

Appeal No. 1177/2015

Syed Ghous Ali Shah vs Govt

01.06.2016

Appellant with counsel and Mr. Amjad Ali, Asstt. alongwith Addl. AG for the respondents present.

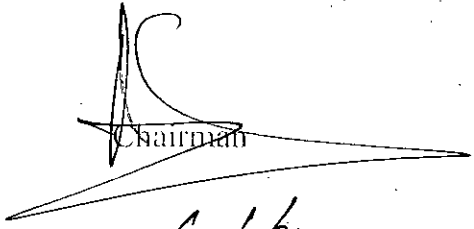
Learned Addl. AG pressed into service copy of order dated 30.05.2016 vide which appellant has been promoted from the post of Assistant BPS-17 to the post of Superintendent BPS-17 with immediate effect.

In view of the afore-stated developments learned counsel for the appellant requested for withdrawal of the appeal with permission to re-agitate case of the appellant afresh before the departmental authority as, according to learned counsel for the appellant, appellant was entitled to promotion to the post of Superintendent BPS-17 w.e.f. 25.06.2015.

In view of the afore-stated developments the appeal is dismissed as withdrawn placing the appellant at liberty to agitate his grievances arising out of the afore-stated notification dated 30.05.2016 afresh in the prescribed manners. File be consigned to the record room.

ANNOUNCED

01.06.2016

  
Chairman  
01.06.16.

28.1.2016

Appellant in person, M/S Muhammad Arshed, SO and Yar Gul, Senior Clerk alongwith Assistant AG for official respondents No. 1 to 3 present. None present on behalf of private respondents No. 4 to 6. Proceeded ex-parte. Written reply by official respondents No. 1 to 3 not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on behalf of official respondents No. 1 to 3 on 13.4.2016 before S.B.

  
Chairman

13.4.2016

Counsel for the appellant, Mr. Muhammad Arshad, Addl: A.G for official respondents present. Written reply not submitted despite last opportunity. Requested for further adjournment. Last opportunity extended subject to payment of cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 01.06.2016.

  
Chairman

29.10.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as Office Assistant at Maulvi Ameer Shah Memorial Hospital, Peshawar and was entitled to promotion but ignored vide notification dated 25.6.2015 and junior colleagues of appellant i.e private respondents No. 4 to 6 promoted against which appellant preferred departmental appeal on 3.7.2015 which was not responded and hence the instant service appeal on 16.10.2015.

That the appellant was entitled to promotion but ignored without any lawful justification and private respondents No. 4 to 6 i.e junior officials to appellant promoted.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 21.12.2015 before S.B. Notice of stay application be also issued for the date fixed.

Appellant Deposited  
Security & Process Fee



  
Chairman

21.12.2015



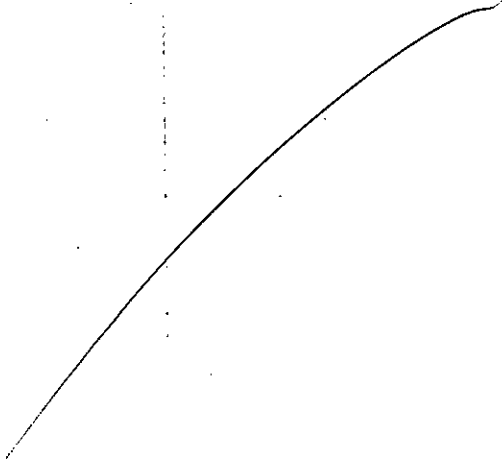
Appellant in person and Mr. Kibaz Khan, SO alongwith Addl: A.G for official respondents No. 1 to 3 present. None present for private respondents No. 4 to 6. Fresh notice be issued to private respondents No. 4 to 6. Official respondents requested for adjournment. To come up for written reply/comments on 28.1.2016 before S.B.

  
Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 1177/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	20.10.2015	<p style="text-align: center;">The appeal of Syed Ghous Ali Shah resubmitted today by Mr. Muhammad Farooq Afridi Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2		<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>29-10-15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> 

The appeal of Syed Ghaus Ali Shah S/O Syed Sher Badshah office Assistant Maulvi Ameer Shah Memorial Hospital, Peshawar received to-day i.e. on 16.10.2015 is incomplete on the following score which is returned to his counsel for completion and resubmission within 15 days.

1. Wakalatnama has not been attached with the appeal, which may be placed on file.
2. Annexures of the appeal may be attested by the appellant or his counsel.
3. Page 25 of the appeal is missing, which may be placed on file.

No. 1616 /ST,

Dated 19-10/2015

  
REGISTRAR  
KPK SERVICE TRIBUNAL,  
PESHAWAR.

MR. Muhammad Farooq Afridi, Advocate.

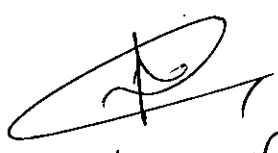
Note:-

Re-submitted after removal

of all deficiencies, so

may kindly be put up

to the honorable bench for hearing.

  
Advocate.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**KPK, PESHAWAR**

SA No. 1177 / 2015

Syed Ghous Ali Shah .....Appellant

Versus

Govt of Khyber Pakhtunkhwa through chief Secretary etc .....respondents

**I N D E X**

S.No	DESCRIPTION OF DOCUMENTS	ANNEX	PAGE S
1.	Service Appeal		1-3
2.	Affidavit		4
3.	Application for interim relief with Affidavit		5-6
4.	Addresses of the parties		7
5.	Copies of ACR & Clearance Certificate	"A& B "	8-37
6.	Copy of Notification	"C"	38-40
7.	Copy of Representation	"D"	41-42
8.	Copy of appeal and comments	"E"	43-48
9.	Copy of seniority list	"F"	49-52
10.	Copy of letter dated 24.08.2015	"G"	53
11.	Wakalatnama		54

Appellant

Through

**Muhammad Farooq Afridi**

Advocate High Court

Peshawar

0300-5838546

Dated: 10.10..2015

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**KPK, PESHAWAR**

**G.W.P. Provincial  
Service Tribunal  
Diary No. 1257  
Dated 16-10-15**

SA No. 1177 / 2015

Syed Ghous Ali Shah S/o Syed Sher Badshah, Office Assistant (BPS-16)

Maulvi Ameer Shah Memorial Hospital Peshawar.....Appellant

**VERSUS**

1. Govt of Khyber Pakhtunkhwa through chief Secretary, civil secretariat Peshawar
2. Govt of Khyber Pakhtunkhwa through Secretary Health, civil secretariat Peshawar
3. Director General Health, HRD Block Khyber Road Peshawar.
- ④ Rahatullah, Office Assistant, BMC Bannu
- ⑤ Muzaffar Khan, Office Assistant, KTH Peshawar
- ⑥ Noor Ali Shah, Office Assistant, Khyber College for Denstistry Peshawar.

.....Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR SETTING ASIDE THE IMPUGNED NOTIFICATION No. SOH-III/10-4/2015 DATED 25.06.2015 VIDE WHICH THE APPELLANT HAS NOT BEEN PROMOTION FROM BPS-16 TO BPS-17. THE APPELLANT FILED THE DEPARTMENTAL REPRESENTATION WHICH WAS LEFT UNDECIDED. HENCE, THE IMPUGNED NOTIFICATION No. SOH-III/10-4/2015 DATED 25.06.2015 AND LATER ON NON DECIDING THE DEPARTMENT REPRESENTATION MAY KINDLY BE DECLARED AS ILLEGAL, WITHOUT JURISDICXTIOIN, WITHOUT LAWFUL AUTHORITY, FOR ULTERIOR MOTIVES AND MALAFIDE AND OUT OF TURN. THE RESPONDENTS MAY KINDLY BE DIRECTED TO PROMOTE THE APPELLANT FROM BPS-16 TO BPS-17 BEING ELIGIBLE.

Ex-partee  
23-01-2016

Noted to-day  
Registrar

As submitted to-day  
and filed.

Registrar



GOVT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar the 30<sup>th</sup> May, 2016

**NOTIFICATION**

No. SOH-III/8-89/2015. On the recommendation of Departmental Promotion Committee and in pursuance of even-number dated: 21-04-2015 Syed Ghous Ali Shah, Assistant BS-16 is promoted to the post of Office Superintendent BS-17 with immediate effect.

2. On his promotion his inter-se seniority shall remain intact from 21-04-2015.

SECRETARY HEALTH

Endst even No & date.

Copy forwarded to:-

1. The Accountant General, Health Services, Khyber Pakhtunkhwa, Peshawar.
2. The Director General Health Services, Khyber Pakhtunkhwa.
3. The Medical Superintendent, Moulvi Ameer Shah Memorial, Hospital, Peshawar.
4. PS to Secretary Health, Khyber Pakhtunkhwa.
5. PA to Additional Secretary (E) Health, Khyber Pakhtunkhwa.
6. The Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
7. Officer concerned.

(Muhammad Tariq)  
SECTION OFFICER III





GOVT. OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar the 30<sup>th</sup> May, 2016

**NOTIFICATION**

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2. The Director General Health Services, Khyber Pakhtunkhwa.
3. The Medical Superintendent, Moulvi Ameer Shah Memorial, Hospital, Peshawar.
4. PS to Secretary Health, Khyber Pakhtunkhwa.
5. PA to Additional Secretary (E) Health, Khyber Pakhtunkhwa.
6. The Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
7. Officer concerned.

