

Cost of Rs. 2000/- received in Service Appeal No. 1915/23,

Titled Mohsin Akbar VS. Health

in the office of Superintendent Vide Order 9/1/24

Dated: 13/1/2024.




SUPERINTENDENT,
Khyber Pakhtunkhwa

13/2/24

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

SERVICE APPEAL NO. 1915/2023

Mohsin Akber **Appellant**

Versus

Government of Khyber Pakhtunkhwa & others **Respondents**

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**Director (Litigation)
Directorate General Health Services,
Khyber Pakhtunkhwa, Peshawar**

22-02-2024

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1915 OF 2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11106

Dated 13-09-2024

Mohsin Akbar.....Appellant

Versus

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

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO. 01 TO 03

Respectfully Sheweth:

Preliminary Objections:-

1. That the appellant has got no cause of action or locus standi to file the instant appeal.
2. That the appellant has filed the instant appeal just to pressurize the respondents.
3. That the instant appeal is against the prevailing Law and Rules.
4. That the appeal is not maintainable in its present form and also in the present circumstances of the issue.
5. That the appellant has filed the instant appeal with mala-fide intention hence liable to be dismissed.
6. That the appellant has not come to this Honorable Tribunal with clean hands.
7. That the appeal is barred by law and limitation.
8. That the instant appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.

ON FACTS:

1. Pertain to record.
2. Pertain to record. The appellant was appointed as CT Cardiology as a result of interview held on 19.10.2022, vide order No.2104-08/PF/Appointments dated 05.04.2023, and posted to Type-D Hospital Daboori being the only local candidate of District Orakzai as he had qualified the screening test conduct by ETEA.
3. Incorrect his diploma of CT Cardiology was send to Chief Executive Officer Faculty of Paramedics and allied Health Sciences KP Peshawar for verification vide this office letter No. 2176/B-8 dated 10.04.2023. (Annexure-A). In response to this office letter No. referred to above, the Chief Executive Officer Faculty of Paramedics and Allied Health

Sciences Khyber Pakhtunkhwa Peshawar declared his diploma Fake /Bogus vide his letter No. 1764-65/FPHAS dated 27.04.2023. (Annexure -B). Thus his services were dismissed vide order No. 2729-33/PF dated 05.05.2023. (Annexure-C).

4. The Departmental Appeal was received through Director General Health Services Khyber Pakhtunkhwa vide Letter No.13071/AE-VI dated 16.08.2023 wherein the reply has already been submitted to the Director General Health Services KP Peshawar vide this office Letter No.3425 dated 14.09.2023 (Annexure-D).
5. His service was dismissed on account of submission Fake /Bogus Diploma as declared by Chief Executive Officer Faculty of Paramedics & Allied Health Sciences KP Peshawar.

GROUNDS.

- A. Incorrect. As his diploma CT Cardiology was declared Fake/Bogus by the Chief Executive Officer Faculty of Paramedics & Allied Health Science Khyber Pakhtunkhwa. Moreover, he was on probation period.
- B. Incorrect. As stated in preceding para.
- C. Incorrect. As stated at Para (A) above.
- D. Incorrect. There is no need of inquiry as his diploma was declared Fake/Bogus by the Chief Executive Officer Faculty of Paramedics & Allied Health Science KP Peshawar.
- E. As stated in preceding para.
- F. Incorrect. As replied above.
- G. Incorrect. As replied above.
- H. As replied above.
- I. Incorrect. As replied in facts.
- J. Incorrect. He was dismiss from service on account of submission of Fake/Bogus Diploma, so no illegality is involved in the dismissal.
- K. Answering respondents also seek prior permission of this Honorable Tribunal to adduce additional grounds at the time of final arguments.

PRAYER:

It is therefore humbly prayed that on acceptance of the comments, the instant appeal of the appelland may very graciously be dismissed with costs.



(Dr. Adnan)

District Health Officer Orakzai at Hangu
(Respondent No. 01)



(Dr. Shoukat Ali)

Director General Health Services
Khyber Pakhtunkhwa
(Respondent No. 02)



(Mehmood Aslam)

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



OFFICE OF THE DISTRICT HEALTH OFFICER ORAKZAI AT HANGU.

