

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO.557/2022

Dr. Umar Islam appellant

Versus

Govt: of Khyber Pakhtunkhwa and others Respondents

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Safi Ullah (Focal Person)
Government of Khyber Pakhtunkhwa,
Health Department

①

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 557/2022

Dr. Umar Islam.....Appellant

Versus

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

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 15449

Dated 05.09.2024

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 the Tribunal with clean hands.
7. That the appeal is time barred.
8. That the instant appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.
9. That the Service Tribunal has no jurisdiction to go into the question of promotion cases. Reliance is placed on the following landmark judgment:
 - i. Service Tribunal has no jurisdiction into the question of fitness. CP No.581-P/2023; 2002 SCMR 1056;2005 SCMR 695;2003 SCMR 1191;2002 PLC(CS) 1002 ; 2007 SCMR 682; 2006 PLC(CS) 1014; 2010 PLC(CS) 165.
 - ii. Promotion is neither a vested right nor it can be claimed with a retrospective effect. Whenever there is a change of grade or post for the better, there is an element of selection involved which is promotion and it is not earned automatically,

but under an order to the competent authority to be passed after consideration of comparative suitability and the entitlement of those

but under an order to the competent authority to be passed after consideration of comparative suitability and the entitlement of those incumbents. Promotion or proforma promotion by civil servant can be claimed under the law which can be considered when question of promotion is taken up. Civil Servant cannot call upon the Service Tribunal to direct the department to fill the promotion post forthwith or on a particular date and not to keep the post vacant or under consideration 2005 SCMR 1742.

- iii. Question of suitability and fitness for promotion is within the exclusive domain of the Government / Authority 2001 SCMR 1446 :1999 SMCR 1605:2000 SCMR 1056:1992 SCMR 1869 OR 1669:2000 PLC(CS)563,,157:2002 SCMR 1056 & 574.
- iv. Appeal to Service Tribunal would not be competent against an order to Departmental Authority determining fitness of a Civil Servant to be promoted to a higher post or grad or to be appointed to or hold a particular post. 2002 SCMR 574.

ON FACTS:

- 1. Pertains to record.
- 2. Pertains to record.
- 3. Pertains to record.
- 4. Incorrect. The appellant concealed the fact that PSB was held on 19.04.2019 wherein promotion was recommended against 31 vacant post however, the appellant was at Serial No. 139 of the seniority list therefore he was not promoted. **(Copy of the Working paper is Annexure-A).**
- 5. Correct to the extent of Final seniority list as stood on 15.05.2020 wherein name of the appellant is reflected at Serial No. 54 of the seniority list. The appellant himself stated that 21 posts were vacant at the time of his retirement i.e 21.02.2021 however; the appellant was at Serial No. 54 of the seniority list of Principle Medical Officer (BPS-19) therefore, being most junior he was not in the promotion zone hence was not promoted to Chief Medical Officer (BPS-20). **(Seniority list has already been annexed as Annexure-A/1 with the appeal)**
- 6. There is no content mentioned in the para.
- 7. Incorrect. As stated in para 04 & 05 above the appellant being junior was not in the promotion zone therefore, he was not promoted during his service before his retirement.
- 8. Incorrect. During service he was not in the promotion zone being most junior and no junior was promoted during that period however, after one year of his retirement vide Notification dated 24.01.2022 the existing eligible officers were promoted on the basis of seniority cum fitness. However, the appellant being a retired civil servant has no locus standi to challenge Notification dated 24.01.2022.
- 9. Incorrect. Already replied in the preceding paras.

10. Incorrect. No vested right of the appellant had been violated by the replying respondents while issuing the impugned Notification dated 24.01.2022 therefore, the appellant is not an aggrieved person furthermore, there is no diary dispatch number on the so called departmental appeal annexed with the appeal hence denied.

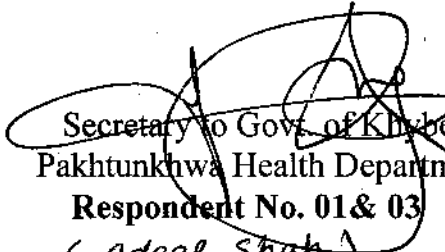
11. As per para 10 above. However, reply on the grounds are as under:

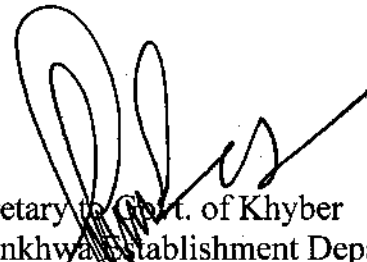
ON GROUNDS:


- A. Incorrect. The replying respondents acted as per Law, Rules and principles of natural justice hence denied.
- B. Incorrect. Already explained in para 04 & 05 of the facts.
- C. Incorrect. Already explained in para 04 & 05 of the facts.
- D. Incorrect. Already explained in para 04 & 05 of the facts.
- E. Incorrect. Already explained in para 04 & 05 of the facts.
- F. Incorrect. Already explained in para 08 of the facts.
- G. Incorrect. Already explained in para A above.
- H. Incorrect. Already explained in para A above.