(Muhammad Tariq)  
SECTION OFFICER III



GOVT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar the 30<sup>th</sup> May, 2016

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2. On his promotion his inter-se seniority shall remain intact from 21-04-2015.

SECRETARY HEALTH

Endst even-No & date.

Copy forwarded to:-

1. The Accountant General, Health Services, Khyber Pakhtunkhwa, Peshawar.
2. The Director General Health Services, Khyber Pakhtunkhwa.
3. The Medical Superintendent, Moulvi Ameer Shah Memorial, Hospital, Peshawar.
4. PS to Secretary Health, Khyber Pakhtunkhwa.
5. PA to Additional Secretary (E) Health, Khyber Pakhtunkhwa.
6. The Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
7. Officer concerned.

(Muhammad Tariq)  
SECTION OFFICER III

**Respectfully Sheweth**

1. That the appellant is a qualified civil servant and presently serving as Office Assistant (BPS-16) in Govt Maulvi Ameer Shah Memorial Hospital Peshawar to the best satisfaction of his superiors.
2. That the appellant has served his Department very honestly and dedicatedly being a senior most Office Assistant with unblemished service record as his PER/ACR maintained by his superior officers are very good, clear and satisfactory without any negative remarks. (Copies of ACR & Clearance Certificate are attached as Ann: A & B).
3. That the respondent No.2 while issuing the impugned Notification No. SOH-III/10-4/2015 dated 25.06.2015 on the recommendations of Departmental Promotion Committee has overlooked the seniority as well as fitness of the appellant and has illegally promoted to the juniors most on the basis of favoritism. (Copy of Notification is attached as Ann: C).
4. That feeling aggrieved from the said Notification No. SOH-III/10-4/2015 dated 25.06.2015, the appellant filed departmental appeal/representation to the respondent No.1 which he left undecided. (Copy of Representation is attached as Ann: D).
5. That the impugned Notification No. SOH-III/10-4/2015 dated 25.06.2015 is illegal, without jurisdiction, without lawful authority, based on favoritism, malafide and for ulterior motives.
6. That the appellant has been targeted for his resorting to the Service Tribunal KPK against his posting/transfer order wherein the appellant impugned his rapid posting/transfer orders in the KPK service tribunal, so consequently he has been victimized and dropped from being promoted. (Copy of appeal and comments are attached as annex E).
7. That the appellant is senior from respondents No.4-6 according to final seniority list but then he has been dropped from being promoted and respondents No.4-6 have illegally been promoted in violation of seniority list. (Copy of seniority list is attached as annex F).

8. That the recommendations of Departmental Promotion Committee (DPC) and subsequently issuance of impugned Notification are arbitrary, against the canons of justice, equity and fair play, hence, liable to be set aside.
9. That the appellant has not been treated in accordance with the law, rules and promotion policy.
10. That the name of appellant was submitted for promotion by respondent No.3 but for some ulterior and malafide motives it has been dropped and illegally promoted the respondents No.4-6. (Copy of letter dated 24.08.2015 is annexed as G).
11. That the impugned Notification No. SOH-III/10-4/2015 dated 25.06.2015 glaringly violates the rule of law and public policy.
12. That in their comments by the official respondents, nothing has been attributed to the appellant for

It is, therefore, respectfully prayed that on acceptance of this service appeal, the impugned notification no. SOH-III/10-4/2015 dated 25.06.2015 vide which the appellant has not been promotion from BPS-16 to BPS-17 and subsequently the departmental representation of the appellant which was left undecided may kindly be declared as illegal, without jurisdiction and without lawful authority, out of turn for ulterior motives and malafide. The respondents may kindly be directed to promote the appellant from BPS-16 to BPS-17 being eligible.

It is also requested that appellant may kindly be allowed to put forward any other ground/document at the time of argument.

Any other order deemed appropriate in the above mentioned circumstances may kindly be passed.

Through

Appellant

**Muhammad Farooq Afridi**  
Advocate High Court  
Peshawar

Dated: 10.10.2015

4

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**KPK, PESHAWAR**

SA No. \_\_\_\_\_ / 2015

Syed Ghous Ali Shah .....Appellant

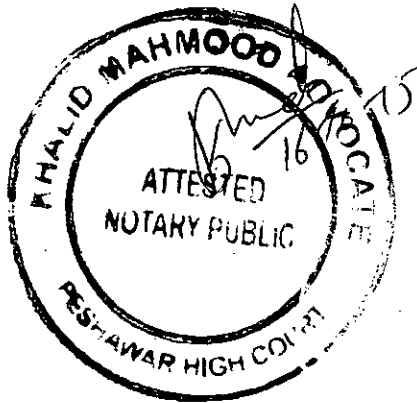
Versus

Govt of Khyber Pakhtunkhwa through chief Secretary etc .....respondents

**A F F I D A V I T**

I, Syed Ghous Ali Shah S/o Syed Sher Bad Shah Office Assistant (BPS-16) Maulvi Ameer Shah Memorial Hospital Peshawar, do hereby solemnly affirm and declare on oath that the contents of the above mentioned **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.

Identified By:



DEBONENT  
*[Handwritten Signature]*

5

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**KPK, PESHAWAR**

SA No. \_\_\_\_\_ / 2015

Syed Ghous Ali Shah .....Appellant

Versus

Govt of Khyber Pakhtunkhwa through chief Secretary etc .....respondents

**ADDRESSES OF THE PARTIES**

**PETITIONER:**

Syed Ghous Ali Shah S/o ..... Office Assistant (BPS-16) Maulvi Ameer  
Shah Memorial Hospital Peshawar

**RESPONDENTS:**

1. Govt of Khyber Pakhtunkhwa through chief Secretary, civil secretariat  
Peshawar
2. Govt of Khyber Pakhtunkhwa through Secretary Health, civil secretariat  
Peshawar
3. Director General Health, HRD Block Khyber Road Peshawar.
4. Rahatullah, Office Assistant, BMC Bannu
5. Muzaffar Khan, Office Assistant, KTH Peshawar
6. Noor Ali Shah, Office Assistant, Khyber College for Denstisry Peshawar.

Through

Appellant

**Muhammad Farooq Afridi**  
Advocate High Court  
Peshawar

Dated: 10.10.2015

6

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

**KPK, PESHAWAR**

SA No. \_\_\_\_\_ / 2015

Syed Ghous Ali Shah ..... Applicant

Versus

Govt of Khyber Pakhtunkhwa through chief Secretary etc ..... respondents

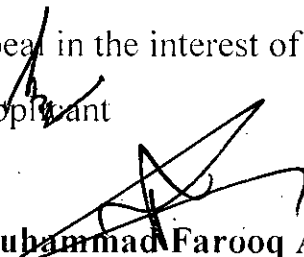
**APPLICATION FOR INTERIM RELIEF**

**Respectfully Sheweth:**

1. That the instant application is being filed alongwith the connected appeal in which no date of hearing has yet been fixed.
2. That the integral part of the appeal may kindly be read as part of this application.
3. That the applicant has got a good prima- facia case and is hopeful of its success.
4. That the balance of convenience and lies in the favour of the applicant and if the interim relief as prayed for is not granted then the applicant will suffer irreparable loss.
5. That it will be in the interest of justice to suspend the impugned notification being illegal without jurisdiction without lawful authority and based on malafide and ulterior motives.

It is therefore, respectfully prayed that on acceptance of this application, the impugned notification dated 25.06.2015 may kindly be suspended till final disposal of appeal in the interest of justice.

Applicant  
Through

  
**Muhammad Farooq Afridi**  
Advocate High Court  
Peshawar  
0300-5838546

Dated: 10.10.2015

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

KPK, PESHAWAR

SA No. \_\_\_\_\_ / 2015

Syed Ghous Ali Shah .....Applicant

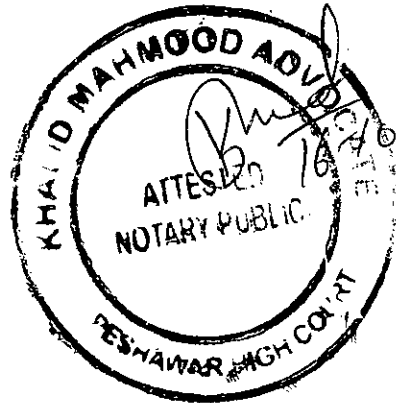
Versus

Govt of Khyber Pakhtunkhwa through chief Secretary etc .....respondents

AFFIDAVIT

I, Syed Ghous Ali Shah S/o Syed Sher Bad Shah Office Assistant (BPS-16) Maulvi Ameer Shah Memorial Hospital Peshawar, do hereby solemnly affirm and declare on oath that the contents of the above mentioned **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.

Identified By:



~~DEPONENT~~





No. 953 /MS/MASM HOSPITAL

Dated Peshawar the 26/02/2015

"A" (8)

OFFICE OF THE MEDICAL SUPERINTENDENT MOULVI AMEER SHAH QADRI MAJORIAL HOSPITAL G.T. ROAD PESHAWAR	
Exchange#	091-9210746
	091-9211030
Fax #	091-9214245

To

The Director General Health Services,  
Khyber Pakhtunkhwa,  
Peshawar.