Phone & Fax No.0925-690098

No. 2176 /B-8

Dated 10/04/2023

To,

The Chief Executive Officer
Faculty of Paramedical & Allied Health Sciences
Khyber Pakhtunkhwa Peshawar

Subject:- Documents Verification.
Memo,

Enclose please find herewith the Diploma Certificate / DMC and Registration Certificate of Cardiac Technology in respect of Mr. Mohsen Akbar S/O Khail Rehman, who have recently been appointed under the control of the undersigned for verification and early return to this office as soon as possible for record please.

Encl:- 01. Photocopy of Diploma Certificate / DMC / Registration Certificate is attached.
02. Original Deposit Slip of Rs. 1550/- is attached.

Handwritten signature

**District Health officer
Orakzai at Hangu**

No. 373

For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide of which no acknowledgement is due.

Rs. Ps. 24

Received a registered* addressed to _____

Date Stamp

Initials of Receiving Officer _____

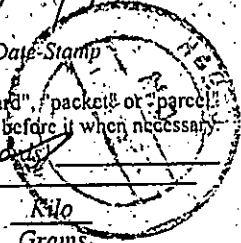
*Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) _____ (in words) _____

If insured.

Insurance fee Rs. _____ Ps. _____ (in words) } Weight } Kilo Grams.

Name and address of sender _____



4/7/2023

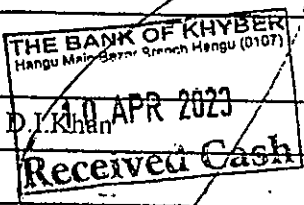
<https://cms.fpma.edu.pk/voucher/store>



Faculty of Paramedical & Allied Health Sciences (FPAHS)
Khyber Pakhtunkhwa.
Cash Management Collection
Payable at branch Bank of Khyber in Pakistan.
DEPOSIT SLIP (DEPOSITOR COPY)



Receipt No.	6636	Generated On:	07-Apr-2023 02:05:03 pm Valid Upto : 22-Apr-2023 12:00:00 am
Depositor Name:	Mohsen Akbar	Depositor CNIC:	2160483502667
Institute:	Govt Para Medical Institute of Medical Technologies D.I. Khan		
Fee Head:	Verification of Degree, Diploma & Certificate		
Amount (Rs):	1550/-	In words:	One Thousand and Five Hundreds Fifty only.



Pending

Attached
[Handwritten signature]

Received By: Bank Officer Signature and Stamp

PF.



Govt of Khyber Pakhtunkhwa
Faculty of Paramedical and Allied Health
Sciences (FPAHS)



23 E SCHOOL ROAD UNIVERSITY TOWN PESHAWAR

Ph #.091-9216008 Fax #.091-9216538 website. www.kpmf.edu.pk Email. info@kpmf.edu.pk

No. 1764-65 /FPAHS

Dated: - 27 / 4 /2023

To,
 ✓
 The District Health Officer,
 Orakzai at Hangu.

Subject: DOCUMENTS VERIFICATION.
Memo;

Reference your letter No. 2176/B-8, dated 10/04/2023 on the subject noted above.
The particulars of the following Diploma have been checked with the official
record and the remarks are as under.

S.No	Name	Father Name	Technology	Roll No	Session	Remarks
01	Mohsen Akbar	Khail Rehman	Cardiac	61466	12-2013	FAKE/BOGUS

Prepared by: [Signature] Checked by: [Signature] Verified by: [Signature]

[Signature]
Chief Executive Officer,
Faculty of Paramedical & Allied Health
Sciences, Khyber Pakhtunkhwa

- Note:
- i) This letter has official FPAHS Seal
 - ii) The Original Diplomas of Session 01-2017 onwards is having Water Mark.
 - iii) The employment authority may recheck on FPAHS official website.

No. /FPAHS

Dated: - / /2023

Copy forwarded to Director General Health Services, Khyber Pakhtunkhwa, Peshawar for
information.

Attest [Signature]



Office of the District Health Officer
District Orakzai at Hangu
Phone & Fax No. 0925-690098

OFFICE ORDER.