PRAYER:

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


 Secretary to Govt. of Khyber
 Pakhtunkhwa Health Department
Respondent No. 01 & 03
 (Adeel Shah)


 Secretary to Govt. of Khyber
 Pakhtunkhwa Establishment Department
Respondent No. 02
 ZULEIDAR ALISHAH
 THROUGH
 AHMAD ZEB KHAN


 Director General Health Services
 Khyber Pakhtunkhwa
(Respondent No. 04)
 (Dr Muhammad Saleem)

WORKING PAPER FOR PROVINCIAL SELECTION BOARD

Department	Health
1. Nomenclature of the post / Basic scale	Chief Medical Officer (BS-20)
2. Service/Group/Cadre	General Cadre
3. Sanctioned strength of the cadre	96
4.	

		Direct	Promotion	Transfer
i.	Percentage of share	-	100%	-
ii.	No. of posts allocated to each category	-	96	-
iii.	Present occupancy position	-	65	-
iv.	No. of vacancies in each category	-	31	-

v. How did the vacancies under promotion quota occurred and since when?

There are Ninety Eight (98) sanctioned posts of Chief Medical Officers (BS-20) out of which Thirty One (31) posts are lying vacant due to retirement/Upgradation.

vi. Recruitment rules

By promotion on the basis of seniority cum-fitness, from amongst the Principal Medical officers and Medicolegal Officers, Senior Blood Bank Officers (BS-19) of General Cadre having a minimum of 17 years of service in BS-17 and above, and has under gone in service training in type-A Hospitals/Teaching Hospitals four months.

vii. Required length of service

Seventeen (17) years as per service rules.

viii. Whether to be promoted on regular basis or appointed on acting charge basis?

Regular basis

ix. Mandatory training, if any

Four months in service training in type A Hospitals/Teaching Hospitals.

x. Minimum required score on EI

Seventy (70)

Signature: _____

Designation: Secretary Health, Khyber
Pakhtunkhwa

Dated: _____

Deputy Director (HR)
Director - General
Health Services Peshawar

(5)

S #	Seniority No	Name of officer with qualification	Date of Birth	Date of 1st Entry into Govt Service	Date of Promotion to BS-18	Date of promotion present scale BS-19	Whether fulfilled the prescribed length of service	Quantified score	Missing PERs if any	Disciplinary proceedings (if any)	Case (if any) in any court of law including NAB/Plea bargaining with NAB	Mandatory training for promotion	Research Paper	Remarks
1	1	Dr.Hidayatullah	04.04.1959	19.8.84	8.5.93	27.2.2008	Yes	48.59	RETIRED	No	No	Yes	NA	Eligible
2	2	Dr.Tariq Nawaz	29.01.1960	16.4.86	3.4.95	23.9.2014	Yes	52	-	No	No	Yes	NA	Eligible
3	3	Dr.Javed Iqbal	20.04.1960	16.4.86	3.4.95	06.12.2008	Yes	50.51	-	No	No	Yes	NA	Eligible
4	4	Dr.Sirajullah	04.04.1959	16.4.86	3.4.95	06.12.2008	Yes	-	RETIRED	No	No	Yes	NA	Not Eligible
5	5	Dr.Muhammad Faiq	17.05.1960	16.4.86	3.4.95	06.12.2008	Yes	49.91	-	No	No	Yes	NA	Eligible
6	6	Dr.Farhat Jabeen	04.04.1962	15.8.87	20.9.95	23.09.2014	Yes	-	2018	No	No	No	NA	Not Eligible
7	7	Dr.Shazia Hafiz	19.12.1961	15.8.87	20.9.95	13.05.2016	Yes	54.89	-	No	No	Yes	NA	Eligible
8	8	Dr Parveen Akhtar	05.04.1960	15.8.87	20.9.95	23.09.2014	Yes	-	2014 to 2016	No	No	No	NA	Not Eligible
9	9	Dr. Mucen Begum	20.12.1960	15.8.87	20.9.95	02.10.2013	Yes	-	2013 to 2018	No	No	No	NA	Not Eligible
10	10	Dr.Naeema Saadia	27.10.1961	15.8.87	20.9.95	14.04.2017	Yes	51.31	-	No	No	Yes	NA	Eligible
11	11	Dr.Javed Shah, MBBS	10.09.1961	6.12.87	18.09.97	23.09.2014	Yes	-	2018	No	No	Yes	NA	Not Eligible
12	12	Dr.Muhammad Shahid Khan	01.04.1960	6.12.87	18.09.97	23.09.2014	Yes	-	2018	No	No	Yes	NA	Not Eligible
13	13	Dr.Nawab Hussain	12.2.1960	6.12.87	21.09.98	23.09.2014	Yes	51.91	-	No	No	Yes	NA	Eligible
14	14	Dr.Mahabat Noor	15.03.1959	RETIRED					RETIRED					RETIRED
15	15	Dr.Jamal Nasir Roghani	29-4-1960	6.12.87	12.08.2000	23.09.2014	Yes	49.63	-	No	No	Yes	NA	Eligible
16	16	Dr.Muhammad Ajmal Khan	15.03.1961	6.12.87	12.08.2000	23.09.2014	Yes	-	2017	No	No	No	NA	Not Eligible
17	17	Dr.Muhammad Tahir Khan	10/5/1962	6.12.87	12.08.2000	23.09.2014	Yes	51.33	-	No	No	Yes	NA	Eligible
18	18	Dr.Hussain Ahmad	4.11.1959	6.12.87	12.08.2000	23.09.2014	Yes	52	-	No	No	Yes	NA	Eligible
19	19	Dr.Amjad Qayyum Babar	29.3.1960	6.12.87	12.08.2000	23.09.2014	Yes	54.28	-	No	No	Yes	NA	Eligible
20	20	Dr.Arshad-ul-Islam	19.08.1961	6.12.87	18.09.97	13.05.2016	Yes	53.05	-	No	No	Yes	NA	Eligible