Subject: - SUBMISSION OF PERFORMANCE EVALUATION REPORT (ACR)


Sir,

I have the honour to enclose herewith performance evaluation report (ACR) in respect of Syed Ghous Ali Shah, Office Assistant (BPS-16) for the period from 01/01/2004 to 31/12/2004 and 01/01/2005 to 31/12/2005 working at Moulvi Ameer Shah Memorial Hospital, Peshawar, for information and further necessary action, please:-

No. 953 /MS/MASM Hospital, Peshawar

Copy forwarded for information to:-

1. Official concerned

  
MEDICAL SUPERINTENDENT  
MOULVI AMEER SHAH MEMORIAL  
HOSPITAL PESHAWAR

  
MEDICAL SUPERINTENDENT  
MOULVI AMEER SHAH MEMORIAL  
HOSPITAL PESHAWAR

  
ATTESTED

  
ATTESTED

Form 'G' (Revised)  
Assistants and Clerks

**GOVERNMENT OF N.W.F.P.**

Health DEPARTMENT

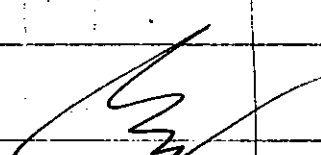
**CONFIDENTIAL REPORT**

For the period from 01-01-2004 To 31-12-2004

PART-I

1. Name SYED GHOLIS ALI SHAH
2. Designation OFFICE ASSISTANT.
3. Date of Birth 09-04-1961
4. Date of Entry into Government Service \_\_\_\_\_
5. Branches in which employed during the year, with period \_\_\_\_\_

PART-II

A PERFORMANCE	AI	A	B	C	D
(1) Referencing, paging of notes and correspondence		9			
(2) Movement of files and record of suspense cases.		9			
(3) Keeping files and papers in tidy condition.		9			
(4) Promptness and accuracy in disposing of work		9			
<b>B PERSONAL TRAITS</b>					
(5) Intelligence		9			
(6) Knowledge of procedure and regulations.		9			
(7) Punctuality		9			
(8) Co-operation and tact.		9			
(9) Amenability to discipline.		9		<b>ATTESTED</b>	
(10) Skill in drafting.	<b>ATTESTED</b>	9			

10

1

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reporting Officer's Signature \_\_\_\_\_

Name (in Block Letters) A. M. B. / K. H. S.

Designation \_\_\_\_\_

Dated \_\_\_\_\_

General Remarks by higher Officers:

**Executive District**  
**Recor. Health Peshawar**

Countersigning Officer's Signature \_\_\_\_\_

Name (in Block Letters) \_\_\_\_\_

Designation \_\_\_\_\_

Dated \_\_\_\_\_

  
**ATTESTED**

  
**ATTESTED**

Form 'G' (Revised)  
Assistants and Clerks

## GOVERNMENT OF N.W.F.P.

Health DEPARTMENT

## CONFIDENTIAL REPORT

For the period from 01-01-2004 To 31-12-2004

## PART-I

1. Name SYED GHOUS ALI SHAH
2. Designation OFFICE ASSISTANT
3. Date of Birth 09-04-1961
4. Date of Entry into Government Service \_\_\_\_\_
5. Branches in which employed during the year, with period \_\_\_\_\_

## PART-II

A	PERFORMANCE	AI	A	B	C	D
(1)	Referencing, paging of notes and correspondence					
(2)	Movement of files and record of suspense cases.					
(3)	Keeping files and papers in tidy condition.					
(4)	Promptness and accuracy in disposing of work					
B	PERSONAL TRAITS					
(5)	Intelligence					
(6)	Knowledge of procedure and regulations.					
(7)	Punctuality					
(8)	Co-operation and tact.					
(9)	Amenability to discipline.					
(10)	Skill in drafting.					

ATTESTED

ATTESTED

*for promotion*

12

10

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Reporting Officer's Signature \_\_\_\_\_

Name (in Block Letters) DR. MOSEEM KHAN

Dated \_\_\_\_\_

Designation ED O. Peshawar

Executive District  
Officer Health Peshawar

General Remarks by higher Officers:

Countersigning Officer's Signature \_\_\_\_\_

Name (in Block Letters) \_\_\_\_\_

Dated \_\_\_\_\_

Designation \_\_\_\_\_

  
**ATTESTED**

  
**ATTESTED**

Form 'G' (Revised)  
Assistants and Clerks

GOVERNMENT OF N.W.F.P.

Health DEPARTMENT

CONFIDENTIAL REPORT

For the period from 01-01-2005 To 31-12-2005

PART-I

1. Name SYED GHOUS ALI SHAH.
2. Designation OFFICE ASSISTANT.
3. Date of Birth 09-04-1961
4. Date of Entry into Government Service \_\_\_\_\_
5. Branches in which employed during the year, with period \_\_\_\_\_

PART-II

A PERFORMANCE		AI	A	B	C	D
(1)	Referencing, paging of notes and correspondence					
(2)	Movement of files and record of suspense cases.					
(3)	Keeping files and papers in tidy condition.					
(4)	Promptness and accuracy in disposing of work					
B PERSONAL TRAITS						
(5)	Intelligence					
(6)	Knowledge of procedure and regulations.					
(7)	Punctuality					
(8)	Co-operation and tact.					
(9)	Amenability to discipline.					
(10)	Skill in drafting.					

**ATTESTED**

**ATTESTED**

PEN PICTURE

14



Four horizontal lines for handwritten notes or a pen picture.

Reporting Officer's Signature \_\_\_\_\_

Name (in Block Letters) W.A. [unclear]

Designation \_\_\_\_\_

Dated \_\_\_\_\_

General Remarks by higher Officers:

Countersigning Officer's Signature \_\_\_\_\_

Name (in Block Letters) \_\_\_\_\_

Designation \_\_\_\_\_

Dated \_\_\_\_\_

  
**ATTESTED**

  
**ATTESTED**



No 7116/MS/MASM HOSPITAL

Dated Peshawar the 26/11/2014

OFFICE OF THE MEDICAL SUPERINTENDENT MOULVI AMEER SHAH MEMORIAL HOSPITAL G.T ROAD PESHAWAR	
Exchange#	091-9210746
	091-9211030
Fax#	091-9214245


15

To,

The Director General Health Services,  
Khyber Pakhtunkhwa Peshawar

Subject: PERFORMANCE EVALUATION REPORT.

With reference your office letter No. 9244-62/Personnel (Promotion) Dated 12/11/2014 on the subject cited above I have the honour to submitted herewith ACR report in respect of Mr. Syed Ghous Ali Shah Office Assistant for the year 2007 to 2013 for further necessary action please.

  
MEDICAL SUPERINTENDENT  
MOULVI AMEER SHAH QADRI MAMORIAL  
HOSPITAL PESHAWAR

  
ATTESTED

  
ATTESTED



# GOVERNMENT OF N.-W.F.P.

DEPARTMENT

## CONFIDENTIAL REPORT

16

For the period from 01-01-2007 To 31-12-2007.

### PART-I

Name SYED GHOLAM ALI SHAH

Designation OFFICE ASSISTANT

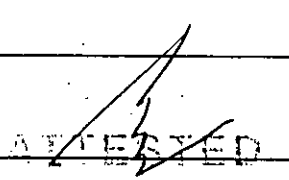
Date of Birth \_\_\_\_\_

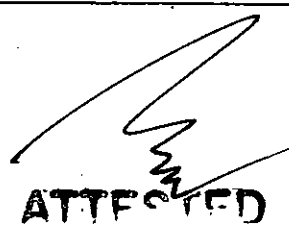
Date of entry into Government Service \_\_\_\_\_

Branches in which employed during the year, with period \_\_\_\_\_

### PART-II

PERFORMANCE	A1	A	B	C	D
Referencing, paging of notes and correspondence.					
Movement of files and record of suspense cases.					
Keeping files and papers in tidy condition.					
Promptness and accuracy in disposing of work.					
PERSONAL TRAITS					
Intelligence.					
Knowledge of procedure and regulations.					
Punctuality.					
Cooperation and tact.					
Amenability to discipline					

  
ATTESTED

  
ATTESTED

17

Integrity: —

Assessment

- (i) Incorruptible.....
- (ii) Reported to be corrupt.....
- (iii) Believed to be corrupt, because of:
  - (a) Monetary condition.....
  - (b) Other considerations.....

YES NO

- 12) Knowledge of typing
- 13) Trust worthiness in confidential and secret matters.
- 14) Any disciplinary action taken during the period under report.

