



GOVERNMENT OF THE PUNJAB
PRIMARY & SECONDARY
HEALTHCARE DEPARTMENT

Dated Lahore, the 29th December 2022

ORDER

No.SO (CONF-I)03-04//2020. Dr. Muhammad Khalid Hameed Rehmani, Ex-Senior Medical Officer (BS-18), Civil Hospital, Multan filed appeal against the order dated 26.09.2022 passed by the Secretary P&SH whereby his request for promotion to the rank of Additional Principal Medical Officer (BS-19) was rejected. Simultaneously, the petitioner filed Writ Petition No. 16461/2022 in the Lahore High Court, Multan Bench, Multan and the Hon'ble Court disposed of the case vide order dated 28.10.2022 with the following observations:-

“...Respondent No. 1 is accordingly directed to decide the petitioner's appeal, if pending....”

2. **WHEREAS** comments were obtained from the Administrative Department. Mr. Kamran Abdullah Siddiqui, Member-II (Enquiries), S&GAD was appointed as Hearing Officer to afford personal hearing to the petitioner and submit a detailed report to arrive at a definitive decision.

3. **AND WHEREAS** the Member-II (Enquiries), S&GAD after affording personal hearing to the petitioner in the presence of Departmental Representative of P&SH Department submitted report of hearing report stating therein that the petitioner reiterated the points already raised in his appeal. He contended that the notification regarding his promotion to the rank of Additional Principal Medical officer (BS-19) was issued on 22.09.2007. However, the Administrative Department caused delay in enabling him to actualize the promotion. He prayed that the impugned order dated 26.09.2022 might be set aside and he be promoted to the rank of APMO (BS-19).

4. **AND WHEREAS** on the other hand, the Departmental Representative submitted that the petitioner was considered for promotion to the rank of APMO (BS-19) by the PSB-II in its meeting held on 31.03.2007 and cleared for promotion on regular basis. Accordingly, a notification was issued on 22.09.2007 whereby he was posted as Medical Superintendent, THQ Hospital, Shujabad, Multan to actualize his promotion to BS-19. However, his posting orders were cancelled on the complaint of the EDO (Health) Multan and he was posted in the Nishtar Hospital, Multan vide order dated 12.11.2007. As no post of the APMO was vacant there, he could not actualize his promotion to BS-19 there either. In the meanwhile, the recommendations of the PSB lapsed. The petitioner filed Writ Petition No. 4930/2016 in the Hon'ble Lahore High Court, Multan Bench, Multan and the Hon'ble Court, vide order dated 20.10.2017, directed the Secretary P&SH to decide the representation. The Secretary P&SH rejected the representation vide order dated

28.03.2019. The petitioner was considered by PSB-II in its different meetings and deferred on account of either incomplete record or pending inquiry or FIRs in Police Station, Anti-Corruption Establishment. He filed another Writ Petition No. 2714/2020 in Lahore High Court, Multan Bench, Multan and the Hon'ble Court, vide order dated 21.02.2020, directed the Chief Secretary, Punjab to decide the pending appeal. The then Chief Secretary, Punjab vide order dated 23.11.2020 remanded the case to the Administrative Department S&GAD. On the other hand, the petitioner filed another Writ Petition No. 7407/2022 in the Lahore High Court, Multan Bench, Multan and the Hon'ble Court vide order dated 18.05.2022 directed the Secretary P&SH to decide the representation of the petitioner. The Secretary P&SH in compliance with the Court order dated 18.05.2022 decided the matter, thereby rejecting the representation of the petitioner vide impugned order dated 26.09.2022.

5. **AND WHEREAS** after examining the record/material available in the case file, considering arguments advanced by the appellant and report of the hearing Officer, I am of the view that the appellant has retired from government service on attaining the age of superannuation on 14.02.2021 and thus remains no more a civil servant. Section 8 (5) of the Punjab Civil Servants Act, 1974 provides that "a retired civil servant shall not be eligible for grant of promotion". Even otherwise, he was given due consideration for promotion before the retirement, but was not promoted on account of either incomplete service record or pending inquiry or FIRs with Police Station, Anti-Corruption Establishment. The petitioner failed to substantiate his stance in the appeal.

6. **NOW THEREFORE**, Under the circumstances, I, **M. Abdullah Khan Sumbal**, Chief Secretary, Punjab do hereby **reject** the appeal of the Dr. Muhammad Khalid Hameed Rehmani, being devoid of merit and contrary to the law / rules.

Sd-
(M. ABDULLAH KHAN SUMBAL)
CHIEF SECRETARY PUNJAB
December 19, 2022

No. & Date Even

A copy is forwarded for information & necessary action to the:-

1. Director General Health Services, Punjab, Lahore.
2. Additional Registrar, Lahore High Court, Lahore in Writ Petition No. 16461/2022.
3. P.S.O. to Chief Secretary w.r.t Diary No. 613 dated 21.12.2022.
4. Senior Law Officer, P&SH Department.
5. Dr. Muhammad Khalid Hameed Rehmani, Ex- Senior Medial Officer, Civil Hospital, Multan.
6. P.S.O. to Secretary P&SH Department.


SECTION OFFICER (CONFIDENTIAL-I)