Deputy Director (HR)
Directorate General
Health Services Peshawar

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21	21	Dr.Shah Jehan	09.09.1960	6.12.87	21.09.98	13.05.2016	Yes	53.66	-	No	No	Yes	NA	Eligible
22	22	Dr.Syed Asghar Ali	15.07.1961	6.12.87	21.09.98	13.05.2016	Yes	52.33	-	No	No	Yes	NA	Eligible
23	23	Dr.Abdul Wali Khan Ruzjan	17.5.1959	6.12.87	21.09.98	13.05.2016	Yes	55.94	-	No	No	Yes	NA	Eligible
24	24	Dr.Dawood Khan	12.05.1959	06.12.87	21.09.98	14.04.2017	Yes	52.32	-	No	No	Yes	NA	Eligible
25	25	Dr.Muhammad Khalid Khan	29.01.1961	06.12.87	18.09.97	22.05.2018	Yes	-	In probation,208	No	No	No	NA	Not Eligible
26	26	Dr.Abdullah.	02.04.1960	06.12.87	21.09.98	01.10.2018	Yes	-	In probation,2018	No	No	No	NA	Not Eligible
27	27	Dr.Yasmin Orakzai	20.10.1960	-	-	-	-	-	Premature retired	-	-	-	-	Premature retired
28	28	Dr.Huma Sherin.	5.4.1961	23.1.88	12.08.2000	23.09.2014	Yes	-	2017-2018	No	No	No	NA	Not Eligible
29	29	Dr.Nagina Parveen,	15.2.1961	23.1.88	12.08.2000	23.09.2014	Yes	50.54	-	No	No	Yes	NA	Eligible
30	30	Dr.Shamim Ara	15.1.1960		12.08.2000	23.09.2014	Yes	54.42	-	No	No	Yes	NA	Eligible
31	31	Dr.Naeem Akhtar	15.9.1959	23.1.88	12.08.2000	23.09.2014	Yes	54.62	-	No	No	Yes	NA	Eligible
32	32	Dr.Shamim Afzal	1.6.1961	23.1.88	12.08.2000	23.09.2014	Yes	-	2018	No	No	Yes	NA	Not Eligible
33	33	Dr.Abdul Qadeer	25.04.1960	23.1.88	12.08.2000	23.09.2014	Yes	53.13	-	No	No	Yes	NA	Eligible
34	34	Dr.Amjad Ghias	01.05.1960	23.1.88	12.08.2000	14.04.2017	Yes	56.97	-	No	No	Yes	NA	Eligible
35	35	Dr.Muhammad Sharif	1.4.1959	23.1.88	12.08.2000	23.09.2014	Yes	50.39	RETIRED	No	No	Yes	NA	Eligible
36	36	Dr.Umar Nawaz Khan	10.10.1959	23.1.88	20.08.2001	13.05.2016	Yes	50.89	-	No	No	Yes	NA	Eligible
37	37	Dr.Muhammad Zaffar Iqbal	14.04.1960	23.1.88	20.08.2001	13.05.2016	Yes	-	2018	No	No	Yes	NA	Not Eligible
38	38	Dr.Saidar Muhammad	25.9.1960	23.1.88	20.08.2001	13.05.2016	Yes	-	2017-2018	No	No	No	NA	Not Eligible
39	39	Dr.Ishfaq Jan	5.11.1960	23.1.88	20.08.2001	13.05.2016	Yes	50.81	-	No	No	Yes	NA	Eligible
40	40	Dr.Aziz Muhammad	1.10.1960	23.1.88	20.08.2001	13.05.2016	Yes	48.74	-	No	No	Yes	NA	Eligible
41	41	Dr.Sultan Aziz	10.6.1959	23.1.88	16.04.2008	13.05.2016	Yes	49.33	-	No	No	Yes	NA	Eligible
42	42	Dr.Nasir Khan	25.5.1959	23.1.88	16.04.2008	13.05.2016	Yes	52.64	-	No	No	Yes	NA	Eligible