Handwritten marks under YES/NO columns

PART-III

	By Reporting Officer	By Corresponding Officer
a) Recommended for accelerated promotion.	<input type="checkbox"/>	<input type="checkbox"/>
b) Fit for promotion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Recently promoted / appointed — consideration for promotion pre-mature.	<input type="checkbox"/>	<input type="checkbox"/>
d) Not yet fit for promotion.	<input type="checkbox"/>	<input type="checkbox"/>
e) Unfit for further promotion.	<input type="checkbox"/>	<input type="checkbox"/>

PART-IV

General Assessment	By Reporting Officer	By Countersigning Officer
i) Very Good	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Good	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Average	<input type="checkbox"/>	<input type="checkbox"/>

ATTESTED

PEN PICTURE

18

UPHETA

Reporting Officer's Signature

Name (in Block Letters)

Designation

*[Handwritten Signature]*  
D. Ashraf Khan  
DHO Nowshera

Remarks by higher officers:

Countersigning Officer's Signature

Name (in Block Letters)

Designation

*[Handwritten Signature]*  
**ATTESTED**

*[Handwritten Signature]*  
**ATTESTED**

CONFIDENTIAL REPORT

DEPARTMENT OF

19

For the period from 1-1-2002 to 31-12-2002

PART-I

Name: SGT CHANDU SHAI

Designation: OFFICE ASSISTANT

Date of Birth:

Date of entry into Government Service:

Branches in which employed during the year, with period:

PART-II

PERFORMANCE				
A1	A	B	C	D

ATTESTED

ATTESTED

Integrity: —

20

Assessment

- (i) Incorruptible .....
- (ii) Reported to be corrupt .....
- (iii) Believed to be corrupt, because of :
  - (a) Monetary condition .....
  - (b) Other considerations .....
- (12) Knowledge of typing YES  NO
- (13) Trust worthiness in confidential and secret matters. YES  NO
- (14) Any disciplinary action taken during the period under report. YES  NO

**PART-III**

	By Reporting Officer	By Corresponding Officer
(a) Recommended for accelerated promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(b) Fit for promotion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Recently promoted / appointed — consideration for promotion pre-mature.	<input type="checkbox"/>	<input type="checkbox"/>
(d) Not yet fit for promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(e) Unfit for further promotion.	<input type="checkbox"/>	<input type="checkbox"/>

**PART-IV**

General Assessment	By Reporting Officer	By Countersigning Officer
i) Very Good		
ii) Good	<input checked="" type="checkbox"/>	<b>ATTESTED</b>
iii) Average		
iv) Below Average		

**ATTESTED**

PEN PICTURE

(21)



*[Handwritten signature]*

*[Handwritten signature]*

Reporting Officer's Signature

Name (in Block Letters)

Designation

*D. A. Shoaib Khan*

*D/O No. 21/2000*

Remarks by higher officers:

Countersigning Officer's Signature

Name (in Block Letters)

Designation

*[Handwritten signature]*  
**ATTESTED**

**ATTESTED**

CONFIDENTIAL REPORT

(D)

(22)

For the period from 01-01-2009 To 31-12-2009

PART-I

Name SYED GHULS ALI SHAH

Designation OFFICE ASSISTANT

Date of Birth

Date of entry into Government Service

Branches in which employed during the year, with period

PART-II

PERFORMANCE

	A1	A	B	C	D
Referencing, paging of notes and correspondence.		B			
Movement of files and record of suspense cases.		B			
Keeping files and papers in tidy condition.		B			
Promptness and accuracy in disposing of work.		B			

PERSONAL TRAITS

Intelligence.		B			
Knowledge of procedure and regulations.		B			
Punctuality.		B			
Cooperation and tact.		B			
Amenability to discipline		B			
Skill in drafting.		B			

ATTESTED

ATTESTED

23

(11) Integrity: ---

Assessment

(i) Incorruptible .....

*Nil*

(ii) Reported to be corrupt .....

(iii) Believed to be corrupt, because of :

(a) Monetary condition .....

(b) Other considerations .....

YES NO

(12) Knowledge of typing *Good*

(13) Trust worthiness in confidential and secret matters. *Good*

(14) Any disciplinary action taken during the period under report. *Nil*

PART-III

	By Reporting Officer	By Corresponding Officer
(a) Recommended for accelerated promotion.		
(b) Fit for promotion.	<i>Nil</i>	
(c) Recently promoted / appointed — consideration for promotion pre-mature.		
(d) Not yet fit for promotion.		
(e) Unfit for further promotion.		

PART-IV

General Assessment	By Reporting Officer	By Countersigning Officer
(i) Very Good		
(ii) Good	<i>Nil</i>	<del>ATTESTED</del>
(iii) Average		

*Nil*  
**ATTESTED**



PEN PICTURE

24

*[Handwritten mark]*

*Hand working diligent and punctual officer*

Reporting Officer's Signature

*[Signature]*

Name (in Block Letters)

*DR. ADIL MAHJAN*

Designation

*EX MS HMC*

d: *19/11/2014*

General Remarks by higher officers:

Countersigning Officer's Signature

Name (in Block Letters)

Designation

*[Signature]*

ATTESTED

ATTESTED

CONFIDENTIAL REPORT

(25)

For the period from 01-01-2010 To 31-12-2010

PART-I

Name Syed Ghous Ali Shah  
 Designation OFFICE ASSISTANT  
 Date of Birth \_\_\_\_\_  
 Date of entry into Government Service \_\_\_\_\_  
 Branches in which employed during the year, with period \_\_\_\_\_

PART-II

PERFORMANCE	A1	A	B	C	D
Referencing, paging of notes and correspondence.		A			
Movement of files and record of suspense cases.		A			
Keeping files and papers in tidy condition.		A			
Promptness and accuracy in disposing of work.		A			
<b>PERSONAL TRAITS</b>					
Intelligence.		A			
Knowledge of procedure and regulations.		A			
Punctuality.		A			
Cooperation and tact.		A			
Amenability to discipline		A			
Skill in drafting.		B			

ATTESTED

  
**ATTESTED**

(11) Integrity: —

- (i) Incorruptible .....  *Yes*
- (ii) Reported to be corrupt .....
- (iii) Believed to be corrupt, because of :
  - (a) Monetary condition .....
  - (b) Other considerations .....

YES NO

(12) Knowledge of typing *Good*

(13) Trust worthiness in confidential and secret matters. *Good*

(14) Any disciplinary action taken during the period under report. *Nil*

**PART-III**

	By Reporting Officer	By Corresponding Officer
(a) Recommended for accelerated promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(b) Fit for promotion.	<input checked="" type="checkbox"/> <i>Yes</i>	<input type="checkbox"/>
(c) Recently promoted / appointed — consideration for promotion pre-mature.	<input type="checkbox"/>	<input type="checkbox"/>
(d) Not yet fit for promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(e) Unfit for further promotion.	<input type="checkbox"/>	<input type="checkbox"/>

**PART-IV**

General Assessment	By Reporting Officer	By Countersigning Officer
(i) Very Good		
(ii) Good	<i>Yes</i>	ATTESTED <i>[Signature]</i>
(iii) Average		

*[Signature]*  
**ATTESTED**

PEN PICTURE

(27) (D)

Hand writing diligent and punctual officer

Reporting Officer's Signature

*Adil*

Name (in Block Letters)

DR. ADIL MARR JAN

Designation

EX MS HMC

Dated:

19/11/07

Medical Officer  
Royal Air Force  
RAF

General Remarks by higher officers:

Countersigning Officer's Signature

Name (in Block Letters)

Designation

Dated:

ATTESTED

ATTESTED

GOVERNMENT OF N.-W.F.P.

HEALTH DEPARTMENT



CONFIDENTIAL REPORT

For the period from 01-01-2011 To 31-12-2011

PART-I

Name SYED GHULS ALI SHAH

Designation OFFICE ASSISTANT

Date of Birth

Date of entry into Government Service

Branches in which employed during the year, with period

PART-II

PERFORMANCE	A1	A	B	C	D
Referencing, paging of notes and correspondence.		h			
Movement of files and record of suspense cases.		h			
Keeping files and papers in tidy condition.		h			
Promptness and accuracy in disposing of work.		h			
PERSONAL TRAITS					
Intelligence.		h			
Knowledge of procedure and regulations.		h			
Punctuality.		h			
Cooperation and tact.		h			
Amenability to discipline		h			

ATTESTED

*[Signature]*

ATTESTED

29

Integrity: —

Assessment

- (i) Incorruptible
- (ii) Reported to be corrupt
- (iii) Believed to be corrupt, because of :
  - (a) Monetary condition
  - (b) Other considerations

YES NO

Knowledge of typing *Good*

Trust worthiness in confidential and secret matters. *Good*

Any disciplinary action taken during the period under report. *NIL*

PART-III

	By Reporting Officer	By Corresponding Officer
Recommended for accelerated promotion.	<input type="checkbox"/>	<input type="checkbox"/>
Fit for promotion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Recently promoted / appointed — consideration for promotion pre-mature.	<input type="checkbox"/>	<input type="checkbox"/>
Not yet fit for promotion.	<input type="checkbox"/>	<input type="checkbox"/>
Unfit for further promotion.	<input type="checkbox"/>	<input type="checkbox"/>

PART-IV

General Assessment	By Reporting Officer	By Countersigning Officer
Very Good		
Good	<i>[Signature]</i>	ATTESTED <i>[Signature]</i>
Average		

ATTESTED

30

~~30~~

PEN PICTURE

Hand writing, neat and punctuated officer

Reporting Officer's Signature

*[Signature]*

Name (in Block Letters)

DR. ANIL KUMAR JAIN

Designation

EX MS JAIN

Medical Superintendent  
Hayatnagar Medical Complex  
Jaisalmer

19/11/014

Remarks by higher officers:

Countersigning Officer's Signature

Name (in Block Letters)

Designation

ATTESTED

ATTESTED

27

CONFIDENTIAL REPORT

31

For the period from 01-01-2012 To 31-12-2012

PART-I

Name SYED GHOUS ALI SHAH

Designation OFFICE ASSISTANT.