Mr. Mohsin Akbar S/O Khial Rehman District Orakzai CNIC No.21604-8350266-7 appointed as CT Cardiology and posted to Type-D Hospital Daboori is hereby dismissed from service as his diploma of Cardiology was declared fake / bogus by the Chief Executive officer Faculty of Paramedical and Allied Health Sciences KP Peshawar vide his letter No. 1764-65/FPAHS dated 27.04.2023.

Criminal Case will be registered through Circle Officer ACE Orakzai for lodging of FIR against the above name candidate on account of submission of bogus diploma.

Attested

District Health Officer
Orakzai at Hangu

dated 05/05/2023

No. 2729-33 /PF

Copy to:-

1. The Director General Health Services KP Peshawar.
2. The Regional Director General Health Services South Region.
3. The Deputy Commissioner Orakzai at Hangu.
4. The SMO I/C Type-D Hospital Daboori with the direction to direct Mr. Mohsin Akbar to leave the Hospital.
5. Mr. Mohsin Akbar CT Cardiology Type-D Hospital Daboori.

District Health Officer
Orakzai at Hangu



OFFICE OF THE DISTRICT HEALTH OFFICER
DISTRICT ORAKZAI AT HANGU

No. 3425 /

Dated 14 /09/2023

To,

The Director General Health Services
Khyber Pakhtunkhwa Peshawar.

Subject:-

DEPARTMENTAL APEAL AGAINST THE OFFICE ORDER DATED
05.05.2022 COMMUNICATED TO ME VIA WHATS APP ON 01.06.2023.

Sir,

Reference your letter No.13071/AE-IV dated 16.08.2023, on the subject cited above.

I have the honour to submit para wise reply are as under:-

1. That the post of CT Cardiology was advertised through ETEA. Last date for submission of application was 30.06.2022 and screening test was held by the ETEA on 13.08.2022. result of screening test was declared on 22.08.2022, he had passed the ETEA test obtaining 67 Marks out of 100. Interview was held in this office on 19.10.2022.

Being the only candidate from District Orakzai he was offered the post of CT Cardiology and was posted to Type-II Hospital Daboori. His diploma certificate was sent to Chief Executive officer Faculty of Paramedics and Allied Health Sciences Khyber Pakhtunkhwa vide this office letter No. 2176/B8 dated 10.04.2023 for verification. The Chief Executive officer faculty of Paramedics and Allied Health Sciences KP Peshawar vide his No. 1764-65/FPAHS dated 27.04.2023 (copy attached) declared his diploma Fake / Bogus. On receipt of the letter of CEO Faculty Paramedics & Allied Health Sciences KP Peshawar his services was dismissed on account of submission of fake / Bogus diploma vide this office order No. 2729-33/PF dated 05.05.2023 with copy to all concerned (copy attached).

2. Para 2 is not related with this office.

Copy of Advertisement, Minutes of the DSC Meeting and Merit List are attached herewith as desired please.


District Health Officer
Orakzai at Hangu

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

SERVICE APPEAL NO. 1915/2023

Mohsin AkberAppellant


Versus

Government of Khyber Pakhtunkhwa & othersRespondents.

Affidavit

I, Dr. Shaukat Ali, Director General Health Services, Khyber Pakhtunkhwa, Peshawar, under the directions of the Competent Authority, do hereby solemnly affirm that the contents of the parawise Comments on behalf of Respondents are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal. It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off ~~4~~ costs. The cost of Rs: 2000/- vide order sheet dated 09-01-2024 has been paid with registrar Service Tribunal on 13-02-24 (Receipt Attached)

ATTESTED
Oath
Commissioner
High Court Peshawar




Deponent



**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

*All communications should be addressed to the Director General Health Services
Peshawar and not to any official by name
Office # 091-9210269 Fax # 091-9210230*

AUTHORITY LETTER

Muhammad Yousaf Jamal Focal Person (Litigation) Directorate General Health Services, Khyber Pakhtunkhwa, is hereby authorized to submit parawise comments in Service Appeal No. 1915/2023 titled Mr. Mohsin Akber VS Govt. of Khyber Pakhtunkhwa & others on behalf of the undersigned at Khyber Pakhtunkhwa Service Tribunal, Peshawar.

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