Chief Director (HR) General

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43	43	Dr. Abdul Ghaflar	2.1.1961	23.1.88	16.04.2008	13.05.2016	Yes	50.42	-	No	No	Yes	NA	Eligible
44	44	Dr. Shahzada	4.2.1959	RETIRED					RETIRED					
45	45	Dr. Hanifullah	19.5.1960	23.1.88	16.04.2008	13.05.2016	Yes	-	2016-2017, 2018	No	No	No	NA	Not Eligible
46	46	Dr. Riaz Ahmad	13.5.1962	23.1.88	16.04.2008	13.05.2016	Yes	52.18	-	No	No	Yes	NA	Eligible
47	47	Dr. Riaz Akbar	17.6.1960	23.1.88	16.04.2008	13.05.2016	Yes	-	2018	No	No	Yes	NA	Not Eligible
48	48	Dr. Ghulam Nabi	10.4.1959	23.1.88	16.04.2008	13.05.2016	Yes	52.52	RETIRED	No	No	Yes	NA	Eligible
49	49	Dr. Safdar Ali Khan	27.4.1959	23.1.88	16.04.2008	13.05.2016	Yes	-	2016-2017, 2018	No	No	No	NA	Not Eligible
50	50	Dr. Kiramatullah	25.4.1962	23.1.88	16.04.2008	13.05.2016	Yes	52.38	-	No	No	Yes	NA	Eligible
51	51	Dr. Shafiqullah	12.12.1960	23.1.88	16.04.2008	13.05.2016	Yes	50	-	No	No	Yes	NA	Eligible
52	52	Dr. Sajjad Muhammad	22.4.1961	23.1.88	16.04.2008	13.05.2016	Yes	-	2018	No	No	Yes	NA	Not Eligible
53	53	Dr. Israr Hussain	10.02.1960	23.1.88	16.04.2008	13.05.2016	Yes	50.03	-	No	No	Yes	NA	Eligible
54	54	Dr. Nisar Muhammad	01.11.1961	23.1.88	16.04.2008	13.05.2016	Yes	52.88	-	No	No	Yes	NA	Eligible
55	55	Dr. Habibur Rehman	07.05.1959	23.1.88	16.04.2008	13.05.2016	Yes	53.49	-	No	No	Yes	NA	Eligible
56	56	Dr. Sadiqullah	12.02.1959	RETIRED					RETIRED					
57	57	Dr. Wali Rehman	01.08.1959	23.1.88	16.04.2008	13.05.2016	Yes	52.86	-	No	No	Yes	NA	Eligible
58	58	Dr. Tariq Khan	10.03.1960	23.1.88	16.04.2008	13.05.2016	Yes	50.88	-	No	No	Yes	NA	Eligible
59	59	Dr. Basharat Rehman	15.05.1960	23.1.88	16.04.2008	13.05.2016	Yes	-	2018	No	No	Yes	NA	Not Eligible
60	60	Dr. Himayatullah	01.11.1960	23.1.88	16.04.2008	13.05.2016	Yes	50.45	-	No	No	Yes	NA	Eligible
61	61	Dr. Muhammad Rauf	25.09.1959	23.1.88	20.08.2001	14.04.2017	Yes	-	2018	No	No	Yes	NA	Not Eligible
62	62	Dr. Zaffar Ali Shah	20.04.1961	23.1.88	20.08.2001	14.04.2017	Yes	49.88	-	No	No	Yes	NA	Eligible
63	63	Dr. Nassar Ali	14.08.1959	23.1.88	16.04.2008	14.04.2017	Yes	61.98	-	No	No	Yes	NA	Eligible
64	64	Dr. Muhammad Hasham Khan	18.09.1959	23.1.88	16.04.2008	14.04.2017	Yes	49.22	-	No	No	Yes	NA	Eligible

Deputy Director (HR)
General
Muzaffargarh

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65	65	Dr.Qamar Iqbal	15.11.1959	23.1.88	24.06.2014	14.04.2017	Yes	53.85	-	No	No	Yes	NA	Eligible
66	66	Dr.Binyamin	06.08.1959	23.1.88	16.04.2008	14.04.2017	Yes	51.73	-	No	No	Yes	NA	Eligible
67	67	Dr.Ghulam Hadi Khan	15.06.1960	23.1.88	16.04.2008	14.04.2017	Yes	-	2018	No	No	Yes	NA	Not Eligible
68	68	Dr.Sajjad Ahmad Malik	04.06.1961	23.1.88	16.04.2008	14.04.2017	Yes	53.04	-	No	No	Yes	NA	Eligible
69	69	Dr.Hasham Jan	20.01.1960	23.1.88	16.04.2008	14.04.2017	Yes	52.56	-	No	No	Yes	NA	Eligible
70	70	Dr.Muhammad awaz Khan	09.03.1960	23.1.88	16.04.2008	14.04.2017	Yes	-	2018	No	No	Yes	NA	Not Eligible
71	71	Dr.Zawar Hussain	12.05.1960	23.1.88	16.04.2008	14.04.2017	Yes	53.62	-	No	No	Yes	NA	Eligible
72	72	Dr.Muhammad Imran	03.07.1960	23.1.88	16.04.2008	14.04.2017	Yes	53.43	-	No	No	Yes	NA	Eligible
73	73	Dr.Abdur Rashid	15.02.1961	23.1.88	16.04.2008	14.04.2017	Yes	52.66	-	No	No	Yes	NA	Eligible
74	74	Dr.Naqeebur Rehman	12.02.1960	23.1.88	16.04.2008	14.04.2017	Yes	-	2018	No	No	Yes	NA	Not Eligible
75	75	Dr.Tajul Haq	10.12.1962	23.1.88	16.04.2008	14.04.2017	Yes	47.54	-	No	No	Yes	NA	Eligible
76	76	Dr.Khair Muhammad	14.05.1959	23.1.88	16.04.2008	14.04.2017	Yes	51.87	-	No	No	Yes	NA	Eligible
77	77	Dr.Duree Afshan	31.01.1963	23.1.88	18.09.1997	14.11.2017	Yes	-	2017-2018	No	No	Yes	NA	Not Eligible
78	78	Dr.Sajawal Khan	10.02.1960	23.1.88	20.08.2001	14.11.2017	Yes	-	2018	No	No	Yes	NA	Not Eligible
79	79	Dr.Shabir Ahmad	03.01.1961	23.1.88	16.04.2008	26.09.2017	Yes	-	2018	No	No	Yes	NA	Not Eligible
80	80	Dr.Sardar Raheel Alam	03.02.1960	23.1.88	16.04.2008	26.09.2017	Yes	-	2018	No	No	Yes	NA	Not Eligible
81	81	Dr.Azmatullah	15.01.1960	23.1.88	16.04.2008	14.11.2017	Yes	46.46	-	No	No	Yes	NA	Eligible
82	82	Dr.Gul Ber	10.11.1959	24.10.1988	16.04.2008	14.11.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
83	83	Dr.Inayatullah	28.02.1962	27.02.1988	16.04.2008	14.04.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
84	84	Dr.Nasim Akhtar	30.09.1960	12.04.1989	12.08.2000	23.09.2014	Yes	51.91	-	No	No	Yes	NA	Eligible
85	85	Dr.Kausa Bahadar.	10.03.1964	12.04.1989	12.08.2000	23.09.2014	Yes	-	ON LEAVE	No	No	Yes	NA	Not Eligible
86	86	Dr.Fauzia Shahzada	25.02.1963	12.04.1989	12.08.2000	13.05.2016	Yes	-	2,018	No	No	Yes	NA	Not Eligible

Deputy Director (HR)
Director General
Health Services Peshawar

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87	87	Dr. Bibi Hajira	01.06.1964	12.04.1989	12.08.2000	13.05.2016	Yes	-	2,018	No	No	Yes	NA	Not Eligible
88	88	Dr. Muhammad Essa Khan	21.04.1963	12.04.1989	16.04.2008	14.04.2017	Yes	51.53	-	No	No	Yes	NA	Eligible
89	89	Dr. Awaf Yas Khan	01.04.1959	12.04.1989	16.04.2008	14.04.2017	Yes	-	RETIRED	No	No	Yes	NA	Not Eligible
90	90	Dr. Jehanzeb	28.10.1961	12.04.1989	10.09.2008	22.05.2018	Yes	-	2,018	No	No	Yes	NA	Not Eligible
91	91	Dr. Miralam Khan Afridi	06.09.1960	12.04.1989	16.04.2008	14.04.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
92	92	Dr. Muhammad Shakoore	20.04.1963	12.04.1989	16.04.2008	14.04.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
93	93	Dr. Ibrar Ali	24.02.1961	12.04.1989	16.04.2008	14.04.2017	Yes	55.32	-	No	No	Yes	NA	Eligible
94	94	Dr. Muhammad Tahir	02.12.1962	12.04.1989	16.04.2008	14.04.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
95	95	Dr. Faizul Mulk Jillani	01.11.1960	12.04.1989	16.04.2008	14.04.2017	Yes	49.49	-	No	No	Yes	NA	Eligible
96	96	Dr. Khalilur Rehman	02.08.1960	12.04.1989	16.04.2008	14.04.2017	Yes	49.82	-	No	No	Yes	NA	Eligible
97	97	Dr. Azizur Rehman	02.02.1961 7.10.1988	12.04.1989	16.04.2008	14.04.2017	Yes	-	2017-2018	No	No	Yes	NA	Not Eligible
98	98	Dr. Sahibdad Khan	01.12.1961	12.04.1989	16.04.2008	14.04.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
99	99	Dr. Shabbir Ahmad	02.03.1959	12.04.1989	16.04.2008	14.11.2017	Yes	52.42	-	No	No	Yes	NA	Eligible
100	100	Dr. Mirdad Khan	18.03.1961	12.04.1989	16.04.2008	26.09.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
101	101	Dr. Muhammad Saeed	15.11.1961	12.04.1989	16.04.2008	26.09.2017	Yes	53.78	-	No	No	Yes	NA	Eligible
102	102	Dr. Sher Abdullah Khan	01.04.1962	12.04.1989	16.04.2008	14.11.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
103	103	Dr. Fazal Rehman	28.07.1962	12.04.1989	16.04.2008	26.09.2017	Yes	51.01	-	No	No	Yes	NA	Eligible
104	104	Dr. Abid Hussain Shah	01.06.1959	12.04.1989	16.04.2008	14.11.2017	Yes	54.43	-	No	No	Yes	NA	Eligible
105	105	Dr. Shad Muhammad	02.08.1959	12.04.1989	16.04.2008	14.11.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
106	106	Dr. Liaquat Hussain Bangash	10.12.1959	12.04.1989	16.04.2008	26.09.2017	Yes	-	2017-2018	No	No	Yes	NA	Not Eligible
107	107	Dr. Khan Badshah	22.04.1962	12.04.1989	16.04.2008	26.09.2017	Yes	50.25	-	No	No	Yes	NA	Eligible
108	108	Dr. Shahabuddin	15.03.1963	12.04.1989	16.04.2008	26.09.2017	Yes	-	2017-2018	No	No	Yes	NA	Not Eligible

Deputy Director (HR)
Director - General
Health Services Peshawar

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PSB-II

S #	Seniority No	Name of officer with qualification	Date of Birth	Date of 1st Entry into Govt Service	Date of Promotion to BS-18	Date of promotion present scale BS-19	Whether fulfilled the prescribed length of service	Quantified score	Missing PERs if any	Disciplinary proceedings (if any)	Case (if any.) in any court of law including NAB/Plea bargaining with NAB	Mandatory training for promotion	Research Paper	Remarks
109	109	Dr.Syed Shah	14.12.1959	12.04.1989	10.09.2009	26.09.2017	Yes	50.23	-	No	No	Yes	NA	Eligible
110	110	Dr.Abid Khan	01.01.1962	12.04.1989	23.11.2009	14.11.2017	Yes	53.89	-	No	No	Yes	NA	Eligible
111	111	Dr.Zahirullah Khan	08.05.1962	12.04.1989	10.09.2009	14.11.2017	Yes	49.47	-	No	No	Yes	NA	Eligible
112	112	Dr.Jamilur Rehman	25.04.1964	12.04.1989	10.09.2009	14.11.2017	Yes	-	2017-2018	No	No	Yes	NA	Not Eligible
113	113	Dr.Nighat Yasmin	05.05.1963	24.09.1989	12.08.200	13.05.2016	Yes	52.6	-	No	No	Yes	NA	Eligible
114	114	Dr.Rashida Parveen	06.07.1962	24.09.1989	12.08.2000	13.05.2016	Yes	50.56	-	No	No	Yes	NA	Eligible
115	115	Dr.Rehana Zuhra	01.03.1961	24.09.1989	12.08.2000	13.05.2016	Yes	52.76	-	No	No	Yes	NA	Eligible
116	116	Dr.Muhammad Yaqoob Khan	04.02.1959	RETIRED										
117	117	Dr.Muhammad Rafiq	15.01.1960	04.11.1989	23.11.2009	14.11.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
118	118	Dr.Sirajul Munir	11.09.1962	04.11.1989	10.09.2009	14.11.2017	Yes	-	2,017	No	No	Yes	NA	Not Eligible
119	119	Dr.Masoodur Rehman	12.03.1964	04.11.1989	10.09.2009	26.09.2017	Yes	51.64	-	No	No	Yes	NA	Eligible
120	120	Dr.Ghulam Mustafa	18.09.1961	05.11.1989	10.09.2009	26.09.2017	Yes	-	2017-2018	No	No	Yes	NA	Not Eligible
121	121	Dr.Najeebullah	14.11.1960	06.11.1989	10.09.2009	14.11.2017	Yes	-	2017-2018	No	No	Yes	NA	Not Eligible
122	122	Dr.Hamid Azam Khan	15.07.1961	06.11.1989	10.09.2009	14.11.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
123	123	Dr.Aslam Khan Mohmand	08.09.1963	18.11.1989	23.11.2009	26.09.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
124	124	Dr.Ashraf Ali	01.04.1964	21.11.1989	10.09.2009	26.09.2017	Yes	54.15	-	No	No	Yes	NA	Not Eligible
125	125	Dr.Zubaida Ashraf	26.06.1964	16.01.1990	12.08.2000	23.09.2014	Yes	-	2,018	No	No	Yes	NA	Not Eligible
126	126	Dr.Zarina Gulab	21.04.1962	10.06.1990	10.09.2009	14.11.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
127	127	Dr.Farhat Ara	06.01.1959	RETIRED										
128	128	Dr.S.Muhammad Zahir Shah	22.09.1964	18.06.1990	10.09.2009	14.11.2017	Yes	53.24	-	No	No	Yes	NA	Eligible
129	129	Dr.Bahre Karam	05.06.1963	18.06.1990	10.09.2009	26.09.2017	Yes	51.74	-	No	No	Yes	NA	Eligible
130	130	Dr.Abdul Wasia	15.07.1964	18.06.1990	10.09.2009	26.09.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible

Deputy Director (HR)
 General
 Director
 Peshawar

S #	Seniority No	Name of officer with qualification	Date of Birth	Date of 1st Entry into Govt Service	Date of Promotion to BS-18	Date of promotion present scale BS-19	Whether fulfilled the prescribed length of service	Quantified score	Missing PERs if any	Disciplinary proceedings (if any)	Case (if any) in any court of law including NAB/Plea bargaining with NAB	Mandatory training for promotion	Research Paper	Remarks
131	131	Dr. Abdul Wahab	15.07.1961	18.06.1990	10.09.2009	26.09.2017	Yes	-	2017-2018	No	No	Yes	NA	Not Eligible
132	132	Dr. Muhammad Nazir Afridi	20.03.1961	18.06.1990	10.09.2009	26.09.2017	Yes	49.76	-	No	No	Yes	NA	Eligible
133	133	Dr. Muhammad Noor	07.07.1961	18.06.1990	10.09.2009	26.09.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
134	134	Dr. Muhammad Irshad	13.03.1962	18.06.1990	10.09.2009	26.09.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
135	135	Dr. Mussarat Shah	10.04.1965	02.09.1990	23.11.2009	14.11.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
136	136	Dr. Saifur Rehman	20.04.1961	02.09.1990	10.09.2009	26.09.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
137	137	Dr. Muhammad Razaq	22.05.1962	02.09.1990	10.09.2009	26.09.2017	Yes	51.79	-	No	No	Yes	NA	Eligible
138	138	Dr. Amanullah	04.06.1962	02.09.1990	10.09.2009	26.09.2017	Yes	-	2,018	No	No	Yes	NA	Not Eligible
139	139	Dr. Umar Islam	22.02.1961	02.09.1990	10.09.2009	26.09.2017	Yes	50.02	-	No	No	Yes	NA	Eligible
140	140	Dr. Muhammad Nazir Khan	02.03.1961	02.09.1990	10.09.2009	26.09.2017	Yes	51.88	-	No	No	Yes	NA	Eligible
141	141	Dr. Rehman Aman	08.01.1963	02.09.1990	10.09.2009	26.09.2017	Yes	-	2,017	No	No	Yes	NA	Not Eligible

(1). Certified that the officers included in the panel are eligible in all respect and posses that requisite length of service required for promotion. Eligi

(2). Also certified that no disciplinary action / proceeding or criminal charges in any court of law are pending against any of the officers included in the panel.

Signature _____

Designation: Secretary Health

Date: _____

Deputy Director (HR)
Director General
Health Services Peshawar

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PSB-III

**PANEL PROFORMA FOR
PROVINCIAL SELECTION BOARD**

In respect of **DR.UMAR ISLAM S/O MUHAMMAD ALI, MBBS PMO BS-19**

Domicile: DIR		Service/Group: General Cadre		Sen. No:				
Education Qualification		Date of Birth		Date of Superannuation				
MBBS		22.02.1961		21.02.2021				
SERVICE PARTICULARS								
Date of joining/ Service	Date of Promotion in			Length of service				Eligibility for consi- deration
	Present scale	Lower rank		Total		In present scale		
				Year	Month	Year	Month	
02-09-1990 as MO BS- 17	26.09.2017 as PMO BS-19	10.09.2009 BS-18	PMO	30	04	03	-	Yes
Important Appointments held in the present Rank/Post								
EX-PMO, DIR								
Penalties (if any):								
Training course (other than mandatory training):								
Number of PERs								
Basic Scale	Outstanding	Very Good	Good	Average	Below Average	Adverse Report/Remarks in		
BS-17	-	01	15	-	-	-		
BS-18	-	-	09	-	-	-		
BS-19	-	-	02	-	-	-		
Awaited Report (PERs)				Additional Information (if any)				
				-				
EFFICIENCY INDEX								
Required Threshold		Score of PERs + Training Reports		Marks awarded by PSB		Total		
70		50.02						
Recommendations of PSB								
Promoted		Deferred		Superseded				

Prepared by _____

Checked by _____

*Deputy Director (HR)
Directorate - General
Health Services Peshawar*

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PER GRADING AND QUATIFICATION FORM IN RESPECT OF DR. UMAR ISLAM S/O MUHAMMAD ALI, PMO FOR REGULAR PROMOTION TO BS-19.

Year	Period Per		Pen Picture		PERs Assessment	Fitness for promotion	Score
	From	To	Reporting Officer	Countersigning Officer			
Previous Scale (BS-17)							
1990	2/10/90	31/12/90	LESS THAN THREE MONTHS.				
1991	1/1/91	31/12/91	Smiling full official, present place suits.	Agreed	Good	Fit	07
1992	1/1/92	31/12/92	Normal government official.	Agreed	Good	Fit	07
1993	1/1/93	31/12/93	Good performance.	Agreed	V.Good	Fit	10
1994	1/1/94	31/12/94	Good performance.	Agreed	Good	Fit	07
1995	1/1/95	31/12/95	Efficiently punctual.	Agreed	Good	Fit	07
1996	1/1/96	31/12/96	No comments	Agreed	Good	Fit	07
1997	1/1/97	31/12/99	ON LEAVE.				
2000	1/1/00	31/12/00	No comments	Agreed	Good	Fit	07
2001	1/1/01	31/12/01	No comments	Agreed	Good	Fit	07
2002	1/1/02	31/12/02	Good.	Agreed	Good	Fit	07
2003	1/1/03	31/12/03	Good.	Agreed	Good	Fit	07

Deputy Director (HR)
Director General
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2004	1/1/04	31/12/04	He is a hard working doctor and is studies, man.	Agreed	Good	Fit	07
2005	1/1/05	31/12/05	He is a hard working doctor and takes keen interest in patients.	Agreed	Good	Fit	07
2006	1/1/06	31/12/06	He is a hard working doctor.	Agreed	Good	Fit	07
2007	1/1/07	31/12/07	He is a hard working and good doctor. He is a studious man.	Agreed	Good	Fit	07
2008	1/1/08	31/12/08	He is hard working doctor.	Agreed	Good	Fit	07
2009	1/1/09	09/09/09	Hard working devoted to his job	Agreed	Good	Fit	4.67
Previous Scale (BS-18)							
2009	10/9/09	31/12/09	Hard working devoted to his job.	Agreed	Good	Fit	2.33
2010	1/1/10	31/12/10	Hard working officer	Agreed	Good	Fit	07
2011	1/1/11	31/12/11	Hard working officer	Agreed	Good	Fit	07
2012	1/1/12	31/12/12	Hard working officer	Agreed	Good	Fit	07
2013	1/1/13	31/12/13	No significant weakness.	Agreed	Good	Fit	07
2014	1/1/14	31/12/14	Intelligent honest punctual officer	Agreed	Good	Fit	07
2015	1/1/15	31/12/15	Honest hard working & intelligent officer	Agreed	Good	Fit	07
2016	1/1/16	31/12/16	Honest, hardworking and intelligent officer	Agreed	Good	Fit	07
2017	1/1/17	25/9/17	He is a good doctor.	Agreed	Good	Fit	5.25
PRESENT SCALE BS-19							

Deputy Director (HR)
 Director General
 Health Services Peshawar

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2017	26/9/17	31/12/17	He is a good doctor.	Agreed	Good	Fit	1.75
2018	1/1/18	31/12/18	He is a good doctor	Agreed	Good	Fit	07


COMPER EHENSIVE EFFICIENCY INDEX

PERs Quantified	Basic Scale	Aggregate Score	Weight age Factor	Points Obtained
Score	Present Scale	65.33/ 9.33= 7.00	7.00x5x42/50	29.40
42: 28 @ 70 %	Previous Scale	112.67/ 15.66= 8.08	8.08x5x28/50	22.62
	(i) Additions (ii) Deductions			
	Total (A)			50.02
	Evaluation by PSB against 30 Marks.			
	Grand Total.			

Required threshold on CEI for promotion to BS-20 is 70

*. 2marks shall be added for serving in a government training institution including those meant for specialized training in any particular cadre for a period of 2 years or more.

** . 5,3 & 1 marks shall be deducted for each major, minor penalty and adverse remarks respectively.


Deputy Director (HR)
Director General
Health Services Peshawar

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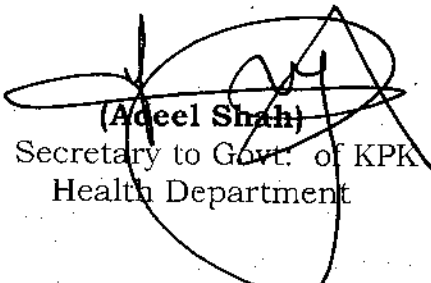


**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

AUTHORITY LETTER

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

Mos ted
S. Faz Khan
Section Officer (Lit-II)
Health Department
Khyber Pakhtunkhwa


(Adeel Shah)
Secretary to Govt. of KPK
Health Department

(17) (16)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 557/2022

Dr. Umar Islam----- Appellant

VERSUS

Government of Khyber Pakhtunkhwa Health Department & others

----- Respondents

AFFIDAVIT

I Muhammad Saleem, Director General, Health Services Khyber Pakhtunkhwa Health Department do hereby solemnly affirm and declare that the joint Para-wise comments in Service Appeal No. 557/2022 are submitted on behalf of respondents is true and correct to the best of my knowledge, belief and that nothing has been concealed from this Hon'ble Court.



(Muhammad Saleem)

Director General, Health Services
Govt: of Khyber Pakhtunkhwa

Identified by:-

Add: Advocate General,
Khyber Pakhtunkhwa