Date of Birth

Date of entry into Government Service

Branches in which employed during the year, with period

PART-II

PERFORMANCE	A1	A	B	C	D
Referencing, paging of notes and correspondence.		A			
Movement of files and record of suspense cases.		A			
Keeping files and papers in tidy condition.		A			
Promptness and accuracy in disposing of work.		A			
PERSONAL TRAITS		A			
Intelligence.		A			
Knowledge of procedure and regulations.		A			
Punctuality.		A			
Cooperation and tact.		A			
Amenability to discipline		A			
Skill in drafting.		A			

ATTESTED

ATTESTED



30

Assessment

- (i) Incorruptible.....
  - (ii) Reported to be corrupt.....
  - (iii) Believed to be corrupt, because of :
    - (a) Monetary condition.....
    - (b) Other considerations.....
- (12) Knowledge of typing YES    NO
- (13) Trust worthiness in confidential and secret matters.
- (14) Any disciplinary action taken during the period under report.

**PART-III**

	By Reporting Officer	By Corresponding Officer
(a) Recommended for accelerated promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(b) Fit for promotion.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Recently promoted / appointed — consideration for promotion pre-mature.	<input type="checkbox"/>	<input type="checkbox"/>
(d) Not yet fit for promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(e) Unfit for further promotion.	<input type="checkbox"/>	<input type="checkbox"/>

**PART-IV**

General Assessment	By Reporting Officer	By Countersigning Officer
i) Very Good	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Good	<input type="checkbox"/>	<input type="checkbox"/>
iii) Average	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Below Average	<input type="checkbox"/>	<input type="checkbox"/>
v) Poor	<input type="checkbox"/>	<input type="checkbox"/>

*[Signature]*  
**ATTESTED**

PEN PICTURE

33

B

Handwriting, intelligent

Four horizontal lines for handwritten notes.

Reporting Officer's Signature

*[Handwritten Signature]*

Name (in Block Letters)

MR. / MRAN.

Designation

1. Remarks by higher officers:

Large empty space for handwritten remarks.

Countersigning Officer's Signature

Name (in Block Letters)

Designation

*[Handwritten Signature]*

ATTESTED

ATTESTED

GOVERNMENT OF N.-W.F.P.

HEALTH DEPARTMENT

34

CONFIDENTIAL REPORT

For the period from 01-01-2013 To 31-12-2013

PART-I

Name: SYED GHULS ALI SHAH  
 Designation: OFFICE ASSISTANT  
 Date of Birth: \_\_\_\_\_  
 Date of entry into Government Service: \_\_\_\_\_  
 Branches in which employed during the year, with period: \_\_\_\_\_

PART-II

PERFORMANCE	A1	A	B	C	D
Referencing, paging of notes and correspondence.		Amz			
Movement of files and record of suspense cases.		Amz			
Keeping files and papers in tidy condition.		Amz			
Promptness and accuracy in disposing of work.		Amz			
PERSONAL TRAITS					
Intelligence.		Amz			
Knowledge of procedure and regulations.		Amz			
Punctuality.		Amz			
Cooperation and tact.		Amz			
Amenability to discipline		Amz			
Skill in drafting.		Amz			

ATTESTED

ATTESTED

incorruptible

*[Handwritten mark]*

(ii) Reported to be corrupt

*(35)*

*[Handwritten mark]*

(iii) Believed to be corrupt, because of :

(a) Monetary condition

(b) Other considerations

YES NO

(12) Knowledge of typing.

(13) Trust worthiness in confidential and secret matters.

(14) Any disciplinary action taken during the period under report.

PART-III

	By Reporting Officer	By Corresponding Officer
(a) Recommended for accelerated promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(b) Fit for promotion.	<i>[Signature]</i>	<input type="checkbox"/>
(c) Recently promoted / appointed — consideration for promotion pre-mature.	<input type="checkbox"/>	<input type="checkbox"/>
(d) Not yet fit for promotion.	<input type="checkbox"/>	<input type="checkbox"/>
(e) Unfit for further promotion.	<input type="checkbox"/>	<input type="checkbox"/>

PART-IV

General Assessment	By Reporting Officer	By Countersigning Officer
(i) Very Good	<i>[Signature]</i>	
(ii) Good		
(iii) Average		<b>ATTESTED</b>
(iv) Below Average		
(v) Poor		

*[Signature]*  
**ATTESTED**

PEN PICTURE

Hand-writing, intelligent

Reporting Officer's Signature

*[Handwritten Signature]*

Name (in Block Letters)

Dr. M. M. M.

Designation

MS Admin

Medical Superintendent  
Hayashad Medical Complex  
Peshawar

General Remarks by higher officers:

Countersigning Officer's Signature

Name (in Block Letters)

Designation

~~ATTESTED~~

*[Handwritten Signature]*  
ATTESTED

B  
37

NO INVOLVEMENT CERTIFICATE.

Certified that no departmental enquiry/disciplinary action is pending against Sh. Ghous Ali Chah Office Ass't BPS-16

Attested

Medical Supdt. \_\_\_\_\_

Dated 25/2/15

DIRECTOR GENERAL HEALTH SERVICES, KPK PESHAWAR.

Medical Superintendent  
Moulvi Akbar Shah Memorial  
Hospital Peshawar

Dated \_\_\_\_\_

NO DEMAND CERTIFICATE.

Certified that nothing outstanding against Sh. Ghous Ali Chah Office Ass't BPS-16 of my office as he has paid all his dues while he was in service/alive.

Attested


Medical Supdt. \_\_\_\_\_

Dated 25/2/15

DIRECTOR GENERAL HEALTH SERVICES, KPK PESHAWAR.

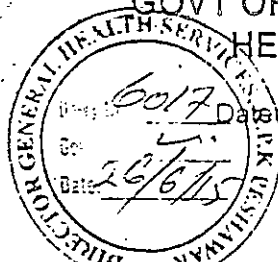
Medical Superintendent  
Moulvi Akbar Shah Memorial  
Hospital Peshawar

Dated \_\_\_\_\_

  
ATTESTED



GOVT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT



Date: the Peshawar 25<sup>th</sup> June, 2015

**NOTIFICATION.**

No.SOH-III/10-4/2015. On the recommendation of the Departmental Promotion Committee, the Competent Authority has been pleased to promote the following Assistants/ Stenographers/Auditors (BS-16) to the post of Superintendents (BS-17) on regular basis with immediate effect. They will be on probation for a period of one year extendable by another period.

S.No.	Name of Officer
1.	Manzoor Ahmed (Assistant)
2.	Anwar Khan (Assistant)
3.	Faqir Hussain (Assistant)
4.	Nisar Ahmad (Assistant)
5.	Maqsood Akhtar (Assistant)
6.	Mukhtiar Ali (Assistant)
7.	Rahmat Din (Assistant)
8.	Waqar Ali (Assistant)
9.	Syed Jabir Hussain (Assistant)
10.	Syed Mehfooz Badshah (Assistant)
11.	Irshad Ahmed (Stenographer)
12.	Syed Fazle Mabood Shah (Assistant)
13.	Siraj-ud-Din (Assistant)
14.	Taj Ali (Assistant)
15.	Abdul Tawab (Assistant)
16.	Ihsanullah (Assistant)
17.	Amir Abdullah (Stenographer)
18.	Muhammad Ali (Assistant)
19.	Rahatullah (Assistant)
20.	Muzaffar Khan (Assistant)
21.	Noor Ali Shah (Assistant)

**ATTESTED**

**ATTESTED**

39

2. Consequent upon their promotion to the post of Superintendents (BS-17) the following posting/transfer are hereby ordered with immediate effect in the Public Interest.

S.#.	Name of Officer	From	To	Remarks
1.	Manzoor Ahmed	DHQ (H) Abbottabad	Bacha Khan Medical College Mardan.	Against the vacant post
2.	Anwar Khan	DHQH: Mardan	Gajju Khan Medical College Swabi	-do-
3.	Faqir Hussain	DHO Lower Dir.	Saidu Teaching Hospital Swat	-do-
4.	Nisar Ahmad	Khalifa Gul Nawaz Teaching Hospital Bannu	Khalifa Gul Nawaz Teaching Hospital Bannu	-do-
5.	Maqsood Akhtar	DHO Mardan	Bacha Khan Medical College Mardan	-do-
6.	Mukhtiar Ali	DHO Peshawar	KGMC Peshawar	-do-
7.	Rahmat Din	NMC Nowshera	Nowshera Medical College Nowshera	-do-
8.	Waqar Ali	Govt. LRH Peshawar	Lady Reading Hospital Peshawar	-do-
9.	Syed Jabir Hussain	HMC Peshawar	AHQ Hospital Parachinar	-do-
10.	Syed Mehfooz Badshah	DGHS Office Peshawar	DHS FATA Peshawar	-do-
11.	Irshad Ahmed	LRH Peshawar	Lady Reading Hospital Peshawar	-do-
12.	Syed Fazle Mabood Shah	HMC Peshawar	Hayatabad Medical Complex Peshawar	-do-
13.	Siraj-ud-Din	DHO Chitral	Gajju Khan Medical College Swabi	-do-
14.	Taj Ali	BMC Bannu	Bannu Medical College Bannu	-do-
15.	Abdul Tawab	LRH Peshawar	Lady Reading Hospital Peshawar	-do-
16.	Ihsanullah	DHO Malakand	Nawaz Sharif Kidney Center Swat	-do-
17.	Amir Abdullah	DGHS Peshawar	DGHS Peshawar	-do-
18.	Muhammad Ali	DHQ Hosp: KDA Kohat	GMC D.I Khan	-do-
19.	Rahatullah	PGCN, Hayatabad Peshawar	BMC Bannu	-do-
20.	Muzaffar Khan	DHQH: Karak	KTH Peshawar	-do-
21.	Noor Ali Shah	KMC Peshawar	Khyber College for Dentistry Peshawar	-do-

Secretary to Govt. of Khyber Pakhtunkhwa Health Department

APPROVED

ATTESTED



Endst of even No and Date.

