


FORM OF ORDER SHEET

Court of _____

Appeal No.

1722/2024


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02 /10/2024	<p>The appeal of Mr. Ashfaq Ahmad resubmitted today by Mr. Nasir Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 07.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Ashfaq Ahmad received today i.e on 26.08.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1-✓ According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent nos.1, 4 & 5 are un-necessary/improper parties, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondent.
- 2-✓ Memorandum of appeal is not signed by the appellant.
- 3-✓ Annexures of the appeal are unattested.
- 4-✓ Appeal has not been flagged/marked with annexures marks.
- 5-✓ The law under which appeal is filed is not mentioned.
- 6-Ⓢ Address of appellant is incomplete be completed according to rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 7-✓ Copy of service appeal and judgment mentioned in para-3 of the memo of appeal are not attached with the appeal be placed on it.
- 8-✓ Page nos. 6, 8 and 14 to 18 are illegible.
- 9- Annexures of the appeal are not in sequence.
- 10- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 765 /Inst./2024/KPST,

Dt. 12/9 /2024:


OFFICE ASSISTANT
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Nasir Khan Adv.
High Court Peshawar.

Respected Sir.

Re-submitted for completion



**BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No. 1722/2024

Ashfaq Ahmad

VERSUS

*Director General Health Service, Khyber Pakhtunkhwa,
Peshawar & etc.*

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Appellant

Through

Nasir Khan

Zain Ul Abideen

&

Fawad Khan

Advocates

High Court Peshawar

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No 1722 /2024

Ashfaq Ahmad S/O Nazeer Ahmad R/O Matta Mughal Khel,
Mohallah Arbaban, Tehsil Shabqadar, District
Charsadda.....Appellant

Medical Technician Hassan Khel

VERSUS

1. Director General Health Service, Khyber Pakhtunkhwa,
Peshawar.
2. District Health Officer, Peshawar.

.....Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST THE IMPUGNED ORDER DATED:
19/12/2023 THROUGH WHICH THE
APPELLANT'S APPOINTMENT ORDER WAS
DECLARE AS NULL & VOID OR ANY ORDER OF
THE RESPONDENTS IF PASSED IN ABSENCE
OF THE APPELLANT ON DEPARTMENTAL
APPEAL FILED BY THE APPELLANT TO
RESPONDENT NO. 1.**

PRAYER IN APPEAL:

*On acceptance of this Appeal The Impugned Order of
Respondents Dated: 19/12/2023 or any other order if passed by
respondents, may kindly be set aside being unlawful, against the
law and consequently the appellant may kindly be restore/
reinstate on his position with back benefits.*

Respectfully Sheweth:-

1. That the initially the appellant was appointed as driver vide appointment order No: 120-22/ASM/NP dated 10/11/2007 in district Mohmand while the appellant was regularize vide notification No: DHS/FATA/3357-90/2013 dated 27/02/2013. **(Copy of appointment order & regularization notification alongwith better copies are attached as Annexure "A" "A/1" "B" & "B/1").**
2. That in the year 2019 the appellant applied for the post of medical technician (BPS-12) in district Peshawar through proper channel and after due course of law and process the appellant appointed as medical technician (BPS-12) vide order dated 01/10/2019. **(Copy of appointment order along with better copy is attached as Annexure "C" & "C/1")**
3. That after arrival of the appellant the appellant perform his duty with due diligent and honesty but all of sudden the in June 2021 the respondents stopped the appellant's salary and restrain the appellant from performing his duty for which the appellant file a departmental appeal before the concern authority but in vain for which the appellant file appeal before the Hon'ble services tribunal Peshawar which was allowed vide judgment date 16/06/2023. **(Copy of appeal & judgment is attached as Annexure "D" & "E")**
4. That after passing judgment by the Hon'ble Services Tribunal Peshawar the respondents straightly denied to releasing the appellant's salary, for which the appellant file the implementation/execution petition before the Hon'ble Services Tribunal Peshawar. It is pertinent to mention here that during the implementation/execution proceedings the respondent number 4 submitted the impugned order 19/12/2023 on 26/04/2024 before the Hon'ble Services Tribunal Peshawar through which the appellant's appointment order was declare as null and void. Furthermore it is mention in the said order 26/04/2024 of this honorable tribunal that copy of impugned order was handed over to the learned counsel of the appellant through which the appellant for the first time came to know about the impugned order dated 19/12/2023 which suggest that the whole inquiry proceedings as conducted without informing the appellant and conducted the same in dark night and passed the impugned order which was duly mention by the Hon'ble judge of Services Tribunal Peshawar in his order dated 26/04/2024 **(Copy of impugned order dated 19/12/2023 and order of Hon'ble judge of Services Tribunal Peshawar is attached as annexure "F" & "G")**

- 5. That during the pendency of implementation/execution petition mentioned above the respondents also submitted impugned enquiry report No: 18466/DH09Pesh) dated 28/09/2023 wherein the arrival and attendance of the appellant was denied which is also against the Law, facts and without provided an opportunity of hearing to the appellant. It is pertinent to mentioned here that during the implementation/execution proceedings the respondents submitted report in respect of releasing salaries of 6 months to appellant. **(Copy of enquiry repost is attached as annexure "H")**

- 6. That the appellant being aggrieved from the said order filed departmental appeal along with application for coadunation of delay against the said impugned order dated 19/12/2023 on 13/05/2024 vide daily dairy number 13661 but till date no proceedings were conducted by the respondents upon the same hence the appellant having no other alternate remedy but to file the instant appeal before this Hon'ble Services Tribunal Peshawar on the following grounds: **(Copy of departmental appeal alongwith application for condonation of delay is attached as annexure "I" & "J")**

Grounds

- A. That the impugned order dated 19/12/2023 is passed by the respondents without showing just and legal cause hence liable to be set aside.

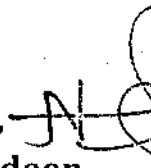
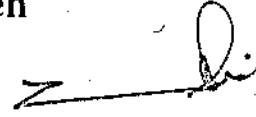
- B. That the respondents passed the impugned order in hip hazard manner and is liable to be set aside.

- C. That the during the implementation/execution proceedings the respondent number 4 also submitted an enquiry report in which they stated that the appellant did not performed his duty in BHU Gul Akbar Hassan Khel Peshawar but it is pertinent to mention here that as per the appellants appoint order dated 01/10/2019 the appellant was appointed as medical technician in RHC Kohi Hassan Khel Peshawar wherein the appellant make his arrival. On this ground alone the impugned order is liable to be set aside.

- D. That order of the respondents is based on malafide just to harass the appellant and the violation the fundamental right of appellant guaranteed by Constitution of Islamic Republic of Pakistan 1973.

- (9)
- E. That releasing salaries to appellant also suggest that the appellant performed his duty with honesty and due diligence, hence on this score alone the impugned order is liable to be set aside.
- F. That the allegation against the appellant are false, against the real facts, based on malefide intention, therefore not tenable in the eye of law.
- G. That the impugned order dated 19/12/2023, is illegal based on malafide, and against the law, hence liable to be set aside.
- H. That the appellant seeks permission to advance other grounds and proves at the time of hearing.

It is therefore, humbly requested that On acceptance of this appeal the impugned order of respondents dated 19/12/2023 may kindly be set aside being unlawful, against the law and consequently the appellant may kindly be restore/reinstated on his position with back benefits. Any other relief which may deem fit by this honorable Tribunal may also be granted.

Petitioners
Through
Nasir Khan, 
Zain Ul Abideen
&
Fawad Khan 
Advocate High Court,
Peshawar.

Verification:

It is verified on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from the Honorable Tribunal.


Appellant

5

BEFORE THE HON'ABLE SERVICES TRIBUNAL K.P.K, PESHAWAR

Ashfaq Ahmad

VS

Government Of Khyber Pakhtunkhwa Etc.

Affidavit

I, **Ashfaq Ahmad S/o Nazeer Muhammad R/o Matta Mughal Khel, Muhallah Arbaban, Tehsil Shabqadar, District Charsada** do hereby solemnly affirm and declare on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this honorable Court.

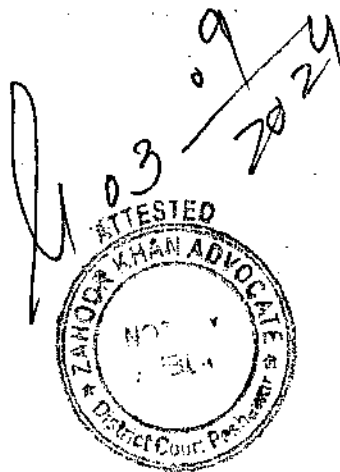


Deponent

CNIC: 17101-0366060-9

Cell No: 0335-9292350

Identified By:
Zain ul Abideen
Advocate High Court



Annexure 1

(2) (8)

OFFICE ORDER.

Appointment Order for the post of Driver under National Programme for Family Planning and Primary Health Care.

