ATTACHED

56

**VAKALATNAMA**

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

\_\_\_\_\_ OF 2021


DR. SAID UL ABRAR (APPELLANT)  
\_\_\_\_\_ (PLAINTIFF)  
\_\_\_\_\_ (PETITIONER)

**VERSUS**

\_\_\_\_\_ (RESPONDENT)  
GOVT. OF KP & OTHER (DEFENDANT)

I/We Dr. Saidul Abrar  
Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, ADVOCATE, PESHAWAR**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. 03 / 03 / 2021



**Dr. Saidul Abrar**

**ACCEPTED**  
**NOOR MOHAMMAD KHATTAK**  
15401-0705985-5  
BC-08-0853

**AFRASIAB KHAN WAZIR**  
**KAMRAN KHAN**

**&**  
**MUHAMMAD MAAZ MADNI**  
**ADVOCATES**

OFFICE:  
Flat No.4, 2<sup>ND</sup> Floor,  
Juma khan plaza near (FATA) Secretariat  
Warsak road Peshawar. Mobile No. **0345-9383141**




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

Appeal No. 3491/2021

Dr. Said Ul Abrar . Vs Govt. of Khyber Pakhtunkhwa & others

**INDEX**

S.No.	Description of Documents	Annexure	Pages
1	Reply on behalf of Respondent No.4 & Affidavit		1-3
2	Authority Letter		4
3	Notification No. SOH(MTI)/HD/BOG(GKMC)/113 Dated 02/04/2021	I	5
4	Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Act 2018	II	6-20

  
(GUL AFSAR KHAN)  
Warden / I/C SAS  
MTI- GKMC Swabi  
CNIC No.16201-6075101-5  
Mob.No. 0310-8355855

①

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

Dr. Said ul Abrar

Vs

Govt KP, and others

Appeal No.3491/2021

**WRITTEN REPLY ON BEHALF OF RESPONDENT NO. 04 IS AS UNDER.**

Respectfully Sheweth: -

**PRELIMINARY OBJECTIONS:**

1. That the appellant has got no cause of action.
2. That the appellant has got no locus standi to bring the present appeal.
3. That the appellant has not filed departmental appeal, therefore, this petition is not maintainable in its present form.
4. That the appeal is incompetent by reason of Section 4 (a) & (b) of the Service Tribunal Act, 1974.
5. That vide Notification dated 02-04-2021, Gajju Khan Medical College Swabi has been declared as MTI under Sub-Section 03 of Section 05 of the Khyber Pakhtunkhwa Medical Teaching Institutions Reform Act. 2015, thus the promotion case of Civil Servants comes within the ambit of concerned Department. (Copy of Notification is attached as ANNEX-I)

**ON FACTS:**

- Said*
1. That the Para No. 1, of the appeal pertains to record, hence, no comment.
  2. That the Para No.2, of the appeal pertains to record, hence, no comment.
  3. That the Para No. 3, of the appeal pertains to record, hence, no comment.
  4. That the Para No. 4, of the appeal pertains to record, hence, no comment.
  5. That the Para No. 5, of the appeal pertains to record, hence, no comment.

- 6. That the para no. 06 is incorrect and is denied. The applicant has not filed any appeal under the relevant law, although an application was filed to the then principal.
- 7. That the para no. 07 is replied that appellant has not filed any departmental appeal, so, question of hearing is incorrect, however his writ petition was correctly dismissed being incompetent.
- 8. That the para no. 08 is incorrect and is denied.

**ON GROUNDS**

- A. Para No. A of the petition is incorrect and denied.
- B. Para's No. B of the petition is incorrect and denied. As per Section 17 which has amended Section 16 Khyber Pakhtunkhwa Act No. IV of 2015, Sub-Section (3) and (3A) Khyber Pakhtunkhwa Medical Teaching Institute Reform Amendment Act, 2018 (Khyber Pakhtunkhwa Act No.01 of 2019) a Civil Servant in a Medical Teaching institution shall at all times be deemed to be on deputation, as such the petitioner is not entitled for promotion under MTI Act being a Civil Servant. (Copy of the Act is attached as ANNEX-II)
- C. Para No. C of the appeal is incorrect and is denied, as per law mentioned above and present scenario due to Section 17 which has amended Section 16 Khyber Pakhtunkhwa Act No. IV of 2015, Sub-Section (3) and (3A) Khyber Pakhtunkhwa Medical Teaching Institute Reform Amendment Act, 2018 (Khyber Pakhtunkhwa Act No.01 of 2019) a Civil Servant in a Medical Teaching institution shall at all times be deemed to be on deputation, as such the petitioner is not entitled for promotion under MTI Act being a Civil Servant.

- D. Para No. D is incorrect and is denied, detail reply has been given in Para No. C.
- E. Para No. E is incorrect and is denied, under the law mentioned-above the appellant is not entitled for the relief as claimed.
- F. Para No. F to the extent of promotion of the appellant is incorrect as per new scenario he is not entitled to be promoted as far as the Notification of others is concerned. They have been promoted by the competent forum through proper and valid recommendations.
- G. Para No. G of the appeal is incorrect under the new amendments as mentioned-above the appellant does not fall within the category of institution employment.
- H. Para No. H is incorrect and denied.

It is therefore, humbly prayed, that this appeal may kindly be dismissed.

*[Signature]*

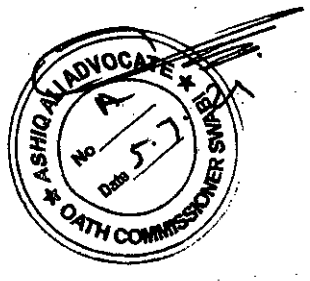
Dean/Principal MTI-GKMC, Swabi

Respondent No. 04

Through

Counsel.

*[Signature]*



**Affidavit**

I, solemnly affirm and declare on oath, that all the contents of this written reply, are correct and true to the best of my knowledge and nothing has been concealed from this august court.

*[Signature]*  
Deponent.

OFFICE OF THE DEAN  
MTI-GAJJU KHAN MEDICAL COLLEGE  
SWABI

4



Phone & Fax # +92-938-280421

No. F.2-8/2016-ADMIN/GKMCS (Gul Afsar Khan)

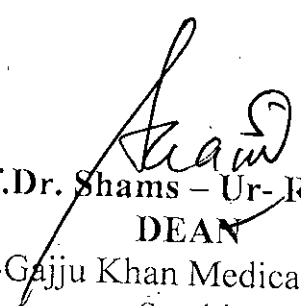
(Khyber Pakhtunkhwa)

Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

Date: 06/07/2021

AUTHORITY LETTER

Mr. Gul Afsar Khan, Warden / I/C SAS MTI-GKMC Swabi is hereby is hereby authorized to assist Legal Advisor / Retainer in Court Cases pertaining to this institute at various level and instituting/filing Comments on behalf of DEAN MTI-Gajju Khan Medical College Swabi.

  
(Prof. Dr. Shams - Ur - Rahman)  
DEAN  
MTI-Gajju Khan Medical College  
Swabi.

5



# GOVERNMENT OF KHYBER PAKHTUNKHWA HEALTH DEPARTMENT

Dated Peshawar the 2<sup>nd</sup> April, 2021.