2/2  
40

Copy forwarded to:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Director Health Services, FATA Peshawar.
4. The Principals, BMC Bannu, GKMC, Swabi, KGMC Peshawar, KCD Peshawar, PGCN Hayatabad Peshawar, SKMC Mardan & NMC Nowshera & GMC D.I Khan.
5. District Health Officers, Peshawar, Malakand & Dir lower.
6. Medical Directors/Hospital Directors, LRH, KTH & HMC, Peshawar.
7. Medical Superintendent, Nawaz Sharif Kidney Centre Swat.
8. Medical Superintendent, DHQ Teaching Hospital, Karak.
9. Medical Superintendent, DHQ Teaching Hospital Abbottabad.
10. Medical Director/Hospital Director, Khalifa Gul Nawaz Teaching Hospital Bannu.
11. Medical Superintendent, DHQ Hospital, KDA, Kohat.
12. Medical Superintendent, Mardan Medical Complex Mardan.
13. Medical Superintendent, KDA, Kohat.
14. Medical Superintendent, Saidu Teaching Hospital Swat.
15. Medical Superintendent, AHQ Hospital, Parachinar.
16. All District Accounts Officers, Khyber Pakhtunkhwa, Peshawar.
17. The Agency Accounts Officer, Parachinar.
18. Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
19. PS to Senior Minister Health, Khyber Pakhtunkhwa.
20. PS to Secretary Health, Khyber Pakhtunkhwa.
21. PS to Special Secretary Health, Khyber Pakhtunkhwa.
22. Master File.
23. Officers concerned.

  
(MUHAMMAD TARIQ)  
Section Officer-III

\*\*\*M.KASHIF KHAN/STENOGRAPHER\*\*\*

  
**ATTESTED**

  
**ATTESTED**

92/10/24-2057

02/7/15 ODD: Asstt. GMA SM  
Hospital Peshawar

(41)

Damy no 6979  
dt: 3-7/15

BEFORE THE CHIEF SECRETARY GOVT OF KPK,

PESHAWAR

Damy no 6979 dt  
02/07/2015

Subject:- Departmental appeal/representation against the Notification No. SOH-III/10-4/2015 dated 25.06.2015 passed/issued by the Secretary Health whereby appellant has not been promoted from the post of Office Assistant (BPS-16) to the post of Superintendent (BPS-17) and illegally has been dropped for promotion.

Respectfully Sir,

1. That the appellant is a qualified civil servant and presently serving as Office Assistant (BPS-16) in Govt Maulvi Ameer Shah Memorial Hospital Peshawar to the best satisfaction of his superiors.
2. That the appellant is serving his Deptt: very honestly and dedicatedly being a senior most Office Assistant with unblemished service record as his PER/ACR maintained by his superior officers are very good and clear without any negative remarks.
3. That the Secretary Health while issuing the impugned Notification No. SOH-III/10-4/2015 dated 25.06.2015 on the recommendations of DPC has overlooked the seniority as well fitness of the appellant and has illegally promoted to the juniors most on the basis of favoritism. (Annexure-A).

ATTESTED

ATTESTED

- 5. That the appellant has been targeted for his resorting to the Service Tribunal KPK against his posting/transfer order wherein the appellant challenged his rapid posting/transfer orders in the KPK service tribunal, so consequently he has been victimized and dropped from being promoted.
- 6. That the recommendations of DPC and subsequently issuance of impugned Notification are arbitrary, against the canons of justice, equity and fair play, hence, liable to be set aside.
- 7. That the appellant has not been treated in accordance with the law, rules and promotion policy.
- 8. That the impugned Notification No. SOH-III/10-4/2015 dated 25.06.2015 glaringly violates the rule of law and public policy and therefore, needs to be struck down.

It is, therefore, respectfully prayed that on acceptance of this departmental appeal/representation, the impugned Notification No. SOH-III/10-4/2015 dated 25.06.2015 may kindly be set aside being illegal, without jurisdiction, without lawful authority, based on favoritism, malafide and for ulterior motives and appellant may be promoted from the post of Office Assistant (BPS-16) to the post of Superintendent (BPS-17).

Appellant

~~ATTESTED~~

Syed Ghous Ali Shah  
 Office Assistant (BPS-16)  
 Govt/Molvi Ameer Shah Memorial  
 Hospital, Peshawar City

Dated: 30.06.2015

~~ATTESTED~~

"E"  
①  
43

**IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**KPK PESHAWAR**



Appeal No. 154 /2015

Syed Ghaus Ali Shah S/o Syed Sher Badshah

Office Assistant, Molvi Ameer Shah

Memorial Hospital, Peshawar. ....Appellant

Versus

1. Govt. of Khyber Pakhtunkhwa through Secretary Health, HRD Block, Khyber Road, Peshawar.
2. Director General Health Services, HRD Block, Khyber Road, Khyber Pakhtunkhwa, Peshawar.
3. Ibrar Ahmad, Office Assistant, Director General Health Services, Office, HRD Block, Khyber Road, Khyber Pakhtunkhwa, Peshawar.

.....Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 FOR SETTING ASIDE THE TRANSFER ORDER OF THE APPELLANT PASSED BY RESPONDENT NO.2 DATED 22.09.2014 VIDE WHICH THE APPELLANT HAS BEEN TRANSFERRED AND SUBSEQUENTLY THE DEPARTMENTAL REPRESENTATION FILED BY THE APPELLANT WAS LEFT UNDECIDED.**

*EX PARTE*  
*14-4-2015*

**Filed to-day**

**Registrar**  
*16/2/15*

**re-submitted to-day**  
and filed.

**Registrar**  
*24/2/15*

**TESTED**

**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

44

1

Respectfully Sheweth:

1. That appellant is serving as Office Assistant in the Directorate of Health Department, Khyber Pakhtunkhwa, to the best satisfaction of his superiors.
2. That respondent No.2 has made a game of posting/transfer of the officials instead of a matter of policy, as appellant has been transferred six times to different places within a span of one and half year.
3. That appellant was transferred on 26.02.2013 from HMC Peshawar to Sarhad Hospital for Psychiatric Disease Peshawar, followed by a cancellation of said transfer order dated 14.05.2013. The appellant was again transferred on 20.05.2013 and the same was cancelled on 29.05.2013. (Copies of transfer orders dated 26.02.2013, 14.05.2013, 20.05.2013 and 29.05.2013 are attached as annexure "A/1" to "A/4" respectively).
4. That subsequently the appellant was posted on 06.08.2013 in the Molvi Ameer Shah Memorial Hospital, Peshawar and again the impugned transfer order dated 22.09.2014 was issued in strict violation of posting/transfer policy. (Copies of transfer orders dated 06.08.2013 and 22.09.2014 are attached as annexure "B" to "B/1" respectively).
5. That feeling aggrieved from impugned transfer order, the appellant filed departmental representation on 24.09.2013 which was left

ATTESTED  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
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3

undecided. (Copy of departmental representation is attached as Ann: C).

6. That the impugned transfer order dated 22.09.2014 and later on, non-deciding the departmental representation is illegal, without jurisdiction and without lawful authority.
7. That impugned posting order dated 22.09.2014 has been issued in violation of posting/ transfer policy where normal tenure for posting is three years. but appellant has been posted on different places within a short span of time.
8. That the impugned transfer order passed by respondent No.2 in a short span of - time, indiscriminately without rhyme or reason shows malafide on the part of respondents and is against the proclaimed policies.
9. That the impugned posting order is arbitrary, against the canons of justice, equity and fair play, hence, liable to be set aside.
10. That the appellant has not been treated in accordance with the law and has been discriminated against.
11. That the impugned posting order is contrary to the judgment of Supreme Court of Pakistan (PLD 2013 SC-195) where the law has been clearly laid down on the subject.

**ATTESTED**

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Service Tribunal,  
Peshawar

- 12. That impugned order glaringly violates the rule of law and public policy and therefore, needs to be struck down.
- 13. That the appellant may be allowed to put forward any other document/argument at the time of hearing the writ petition.

It is, therefore, respectfully prayed that on acceptance of this service appeal, the impugned posting order dated 22.09.2014 and non-deciding departmental representation may kindly be declared as illegal, without jurisdiction and without lawful authority, for ulterior motives, malafide and political influence. The posting order dated 06.08.2013 may kindly be declared to be in field.