As recommended by RPIU-FATA with his letter No. 93/NP-FATA/Mohmand Selection Dated 17/10/2007. Mr. Ashfaq Ahmad S/O Nazeer Muhammad of village: Arbaban Mala Tehsil: Pandialy Mohmand Agency is hereby appointed as Driver w.e.f. the date of arrival on the following terms and conditions.

1. The appointment will be purely on contract basis.
2. The appointment will be in rank for one year. However, it is extended only subject to satisfactory performance.
3. He will be paid fixed pay 2700 per month.
4. He will work with Lady Health Supervisor on daily basis.
5. The appointment is strictly non-transferable.
6. If he wishes to resign, he will serve one-month notice or will deposit one-month salary in lieu of notice.
7. He will be maintaining a vehicle for field duties of the supervisor. He will be responsible for proper record on logbook and maintenance of the vehicle. In case of misuse of vehicle strict action will be taken against him.
8. In case of any accident if found guilty of negligence, proper recovery will be made from him along with appropriate action.
9. No TA/DA will be allowed during field visits within the district of posting.
10. He will be entitled for 20 days casual/sick leave in a year. He will obtain sanction of leave from district PIU through his Incharge field supervisor.
11. He will have to produce the medical fitness certificate from the District Superintendent Mohmand.
12. No TA/DA will be allowed on account of joining duty.
13. His services will not be governed under the civil servants Act 1993 but will act under the terms and conditions of this contract and no other terms that will be communicated to him from time to time. He will be bound to follow these terms which will not be changeable at any forum including courts.
14. His services can be terminated at any time without assigning any reason or notice.
15. If he accepts the offer on the above terms and conditions he is directed to report for duty to the office of the Agency Surgeon Mohmand at Ghallanai within 14 days from the date of issuance of this Office Order, failing which the offer will stand cancelled.

Sd/xxxxxxxxxxxxxxx
Agency Surgeon
Mohmand at Ghallanai

Dated Ghallanai the 10/11/2007

No. 62-22-135MNP
Copy forwarded to the:

1. The Assistant Programme Coordinator RPIU FATA of NP for FP & PHC Tehsil
2. The Accountant RPIU FATA Pandialy.
3. Official concerned.

Attested
A true copy

Agency Surgeon
Mohmand at Ghallanai



DEPUTY DISTRICT HEALTH OFFICER SUB DIVISION HASSAN KHEL PESHAWAR
Tawas khan colony ring road Peshawar city

Annexure D

7

18

Ref No# 1349-53/DDHO/Admin/Pesh Dated 01/10/2019

OFFICE ORDER

Consequent upon the recommendation of the Departmental Selection Committee, Mr. Ashfaq Ahmad s/o Nazeer Muhammad is hereby appointed against the sanction and vacant post of Medical technician (BPS-12) at Sub Division Hassan Khel, Peshawar, with the following terms and condition.

1. The appointment is purely based on regular basis on pay and allowance (13320-960-42180) based initially for a period of 6 months.
2. The appointment will not be transferable till to probation period.
3. The appointee shall produce a Medical Fitness Certificate from the authorized Medical Superintendent.
4. Salaries will be released after verification of all the academic documents and other codal formalities.
5. He/she shall not indulge in any trade, business and any other activity what so ever, which has been declared prohibited under civil Servants Act, 1973.
6. If he/she accept the offer on the above terms and conditions, he/she is directed to report for duty to to the In-charge of RHC Kohi within 15 days positively from the date of issuances of this offer, in case of failure, the appointment shall automatically stand cancelled and next candidate shall be considered from the waiting list.
7. He/she will not be entitled for ant TA/DA for joining Services.

Deputy Director Health Officer
Sub-Division Hassan khel, Peshawar

No 1349-53 /DDHO/Admin/Pesh

Dated 01/10 /2019

Copy to.

8. Directorate of Health Services, Tribal Districts, Peshawar
9. Accounts General, Pakistan Revenue, Sub Office Peshawar
10. Assistant Commissioner Sub Division Hassan Khel, Peshawar
11. District Health Officer, peshawar
12. Official concerned

Deputy Director Health Officer
Sub-Division Hassan khel, Peshawar

Attested to be.
A true copy

Annexure B

OFFICE ORDER.

Appointment Order for the post of Driver under National Programme for Family Planning and Primary Health Care.

As recommended by RPIU-FATA with his letter No. 93/NP-FATA/Mohmand. Seeman Dated 17/10/2007. Mr. Ashfaq Ahmad S/O Nazeer Muhammad of Village: Arbaban Man Tehsil: Pandialy Mohmand Agency is hereby appointed as Driver w.e.f. the date of issuance of the following terms and conditions.

1. The appointment will be on contract basis.
2. The appointment will be for one year. However, it is extendable on the basis of satisfactory performance.
3. He will be paid fixed pay 27000/- monthly.
4. He will work with Lady Health Supervisor on daily basis.
5. The appointment is strictly non-transferable.
6. If he wishes to resign, he will serve one-month notice or will deposit one month salary in lieu of notice.
7. He will be maintaining a vehicle for field duties of the supervisor. He will be responsible for proper record of logbook and maintenance of the vehicle. Misuse of vehicle strict action will be taken against him.
8. In case of any accident if found guilty of negligence, proper record will be filed from him along with appropriate action.
9. No TA/DA will be allowed during field visits within the district of Pandialy.
10. He will be entitled for 20 days casual/sick leave in a year. He will be allowed to take leave from district PHU through the Incharge field supervisor.
11. He will have to produce 20 medical fitness certificate from the Superintendent Mohmand.
12. No TA/DA will be allowed for account of joining duty.
13. His services will not be governed under the civil servants Act 1997 but will be on the terms and conditions of this contract and no other terms that will be communicated to him from time to time. He will be bound to follow these terms which will not be changeable in any forum including courts.
14. His services can be terminated at anytime without assigning any reason or notice.
15. If he accepts the offer on the above terms and conditions he is directed to report for duty to the office of the Agency Surgeon Mohmand at Ghallanai within 15 days from the date of issuance of this Office Order. failing which the offer will stand cancelled.

Sd/xxxxxxxxxxxx
Agency Surgeon
Mohmand at Ghallanai

No. 93/NP-FATA/Mohmand

Dated Ghallanai the 17/10/2007

Copy forwarded to the:

1. The Assistant Programme Officer, RPIU-FATA of NP for FP & PHC.
2. The Accountant RPIU FATA of NP.
3. Official concerned.

AA Ashfaq Ahmad
S/O Nazeer Muhammad
Arbaban Man
Pandialy Mohmand Agency

Agency Surgeon
Mohmand at Ghallanai

9 (H)

Legible copy

OFFICE ORDER

Appointment order for the post of Driver under National Programme for Family Planning and Primary Health Care.

As recommended by RPIU-FATA with his letter NO.93/NP-FATA /Mohmand Selection Dated.17/10/2007. Mr Ashfaq Ahmad S/O Nazeer Muhammad of village : Arbabani Mata Tehsil : Pandialy Mohmand Agency is hereby appointed as Driver w.e.f the date of arrival on the following terms and conditions,

1. The appointment will be purely on contract basis.
2. The appointment will be initially for one year. However, it is extendable subject to satisfactory performance.
3. He will be paid fixed pay 2700 per month.
4. He will work with Lady Health Supervisor on daily basis.
5. The appointment is strictly non-transferable.
6. If he wishes to resign, he will serve one-month notice or will deposit one-month salary in-lieu of notice.
7. He will be maintaining a vehicle for field duties of the supervisor. He will be responsible for proper record on logbook and maintenance of the vehicle. In case of misuse of vehicle strict action will be taken against him.
8. In case of any accident if found guilty of negligence proper recovery will be made from him along with appropriate action.
9. No TA/DA will be allowed during field visits within the district of posting.
10. He will be entitled for 20 days causal /sick leave in a year. He will obtain sanction of leave from district PIU through his incharge field supervisor.
11. He will have to produce the medical fitness certificate from Agency Medical Superintendent Mohmand.
12. NO TA/DA will be allowed on account of joining duty.
13. His services will not be governed under the civil servants Act 1993 but will act under the terms and conditions of this contract and on other terms that will be communicated to him from time to time. He will be bound to follow these terms which will not be changeable at any forum including courts.
14. His services can be terminated at any time without assigning any reason or notice.
15. If he accepts the offer on the above terms and conditions he is directed to repost for duty to the office of the Agency Surgeon Mohmand at Ghallanni within 14 days from the date of issuance of this office order, failing which the offer will stand cancelled.

Sd/xxxxxxxxxxxxxxxxxxxxxx
Agency Surgeon
Mohmand at Ghallanni

No _____ /ASM/NP

Dated Ghallanni the _____ /11/2007.

Copy forwarded to the:-

1. The Assistant Programic Coordinator RPIU FATA of NP for FP &PHC Peshawar.
2. The Accountant RPIU FATA Peshawar.
3. Official concerned.