## NOTIFICATION

NO. SOH(MTI)/HD/BOG(GKMC):- 113 In exercise of the powers conferred under sub section 3 of Section 5 of the Khyber Pakhtunkhwa Medical Teaching Institution Reforms Act, 2015 (Khyber Pakhtunkhwa Act No. IV of 2015) (amended time to time), the Chief Minister Khyber Pakhtunkhwa has been pleased to approve the Search & Nomination Council nominations and appoint the following recommendees as members of Board of Governors for the Medical Teaching Institution, Gajju Khan Medical College, Swabi with immediate effect for a period of three (03) years:-

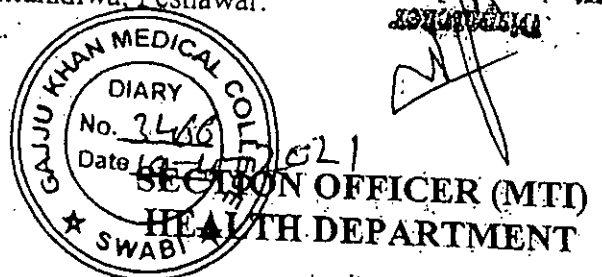
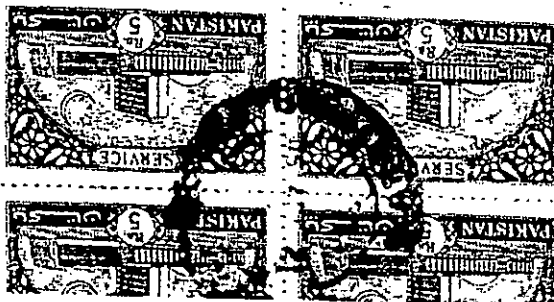
- 1) Dr. Tufail Muhammad \*
- 2) Unwan Ud Din Mian
- 3) Dr. Arshad Hussain
- 4) Prof Dr. Ashfaq Ahmad Khan
- 5) Maj. Gen Muhammad Salahuddin Qasim (Retd)
- 6) Prof Dr. Iqbal Begum

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Endst: No & Date of even:-

Copy of the above is forwarded to the:-

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. Principal Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
3. All Administrative Secretaries in Khyber Pakhtunkhwa, Peshawar.
4. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
5. Director General Information & P.Rs, Khyber Pakhtunkhwa.
6. General Manager Govt: Printing Press.
7. All Section Officers in Health Department.
8. Hospital Director / Medical Director of MTI, Swabi.
9. Dean / Principal MTI Gajju Khan Medical College, Swabi.
10. Secretary to BOGs, MTI Swabi.
11. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
12. PS to Minister for Health, Khyber Pakhtunkhwa, Peshawar.
13. PS to Secretary Health, Khyber Pakhtunkhwa, Peshawar.
14. Members concerned for information.



KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT  
SECRETARY

FOR THE EXTRAORDINARY GAZETTE ISSUE OF  
THE KHYBER PAKHTUNKHWA

6

PROVINCIAL ASSEMBLY SECRETARIAT  
KHYBER PAKHTUNKHWA

NOTIFICATION

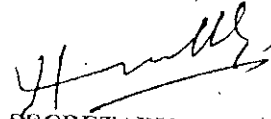
Dated Peshawar, the 10/01/2019.

No.PA/Khyber Pakhtunkhwa/Bills-6/2019/ 1722 The Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Bill, 2018 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 21<sup>st</sup> December, 2018 and assented to by the Governor of the Khyber Pakhtunkhwa on 3<sup>rd</sup> January, 2019 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA MEDICAL TEACHING INSTITUTIONS REFORMS  
(AMENDMENT) ACT, 2018  
(KHYBER PAKHTUNKHWA ACT NO. I OF 2019)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa. (Extraordinary), dated the 10 /01/2019).

(Here print as in the accompaniment).

  
SECRETARY

Provincial Assembly of Khyber Pakhtunkhwa.

No. and date (as per notification above).

A copy of the above notification with the accompaniment is forwarded to the Manager, Government Stationery and Printing Department, Peshawar, with the request to publish the same in the extraordinary issue of the Khyber Pakhtunkhwa Government Gazette of today's date and distribute copies thereof immediately in accordance with the list given overleaf.

Proof should be sent to this Secretariat before publication.

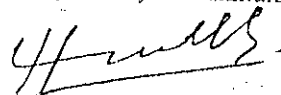
  
SECRETARY

Provincial Assembly of Khyber Pakhtunkhwa

E.No. PA/Khyber Pakhtunkhwa /Bills-6/2019/ 1723-27 Dated 10/01/2019

A copy of the above is forwarded to:-

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Secretary to Government of Khyber Pakhtunkhwa, Law Department.
3. The Secretary to Government of Khyber Pakhtunkhwa, Health Department.
4. The Director Information, Khyber Pakhtunkhwa.
5. The Director I.T/ Special Secretary Provincial Assembly of Khyber Pakhtunkhwa.

  
SECRETARY,

Provincial Assembly of Khyber Pakhtunkhwa

7

further to amend the Khyber Pakhtunkhwa  
Medical Teaching Institutions Reforms Act, 2015.

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms Act, 2015 (Khyber Pakhtunkhwa Act No. IV of 2015), for the purposes hereinafter appearing;

It is hereby enacted as follows:

1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Act, 2018.

(2) It shall come into force at once.

2. Amendment of section 2 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms Act, 2015 (Khyber Pakhtunkhwa Act No. IV of 2015), hereinafter referred to as the said Act, in section 2,-

(i) for clause (c), the following shall be substituted, namely:

“(c) “Chairperson” means the Chairperson of the Policy Board or the Board of Governors of a Medical Teaching Institution, or the sub-ordinate committee or sub-committee, as the case may be;”;

(ii) in clause (f), for sub-clause (ii), the following shall be substituted, namely:

“(ii) those staff, who act as service provider to the patients in the hospital.”;

(iii) in clause (g-i), for sub-clauses (i) and (ii), the following shall be substituted, namely:

“(i) an employee of a Medical Teaching Institution appointed under this Act and regulations made under this Act; or

(ii) an existing employee of the Medical Teaching Institution, appointed by the Management Council, under the Khyber Pakhtunkhwa Medical And Health Institution and Regulation of Health



(8)

Care Services Ordinance, 2002, prior to promulgation of the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Act, 2018; or”;

(iv) in clause (h), after the word “means”, the words “and includes” shall be inserted; and

(v) for clause (i), the following shall be substituted, namely:

“(i) “Medical Teaching Institution” means a Medical College, a Dental College, or other health related teaching institutions and their affiliated teaching hospitals in the public sector, the setting up of which is funded in majority by public funds and the majority operating expenses of which are funded by public funds, or which is directly under the control of Government and provides healthcare services, medical education and training, and medical research;”.

3. Amendment of section 4 of the Khyber Pakhtunkhwa Act No. IV of 2015.--In the said Act, in section 4,-

(i) in clause (a), after the words “health services”, the words “and services” shall be inserted.

4. Insertion of new section 4A to the Khyber Pakhtunkhwa Act No. IV of 2015.--In the said Act, after section 4, the following new section shall be inserted, namely:

“4A. Policy Board.--(1) Government, on the recommendations of Search and Nomination Council, shall constitute a Policy Board at Provincial level, consisting of such number of members as Government may determine but not less than five (05) members and not more than seven (07) members, all of whom shall be from the private sector:

Provided that the Search and Nomination Council may recommend to Government that one third of the members of the Policy Board may be from the members of the Boards.

(2) The members shall hold office for a period of three (03) years, unless otherwise directed by the Government and shall have such qualifications as provided in sub-section (5) of section 5 of this Act and shall be eligible for re-appointment.


(3) The Chairperson of the Policy Board shall be elected in the same manner as provided in sub-section (6) of section 5 of this Act.

9

(4) The Policy Board shall-

- (a) determine in consultation with Government, the base standards for the Medical Teaching Institutions and its enhancement from time to time, as and when required;
- (b) recommend to Government, policies for the improvement of the Medical Teaching Institutions;
- (c) recommend to Government various rules and amendments therein that it may seek to make;
- (d) recommend model regulations and other policies and amendments therein, to be framed by the Board of each Medical Teaching Institution;
- (e) plan and implement specialized central training programs as and when required for management and employees of all Medical Teaching Institutions;
- (f) establish the minimum qualification standard, for all posts in Medical Teaching Institutions to ensure merit base appointment; provided that the Board of any Medical Teaching Institution may enhance such minimum qualification of merit at their discretion;
- (g) provide guidance and advice on any matter referred by the Board or Government;
- (h) review the annual reports of each Medical Teaching Institution and give recommendations thereon; and
- (i) assist, aid or advise the Government on any matter relating to the health sector as referred to them by the Government.

(5) The Policy Board shall meet at least three times in a year, in addition to hold an annual meeting, which shall be attended by the members of the Boards of all Medical Teaching Institutions."

  
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5. Amendment of section 5 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 5,-

10

- (i) for sub-section (1), the following shall be substituted, namely:

“(1) There shall be a Board of Governor for each Medical Teaching Institution to administer and manage its affairs and shall have overall superintendence and control over the functions and all matters of a Medical Teaching Institution.”;

- (ii) in sub-section (2),-

(a) after the words “but not”, the words “less than three members and not” shall be inserted; and

(b) for the word “Government”, the words “Chief Minister” shall be substituted;

- (iii) in sub-section (3),-

(a) the words “and they have the right to vote” shall be deleted; and

(b) for the words “and notified by Government”, the words “by Chief Minister” shall be substituted; and

- (iv) in sub-section (7), after the word “members”, the words “of the Board” shall be inserted.

6. Amendment of section 6 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 6,-

- (i) for sub-section (2), the following shall be substituted, namely:

“(2) No act or proceedings of the Board shall be invalid, merely on the ground of existence of any vacancy subject to any act or proceeding of the Board taken by less than three members on account of vacancies shall be ratified immediately by the Board upon the minimum membership of the Board as provided in sub-section (2) of section 5 of this Act.”;

- (ii) for sub-section (5), the following shall be substituted, namely:

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Law Department

or as the case may be, sub-ordinate committee, shall be appointed by the Board from amongst its members, to ensure unbiased oversight.”;

- (iii) for sub-section (8), the following shall be substituted, namely:

“(8) Subject to the provisions of this Act and the rules made thereunder, the Board may constitute sub committees of the Board and subordinate committees to perform such functions as may be prescribed by the Board:

Provided that a subordinate committee shall be headed by a member of the Board.”; and

- (iv) for sub-section (10), the following shall be substituted, namely:

“(10) The Secretary to the Board shall be an employee of the Board, who shall perform all secretarial and office functions of the Board at the direction of the Chairperson; and would be responsible for recording minutes of the Board meetings, convening Board meetings, carrying out communication with all Board members, and all other functions as may be prescribed by the Board or the Chairperson.”.


7. Amendment of section 7 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 7,-

- (i) in sub-section (1),-

(a) in clause (k), the words “Recruitment Committee” shall be deleted; and

- (b) for clause (l), the following shall be substituted, namely:

“(l) compliance to Government and Board policies and base standards set under clause (a) of sub-section (4) of section 4A and in case of any deviation from agreed base standards or procedures, shall obtain prior approval from the Government or the Policy Board, as the case may be.”;

  
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Law Department

Management on a prescribed format to the Board;

12

- (v) recommend to the Board any addition of a department, facility or post at the Medical Teaching Institution; and
- (vi) perform all such functions as may be specifically prescribed by regulations.

9B. Dean.--(1) The College shall be headed by a Dean of the College.

(2) The Dean shall be appointed by the Board for a period of five (05) years, and shall be eligible for re-appointment, on such terms and conditions and having such qualifications and experience as the Board may prescribe. The Dean shall act as the Chief Executive Officer of the Medical Teaching Institution and shall act in such capacity as per the directions of the Board and the regulations framed under this Act.

(3) The Dean, on appointment, shall simultaneously receive a faculty appointment at a level commensurate with his qualifications and the prescribed Institutional requirements for the faculty post, which appointment shall not be limited to the term applicable to the office of the Dean.

(4) The chairpersons of various departments for Medical Institutions shall be appointed by the Dean, from amongst the medical faculty on such terms and conditions and in such a manner as may be prescribed by the Board. A chairperson may be removed by the Board on the recommendation of the Dean.

(5) The Dean may be removed from the office by the Board, before the expiration of the period of five (05) years, at any time on such grounds as may be prescribed including failure to achieve targets set by the Board.

(6) In the performance of functions, the Dean shall be responsible to the Board and the chairpersons of the department shall be responsible to the Dean and Academic Council.

(7) The Board from amongst the chairpersons shall appoint a Vice-Dean to perform the functions of the Dean in the absence of the Dean."

11. Amendment of section 10 of the Khyber Pakhtunkhwa Act No. IV of 2015.--In the said Act, in section 10,-

- (i) for sub-section (1), the following shall be substituted, namely:

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"(1) The Board shall appoint a full time Hospital Director for the Medical Teaching Institution for a period of five (05) years, and shall be eligible to re-appointment, on such terms and conditions as the Board may determine; provided that no Board member shall be appointed as Hospital Director.";

- (ii) in sub-section (3), for the word "three", the word "five" shall substituted; and
- (iii) sub-section (4) shall be deleted.

12. Amendment of section 11 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 11,-

- (i) for clause (b), the following shall be substituted, namely:  
 "(b) preparation of the annual budget, and business plan for presentation to the Management Committee and Board."; and
- (ii) in clause (f), after the words "execution of Board", the words "and Management Committee" shall be inserted.

13. Amendment of section 12 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 12,-

- (i) for sub-section (1), the following shall be substituted, namely:  
 "(1) The Board shall appoint a full time, Medical Director for the hospital for a period of five years and shall be eligible for re-appointment, on such terms and conditions as the Board may determine; provided that no Board member shall be appointed as Medical Director.";
- (ii) after sub-section (1), as so substituted, the following new sub-section shall be inserted, namely:  
 "(1A) The Medical Director, on appointment, shall simultaneously receive a faculty appointment at a level commensurate with his qualifications and the prescribed Institutional requirements for the faculty post, which appointment shall not be limited to the term applicable to the office of the Medical Director.";

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- (iii) in sub-section (2), after the word "prescribed", the words "by the Board" shall be added;
- (iv) in sub-section (3),-
  - (a) for the word "three", the word "five" shall be substituted; and
  - (b) after the word "prescribed", the words "by the Board" shall be added; and
- (v) sub-section (5) shall be deleted.

14. Amendment of section 13 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 13, in clause (f), after the words "the Hospital Director," the comma and words ", the Management Committee" shall be inserted.

15. Amendment of section 14 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 14,-

- (i) for sub-section (1), the following shall be substituted, namely:  
 "(1) The Board shall appoint a full time, non-practicing Nursing Director for a the hospital for a period of five years, and shall be eligible for re-appointment, on such terms and conditions as the Board may determine; provided that no Board member shall be appointed as such.";
- (ii) in sub-sections (2), (3) and (8), after the word "prescribed", the words "by the Board" shall be added; and
- (iii) sub-section (4) shall be deleted.

16. Amendment of section 15 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 15, after the words "of three years" the words and comma "and shall be eligible for re-appointment," shall be inserted.

17. Amendment of section 16 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 16,-

- (i) for sub-section (2), the following shall be substituted, namely:

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 Law Department

"(2) Before the commencement of this Act, all administrative and teaching staff recruited by the Management Council in the prescribed manner under the repealed Khyber Pakhtunkhwa Medical and Health Institution and Regulation of Health Care Services Ordinance, 2002, regardless of status of terms and conditions of service, shall be considered employees of the concerned Medical Teaching Institution on such terms and conditions as may be prescribed by regulations:

Provided that such terms and conditions shall not be less favorable in financial terms than the terms and conditions admissible to them immediately before the commencement of this Act."


(ii) for sub-section (3), the following shall be substituted, namely:

"(3) Before the commencement of the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Act, 2018, all the civil servants serving in an existing Medical Teaching Institution, who opted for the employment of the Medical Teaching Institution, shall be subject to terms and conditions of employment as prescribed by regulations including but not limited to their service structure, promotion and disciplinary matters. Such opting employees shall be entitled to post-retirement benefits and emoluments as per existing government laws and rules. The Medical Teaching Institution shall deposit pension contribution on their behalf."

(iii) after sub-section (3), as so substituted, the following new sub-sections shall be inserted, namely:

"(3A) Civil servants, who do not opt for absorption in the Medical Teaching Institution, so notified, shall be dealt with in such a manner as provided in section 11A of the Khyber Pakhtunkhwa Civil Servants Act 1973, for their future posting, which includes deputation to the Medical Teaching Institution subject to a request being made by the Board:

Provided that a civil servant working in a Medical Teaching Institution, shall at all times, be deemed to be on deputation. All deductions made from the pay of such civil servants shall be deposited by the borrowing authority."

  
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Law Department



"(3B) A civil servant at the request of the Board may be sent on deputation to a Medical Teaching Institution by the Government. For civil servants on deputation to the Medical Teaching Institution, pension contribution shall be made by the Medical Teaching Institution. The deputation of a civil servant to a Medical Teaching Institution may be terminated by the Board at any time without assigning any reason thereof and such civil servants services shall revert to the Government immediately upon such termination being notified by the Board.";

(iv) for sub-section (5), the following shall be substituted, namely:


"(5) A civil servant, who opt to serve the Medical Teaching Institution, shall cease to be civil servant from the date of his absorption in the service of the Medical Teaching Institution concerned and their seniority, pension and other matters vis-a-vis employment in the Medical Teaching Institution, shall be determined in the manner, as may be prescribed."; and

(v) after sub-section (6), the following new sub-sections shall be added, namely:

"(7) All employees of a Medical Teaching Institution, whether having opted or directly appointed prior to the commencement of the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Act, 2018, or pursuant to the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Act, 2018, shall be at all times governed exclusively by the terms and conditions of service, as may be prescribed by regulations.

(8) All employees of a Medical Teaching Institution, except the Dean, Hospital Director, Medical Director, Nursing Director and Finance Director, shall have the right to appeal against any penalty, censure or termination of their employment to the Board.

(9) Any employee aggrieved by a decision of the Board may seek resolution of the grievance by referral of the grievance or dispute to the Board of Arbitration for Medical Teaching Institutions. The decision of the Board of Arbitration shall be final in all respects.

  
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Law Department

(10) On commencement of the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms (Amendment) Act, 2018, and subject to notification of establishment of the Board of Arbitration, all employment disputes as may be pending before any Court of law shall be transferred with immediate effect for adjudication to the Board of Arbitration in terms of section 16A of this Act."

18. Insertion of new section 16A to the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, after section 16, the following new section shall be inserted, namely:

"16A. Board of Arbitration for Medical Teaching Institutions.---(1) Government shall establish by notification a Board of Arbitration for Medical Teaching Institutions and frame Dispute Resolution Rules for the functioning of the Board of Arbitration.

(2) The Board of Arbitration shall consist of a minimum of ten arbitrators nominated by the Government for a period of five (05) years from amongst retired Judges of the Supreme Court or High Court or advocates of the Supreme Court of Pakistan having at least twenty-five (25) years experience of active practice as an advocate. The arbitrators shall be nominated for a term of five (05) years.

(3) Government shall appoint in the prescribed manner, a Secretary of the Board of Arbitration, who shall be responsible for managing the affairs of the Board of Arbitration and its operations in accordance with rules to be made under this Act.

(4) The arbitrators shall receive such remuneration as prescribed by rules for each matter in which they act as arbitrators.

(5) The employee and the Medical Teaching Institution shall have the right to nominate from amongst the arbitrators one arbitrator each and the Secretary shall appoint the umpire from amongst the remaining arbitrators to form the arbitral panel for adjudication of each dispute referred to the Board of Arbitration.

(6) Each dispute referred to the Board of Arbitration shall be decided within a maximum of ninety (90) days from being filed by a complainant. The award of the arbitration panel shall be final and binding on all parties to the dispute and shall be implemented within fifteen days of having been rendered.

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Law Department

(7) The parties to a dispute referred to arbitration may be required to pay an arbitration fee as prescribed by the rules subject to such fee not being more than the aggrieved employees one month salary. Any shortfall in the cost of operation of the Board of Arbitration shall be funded by the Government.

(8) Every award of the Board of Arbitration shall within seven (07) days of being rendered be filed by the Secretary of the Board of Arbitration with the Registrar of the High Court. Unless a petition challenging the award is instituted pursuant to sub-section (9), the award upon having been filed with the Registrar of the High Court shall be deemed to have been made a rule of Court and executable as an order of the Court.

(9) Any party to an arbitration may within fifteen (15) days of the rendering of the award challenge an award by way of a petition before the High Court and which shall be heard a Divisional Bench of the High Court.

(10) The High Court on a petition challenging an award may either-

- (a) modify or correct an award if-
  - (i) the award contains any obvious error which can be amended without affecting such decision; or
  - (ii) the award contains a clerical mistake or an error arising from an accidental omission.

(b) remit an award if-

- (i) the award has left undetermined any of the matters referred to arbitration, or where it determined any matter not referred to arbitration, and such matters cannot be separated without affecting the determination of the matters referred; or
- (ii) the award is so indefinite as to be incapable for execution; or
- (iii) the objection to the legality of the award is apparent on the face of it; and

(c) set aside the award if-

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Govt. of Khyber Pakhtunkhwa  
Law Department

- (i) the arbitrators have misconduct themselves or the proceedings; or
- (ii) the award has been improperly produced or is otherwise invalid."

19. Amendment of section 17 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 17,-

- (i) in sub-section (1), for the words "The question of option shall be streamlined under the rules", the words "The Board may in its discretion specify further periods for exercise of the option as may be prescribed" shall be substituted;
- (ii) for sub-section (3), the following shall be substituted, namely:

"(3) Employees, who do not opt for the private practice within the premises of the hospitals, clinics, imaging facilities and laboratories of the Medical Teaching Institutions, and shall not be entitled to any increase and adjustment, incentives, bonuses or other ancillary benefits or administrative post, except in case of extraordinary need, as decided by the Board."; and

- (iii) in subsection (9), for the word "rules", the word "regulations" shall be substituted.

20. Amendment of section 19 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 19,-

- (i) in sub-sections (4) and (5), after the word "prescribed", the words "by regulations after approval from Government" shall be inserted; and
- (ii) for sub-section (7), the following shall be substituted, namely:

"(7) The Board shall not invest any money in the Fund in listed securities or any derivatives thereof, whether listed or not."

21. Amendment of section 20 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 20, in sub-section (1),-

- (i) after the word "approved", the words "by the Board" shall be inserted; and

Asstt. Legal Officer  
Govt. of Khyber Pakhtunkhwa  
Law Department

(ii) after the words "prescribed", the words "by regulations" shall be added.

22. Amendment of section 21 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 21, after the words, brackets and figures "Penal Code (Act XLV of 1860)", the words "provided it shall not ascribe to them any rights of employment or benefit as may be otherwise applicable to public servants" shall be inserted.

23. Amendment of section 24 of the Khyber Pakhtunkhwa Act No. IV of 2015.---In the said Act, in section 24,-

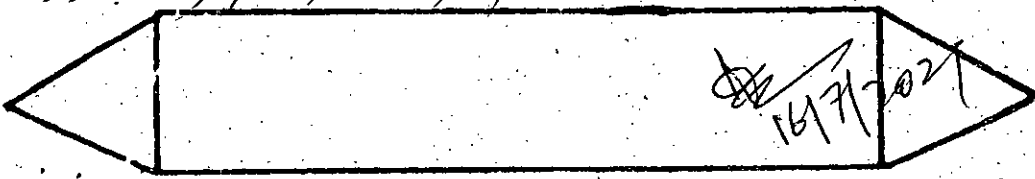
(i) in sub-section (1), before the word "Board", the words, brackets, figures and comma "Subject to clause (d) of sub-section (4) of section 4A," shall be inserted.

BY ORDER OF MR. SPEAKER  
PROVINCIAL ASSEMBLY OF KHYBER  
PAKHTUNKHWA

(NASRULLAH KHAN KHATTAK)  
Secretary  
Provincial Assembly of Khyber Pakhtunkhwa

Asstt. Legal Drafter  
Govt. of Khyber Pakhtunkhwa  
Law Department

# بعدالت صیغہ مختوجواہ سرسٹریٹس ٹریبونل کشمیر



مورخہ ۲۰ جولائی ۲۰۲۱ء  
 ڈاکٹر سید الدین ہار  
 ڈیپٹی چیف ایگزیکٹو آفیسر  
 ڈیپٹی چیف ایگزیکٹو آفیسر  
 ڈیپٹی چیف ایگزیکٹو آفیسر  
 ڈیپٹی چیف ایگزیکٹو آفیسر

## باعث تحریر آنک

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل  
 کارروائی متعلقہ آن مقام کے لئے اجریٹل ضامن اور ڈکٹ  
 مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا۔ نیز  
 وکیل صاحب کو کرنے راضی نامہ و تقررات ثالث فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور  
 بصورت ڈگری کرنے اجراء اور وصولی چیک دروپیا اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
 زیر اس پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور  
 منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کر کے نہ کا اختیار ہوگا۔ اور یہ صورت ضرورت مقدمہ  
 مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ اپنی جہانے تقریر کا اختیار  
 ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے۔ اور اس کا ساخت  
 پرواختہ منظور و قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہو جائے اس لئے مقدمہ کے سبب سے ہوگا۔  
 اس کے مستحق وکیل صاحب موصوف ہوں گے۔ نیز ہٹایا خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔  
 اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے۔ مگر پیروی  
 مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ مندر ہے۔

المرقوم ۱۶  
 ماہ جولائی ۲۰۲۱ء

العبد گواہ شہد العبد

Prof. Dr. Shams Ur Rehman  
 Dean / Chief Executive  
 MTL-GKMC/IKMC Swabi  
 14/7/21

Attest & Accept

Attested & Accepted

Before The Khyber Pakhtunkhwa Service  
Tribunal Peshawar.

Dr. Said-ul-Abbas vs Govt of KP &  
Others

R/Shaweth,

- 1) That the above titled is pending adjudication before this Honble court which is fixed for today i.e 16-9-2021.
- 2) That the appellant of the instant appeal has received two thousand Rupees<sup>(2000)</sup> as cost before this Honble court.

It is therefore prayed that the appellant has received the above mentioned cost with the permission of this Honble, court.

Date 16-9-2021

Appellant  
through,  
SAID KHAN  
(AHC)



**OFFICE OF THE DEA**  
**M.T.I GAJJU KHAN MEDICAL COLLEGE SWABI**

(Khyber Pakhtunkhwa)

Phone# +92-938-280421 Fax # +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)


F.No.2-8/2016-Admin/GKMCS (Mr. Gul Afsar Khan) 22287-89 Date: 24/08/2021



**AUTHORITY LETTER**

Mr. Gul Afsar Khan Warden / I/C SAS GKMC Swabi is hereby authorized and deputed to assist Legal Advisor / Retainer of this institute and to attend Khyber Pakhtunkhwa Services Tribunal Peshawar, in Service Appeal No. 3491 / 2021 Dr. Said ul Abrar VS Government of KP through Chief Secretary and others fixed for hearing on 25-08-2021 on behalf of the undersigned (Respondent No.04).

Mr. Ayaz Khan Driver along with Vehicle No.AA-3877 will accompany him.

  
Prof. Dr. Shams-ur-Rehman  
(DEAN/PRINCIPAL)  
M.T.I GKMC SWABI

Endst: Even No. & Date

**Copy forwarded for information to the:-**

1. Additional Advocate General Khyber Pakhtunkhwa Peshawar.
2. Legal Advisor for MTI-GKMC Swabi.
3. Officer Concerned.

  
(DEAN/ PRINCIPAL)





(226)

#5

# GOVERNMENT OF KHYBER PAKHTUNKHWA HEALTH DEPARTMENT

Dated Peshawar the 2<sup>nd</sup> April, 2021

## NOTIFICATION

NO. SOH(MTI)/HD/BOG(GKMC):- 112 In exercise of the powers conferred under sub section 3 of Section 5 of the Khyber Pakhtunkhwa Medical Teaching Institution Reforms Act, 2015 (Khyber Pakhtunkhwa Act No. IV of 2015) (amended time to time), the Chief Minister Khyber Pakhtunkhwa has been pleased to approve the Search & Nomination Council nominations and appoint the following recommendees as members of Board of Governors for the Medical Teaching Institution, Gajju Khan Medical College, Swabi with immediate effect for a period of three (03) years:-

- 1) Dr. Tufail Muhammad
- 2) Unwan Ud Din Mian
- 3) Dr. Arshad Hussain
- 4) Prof Dr. Ashfaq Ahmad Khan
- 5) Maj Gen Muhammad Salahuddin Qasim (Rtd)
- 6) Prof Dr. Iqbal Begum

**SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

Encl: No & Date of even:-

Copy of the above is forwarded to the:-

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. Principal Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
3. All Administrative Secretaries in Khyber Pakhtunkhwa, Peshawar.
4. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
5. Director General Information & P.Rs, Khyber Pakhtunkhwa.
6. General Manager Govt: Printing Press.
7. All Section Officers in Health Department.
8. Hospital Director / Medical Director of MTI, Swabi.
9. Dean / Principal MTI Gajju Khan Medical College, Swabi.
10. Secretary to BOGs, MTI Swabi.
11. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
12. PS to Minister for Health, Khyber Pakhtunkhwa, Peshawar.
13. PS to Secretary Health, Khyber Pakhtunkhwa, Peshawar.
14. Members concerned for information.

**SECTION OFFICER (MTI)  
HEALTH DEPARTMENT**



**MOST IMMEDIATE**

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

PS/Secy E&AD KP

Diary No. 4633

FTS No. 1-27-21

Date. 1-27-21

No. SOH-I/HD/1-660/2021

Dated Peshawar, the 01<sup>st</sup> July, 2021

To

The Secretary  
To Govt. of Khyber Pakhtunkhwa  
Establishment Department.

C/o Spl. Secretary (Regulation)  
Establishment Department

D.No. 1659 W/R

Date 1-7-21

Subject:-

**WITHDRAWAL OF POSTS FROM KHYBER PAKHTUNKHWA  
PUBLIC SERVICE COMMISSION FOR GAJJU KHAN  
MEDICAL COLLEGE, SWABI.**

Dear Sir,

I am directed to refer to the subject noted above and to state that the status of the Gajju Khan Medical College, Swabi has been converted to MTI vide this Department's Notification No. SOH(MTI)/HD/BOG(GKMC) dated 02<sup>nd</sup> April, 2021 (Copy attached).

It is therefore, requested that the Khyber Pakhtunkhwa Public Service Commission may kindly be approached to stop all requisitions/pending recruitment against all the posts at Gajju Khan Medical College, Swabi, immediately.

**Encl: As Above**

Section Officer (E-I)

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

Copy forwarded to the:

1. Secretary Khyber Pakhtunkhwa Public Service Commission 2-Fort Road Khyber Pakhtunkhwa, Peshawar.
2. The Dean MTI Gajju Khan Medical College, Swabi with reference to his letter No. F.No. 2-4/2020-Admn/GKMCS-9462-66 dated 09.04.2021.
3. PS to the Secretary Health Khyber Pakhtunkhwa.

Section Officer (E-I)

SSR  
ASR-1

A.1.1

1/7/21

Private Secretary to  
Secretary Establishment

SO(R-W)  
Process/Put up

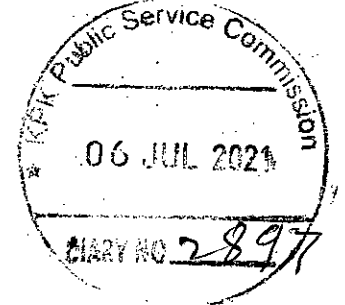
URGENTLY  
1/7/21



MOST IMMEDIATE

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT & ADMN: DEPARTMENT  
(Regulation Wing)

NO. SOR-II (E&AD) 1-120/2020  
Dated Peshawar the 2nd July, 2021



To,

The Secretary,  
Khyber Pakhtunkhwa Public Service Commission

Subject: -


**WITHDRAWAL OF POSTS FROM KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION FOR GAJJU KHAN MEDICAL COLLEGE SWABI**

Dear Sir,

I am directed to forward herewith a copy of Health Department letter bearing NO. SOH-II/HD/1-660/2021 dated 1st July 2021 alongwith its enclosures on the captioned and to state that request of Health Department may kindly be considered in light of Para-2 (j) of Establishment Department Policy instructions dated 12.12.1989.

Yours faithfully,


Encl: as above

  
(ABDUL AHAD)  
SECTION OFFICER (R-II)  
Phone # 9211785

Endst: of even NO & date

Copy forwarded for information to the Secretary to Govt. of Khyber Pakhtunkhwa Health Department with reference to his letter quoted above with the request to further pursue the case with Khyber Pakhtunkhwa Public Service Commission accordingly.

SECTION OFFICER (R-II)  
Phone # 9211785

*Handwritten notes and signatures:*  
AD-11  
SR -   
6/7  
817  
AD-11

237

Telephone: 9213750



Khyber Pakhtunkhwa Public Service  
Commission, Peshawar  
2-Fort Road Near Governor House Peshawar  
Cantt

No. PSC/SR-VI/ 010132

Date 17/8/2021

To

The Secretary to Govt of Khyber Pakhtunkhwa,  
Establishment & Admn Department (Regulation Wing)  
Peshawar.

Subject: - **WITHDRAWAL OF POSTS FROM KHYBER PAKHTUNKHWA PUBLIC  
SERVICE COMMISSION FOR GAJJU KHAN MEDICAL COLLEGE,  
SWABI**

Dear Sir,

I am directed to refer to your letter No. SOR-II(E&AD)1-120/2020 dated; 02.07.2021 on the subject noted above and to state that the Commission agrees to the withdrawal of all requisitioned posts of Gajju Khan Medical College Swabi as desired by the Department due to declaration of the said college as MTI vide Notification No SOH(MTI)/HD/BOG/(GKMC) dated 2<sup>nd</sup> April 2021.

Your's faithfully

(FAZAL QAYYUM)  
ASSISTANT DIRECTOR-II

w/c

17/8/21



# OFFICE OF THE DEAN / CHIEF EXECUTIVE OFFICER

M.T.I GAJJU KHAN MEDICAL COLLEGE/BACHA KHAN MEDICAL COMPLEX SWABI

(Khyber Pakhtunkhwa)

Phone# +92-938-280421 Fax # +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)

F.No. 2-8/2021 Admin GKMC

24156-58

Date: 8-11-2021



## AUTHORITY LETTER

Mr. Gul Afsar Khan Warden BPS-17 / I/C SAS GKMC Swabi is hereby authorized and deputed to assist Legal Advisor / Retainer of this institute and to attend Khyber Pakhtunkhwa Services Tribunal Peshawar, in Service Appeal No. 3491 / 2021 Dr. Said ul Abrar VS Government of KP through Chief Secretary and others fixed for hearing on 10-11-2021 on behalf of the undersigned (Respondent No.04).

  
(DEAN / CHIEF EXECUTIVE OFFICER)  
M.T.I GKMC / BKMC SWABI

### Endst; No & Date Even:

Copy forwarded for information and necessary action to the:

1. Advocate General Khyber Pakhtunkhwa Peshawar.
2. Legal Advisor for MTI-GKMC Swabi.
3. Officer Concerned.

  
(DEAN / CEO)  
M.T.I GKMC SWABI

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 3491/2021

Dr. Said Ul Abrar.....(Appellant)

**VERSUS**

1. The Govt. of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa Health Department.
3. The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
4. The Principal Gajju Khan Medical College, Swabi.....(Respondents)

**Para-wise reply on behalf of the respondents 01& 02**

Respectfully Sheweth,

**Preliminary Objections:**

- i. That the appellant has got no cause of action to file the appeal in hand.
- ii. That the appeal is badly time barred.
- iii. That the appeal of the appellant is not maintainable in its present form.
- iv. That appellant has not come to this Hon'ble Tribunal with clean hands.
- v. That the appellant estopped by his conduct to file the instant appeal.
- vi. That the appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.
- vii. That the Honorable court has no jurisdiction to adjudicate the matter.

**FACTS:**

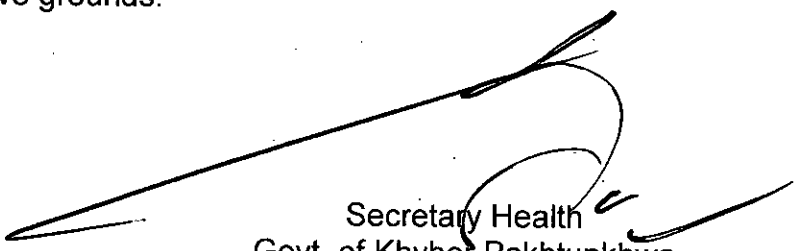
1. Pertains to record.
2. Pertains to record.
3. Pertains to record.
4. Relates to Respondent No 4 however it is worth mentioning that posting on **OPS** does not create any right in favor of an incumbent for regular promotion or retrospective promotion.
5. Incorrect. At the time the appellant had no experience/qualification for the said post. It is worth mentioning that a dictum laid down by Apex court in its reported judgment 2003 PLCCS 212 Supreme Court and 2008 PLD SC 395 is that seniority is not sole ground for promotion there are other factors which are not less important than Seniority.
6. Incorrect. As mentioned in the above Para. The appellant had no experience for the said post and those experience certificates of the appellant were obtained from the private college and not from PM&DC/PMC.
7. No comments as relates to respondent No 04, however the instant petition is badly time barred.

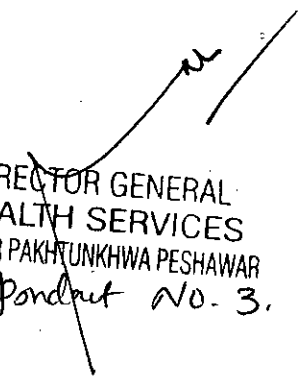
8. Incorrect the appellant is not an aggrieved person as no vested right of the appellant has been violated by the replying respondents. However reply on the grounds are as under

**GROUND:**

- A. Incorrect the replying respondents acted as per Law, Rules and Principles of natural justice hence the appellant is not entitled for any relief.
- B. Incorrect the appellant has not been discriminated by the replying respondents as he has been treated in accordance with law and rules.
- C. As explained in above paras, posting on OPS dose not entitle the appellant for promotion or antedating of promotion.
- D. Incorrect Already explained in above paras.
- E. As Already explained in Para A above.
- F. As explained in paras above.
- G. As explained in paras above.
- H. The respondents also requests permission to raise additional grounds at the time of arguments.

It is therefore, mostly humbly prayed that the appeal may be dismissed on the above grounds.

  
Secretary Health  
Govt. of Khyber Pakhtunkhwa  
(Respondent No. 1 & 2)

  
DIRECTOR GENERAL  
HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR  
Respondent No. 3.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 3491/2021

Dr. Said Ul Abrar.....(Appellant)

VERSUS

1. The Govt. of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa Health Department.
3. The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
4. The Principal Gajju Khan Medical College, Swabi.....(Respondents)

**Para-wise reply on behalf of the respondents 01& 02**

Respectfully Sheweth,

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- ii. That the appeal is badly time barred.
- iii. That the appeal of the appellant is not maintainable in its present form.
- iv. That appellant has not come to this Hon'ble Tribunal with clean hands.
- v. That the appellant estopped by his conduct to file the instant appeal.
- vi. That the appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.
- vii. That the Honorable court has no jurisdiction to adjudicate the matter.

**FACTS:**

1. Pertains to record.
2. Pertains to record.
3. Pertains to record.
4. Relates to Respondent No 4 however it is worth mentioning that posting on OPS does not create any right in favor of an incumbent for regular promotion or retrospective promotion.
5. Incorrect. At the time the appellant had no experience/qualification for the said post. It is worth mentioning that a dictum laid down by Apex court in its reported judgment 2003 PLCCS 212 Supreme Court and 2008 PLD SC 395 is that seniority is not sole ground for promotion there are other factors which are not less important than Seniority.
6. Incorrect. As mentioned in the above Para. The appellant had no experience for the said post and those experience certificates of the appellant were obtained from the private college and not from PM&DC/PMC.
7. No comments as relates to respondent No 04, however the instant petition is badly time barred.




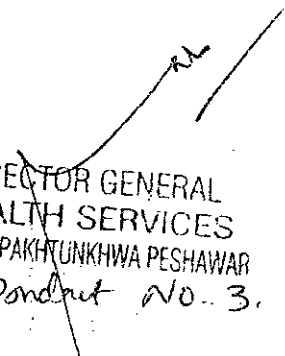
8. Incorrect the appellant is not an aggrieved person as no vested right of the appellant has been violated by the replying respondents. However reply on the grounds are as under

**GROUND:**

- A. Incorrect the replying respondents acted as per Law, Rules and Principles of natural justice hence the appellant is not entitled for any relief.
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- D. Incorrect Already explained in above paras.
- E. As Already explained in Para A above.
- F. As explained in paras above.
- G. As explained in paras above.
- H. The respondents also requests permission to raise additional grounds at the time of arguments.

It is therefore, mostly humbly prayed that the appeal may be dismissed on the above grounds.

  
Secretary Health  
Govt. of Khyber Pakhtunkhwa  
(Respondent No. 1 & 2)

  
DIRECTOR GENERAL  
HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR  
Respondent No. 3.



**OFFICE OF THE DEAN / CHIEF EXECUTIVE OFFICER**  
**M.T.I GAJJU KHAN MEDICAL COLLEGE SWABI**

(Khyber Pakhtunkhwa)

Phone# +92-938-280421 Fax:# +92-938-280221 Email: [gkmc.swabi@gmail.com](mailto:gkmc.swabi@gmail.com)

website: [www.gkmc.edu.pk](http://www.gkmc.edu.pk)

F.No.2-8/2016-Admin/GKMCS (Mr. Gul Afsar Khan)

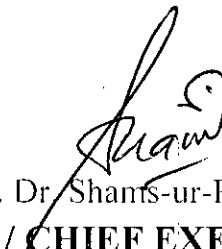
27516

Date: 28/03/2022



**AUTHORITY LETTER**


Mr. Gul Afsar Khan Warden / I/C SAS GKMC Swabi is hereby authorized and deputed to assist Legal Advisor / Retainer of this institute and to attend Khyber Pakhtunkhwa Services Tribunal Peshawar, in Service Appeal No. 3491 / 2021 Dr. Said ul Abrar VS Government of KP through Chief Secretary and others fixed for hearing on 29/03/2022 on behalf of the undersigned (Respondent No.04).

  
Prof. Dr. Shams-ur-Rehman  
(DEAN / CHIEF EXECUTIVE)  
M.T.I GKMC SWABI

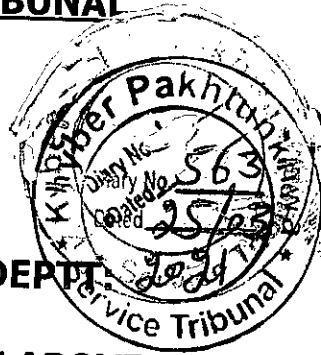
Endst: Even No. & Date

**Copy forwarded for information to the:-**

1. Additional Advocate General Khyber Pakhtunkhwa Peshawar.
2. Legal Advisor for MTI-GKMC Swabi.
3. Officer Concerned.

  
(DEAN / CHIEF EXECUTIVE)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**



*Put up to the court with relevant appeal.*

IN  
APPEAL NO. 3491 /2021

Dr. SAIDUL ABRAR

V

HEALTH DEPT.

**APPLICATION FOR EARLY HEARING IN THE ABOVE  
TITLED APPEAL**

**R/SHEWETH:**

**ON FACTS:**

- 1- That the above title appeal is pending adjudication before this Honorable Tribunal which is fixed for hearing on 06-07-2021.
- 2- That appellant filed an appeal for promotion to the post of professor (BPS-18) community medicine on regular basis w.e.f 08.01.2019 i.e from the date when the post of professor (BPS-18) was lying vacant.
- 3- That it is pertinent to mention here that appellant case has been fixed on dated 06.07.2021 which is too far and need to be speedily disposed of.
- 4- That the appellant case involves stay which needs to be decided earlier before the case is much delayed. *if once committee for promotion on 5th april has to be conducted which will straight away make the case infructuous of the appellant.*
- 5- That case of the appellant is a prima facie case hence the date kindly be shortened in the abovementioned case.

It is, therefore, most humbly prayed that on acceptance of this early hearing application the case of the appellant be fixed earlier to meet the ends of justice.

Dated: 25 / 3 /2021

*At preliminary stage.  
Maybe adjourned in 3rd week  
2 April, 2021.*

**APPELLANT**

**Dr. SAIDUL ABRAR**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK  
ADVOCATE**

SA 3491/2021



Said ul Haq - Applicant

**KHYBER PAKHTUNKHWA PUBLIC SERVICE COMMISSION**  
**Addendum in the Interview Programme for the Month of April 2021:**

**PANEL - I**

APRIL, 2021					Post(s)	Advt. No.	Candidates	Dealing Superintendent
M	T	W	TH	F				
-	-	-	1	2	(01) Biochemist (BPS-17) in Agriculture, Livestock & Cooperative Department (Research wing)	09/2019, Sr. 02	10 daily 07 on Friday Total=27	Mr. Ifikhar Bangash
5	-	-	-	-	(01) Statistical Investigator (BPS-16) in Khyber Pakhtunkhwa Public Service Commission.	08/2019, Sr. 14	12 daily Total=36	Miss. Naumana Jabeen
-	6	7	8	-	(01) Research Officer (Cereal Crops/ Plant Breeding & Agronomy/ Miscellaneous) (BPS-17) (Minority Quota) Leftover in Agriculture, Livestock & Cooperative Department.	01/2021, Sr. 03	12 daily 09 on Friday Total=33	Mr. Ifikhar Bangash
12	13	-	-	-	(02) Assistant Engineer/ SDO (Civil) (BPS-17) (Minority Quota) in C & W Department.	01/2021, Sr. 05	11 daily Total=22	Mr. Naumana Jabeen
-	-	14	15	-	(01) Female Subject Specialist Physics (BPS-17) Disable Quota in Elementary & Secondary Education Department	01/2021, Sr. 06	03 in all	Mr. Noor Muhammad
-	-	-	-	16	(03) Male Subject Specialist Chemistry (BPS-17) Minority Quota in Elementary & Secondary Education Department	01/2021, Sr. 09	02 in all	//
-	-	-	-	16	(02) Male Librarian (BPS-17) Leftover Minority Quota in Elementary & Secondary Education Department	01/2021, Sr. 10	03 in all	//
19	-	-	-	-	(01) Female Lecturer in Arts & Design (BPS-17) Leftover in Higher Education Department	01/2021, Sr. 31	15 in all	Mr. Muhammad Shoab
-	20	-	-	-	(01) Male Lecturer Political Science (BPS-17) Leftover (Minority Quota) in Higher Education Department	01/2021, Sr. 35	14 in all	//
-	-	21	-	-	(02) Female Associate Professors Psychology (BPS-19) Leftover in Higher Education Department.	01/2021, Sr. 38	12 in all	//
-	-	-	22	-	(01) Female Associate Professors Physics (BPS-19) Leftover in Higher Education Department.	01/2021, Sr. 39	11 in all	//
-	-	-	-	23	(01) Male Lecturer Physics (BPS-17) Leftover (Minority Quota) in Higher Education Department	01/2021, Sr. 36	07 in all	//
-	-	-	-	23	(01) Assistant Director Technical (Mining Engineer) (BPS-17) Leftover (Female Quota) in Directorate General of Mines and Minerals Development Department	01/2021, Sr. 49	01 in all	Mr. Ifikhar Bangash
26	-	-	-	-	(01) Female Lecturer Physics (BPS-17) Leftover (Disable Quota) in Higher Education Department	01/2021, Sr. 37	02 in all	Mr. Muhammad Shoab

**PANEL - II**

M	T	W	TH	F	Post(s)	Advt. No.	Candidates	Dealing Superintendent
-	-	-	1	-				
-	-	-	-	-	(01) Associate Professor Histopathology (BPS-19) in Gajju Khan Medical College Swabi.	02/2020, Sr. 26	02 in all	//
-	-	-	-	-	(02) Associate Professor Surgery (BPS-19) in Gajju Khan Medical College Swabi.	02/2020, Sr. 27	04 in all	//
-	-	-	-	-	(01) Associate Professor Gaynae/ OBS (BPS-19) in Gajju Khan Medical College Swabi.	02/2020, Sr. 27	01 in all	//
-	-	-	-	2	(01) Associate Professor Ophthalmology (BPS-19) in Gajju Khan Medical College Swabi.	02/2020, Sr. 27	01 in all	//
-	-	-	-	2	(01) Associate Professor Dermatology (BPS-19) in Gajju Khan Medical College Swabi.	02/2020, Sr. 28	01 in all	//
-	-	-	-	2	(01) Associate Professor Orthopedics (BPS-19) in Gajju Khan Medical College Swabi.	02/2020, Sr. 28	02 in all	//
-	-	-	-	2	(01) Associate Professor Paeds Surgery (BPS-19) in Gajju Khan Medical College Swabi.	02/2020, Sr. 28	01 in all	//
-	-	-	-	2	(01) Associate Professor Urology (BPS-19) in Gajju Khan Medical College Swabi.	02/2020, Sr. 28	01 in all	//
-	-	-	-	2	(01) Professor Pulmonology (BPS-20) in Gajju Khan Medical College Swabi.	02/2020, Sr. 29	01 in all	//
-	-	-	-	2	(01) Professor Orthopedics (BPS-20) in Gajju Khan Medical College Swabi.	02/2020, Sr. 29	01 in all	//

APRIL, 2021					Post(s)	Advt. No.	Candidates	Dealing Superintendent
M	T	W	TH	F				
5	-	-	-	-	(01) Professor Community Medicine (BPS-20) in Gajju Khan Medical College Swabi.	02/2020, Sr. 30	03 in all	//

					(01) Professor Pathology (BPS-20) in Gajju Khan Medical College Swabi.	02/2020, Sr. 31	03 in all	//
					(01) Assistant Professor Neuro Rehabilitation & Stoke (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 32	03 in all	//
					(01) Assistant Professor Neurology (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 32	03 in all	//
-	6	-	-	-	(01) Assistant Professor Family Medicine (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 32	12 in all	//
					(01) Assistant Professor Rehabilitation Medicine (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 32	02 in all	//
		7	-	-	(01) Assistant Professor Pharmacology (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 33	04 in all	//
					(01) Assistant Professor Anatomy (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 33	06 in all	//
-	-	-	8	9	(01) Assistant Professor Pathology (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 33	10 daily 07 on Friday Total=17	Mr. Tanveer Musharaf
12	-	-	-	-	(01) Assistant Professor Nephrology (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 32	02 in all	//
					(01) Associate Professor Pathology (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 34	06 in all	//
					(02) Associate Professor Family Medicine (BPS-18) in Saidu Group of Teaching Hospital/ SMC Swat	02/2020, Sr. 35	02 in all	//
-	13	-	-	-	(03) Dental Surgeon (BPS-17) (Minority Quota) Leftover in Health Department	01/2021, Sr. 15	13 in all	Mr. Javed
					(01) Senior Registrar Anaesthesia (BPS-18) Leftover in Saidu Medical College Swat.	01/2021, Sr. 16	03 in all	Mr. Tanveer Musharaf
		14	-	-	(03) Consultant Anaesthesia (BPS-18) in Sheikh Khalifa Bin Zayed Model Hospital (A & E) Saidu Teaching Hospital Swat.	01/2021, Sr. 17	03 in all	//
					(01) Consultant Pathologist (BPS-18) in Sheikh Khalifa Bin Zayed Model Hospital (A & E) Saidu Teaching Hospital Swat.	01/2021, Sr. 17	06 in all	//
-	-	-	15	-	(03) District Specialist Skin (BPS-18) Leftover in Health Department	01/2021, Sr. 18	13 in all	//
					(02) Consultant Radiologist (BPS-18) in Sheikh Khalifa Bin Zayed Model Hospital (A & E) Saidu Teaching Hospital Swat.	01/2021, Sr. 17	04 in all	//
				16	(02) Consultant Nephrologists (BPS-18) Leftover in Saidu Medical College Swat.	01/2021, Sr. 23	04 in all	//
19	20	-	-	-	(33) District Specialist Radiologist (BPS-18) Leftover in Health Department	01/2021, Sr. 19	11 daily Total=23	//
-	-	21	-	-	(12) District Specialist Psychiatrist (BPS-18) Leftover in Health Department	01/2021, Sr. 20	15 in all	//
					(11) District Specialist Nephrology (BPS-18) Leftover in Health Department	01/2021, Sr. 24	06 in all	//
			22	-	(01) Professor Surgery (BPS-20) Leftover in Saidu Group of Teaching Hospital/ Saidu Medical College Swat.	01/2021, Sr. 25	02 in all	//
					(01) Senior Registrar Nephrology (BPS-18) Leftover in Health Department	01/2021, Sr. 26	01 in all	//
					(01) Associate Professor Neurology (BPS-19) Leftover in Saidu Medical College Swat.	01/2021, Sr. 22	01 in all	//
-	-	-	-	23	(01) Consultant Physician (BPS-18) Leftover in Nawaz Sharif Kidney Hospital Manglor Swat.	01/2021, Sr. 28	09 in all	//
26	27	28	-	-	(45) District Specialists Anesthetics (BPS-18) Leftover in Health Department.	01/2021, Sr. 27	11 daily Total=34	//

### PANEL - III

M	T	W	TH	F				
-	-	-	1	-	(117) Medical Officers (BPS-17) Leftover (Eighty Eight (88) to Minority Quota & Twenty Nine (29) to Disable Quota) in Health Department	01/2021, Sr. 29	12 daily Total=41	Mr. Javed
5	6	7	-	-	(16) PHC Technologist (MP) (BPS-17) in Health Department.	02/2019, Sr. 19 (a,b)	12 daily	Mr. Muhammad Rafi
-	-	-	8	-	(41) Medical Entomologists (BPS-17) in Health Department	05/2018, Sr.43 02/2020, Sr.08	12 daily Total=84	Mr. Javed
12	-	-	-	-	(06) Assistant Soil Survey Research Officer in Soil Conservation, Agriculture Department (BPS-17)	02/2019, Sr. 02	10 daily Total=31	Mr. Ifkhar Bangash
-	13	14	15	-	(04) Clinical Technologist (Pathology) (BPS-17) in Health Department.	02/2019, Sr. 22	11 in all	Mr. Muhammad Rafi
19	20	21	22	-				
26	27	28	-	-				

### PANEL - IV

M	T	W	TH	F				
-	-	-	1	2	(130) Male ASDEOs/ ADEOs (BPS-16) in Elementary & Secondary Education Department.	09/2019, Sr. 05(a,b,c)	12 daily 08 on Friday Total=435	Mr. Noor Muhammad
5	6	7	8	9				
12	13	14	15	16				
19	20	21	22	23				
26	27	28	29	30				

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**PANEL - V**

M	T	W	TH	F				
12	13	14	15	-	(40) Assistant Public Prosecutors (BPS-17) in Home & Tribal Affairs Department.	11/2019. Sr. 05 (a,b,c,d)	12 daily Total=200	Muhammad Rafi
19	20	21	22	-				
26	27	28	29	-				

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**DIRECTOR RECRUITMENT**