Any other order deemed appropriate to this Honorable Court in the above mentioned circumstances.

*Certified to be true copy*  
 EX-AM  
 Khyber Pakhtunkhwa  
 Service Tribunal,  
 Peshawar

*[Signature]*  
 Appellant  
 Through  
*[Signature]*  
**Muhammad Farooq Afridi**  
 Advocate,  
 High Court, Peshawar

Dated: 13.02.2015

CERTIFICATE:

Certified that as per instructions of my client, no such Service Appeal on behalf of the appellant has earlier been filed in this Honourable Tribunal on the subject matter.

*[Signature]*  
 Advocate

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**BEFORE SERVICE TRIBUNAL PESHAWAR.**



**Appeal No. 154/2015**

Syed Ghaous Ali Shah Office Assistant.....Appellant.

**Versus.**

Government of Khyber Pakhtunkhwa & Others.....Respondents.

Parawise comments on behalf of respondent No.1 & 2.

**Preliminary Objections:-**

1. That the appellant has no cause of action.
2. That the appeal is not maintainable and also time barred.
3. That the appeal is bad for mis joinder and non joinder of necessary parties.
4. That the appellant has no locus standi and also estopped by his own conduct.
5. That the appellant has not come to the Tribunal with the clean hands.

**FACTS.**

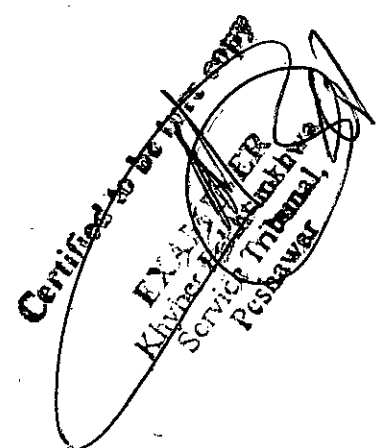
1. Incorrect. The Appellant is serving under DG Health.
2. None of the transfer orders were implemented, rather cancelled. The appellant just wanted posting of his choice which was Mulvi G Hospital Peshawar and complied with by him without any hesitation.
3. As explained in Para-02 above. However the impugned order is according to S.10 of Civil servant Act 1973.
4. As in Para-02 above and 3.
5. Pertain to record no comments.
6. Incorrect.
7. According to Rule 10 of the Civil servant Act 1973 as civil servant can be posted any where as deems fit by the competent authority.
8. As explain in Para-7 above.
9. The transfer order is very much in accordance with the civil servant Act.
10. As explain in Para-9 above.
11. As in Para-9 above.
12. As in Para-9 above.
13. No comments.

OT  
22.04.15

It is requested that the Appeal may kindly be dismissed.

Director General Health Services,  
Khyber Pakhtunkhwa, Peshawar.  
(Respondent No. 2)

Secretary to  
Government of Khyber Pakhtunkhwa  
Health Department, Peshawar.





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**BEFORE SERVICE TRIBUNAL PESHAWAR.**

**Appeal No. 154/2015**

Syed Ghaous Ali Shah Office Assistant.....Appellant



**Versus.**

Government of Khyber Pakhtunkhwa & Others.....Respondents.

**APPLICATION FOR INTERIM RELIEF.**

**Preliminary Objections:-**

1. That the appellant has no cause of action.
2. That the appeal is not maintainable and also time barred.
3. That the appeal is bad for mis joinder and non joinder of necessary parties.
4. That the appellant has no locus standi and also estopped by his own conduct.
5. That the appellant has not come to the Tribunal with the clean hands.

**PARA-WISE COMMENTS.**

1. Pertains to record No comments.
2. The appellant has been treated in accordance with the law/ rules.
3. Pertains to record No comments.
4. Incorrect. There is no irreparable loss to the appellant as he is not displaced even from Peshawar City thus the irreparable loss is not correct. Just wants posting of his choice ie. Moulvi Ameer Shah Memorial Hospital Peshawar Which is not covered under the Civil servants Act and rules framed there under.
5. As explain at para 4 above, adding that lawful order may not be suspended.

It is therefore requested that the appeal in hand may kindly be set a side with cost.

Director General Health Services,  
Khyber Pakhtunkhwa, Peshawar.  
(Respondent No. 2)

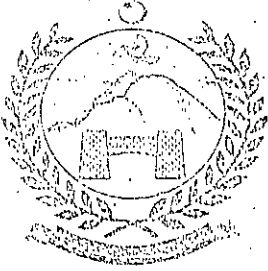
*Handwritten notes:*  
Gul  
24/4/15

Secretary to  
Government of Khyber Pakhtunkhwa  
Health Department, Peshawar.  
(Respondent No. 1).

**Certified to be true copy**

**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

"A"  
Admission  
49  
[Signature]



DIRECTORATE GENERAL HEALTH SERVICES

KHYBERPAKHTUNKHWA PESHAWAR.

No. 1263-383 / Personnel (Promotion).

Dated. 11/19/2014.

To

- 1. All Sub- Offices of Health Services Khyber Pakhtunkhwa Peshawar.
- 2. All Health Institutions in Khyber Pakhtunkhwa Peshawar.

Subject: FINAL SENIORITY LIST OF ASSISTANTS/ AUDITORS/ STENOGRAPHERS OF HEALTH DEPARTMENT KHYBER PAKHTUNKHWA.

Memo:

Enclosed please find a Final Seniority List of Assistants/ Auditors/ Stenographers of Health Department Khyber Pakhtunkhwa for information and circulation amongst the officials working under your control.

[Signature]  
DIRECTOR GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR

No. 6964 / Personnel (Promotion).

Copy forwarded to the Secretary Health Government of Khyber Pakhtunkhwa Peshawar for information please.

Dependent  
[Signature]

[Signature]  
DIRECTOR GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR

Attested  
[Signature]

ATTESTED

11-9-2014

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**FINAL SENIORITY LIST OF OFFICE ASSISTANT/ AUDITORS/  
STENOGRAPHERS IN HEALTH DEPARTMENT KHYBER PAKHTUNKHWA.**


Total Sanctioned Post of Asstt: BS-16 & Steno: BS-16 = 167

Total Strength = i Permanent = 161  
ii Temporary = Nil

SNO.	NAME OF OFFICIAL	DATE OF APPOINTMENT AS a) JR. CLERK (b) SR. CLERK (c) ASSISTANT/STEN OGRAPHER	PLACE OF POSTING	DATE OF BIRTH/ DOMICILE	DATE OF RETIREMENT	Remarks
1.	Zahid Hussain	a) 31.05.1980 b) 01.01.1985 c) 05.04.2000	Govt. LRH Peshawar	02.02.1959/ Peshawar	01.02.2019	Forgone his promotion vide letter No: 10743/LRH/E-III, dated 26.03.2012.
2.	Ghulam Yousaf	a) 02.02.1974 b) 29.08.1989 c) 25.08.2001	DHO Lower Dir	13.10.1955/ Dir	12.10.2015	
3.	Muhammad Shafiq	a) 24.03.1976 b) 29.08.1989 c) 25.08.2001	DHQ Hospital, Haripur	07.03.1958/ Abbottabad	06.03.2018	Forgone his promotion.
4.	Manzoor Ahmed	a) 01.04.1976 b) 29.08.1989 c) 25.08.2001	DHQ (H) Abbottabad	23.01.1957/ Abbottabad	27.01.2017	
5.	Ariwar Khan	a) 08.05.1976 b) 29.08.1989 c) 25.08.2001	DHQ Mardan	25.12.1957/ Mardan	24.12.2017	
6.	Faqir Hussain	a) 12.01.1977 b) 29.08.1989 c) 25.08.2001	DHO Lower Dir	01.03.1965/ Dir	28.02.2016	
7.	Nisar Ahmad	a) 02.02.1977 b) 29.01.1989 c) 25.08.2001	DHO Bannu	07.11.1956/ Bannu	06.11.2016	
8.	Maqsood Akhtar	a) 11.02.1977 b) 29.08.1989 c) 25.08.2001	DHO Mardan	04.02.1957/ Mardan	03.02.2017	
9.	Mukhtiar Ali	a) 23.04.1977 b) 29.08.1989 c) 25.08.2001	DHO Peshawar	08.08.1955/ Peshawar	07.08.2015	
10.	Rahmat Din	a) 10.06.1978 b) 02.01.1990 c) 25.08.2001	KMC Peshawar	05.01.1957/ Peshawar	04.01.2017	

*Attested*  
*Muzni*

**ATTESTED**

(SI) 