Ahmed
3/11/07

**THE DISTRICT HEALTH OFFICER
PESHAWAR**

Phone No. 091-9225387

Fax No. 091-9225467

No. 18466 /DHO (Pesh) dated 28/09/2023

(10)

To

The District Health Officer,
Peshawar.

Subject:- Inquiry Report regarding Mr Ashfaq Ahmad S/O Nazeer
Muhammad (Town-V/Sub-Division Hassan Khel Peshawar).

Sir,

Reference your letter No 13651/DHO/Pesh, dated 18-07-2023, we the undersigned have been appointed as the Chairman and members of the enquiry in the above mentioned case.

PROCEEDINGS :-

- The enquiry committee called upon Mr Ashfaq Ahmad S/O Nazeer Muhammad for personal hearing dated.21-07-2023 vide letter No.13699/DHO/Pesh (Annexure -A).
- Mr Ashfaq Ahmad recorded his statement to the enquiry committee as well as submitted his all documents to the enquiry committee.(Annexure-B/pages-----).
- As per Mr Ashfaq Ahmad, he was initially appointed as Driver under National Programme for Family Planning and Primary Health Care dated .17-10-2007 on contract basis vide later No.620-22/ASM/NP for FATA(Ex-Mohmand Agency) Annexure-C. Furthermore he stated that he was regularized along with other contract employees/ Drivers of National Programme FATA vide Notification No. DHS/FATA /3357-90/2013 dated.27-02-2013 as per Honourble Supreme Court order w.e.f 01-07-2012 (Annexure-D/pages. 05). Furthermore Mr Ashfaq Ahmad added that he has taken NOC (No Objection Certificate) from the DHO Mohmand (Dr Alamgir) and transferred my job from District Mohmand to Sub Division Hassan Khel Peshawar and thereafter I have been selected as Medical Technician (BPS-12) vide order No.1349-53/DDHO/Admin /Pesh dated.01-10-2019 by the Deputy



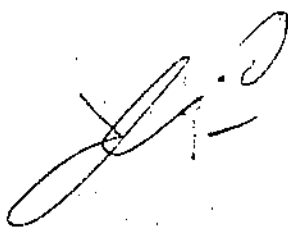
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District Health Officer (Dr Numan Dawar) Sub Division Hassan Khel Peshawar through proper channel (Annexure-E).

Mr Ashfaq Ahmad further stated that upon the verbal directions of Dr. Numan Dawar (Ex-DDHO) and Mr. Shah Nawaz Sabir (Ex-Computer Operator) he submitted his Arrival Report with Aman Bhai (Medical Technician) at Basic Health Unit Gul Akbar Sub Division Hassan Khel and was performing his duties till 2021.

FINDINGS:-

1. As Mr. Ashfaq Ahmad stated that he has taken NOC from DHO Mohmand (Dr. Almagir) at that time and transferred his job from Ex-Mohmand Agency (District Mohmand) to Ex FR Peshawar (Sub Division Hassan Khel Peshawar). When District Health Officer of District Mohmand was contacted for information regarding Mr Ashfaq Ahmad S/O Nazeer Muhammad by the inquiry officers, the Ex-DHO of District Mohmand completely denied the same and also the Ex-DHO stated that he has not given NOC to Mr Ashfaq Ahmad and rather he stated that his signatures/ dates has been tempered/ changed in Service book of Mr Ashfaq Ahmad by someone (Annexure-F), and when Mr Ashfaq Ahmad has been contacted to come for duty, Mr Ashfaq Ahmad told that I have resigned from driver post which has been communicated by the DHO Mohmand to the Deputy Programme Coordinator NP for FP & PHC Merged Areas Peshawar vide letter No.6462/NP/MMD dated.21-11-2019 (Annexure-G).
2. As Mr. Ashfaq Ahmad stated that he was appointed as Medical Technician through proper channel and Ex-DDHO (Dr. Noman Dawar) changes his Cadre from Driver (BPS-06) to Medical Technician (BPS-12).
As there is no Rule and Policy for change of Cadre from Driver to Medical Technician. As the pre-requisite Qualification for the Medical Technician is two years Diploma from the Medical Faculty Khyber Pakhtunkhwa Peshawar, whereas Mr. Ashfaq Ahmad have no two years Medical Diploma from the Medical Faculty Khyber Pakhtunkhwa Peshawar .
3. Whereas Ex -DDHO (Dr Noman Dawar) was contacted regarding the appointment of Mr Ashfaq Ahmad as Medical Technician, he



EShb

totally denied the appointment and said that the signature on appointment order of Mr. Ashfaq Ahmad is fake (Annexure-H).

4. As Mr. Ashfaq Ahmad stated that he submitted his arrival report to Mr. Aman at Basic Health Unit Gul Akbar and performing his duties till now, but the actual position is that there is no one at the name of Mr Aman at the said BHU. Furthermore the Incharge of the said BHU (Dr Ibrahim) has been contacted regarding the status of Mr Ashfaq Ahmad. As per statement of Dr. Ibrahim, he is the Incharge of the said BHU since 2018 and he has never seen Mr Ashfaq Ahmad in the last six years to perform a single day duty, neither Mr. Ashfaq Ahmad has submitted his arrival report (Annexure-I).
5. Furthermore many Ghost employees were reported by the DDHO Sub- Division Hassan Khel Peshawar, whom were getting their salaries in free of cost without performing their official duties and all of them have submitted fake appointment orders and they all were part of Shah Nawaz and others mafia and Mr Ashfaq Ahmad S/O Nazeer Muhammad is also part of those Ghost employees. The list of Ghost employees is attached as (Annexure-J). Few Writ Petitions have been dismissed by the Honourble Peshawar High Court (Annexure-K) regarding the status of Ghost employees.
6. The statement of Health Staff of BHU Gul akbar is attached a (Annexure-L), which clearly state that they all haven't seen Mr Ashfaq Ahmad S/O Nazeer Muhammad so for.
7. As Mr Ashfaq Ahmad S/O Nazeer Muhammad having no Medical Diploma from the Medical Faculty Khyber Pakhtunkhwa Peshawar which is Mandatory and Must for the post of Medical Technician, while Mr. Ashfaq Ahmad submitted his online one year Certificate/Diploma, which is not acceptable under Khyber Pakhtunkhwa Govt Rules (Annexure-M).


RECOMMENDATIONS:-

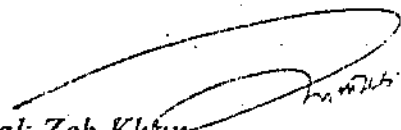
1. Looking at the findings and going through all the record and previous inquires conducted by different officers in several times, this committee came to the conclusion that Mr Ashfaq Ahmad S/O Nazeer Muhammad was also illegally recruited by Mr Shah Nawaz sabir (who is already dismissed from service in the light of high

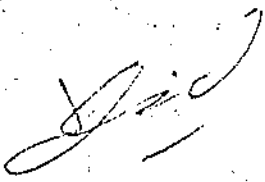

level. inquiry by the Directorate General Human Services (Khyber Pakhtunkhwa Peshawar) and Dr. Noman Dawar who is also under NAB trial and custody.

2. Decision may be issued by competent Authority against all those employees including Mr Ashfaq Ahmad S/O Nazcer Muhammad bearing Non Recognized Skill Board Diploma in lieu of Recognized Diploma from Medical Faculty Khyber Pakhtunkhwa Peshawar as per Govt Rules and verdict of Honourble Supreme Court of Pakistan.
3. Disciplinary proceedings may be initiated immediately by the Competent Authority against all those illegally appointed/ Ghost employees/ fake appointments of Sub-Division Hassan Khel Peshawar as per Rules including Mr Ashfaq Ahmad S/O Nazcer Muhammad (Dismissal from Service).
4. Recovery should be done from Mr Ashfaq Ahmad S/O Nazcer Muhammad for all the salaries which he received in free of cost without performing duties till the stoppage of his salaries. Report is submitted for further necessary action.
5. As Mr Ashfaq Ahmad has never done a single day duty, so not entitled for any salary /back benefits as per inquiry finding.

1. Dr. Feroz Shah. 
DDHO Shah Alam & Mathra Circal, Peshawar.

2. Dr Hamid Afridi. 
DDHO Sub-Division Hassan Khel Peshawar.

3. Dr. Mubarak Zeb Khan 
DDHO Litigation /Development
District Health Office, Peshawar.

Shah

13

FATA SECRETARIAT

Warsak Road Peshawar

Dated Peshawar, February 27, 2013

NOTIFICATION

No.DHS/FATA/ 3357-70 /2013. In pursuance of the approval of Honorable Prime Minister conveyed by the Ministry of Inter-Provincial Coordination, Islamabad vide O to No. F.S(3)/2012-IIW/LHWs dated: 21.01.2013 and in compliance with the orders of the Honorable Supreme Court of Pakistan dated: 01-01-2013 in Civil Petition No. 15/2012, the services of the following contract employees of the National Programme for Family Planning & Primary Health Care (Lady Health Workers Programme) FATA are hereby regularized against the original posts mentioned against each w.e.f 01-07-2012:-

The post of Deputy Programme Coordinator is filled by the officer of Health Department FATA on deputation

1: Programm Management Unit FATA staff (Main office)

S.No	Name	Father Name	Designation	BPS
1	Officer of Health Deptt: FATA on deputation		Deputy Programme Coordinator	18
2	Dr. Rahat Khan	Shah Khan	Lead Programme Officer	17
3	Mr. Arshad Saeed	Saeed Ur Rehman	Lead Programme Officer	17
4	Mr. Zulfikar Ali Shah	Qaim Shah	Officer Superintendent	16
5	Vacant		Accountant	16
6	Mr. Muhammad Jamal	Said Rehman	Data Analyst	16
7	Mr. Yousaf Ali Shah	Said Hadshah	Cashier	14
8	Mr. Sardar Khan	Ahif Khan	Store Keeper	14
9	Mr. Fakhruddin Islam	Fazal Rahim	Store Keeper	14
10	Vacant		Officer Assistant	14
11	Mr. Muhammad Imran	Shah Jehan	Data Entry operator	12
12	Mr. Kausar Hayat	Jehan Dad Khan	HTC	9
13	Mr. Daud Khan	Muhammad Jehangir Khan	HTC	7
14	Mr. Shakir Ullah	Hastam Khan	Driver	5
15	Mr. Farid Amin	Khan Raziq	Driver	5
16	Mr. Tafseeh Ullah	Alli Halder	Driver	4
17	Mr. Fazal Dad	Lahore Khan	Driver	4
18	Mr. Farman Ali	Rehmat Gul	Driver	4
19	Mr. Haya Khan	Haji Shamaki	Nath Qasid	2
20	Mr. Muzakir Shah	Fazal Shah	Nath Qasid	2
21	Mr. Abdul Samad	Muhammad Ail	Chowkidar	2
22	Mr. Ihsanullah	Zain Ur Rehman	Chowkidar	2
23	Mr. Muhammad Zubair	Muhammad Younas	Sanitary Worker	2

Director Health Services

FATA Secretariat, Peshawar

(Handwritten signatures and initials)

Dated Peshawar February, 27, 2013

NOTIFICATION:-

No DHS/FATA /3357-90 /2013 in pursuance of the approval of Honourble Prime Minister conveyed by the Ministry of Inter-Provincial coordination Islamabad vide O.M No.F. 5(3) 2012-HW/ LHWs dated.21.01.2013 and in compliance with the orders of the Honourble supreme Court of Pakistan dated.01-01-2013 in CrI. Petition No.15/2012, the Services of the following contract employees of the National Programme of Family Planning & Primary Health Care (Lady-Health Worker Programme)FATA are hereby regularized against the original posts mentioned against each w.e.f 01-07-2013.

The post of Deputy Programme coordinator is filled by the Officer of Health Department FATA on deputation.

1: Programme Management Unit (FATA) staff (Main office).

S.No	Name	Father Name	Designation	BPS
1	Officer of Health Deptt Fata on deputation		Deputy Programme Coordinator	18
2	Dr Rahat Khan	Shah Khan	Field Programme Officer	17
3	Mr Arshad Saeed	Saeed Ur Rahman	Field Programme Officer	17
4	Mr Zulfiqar Ali shah	Qaim shah	Office Superintendent	16
5	Vacant		Accountant	16
6	Muhammad Jamal	Said Rehman	Data Analyst	16
7	Mr Yousif Ali Shah	Said Badshah	Cashier	14
8	Mr Sardar Khan	Alif Khan	Store Keeper	14
9	Mr Fakhru Islam	Fazal Rahim	Steno typist	14
10	Vacant		Office Assistant	14
11	Muhammad Imran	Shah jehan	Data entry Operator	12
12	Mr Kausar Hayat	Jehan Dad Khan	UDC	9
13	Mr Daud Khan	Muhammad Jehanger Khan	LDC	7
14	Mr Shakir Ullah	Hastam Khan	Driver	5
15	Mr Fazli Amin	Khan Raziq	Driver	5
16	Mr Tafseeh Ullah	Ali Haidar	Driver	4
17	Mr Fazal Dad	Lahor Khan	Driver	4
18	Mr Farman Ali	Rahmat gul	Driver	4
19	Mr Hayan Khan	Haji Shmaki	Naib Qasid	2
20	Mr Muzakir shah	Fazal Shah	Naib Qasid	2
21	Mr abd Samad	Muhammad Ali	Chowkidar	2
22	Mr Ihsan Ullah	Zain Ur Rehman	Chowkidar	2
23	Mr Muhammad Zubir	Muhammad Younas	Sanitary worker	2

Attended
S. J. Khan
3

Director Health Services
ATA Secretariat, Peshawar

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144	Sania Begum	LHW	Hazrat Khan
143	Soma Bibi	LHW	Noor Afsal
142	Robina Shaheen	LHW	Zomil Mahmood
141	Nuslat Begum	LHW	Milal Khan
140	Madero	LHW	Aizal Khan
109	Amina Begum	LHW	Masrat Khan
108	Andreen Gul	LHW	Abdul Majeed
107	Jamila Bibi	LHW	Samia Khan
106	Haseena Begum	LHW	Aurang Zeb Khan
105	Nadia Bibi	LHW	Umer Khan
104	Miral Noor	LHW	Noor Mahmood
103	Rahela Akhtar	LHW	Majeed Khan
102	Sahira Bibi	LHW	Izrat Khan
101	Zeenat Ara	LHW	Liagan Ali Khan
100	Rozia Bibi	LHW	Sabz Ali Khan
99	Ramsha	LHW	Amzal Khan
98	Nabeela Rehman	LHW	Haji Rehman
97	Faseeha	LHW	Naseeb Gul
95	Khaida	LHW	Abdul Latif
94	Fatza	LHW	Farzand
93	Asia	LHW	Shan Wasir
92	Amya Begum	LHW	Gaube Khan
91	Lubna Bakht	LHW	Bakht
90	Nadia Bibi	LHW	Najam Khan
89	Hakma	LHW	Zaki Khan
88	Basra	LHW	W/O Farid Khan
87	Bakht Mary	LHW	Taj Nawaz
85	Zakia	LHW	W/O Saliq
85	Guida Rehman	LHW	Haji Rehman
84	Hamida	LHW	W/O Muneer Raza
83	Shazia	LHW	Zor Khan
82	Sulian Zai	LHW	Sanaullah
81	Necema Gul	LHW	M. Asmat
80	Zabunisa	LHW	Jan Nuramoon
79	Sahia	LHW	W/O Farid
78	Maida	LHW	Zor Ali Khan
77	Rashida	LHW	W/O Shan Nawaz
76	Zunra	LHW	Noori Shan
75	Nazia	LHW	Ajmal
74	Bushra	LHW	Sajid Mahmood
73	Salma Gul	LHW	Tamash Khan
72	Akhter Meena	LHW	Sardar Khan
71	Saeeda	LHW	Sadai Khan
70	Nazli	LHW	Samal Khan
69	Zainab	LHW	Daul Shah
68	Maryam	LHW	Sador Rehman
67	Nasir Bibi	LHW	Smal
66	Husna	LHW	Tamash
65	Neghat Seema	LHW	Muslim Khan
64	Sania	LHW	Shah Hussina
63	Shanzai Begum	LHW	Khanzai Gul
62	Miss Shazia Habib	LHW	Habib Said
61	Miss Amina	LHW	Shah Liliya
60	Miss Neelam	LHW	Pawa Di
59	Miss Farina Bibi	LHW	Afsal Khan

115	Shakira bibi				
116	Ruqia	LHW	Marwat Khan	5	BHU Machani
117	Miss Hudia	LHW	Taj Ali	5	CD Kashmir Kot
118	Miss Jamila	LHW	Sayed Muhammad	5	BHU Agrab Cag
119	Mehnaz wali	LHW	Ali Muhammada	5	BHU Agrab Cag
120	Hina	LHW	Noor Wali	5	CD-Rasooli Kore
121	Nazeeda	LHW	Taj Umer	5	BHU Ekka Ghund
122	Nusrat Begum	LHW	Zahir Shah	5	BHU Ekka Ghund
123	Islam Bibi	LHW	Drasin Khan	5	BHU Dabkore
124	Ishrat Falma	LHW	Mehmood	5	BHU Prang Ghar
125	Hidayat Begum	LHW	Faqir Gul	5	BHU Prang Ghar
126	Nizayat Begum	LHW	W/O Malayat Muhammad	5	BHU Prang Ghar
127	Taj Begum	LHW	Karim Khan	5	BHU Prang Ghar
128	Noreen Begum	LHW	Aqil Din	5	BHU Prang Ghar
129	Nor Wali	LHW	Akhtar Gul	5	BHU Prang Ghar
130	Safia	LHW	Uzaj Shah	5	BHU Prang Ghar
131	Nateem	LHW	Kidwar Ullah	5	BHU Prang Ghar
132	Noria	LHW	W/O Zula Khan	5	BHU Prang Ghar
133	Safia	LHW	Khan Asad	5	BHU Prang Ghar
134	Niala	LHW	Rokhan	5	BHU Prang Ghar
135	Asia	LHW	Noora Din	5	BHU Prang Ghar
136	Saira	LHW	Wazir Shah	5	BHU Prang Ghar
137	Asia bibi	LHW	Ghulam Habib	5	BHU Prang Ghar
138	Nusrat Begum	LHW	Amin Shah	5	BHU Prang Ghar
139	Naseem ara	LHW	Yousaf Khan	5	BHU Prang Ghar
140	Niaz Parveen	LHW	Redi Gul	5	BHU Prang Ghar
141	Jamila	LHW	Amal	5	BHU Prang Ghar
142	shahmm Begum	LHW	Khan Bahadar	5	BHU Prang Ghar
143	Zahida Begum	LHW	W/O Khaisa Rehman	5	BHU Nawan Kib
144	Shaquita Bibi	LHW	Haji Ajmeer Khan	5	BHU Nawan Kib
145	Samina	LHW	Mehar Uddin	5	BHU Nawan Kib
146	Rahmana Bibi	LHW	Sheer Akbar	5	BHU Nawan Kib
147	Maryam	LHW	Zahir Muhammad	5	BHU Nawan Kib
148	Qaimat Zari	LHW	Ghulam Muhammad	5	BHU Nawan Kib
149	Amra Bibi	LHW	Amin Shah	5	BHU Nawan Kib
150	Miss Nilasat Gul	LHW	Rafiq Khan	5	BHU Nawan Kib
151	Ishrat Begum	LHW	Said Warab	5	BHU Prang Ghar
152	Naseem Wara	LHW	Wakeel Khan	5	BHU Nawan Kib
153	Saeeda Bibi	LHW	Niaz Mohammad	5	BHU Nawan Kib
154	Allazia	LHW	Gul Khan	5	BHU Nawan Kib
155	Farhaj Begum	LHW	Fazil Rokhan	5	BHU Nawan Kib
156	Noreen Begum	LHW	Gul Must	5	BHU Nawan Kib
157	Sabiha	LHW	Khan Sharif	5	BHU Nawan Kib
158	Shahzida	LHW	Zigar Shah	5	AHO Ghallani
159	S. Nageena Bibi	LHW	Darajat	5	AHO Ghallani
160	Sanam Seema	LHW	S.Wazir Shah	5	AHO Ghallani
161	Shamim	LHW	W/O Saeed Ullah	5	AHO Ghallani
162	Saima bibi	LHW	W/O Mozamil Shah	5	AHO Ghallani
			Khan Badshas	5	CD Kashmirkore

Drivers (BPS-4) & (BPS-5)					
161	Wazir Shah	Driver	S/O Wans Khan	5	APIU
162	Subhan Ullah	Driver	S/O Saldar Khan	4	APIU
163	Raja Hussain	Driver	S/O H. Syed Hasan	4	APIU
164	Ashfaq Ahmad	Driver	S/O Nazeer Munde	4	APIU
165	Nasir Shah	Driver	S/O Mond Sadique	4	APIU
166	Arif Khan	Driver	S/O Amir Mohammad	4	APIU
167	M. Sohail	Driver	S/O Fariz Gul	4	BHU Prang Ghar
				4	BHU Nawan Kib

Director Health Services
 PATA Secretariat, Poshawar

Director Health Services
The Secretariat, Islamabad

Handwritten signatures and initials.

3: Staff of Mohmand Agency

S.No	Name	Design	Father/Husband Name
1	Mt. Zahir Gul	Driver	Haji Farooq Gul
2	Sahmat Shah	Driver	Sher Alam
3	Wahid Ullah	Driver	Aftab Ullah
4	Muhammad Khan	Driver	Mahmood
5	Mt. Yousaf Khan	Driver	Mansoor Yousaf
6	Jamshed Khan	Driver	Mt. Yousaf Khan
7	Muhammad Shah	Driver	Sawar Shah

S.No	Name	Design
187	Jawad	LHW
188	Raza	LHW
189	Noshah	LHW
190	Munwar	LHW
191	Ebtisam Zoha	LHW
192	Asim	LHW
193	Mahreen	LHW
194	Samina	LHW
195	Ghulam Sarwar	LHW
196	Miss Zoha	LHW
197	Miss Bibi	LHW
198	Sadia	LHW
199	Mehal	LHW
200	Musella	LHW
201	Mazhar	LHW
202	Fargana	LHW
203	Fanda	LHW
204	Munawara Begum	LHW
205	Isam Ebtis	LHW
206	Huma	LHW
207	Fanda	LHW
208	Miss Sara	LHW
209	Fara	LHW
210	Mariam Rehman	LHW

S.No	Name	Design	Father/Husband Name
1	Latha Nazam	Accy. Supervisor	S/O Anwarul
Account Supervisor (BPS-07)			
Lady Health Supervisors (BPS-07)			
1	Miss. Danar-un-Nisa	LHS	Saddiq
2	Farooq Zaba	LHS	W/O Raja Hussain
3	Robina Ishtaq	LHS	W/O Iftikhar
4	Noyab	LHS	W/O Waheed
5	Misrat Aza	LHS	Sayed T. Hanuman
6	Mehnaz Begum	LHS	W/O M. Akmal
Lady Health Workers (BPS-05)			
1	Fahim Alzal	LHW	Mohd Alzal
2	Maha Jamal	LHW	Jamil

Handwritten numbers: 88 and 18.

115	Shakina Bibi	LHW	Marwat Khan	5	BHU Machani
116	Ruqia	LHW	Taj Ali	5	CD Kashmir kOr
117	Miss Hudia	LHW	Sayed Muhammad	5	BHU Agrab Dag
118	Miss Jamila	LHW	Ali Muhammad	5	BHU Agrab Dag
119	Mehnaz Wali	LHW	Noor Wali	5	CD-Kashmir Kor
120	Hina	LHW	Taj Umar	5	BHU Ekka Ghund
121	Nazeeda	LHW	Zahir Shah	5	BHU Ekka Ghund
122	Nusrat Begum	LHW	Drasta Khan	5	BHU Dabkora
123	Islam Bibi	LHW	Mehood	5	BHU Prang Ghar
124	Ishrat Fatma	LHW	FAQir Gul	5	BHU Prang Ghar
125	Hidayat Begum	LHW	W/O Walayat Muhammad	5	BHU Pran Ghar
126	Nizayat Begum	LHW	Karim Khan	5	BHU Prang Ghar
127	Taj Begum	LHW	Aqil Din	5	BHU Prang Ghar
128	Noor jehana	LHW	Akhtar Gul	5	BHU Prang Ghar
129	Nor warjana	LHW	Liaq Shah	5	BHU Prang Ghar
130	Safia Naz	LHW	Ridwan Ullah	5	BHU Pran Ghar
131	Naeema	LHW	W/O Zuta Khan	5	BHU Prang Ghar
132	Noria Bibi	LHW	Khan Afzl	5	BHU Prang Ghar
133	Safia Bibi	LHW	Rokhan	5	BHU Pran Ghar
134	Niala Bibi	LHW	Noora Din	5	BHU Prang Ghar
135	Asia bibi	LHW	Wazir Shah	5	BHU Prang Ghar
136	Samna	LHW	Ghulam Habib	5	BHU Prang Ghar
137	Asia Bibi	LHW	Amin Shah	5	BHU Prang Ghar
138	Nusrat Begum	LHW	Yousaf Khan	5	BHU Prang Ghar
139	Naseem Ara	LHW	Redi Gul	5	BHU Prang Ghar
140	Jamila	LHW	Khan Bahadar	5	BHU Prang Ghar
141	Niaz Parveen	LHW	Ajmal	5	BHU Prang Ghar
142	Shamim Begum	LHW	W/O Khaista Rehman	5	BHU Nawa killi
143	Zhaida Begum	LHW	Haji Ajmeer Khan	5	BHU Nawa killi
144	Shagufta Bibi	LHW	Mehir Baddin	5	BHU Nawa killi
145	Samina	LHW	Sher Akbar	5	BHU Nawa killi
146	Rahmana Bibi	LHW	Zahir Muhammad	5	BHU Nawa killi
147	Maryam	LHW	Ghulam Muhammad	5	BHU Nawa killi
148	Qaimat Zari	LHW	Amin Shah	5	BHU Nawa killi
149	Amria Bibi	LHW	Rafiq Khan	5	BHU Nawa killi
150	Miss Nifasat gul	LHW	Said Wahab	5	BHU Nawa killi
151	Ishral Begum	LHW	Wakeel Khan	5	BHU Nawa killi
152	Naseem Wara	LHW	Niaz Muhammad	5	BHU Nawa killi
153	Saeeda Bibi	LHW	Gul Khan	5	BHU Nawa killi
154	Allazia	LHW	Fazal Rokhan	5	BHU Nawa killi
155	Farhaj Begm	LHW	Gul Mast	5	BHU Nawa killi
156	Noreeb Begum	LHW	Khan Sharif	5	BHU Nawa killi
157	Sabiha	LHW	Zaqir Shah	5	AHQ Ghallani
158	Shazia	LHW	Barkat	5	AHQ Ghallani
159	S.Nageena Bibi	LHW	S.Wazir Shah	5	AHQ Ghallani
160	Sanam Seema	LHW	W/O Saeed ullah	5	AHQ Ghallani
161	Shamim	LHW	W/O Mozamil Shah	5	AHQ Ghallani
162	Saima Bibi	LHW	Khan Badshah	5	AHQ Ghallani

Drivers(BPS-4) & (BPS-5)

1	Wazir islan	Driver	S/O Waris Khan	5	APIU
2	Subhab ullah	Driver	S/O Safdar Khan	4	APIU
3	Raja Hussain	Driver	S/O H. Syed Hasan	4	APIU
4	Ashfaq Ahmed	Driver	S/O Nazir Muhd	4	APIU
5	Nasir Shah	Driver	S/O Mohd Sadiq	4	APIU
6	Arif Khan	Driver	S/O Amir Mohd	4	BHU Prong GharM
7	M. Sohail	Driver	S/O Frjir Gul	4	BHU Nawan killi

AA
2

12	Mehnaz	LHW	Khiyal Ameer	5	RHC Kohat
13	Noreen	LHW	Asif Khan	5	RHC Kohat
14	Nazia	LHW	Irfan Gul	5	RHC Kohat
15	Shahzia	LHW	Khan Afsar	5	RHC Kohat
16	Shakeela	LHW	Asif	5	RHC Kohat
17	Zeenat	LHW	Tahir Shah	5	RHC Kohat
18	Ziban Nawaz	LHW	Mir Nawaz Khan	5	RHC Kohat
19	Sabiha Khan	LHW	Zahir Khan	5	BHU Gulakbar Kal
20	Minhaj bibi	LHW	Wassem Iqbal	5	BHU Gulakbar Kal
21	Bahkt Begum	LHW	Amid Khan	5	CH Shamshato

FR Kohat

1	Lal Zareen	LHW	Ajeon Khan	5	BHU-Akburwal
2	Nargis	LHW	Rajmal Khan	5	BHU-Akburwal
3	Nadia	LHW	Nadir Khan	5	BHU-Akburwal
4	Rambila	LHW	Khan Azam	5	BHU-Torchapar
5	Dashrat	LHW	Fazullah	5	CH-ZarghunKhel
6	Sahiba Banu	LHW	Mazullah	5	CH-ZarghunKhel
7	Habib Jana	LHW	Raes Jan	5	CH-ZarghunKhel
8	Nagina Ali	LHW	Marjan Ali	5	CH-ZarghunKhel
9	Fozia	LHW	Ajab Khan	5	CH-ZarghunKhel
10	Bastaja	LHW	Shahjehan	5	CH-ZarghunKhel
11	Rukhsana	LHW	Noor Saad Ali	5	BHU-Bastikhel
12	Shahzia Begum	LHW	Gul Baltadar	5	CH-ZarghunKhel
13	Shehnaz Bibi	LHW	Qaseem	5	BHU-Bastikhel

Additional Chief Secretary FATA

Endst. No. of even and date

Copy forwarded to the:-

1. Registrar Supreme Court of Pakistan, Islamabad.
2. Additional Secretary, Ministry of Inter-Provincial Coordination, Islamabad for information w/r to his letter quoted above.
3. Secretary Finance FATA Secretariat.
4. Secretary P & D FATA Secretariat.
5. Secretary Health Khyber Pukhtoonkhawa Peshawar.
6. Director General Health Services Khyber Pukhtoonkhawa, Peshawar.
7. AGPR Sub office Peshawar.
8. PS to Additional Chief Secretary FATA.
9. PS to Secretary Social Sector FATA.
10. All Agency Surgeons in FATA.
11. All District/Agency Accounts Officers in FATA /FRs.
12. All Agency Coordinators NP in FATA.
13. Officers / Officials concerned.

Director Health Services FATA

27/2/2013

Handwritten signature and initials: AA-5120, 9/2/13

12	Mehnaz	LHW	Khiyal Ameer	5	RHC Kohi
13	Noreen	LHW	Asif Khan	5	RHC Kohi
14	Nazia	LHW	Irfan Gul	5	RHC Kohi
15	Shazia	LHW	Khan Afzal	5	RHC Kohi
16	Shakeela	LHW	Asif	5	RHC Kohi
17	Zeenat	LHW	Tahir Shah	5	RHC Kohi
18	Ziban Nawaz	LHW	Mir Nawaz Khan	5	BHU Gulakbarkali
19	Sabiha Khan	LHW	Zahir Khan	5	BHU Gulakbar kili
20	Minhaj bibi	LHW	Waseem Iqbal	5	BHU Gulakbar kili
21	Bakht Begum	LHW	Anjid Khan	5	CH Shamshato
FR-Kohat					
1	Lal Zareen	LHW	Ajoon Khan	5	BHU Akhurwal
2	Nargis	LHW	Rajmal Khan	5	BHU Akhurwal
3	Nadia	LHW	Nadir Khan	5	BHU Akhurwal
4	Rambila	LHW	Khan Azam	5	BHU Torchapar
5	Bashrat	LHW	Faizullah	5	CH Zarghunkhel
6	Sabiha Bano	LHW	Mazullah	5	CH Zarghunkhel
7	Habib Jana	LHW	Races Jan	5	CH Zarghunkhel
8	Nagina Ali	LHW	Marjan Ali	5	CH Zarghunkhel
9	Fozai	LHW	Ajab Khan	5	CH Zarghunkhel
10	Bastaja	LHW	Shah Jehan	5	BHU Bastikhel
11	Rukhsana	LHW	Noor Said Ali	5	CH Zarghunkhel
12	Shahzai Begum	LHW	Gul Bahadar	5	BHU Bastikhel
13	Shehnaz Bibi	LHW	Qaseem	5	BHU Bastikhel

Additional Chief Secretary FATA

Endst. No. of even and date.

Copy forwarded to the:-

1. Registrar Supreme Court of Pakistan, Islamabad.
2. Additional Secretary, Ministry of Inter-Provincial Coordinator, Islamabad for information w/r to his letter quoted above.
3. Secretary Finance FATA Secretariat.
4. Secretary P & D FATA Secretariat.
5. Secretary Health Khyber Pakhtunkhwa, Peshawar.
6. Director General Health Services Khyber Pakhtunkhwa, Peshawar.
7. AGPR Sub office Peshawar.
8. PS to Additional Chief Secretary FATA.
9. PS to Secretary Social Sector TATA.
10. All Agency Surgeons in FATA.
11. All District Agency Accounts Officers in FATA/FRs.
12. All Agency Coordinators NP in FATA.
13. Officers/Officials concerned.

Director Health Services FATA

Attested
17/5/2010



(22)

**OFFICE OF THE DISTRICT HEALTH OFFICER,
PESHAWAR**

OFFICE ORDER

As per recommendation of enquiry conducted by Director General Health Services, Khyber Pakhtunkhwa Peshawar submitted vide letter No. 3262-64/CC dated 5/5/2023 follow up meeting in the office District Health Officer Peshawar dated 19/6/2023 and final enquiry dated 28/9/2023 on the direction of honourable Services Tribunal Khyber Pakhtunkhwa Peshawar regarding 39 No. of ghost employees including Mr. Ashfaq Ahmed S/O Nazir Muhammad of Sub Division Hassan Khel (Town-V), Hence in the light of recommendation of enquiry committee, the fake appointment orders of all the ghost employees attached to Deputy District Health Officer- Sub Division Hassan Khel Peshawar are declared as Null & Void. (List attached)


Deputy District Health Officer-
Sub Division Hassan Khel Peshawar

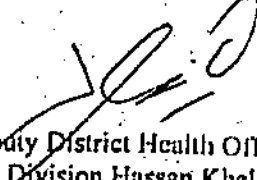

District Health Officer,
Peshawar

No. 22742 - 49/DHO

Dated Peshawar the 19/12 2023

Copy forwarded to the: -

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar
 2. PS to Secretary to Government of Khyber Pakhtunkhwa Health Department Peshawar
 3. PA to Additional Director General (HRM) DGHS Khyber Pakhtunkhwa Peshawar
 4. Deputy District Health Officer- Hassan Khel Peshawar
 5. Litigation Officer District Health Officer Office Peshawar
 6. DMO (IMU) Peshawar
 7. Official concerned
 8. Accounts Section.
- For information and n/action.


Deputy District Health Officer-
Sub Division Hassan Khel Peshawar


District Health Officer,
Peshawar

26th April, 2024

1. Petitioner alongwith his counsel present. Mr. Muhammad Jan, District Attorney alongwith Mr. Samiullah, Medical Officer for the respondents present.
2. Representative of the respondents produced copy of order dated 19.12.2023 vide which appointment order of the appellant as Technician (BPS-12) was declared as null and void by declaring him a ghost employee, copy of which is given to learned counsel for the petitioner.
3. Respondents are directed to comply the judgment of this Tribunal dated 16.06.2023, wherein they were directed to pay dues to the petitioner as Technician (BPS-12) first and then if after inquiry they found that order of the petitioner is not legal then proceed in accordance with law from the date of subsequent order. To come up for implementation report on 20.05.2024 before the S.B. Parcha Peshi given to the parties.

(Rashida Bano)
Member (Judicial)

SCANNED
KPST
Peshawar

29.03.2024 1. Petitioner alongwith his counsel present. Mr. Umair Azam, Additional Advocate General alongwith Dr. Samiullah, Medical Officer for the respondents present.

2. Representative of the respondents submitted copy of office order bearing No. 2742-49/DHO dated 19.12.2023 wherein the petitioner appointment has been declared as ghost employee and his appointment order also declared null and void being fake. Basically the judgment of the Tribunal provided the respondent department to decide the issue of validity of appointment of the petitioner as Medical Technician deciding the issue of release of salary of the petitioner and his previous service as Driver from 10.11.2007 till ~~to~~ 30.09.2019. The order produced by respondent covers only one component of the issues specified in the judgment and the remaining two are still to be addressed. Learned AAG states that this may be considered as partial implementation report and he will contact the respondents for redressing the remaining two issues as well. To come up for implementation report on 26.04.2024 before S.B. P.P given to the parties.



(Muhammad Akbar Khan)
Member (E)

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Before the Director Government Health Services Khyber
Pukhtunkhwa, Peshawar

Ashfaq Ahmad S/O Nazeer Muhammad R/O Matta, Moghal Khel Mohallah
Arababan Tehsil Shabqadar, District Charssadda-----
APPELLANTS

VS

District Health Office Peshawar-----RESPONDENT

DEPARTMENTAL APPEAL AGAINST THE ORDER DATED
19/12/2023 PASSED BY THE DISTRICT HEALTH
OFFICER, PESHAWAR THROUGH WHICH THE
APPELLANT'S ORDER, APPOINTMENT NO. 1349-53/
DDHS/ADMINT/PESH DATED 01/10/2019 WAS
DECLARE AS NULL & VIDE.

Prayer

ON ACCEPTANCE OF THIS APPEAL THE ORDER OF THE
RESPONDENTS NO, 22742-49/DHO DATED
19/12/2023 MAY KINDLY BE DECLARE AS NULL &
VOID, AGAINST THE LAW AND FACTS AND THE
APPELLANT MAY KINDLY BE REINSTATE WITH ALL
BACK BENEFITS.

RESPECTFULLY SHEWETH

1. That initially the appellant was appointed as driver in the year of 2007 in District Mohmand. (Copy of appointment as attached)
2. That in the 2019 the appellant applied for the post Medical Technician (BPS-12) in District Peshawar through proper channel and after due course of law and process the appellant appointed as Medical Technician (BPS-12) vide appointed order dated 01-10-2019.(Copy of Appointed order is Attached)
3. That after appointment the appellant performed his duty with due diligence and honesty but all of sudden in June 2021 the respondent stopped the appellants salary and

restrain the appellant from his duty by the ADHO Sub-Division Hassan Khel from which the appellant filed departmental appeal and appeal before the **Honorable Service Tribunal Peshawar** which was allowed through judgement dated 16-06-2023.(Copy of Judgment is attached)

4. That after passing the Judgement the department denied to release the appellant's salary for which the appellant filed implementation petition before the tribunal concerned wherein during execution/implementation proceeding the department submitted some fake inquiry/report as well as office order dated 19-12-2023 vide which the department declare null & void the appointment order of the appellant on 26-04-2024.(Copy are attached)
5. That the appellant fully aggrieved from the impugned order dated 19-12-2023 filling this departmental appointed following grounds.

Grounds.

- A. That the department passed the impugned order without given the opportunity to the appellant, which is liable to be set aside.
- B. That the order was pass without the knowledge of the appellant from the reason to keep away the appellant from litigation by applying limitation laws, which is evident from the order sheet of Hon'ble Tribunal dated 26-04-2024, hence the impugned order is reliable to be set aside.
- C. That the order of the respondent dated 19-12-2023 is illegal against the law and fact.
- D. That the order of the respondent is against the constitution of Pakistan 1973 and clear violation of the fundamental Right safeguarded by the constitution of Pakistan 1973.

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- E. That the order of the respondent is basis on malafide just to harass the applicant and violate the fundamental right of the applicant.
- F. That being illegal against the law against the fact the order of the respondents may kindly be set aside and the applicant may kindly be reinstate on the post of medical technician.
- G. That the order of the respondent does not qualify the four corners of law hence liable to be set at naught.
- H. That any other ground will be raise at the time of argument.

It is therefore, humbly prayed that on acceptance of the instant Departmental appeal the impugned order dated 19-12-2023 passed by the District Health Office Peshawar May Kindly be declarer as null & void against the law and fact and the appellant may kindly reinstate with all back benefit.

Applicant
Through
Nasir Khan
&
Zain U Abideen
Advocates High Court
Peshawar

Dated: 13-05-2024
Deponent:
17101-0366060-9

Before the Director Government Health Services Khyber
Pukhtunkhwa, Peshawar

Ashfaq Ahmad S/O Nazeer Muhammad R/O Matta, Moghal Khel Mohallah
Arababan Tehsil Shabqadar, District Charssadda----- APPELLANTS

VS

District Health Office Peshawar----- RESPONDENT

Application for Condonation of delay (if any)
in filing of the above mention Departmental Appeal

Respectfully Sheweth:

1. That the above mention Departmental Appeal is file before your Hon'ble department and which the date of hearing is not still fix.
2. That now the applicant filed this application for the condonation of delay in the following grounds.

GROUND

1. That the applicant received an order dated 19-12-2023 against which the applicant filed the instant departmental appeal but it is pertinent to mention here that the above said order was not communicated to the applicant after the announcement in was kept hidden with malafide intension which was later on produced by the respondent before the service Tribunal on 26-04-2024
2. That the above illegal and malafide act of respondent by not communicated the above said order to the applicant condole the delay in filing the instant the departmental appeal.
3. That on 26-04-2024 when the applicant came to know about the illegal order of the respondent Dated 19-12-2023 the applicant filed this departmental appeal in due time which is

4. That the appeal of the applicant is under the time of 30 days after gaining the knowledge of the impugned order dated 19-12-2023.
5. That limitation run after the knowledge of the impugned order in the same came into the knowledge of the applicant on 26-04-2024 through the order sheet of the Service Tribunal.
6. That the appellants may kindly be allowed to put forward additional arguments at the time of hearing of the instant appeal.

It is therefore, humbly prayed that on acceptance of the instant Departmental appeal the impugned order dated 19-12-2023 passed by the District Health Office Peshawar May Kindly be declarer as null & void against the law and fact and the appellant may kindly reinstate with all back benefit.

Applicant
Through

Nasir Khan
&
Zain Ul Abideen
Advocates High Court
Peshawar

should be dated.

(29)

Name: Ashfaq Ahmad

Race: Mohmand

Residence: Aababan Mulla Magpul Khel
Tehsil Shabqadar Distt. Charsadda

Father's name and residence:

Nazeeq Muhammad

Date of birth by Christian era as nearly as can be ascertained:

2-11-1977

Date

Exact height by measurement:

5-9"

Personal marks for identification:

nil

Left hand thumb and Finger impression of (Non-Gazetted) officer:

Little Finger:



Ring Finger:



Middle Finger:



Fore Finger:



Thumb:



Signature of Government Servant:

[Handwritten signature]

Signature and designation of the Head of the office, or other Attesting Officer.

Muhammad
10/11/77
Magpul Khel
Shabqadar
Charsadda

Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
Fixed Pay	2700/PM	BPS			2700/PM	10 ¹¹ / ₂₀₀₇	(FN)
5200-230-12/00		do			5200/PM	1 ⁷ / ₂₀₀₃	(FN)
Device BPS-4							
do							
do		do			5430/PM	1 ¹² / ₂₀₀₃	(FN)
do		do			5680/PM	1 ¹² / ₂₀₀₄	(FN)

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Signature of Government servant

30 2013

30 2014

AGENCY

nature of
parent servant

Signature and Designation of the head of the office or other attesting officer or commission to

Date of termination of appointment of

Reason of termination (such as promotion, transfer, etc.)

Signature of the head of the office or other attesting officer

Nature and duration of leave taken

Allocation of period of leave on average pay upto four months for leave payable to another Government

Signature of the head of the office or other attesting officer

Reference to a purchase and security review or praise of the Government servant

15
14
13
12
11

Appointed as Driver against the vacant post of Driver in BHL (Muzaffargarh) on 10-11-2007. F.S.M. No. 620-22/HSM/MP. dt. 10-11-2007.

The Service regularized against the post of Driver BPS-4 in e7-1-7-2013 vide F.A.T.R. No. 3357-90/2013 dt. 27-2-2013, in pursuance of Inters Provincial Coordination Skenatad Q.M. No. F5(3)/2012-Hw/LHs dt. 31-1-2013 and in compliance with the orders of the Supreme Court of Pakistan dt. 1-1-2013.

Mohammad A. Chahani Agency Surgeon

Mohammad A. Chahani Agency Surgeon

Mohammad A. Chahani Agency Surgeon

Government of Punjab
Ministry of Health

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
6730-30-15730 Driver BPS-4			Pay R.		7330/PA	7/2/15 (FN)	32
do			do		7130/PA	12/3/15 (FN)	
8230-370-19320 Driver BPS-4			do		9390/PA	7/2/16 (FN)	
do			do		9760/PA	12/2/16 (FN)	
9900-440-23100 Driver BPS-4			do		11660/PA	7/2/17 (FN)	
do			do		12100/PA	12/2/17 (FN)	

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1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) Substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
9900-440-23100 Driver BPS-4			Pay RS.		17540/- /pm	12/12/12 (FN)	
		Revised Entries	upgradation	of BPS-04	to BPS-06	pay RS. 12855/- pm	12/12/12
(PHE Technician)		Promotional	Increment	2	560/-	12/12/12	
BPS-12 13320			Pay RS.		13415/- pm		
		2017					
	Office of The Accountant General Khyber Pakhtunkhwa Peshawar Pay Fixed in the R.B.P.S 2017						
	RBPS-04 (6730-200-15730) Pay Fixed @ Rs. 7338/- 01-07-2015						
	(8900-470-23100) Pay Fixed @ Rs. 3100/- 01-07-2016						
	RSP (10620-560-27820) Pay Fixed @ Rs. 12860/- 01-07-2017						
	Accounts Officer Pay Fixed Party Fixed at						

Deputy
Hass

Reference to records, or proceedings, or process of the Government Servant	Signature of the head of the office or other attesting officer	Allocation of period of leave on average pay upto four months for which leave salary is payable to another Government	Period which debitable to Government	Nature and duration of leave taken	Signature of the head of the office or other attesting officer	Reason of termination (such as promotion, transfer, dismissal, etc)	Date of termination or appointment	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8
							31-11-2018	
				Minimum 1 year			31-11-2018	
					Agency Sargolli			
					Agency Sargolli			
					Agency Sargolli			
					Agency Sargolli			
					Agency Sargolli			
					Agency Sargolli			
					Agency Sargolli			
					Agency Sargolli			

Options are hereby given that my pay may be fixed in lower grade i.e BPS-04. After attaining Annual increments in 12-2018 then fixed my pay in upgraded scale. Deputy District Head Office Jhelum. Order No 1349-53/BDHO/Jhelum/Peshawar. 01/10/2019.

TR-180 dttd 11-11-2020
 =99663/102127-1
 Gross Rs. 102127/-
 net of pay 5 ABB
 u.e. f. 08/2020 to 31-10-2020
 Deputy District Head Office Jhelum Sub Division Peshawar

Solarte-I Verdict. Stand of pay 5 ABB. Salary for month of 11/2017.

Accounts Officer. Accounts Officer. Accounts Officer.

11/11/19/11

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11

BEFORE THE HONOURABLE CHAIRMAN SERVICE TRIBUNAL KHYBER
PUKHTUNKHWA, PESHAWAR

Service Appeal No _____/2022

Ashfaq Ahmad S/O Nazeer Ahmad R/O Arbaban Matta Tehsil
Pindyali Tehsil Mohmand.....(Appellant)

VERSUS

1. Secretary Health Department, Civil Secretariat, Khyber
Pakhtunkhwa
2. Director General, Health Services, Khyber Pakhtunkhwa
3. Deputy Director, Health Officer, Sub Division Hassan Khe,
Peshawar
4. District Health Officer, District Peshawar
5. District Account Officer, District Peshawar.....(Respondents)

Appeal against act/order (if any) of the
Respondents, wherein the Respondents
without any legal justification, the Petitioner's
salary from June, 2021 has been stopped

PRAYER-IN-APPEAL:-

On acceptance of this Appeal, by setting aside the
act/order (if any) of the Respondents, the Respondent may
kindly be directed to released the Petitioner's salary from
June, 2021 till-date.

Respectfully Sheweth:-

The Appellant humbly submits as under:-

- 1) That the Appellant is the natural born citizen of Pakistan and having good reputation among the locality. (Copy of the CNIC is attached as Annex 'A').
- 2) That the Appellant was appointed as Driver in the Regional Program Implementation Unit (FATA) by the Ex-Director Health Service (FATA) Secretariat vide notification No 620-22/ASM/NP dated 10-11-2007. (Copy of the appointment letter is attached as Annex 'B'). P-8
- 3) That through notification No DHS/FATA/3357-90 dated 27th February, 2013; the Appellant alongwith other were ordered permanent, while through reference No 134-53/DDHQ/Admin/PESH dated 01-10-2019. ^{P-10} The Appellant was appointed as Medical Technician (BPS-12) at Sub Division Hassan Khel District Peshawar through proper channel. Subsequently, the Appellant was medically examined by the authorized Medical Officer and was found fit. Eventually submitted his respective arrival report and started performing his duty. (Copy of the permanent and transfer order is attached as Annex 'C & D'). P-12
- 4) That while discharging his duty against the subject posts, all of sudden, the Respondent No 4 without showing any reason unlawfully stopped the Petitioner's salaries from

June, 2021 till-now. (Copy of the last salary slip is attached as Annex 'E'). P-E (13)

- 5) That the Appellant feeling dissatisfied of the impugned action, approached to the Respondent No 4 for releasing his salaries by filing departmental appeal, but till-date even a single proceeding has not been conducted by Respondent No 4 nor disposed off the same, but no avail it is pertinent to mention here that the salaries of the Appellant has unlawfully been stopped by the Respondents, despite the fact that he has been performing his duty without any interruption. (Copy of the departmental appeal is attached as Annex 'F'). P-14-
- 6) That feeling aggrieved from the impugned action of the Respondents, the Appellant having no other remedy, approaches on the following grounds inter-alia:-

GROUNDS OF APPEAL:-

- A) That the impugned action of the Respondents is illegal, against material available on record and in contravention of principles of administration of criminal justice.
- B) That the impugned action of the Respondents is against the norms of justice, illegal and without authority, therefore, not tenable.
- C) That the impugned action of the Respondents does not qualify the requirements of fundamental right prescribed by law and the same has been passed in absolute vacuum.

- D) That in the light of judgment of superior Court as well as High Court, the salary of a public servant cannot be stopped, but despite the fact, the Respondents committed gross misconduct and stopped the Petitioner's salary from June, 2021 without any written order etc, which is liable to be set aside.
- E) That constitution has guaranteed the right to join any profession.
- F) That this Honourable Tribunal has got ample power to entertain the instant appeal.
- G) That any other grounds will be raised at the time of arguments with the permission of this Honourable Court.

It is, therefore, respectfully prayed that by accepting this Appeal, by setting aside the act/order (if any) of the Respondents, the Respondent may kindly be directed to released the Petitioner's salary from June, 2021 till-date.

Any other relief, not specifically asked for may kindly be extended in favour of Appellant in the circumstance of the case.

Appellant

Through:

(JEHANZEB KHAN KHALIL)
Advocate,
High Court, Peshawar

Dated: -10-01-2022

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پشاور بار ایسوسی ایشن، خیبر پختونخوا

ایڈوکیٹ: _____
بار کونسل ایسوسی ایشن نمبر: 12-3610
رابطہ نمبر: 0315-9828538



بعدالت جناب: _____

مخاطب:	دعویٰ:
اشفاق احمد	Appeal
مبنام	علت نمبر:
گووند علی احمد خیبر پختونخوا	مورخہ:
	جرم:
	تھانہ:

Accepted by

اشفاق احمد

باعت تحریر آئکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ آن مقام سید علیہ علیہ کیلئے مالک محمد خان / زین العابدین خواجہ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یا یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ 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 وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخلہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا کوئی تازہ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

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Handwritten signature and notes

PESHAWAR BAR ASSOCIATION
KHYBER PAKHTOONKHWA

المرقوم: 1/20

بیت واد شد الع بیت
مقام _____ کے لیے منظور ہے۔