11.	Waqar Ali	01.07.1978 02.01.1990 25.08.2001	Govt. LRH Peshawar	10.11.1956/ Peshawar	09.11.2016
12.	Syed Jabir Hussain	01.10.1978 02.01.1990 25.08.2001	HMC Peshawar	15.12.1958/ Peshawar	14.12.2018
13.	Syed Mehfooz Badshah	01.11.1978 02.01.1990 25.08.2001	DGHS Office Peshawar	01.04.1959/ Charsadda	31.03.2019
14.	Irshad Ahmed	15.12.1989 as Steno typist b) 27.12.2001 as SS Steno	LRH Peshawar	05.02.1968/ Charsadda	04.02.2028
15.	Syed Fazle Mabood Shah	13.05.1977 13.12.1996 30.10.2001	HMC Peshawar	09.10.1956/ Peshawar.	08.10.2016
16.	Siraj-ud-Din	a) 15.06.1978 b) 2.01.1990 c) 24.01.2002	DHO Chitral	24.07.1957/ Chitral	23.07.2017
17.	Taj Ali Khan	19.06.1978 02.01.1990 24.01.2002	BMC, Bannu	05.04.1955/ NWA	04.04.2015
18.	Abdul Tawab	05.12.1978 02.01.1990 24.01.2002	LRH Peshawar	01.01.1956/ Mardan	31.05.2016
19.	Ihsanullah	21.02.1979 02.01.1990 24.01.2002	DHO Malakand	11.02.1959/ Malakand	10.02.2019
20.	Amir Abdullah	16.12.1984 Steno typist 24.01.2002 Stenographer	DGHS Office Peshawar	15.01.1965/ Peshawar	14.04.2025
21.	Muhammad Ali	a) 25.03.1986 b) 25.03.1988 c) 13.07.2002	DHQ Hosp. KDA Kohat	05.09.1964/ Karak	04.09.2024
22.	Ghaus Ali Shah	a) 15.07.1982 b) 19.06.1989 c) 31.03.2003	Molvi Amir Shah Memorial Hospital Peshawar.	09.04.1962/ Peshawar	08.04.2021
23.	Shah Rahman	01.07.1979 02.01.1990 31.03.2003	DHO Abbottabad	02.12.1956/ Mansehra	01.12.2016
24.	Muzaffar Khan	17.03.1979 02.01.1990 31.03.2003	DHQH: Karak	05.12.1958/ Karak	04.12.2018

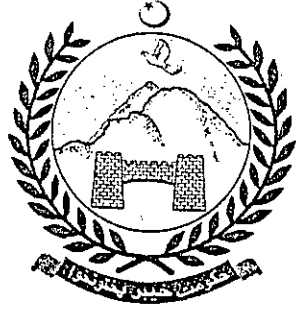
*Attested*  
*Muzaffar Khan*  
**ATTESTED**

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25.	Amanullah	23.04.1979 02.01.1990 31.03.2003	DHO Peshawar	04.08.1959/ Peshawar	03.08.2019
26.	Rahatullah	13.12.1978 02.01.1990 31.03.2003	PGCN, Hayatabad	07.03.1956/ Peshawar	06.03.2016
27.	Noor Ali Shah	a) 01.01.1983 b) 11.05.1991 c) 31.03.2003	KMC Peshawar	03.03.1962/ Peshawar	02.03.2022
28.	Faiz Ul Haq S/O Noor Ul Haq	c) 16.06.2003 28.8.1996	DHS FATA	02.09.1972/ Charsadda	01.09.2032
29.	Akbar Khan	13.12.1978 12.05.1990 10.02.2004	KGCN, Peshawar	15.04.1960/ Peshawar	14.04.2020
30.	Zahir Shah	08.02.1978 01.06.1990 10.02.2004	KTH Peshawar	21.02.1958/ Peshawar	20.02.2018
31.	Fazal Rahim S/O Amir	a)01.07.1981 b)01.08.1990 c)16.02.2004	STH, Swat	03.02.1960/ Swat	02.02.2020
32.	Hamid Ud din	a)01.10.1982 b)11.02.1995 c)25.09.2004	DHQ H: Dir Upper	01.01.1956/ Upper Dir	31.12.2016
33.	Sher Asghar khan	c) 04.11.2004	DGHS Office	01.01.1972/ Khyber Agency	31.12.2031
34.	Adeel Ahmad	c) 04.11.2004	Agency Surgeon Mohmand	10.04.1978/ Charsadda	09.04.2038
35.	Mian Irshad	a)26.01.1986 b)24.01.2002 c)10.06.2005	DHO Shangla	01.05.1962/ Swat	30.04.2022
36.	Syed Maqbool Shah	30.04.1978 02.01.1990 23.07.2005	PGMI/HMC, Peshawar	14.08.1957/ Peshawar	13.08.2017
37.	Ghani ur Rahman	a) 19.06.1978 02.01.1990 23.09.2005	DHO Mardan	01.04.1960/ Mardan	31.03.2020
38.	Ihsanullah S/O Awal Khan	a)13.12.1978 b)23.01.1991 c)23.09.2005	KMC Peshawar	12.08.1960 Peshawar	11.08.2020.
39.	Hamidullah	a)15.03.1980 b)22.04.1991 c)23.09.2005	W/Children Hospital, Bannu	08.06.1959/ Bannu	07.06.2019

ATTESTED

*Attested*  
*Signature*



12/6/15  
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DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR

No. 9035 /Personnel (Promotion),  
Dated 24/8 /2015.

To

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


Through: - The Section Officer (Health-III)


SUBJECT: DEPARTMENTAL APPEAL/REPRESENTATION.

Dear Sir,

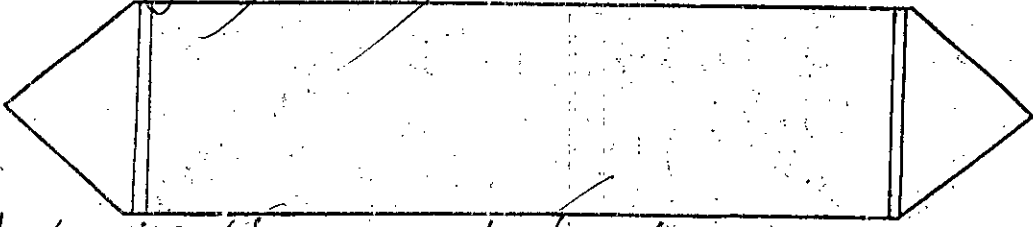
Kindly refer to your letter No. SOH-III/8-89/2015 (Syed Ghaus Ali Shah) dated 18.07.2015 on the subject noted above and to state that the promotion case of Syed Ghaus Ali Shah Assistant including others was submitted to Health Department but his name was not reflected in the promotion order.

Yours faithfully

  
DIRECTOR GENERAL HEALTH  
SERVICES KPK, PESHAWAR.

  
ATTESTED

# بعدالت صاحب سروس ٹریڈنگ کمپنی



16 اکتوبر 2012ء پنجاب ایبارونٹ  
 مقدمہ عدالت عالیہ بنام عدالت  
 دعویٰ جرم

## باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام کے لئے ~~مقرر~~ کیے گئے ~~مقرر~~ ایڈووکیٹ کی ایڈووکیٹ مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جات التوائے مقدمہ کے سبب سے وہ ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

المقام 16 ماہ اکتوبر 2012ء

عبارت

بمقام صاحب سروس کے لئے منظور ہے۔

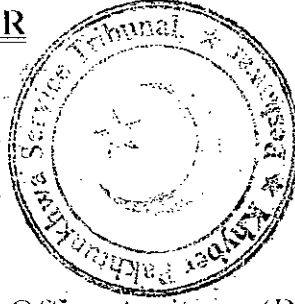
Muhammad Farooq Akhbar  
 Advocate, Lahore

(Syed Ghouse Ali Shah)

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

KPK, PESHAWAR



G.W.P. Peshawar  
Service Tribunal

Diary No. 1257

Dated 16-10-15

SA No. 1177 / 2015


Syed Ghous Ali Shah S/o Syed Sher Badshah, Office Assistant (BPS-16)

Maulvi Ameer Shah Memorial Hospital Peshawar.....Appellant

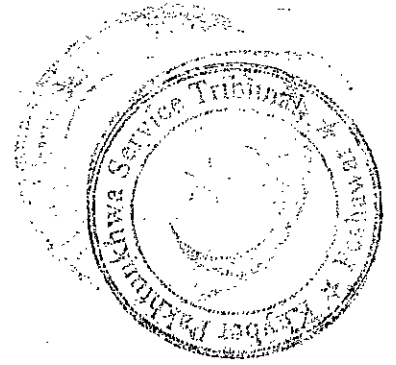
**VERSUS**

1. Govt of Khyber Pakhtunkhwa through chief Secretary, civil secretariat Peshawar
2. Govt of Khyber Pakhtunkhwa through Secretary Health, civil secretariat Peshawar
3. Director General Health, HRD Block Khyber Road Peshawar.
4. Rahatullah, Office Assistant, BMC Bannu
5. Muzaffar Khan, Office Assistant, KTH Peshawar
6. Noor Ali Shah, Office Assistant, Khyber College for Denstistry Peshawar.

**ATTESTED**

  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar





29.10.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant is serving as Office Assistant at Maulvi Ameer Shah Memorial Hospital, Peshawar and was entitled to promotion but ignored vide notification dated 25.6.2015 and junior colleagues of appellant i.e private respondents No. 4 to 6 promoted against which appellant preferred departmental appeal on 3.7.2015 which was not responded and hence the instant service appeal on 16.10.2015.

That the appellant was entitled to promotion but ignored without any lawful justification and private respondents No. 4 to 6 i.e junior officials to appellant promoted.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 21.12.2015 before S.B. Notice of stay application be also issued for the date fixed.

sd-  
Chairman

Certified true copy

Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar