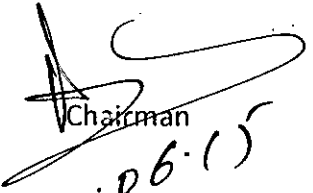


10.06.2015

Counsel for the appellant present. Security and process fee have not been deposited within the specified period as such the appeal is dismissed under the provisions of Rule 10 of Khyber Pakhtunkhwa Service Tribunal Rules, 1974. File be consigned to the record.

ANNOUNCED
10.6.2015


Chairman
10.06.15

Appeal No. 191/2014
Mr. Muhammad Shabe

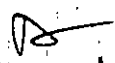
7.
07.11.2014

Clerk of counsel for the appellant present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 29.01.2015.


Member

8.
29.01.2015

Clerk of counsel for the appellant present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 26.03.2015.


Member

9.
26.03.2015

Counsel for the appellant present. Learned counsel for the appellant argued that appellant was serving in BPS-6 and, during the course of his service, new paramedics service structure introduced in the year 2006 vide which the Radiographer serving in BPS-6 and X-Ray Technician serving in BPS-9 were placed in the same seniority list due to amalgamation of the service structure of both the organizations. That the appellant has joined service prior to that of private respondents and was, therefore, entitled to be placed senior in the seniority list vis-à-vis private respondents as according to the judgment of the august Peshawar High Court dated 12.12.2012 passed in writ petition No. 2525/2010 and followed by notifications of the respondents from time to time.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 10.06.2015 before S.B.


Chairman

3.
08.04.2014

No one is present on behalf of the appellant. To come up for preliminary hearing on 28.05.2014.


Member


4.
28.05.2014

Clerk of counsel for the appellant present and requested for adjournment as his counsel was busy in the Peshawar High Court Peshawar. Request accepted. To come up for preliminary hearing on 18.07.2014.


Member

5.
18.07.2014

Clerk of counsel for the appellant present and requested for adjournment. Request accepted. To come up for preliminary hearing on 08.09.2014.


Member

6.
Reader Note:

08.09.2014



Counsel for the appellant present. Preliminary arguments could not be heard due to learned Member is on leave. To come up for preliminary hearing on 07.11.2014.


Reader

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 191/2014


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	17/02/2014	<p>The appeal of Mr. Muhammad Shafi resubmitted today by Mr. Khaled Rahman Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	19-2-2015	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>8-4-2015</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Muhammad Shafi Senior Clinical Technician received today i.e. on 07.02.2014 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.

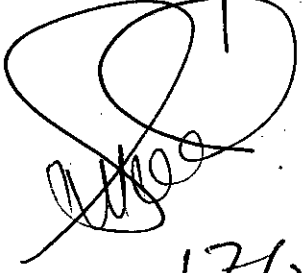
- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Copies of impugned order dated 19.8.2013 and 20.7.2013 mentioned in the heading of the appeal are not attached with the appeal which may be placed on it.
- 3- Annexures-A to J are not attached with the appeal which may be placed on it.
- 4- Copy of departmental appeal against the impugned order is not attached with the appeal which may be placed on it.
- 5- Wakalat Nama in favour of appellant be placed on file.
- 6- 16 more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 211 /S.T,

Dt. 07/2 /2014.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Khaled Rehman Adv. Pesh.

In
Resubmitted and
Completed

17/2/14

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 191 /2014

Muhammad Shafi	Versus	The Govt. and others
.....Appellant	Respondents

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Memo of Service Appeal			1-6
2.	Extracts from the Service Book		A	9-10
3.	New Paramedics Structure	2006	B	11-13
4.	Writ petition No.2525/2010		C	14-20
5.	Order of this Hon'ble High Court in W.P. No.2525/2010	12.12.2012	D	21-22
6.	Correspondence letters	18.01.2012 26.12.2012	E	23-24
7.	Impugned Notification and office order	19.08.2013 24.07.2013	F	25-28
8.	Departmental Representation		G	29-30
9.	Seniority List of other Departments		H	31-32
10.	Letter of upgradation of posts of X-Ray Technicians and Radiographers to BPS-9 by Federal Government.	01.03.1988	I	33
11.	Correspondence letter	03.01.1996 16.11.1995 15.01.1995 15.11.1994	J	34-37
12.	Wakalat Nama			38.

Through


Appellant

Khaled Rahman
Advocate, Peshawar
3-D, Haroon Mansion
Khyber Bazar, Peshawar
Cell # 0345-9337312

Dated: _____ / 01/ 2014

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 191 /2014

Muhammad Shafi,
Senior Clinical Technician (Radiology)
Lady Reading Hospital, Peshawar.....Appellant

197 B. Peshawar
159
07-2-14

Versus

1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa Health Department, Civil Secretariat, Peshawar.
3. The Director General, Health Services, Khyber Pakhtunkhwa, Peshawar
4. Mr. Afzal-ur-Rahman, Clinical Technologist (Radiology) (BPS-17), Lady Reading Hospital, Peshawar.
5. Mr. Gul Sher Khalil, Clinical Technologist (Radiology) (BPS-17), Hayatabad Medical Complex, Peshawar.
6. Mr. Razim Khan, Clinical Technologist (Radiology) (BPS-17), Lady Reading Hospital, Peshawar.
7. Mr. Jamil Khan, Clinical Technologist (Radiology) (BPS-17), Khyber Teaching Hospital, Peshawar.
8. Mr. Muhammad Alam, Clinical Technologist (Radiology) (BPS-17), Saidu Teaching Hospital, Swat.
9. Abdur-Rahman, Clinical Technologist (Radiology) (BPS-17),

no-submitted to-827
and filed.

7/2/14
17/2/14

Khalifa Gul Nawaz Hospital, D.I: Khan.

10. Syed Hasnain,
Clinical Technologist (Radiology) (BPS-17),
DHQ Hospital, Haripur.
11. Mohiy-ud-Din,
Chief Clinical Technician (Radiology) (BPS-16)
DHQ Hospital, Karak.
12. Khursheed,
Chief Clinical Technician (Radiology) (BPS-16)
DHQ Hospital, Kohat.
13. Faheemullah,
Chief Clinical Technician (Radiology) (BPS-16)
DHQ Hospital, Bannu.
14. Rizwanullah,
Chief Clinical Technician (Radiology) (BPS-16)
Khalifa Gul Nawaz Teaching Hospital,
Bannu.....Respondents

**SERVICE APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE TRIBUNALS
ACT, 1974 AGAINST THE IMPUGNED
NOTIFICATION DATED 19.08.2013 AND OFFICE
ORDER DATED 24.07.2013 VIDE WHICH
RESPONDENT NO.4 TO 14 WERE GRANTED UP-
GRADATION TO BPS-17 AND BPS-16 IN VIOLATION
OF THE LAW AGAINST WHICH APPELLANT
PREFERRED DEPARTMENTAL REPRESENTATION
BUT THE SAME WAS NOT DISPOSED OFF WITHIN
THE STATUTORY PERIOD OF 90 DAYS.**

PRAYER:

On acceptance of the instant appeal, the impugned Notification dated 19.08.2013 and office order dated 24.07.2013 vide which Respondent No.4 to 14 were granted up-gradation to BPS-16/BPS-17, may graciously

be set aside and appellant be granted up-gradation to BPS-16/BPS-17 w.e.f. 24.07.2013 with all consequential back benefits.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. That appellant was initially appointed as Radiographer (BPS-6) the way back in the year 1984 after observing all the codal formalities. At the moment appellant has at his credit 30 years service and is serving as Senior Clinical Technician (Radiology) at LRH, Peshawar (Extracts from the Service Book *Annex:-A*).
2. That in the year 2006, new Paramedics Structure (*Annex:-B*) was formulated wherein the post of Radiographer and X-Ray Technician were amalgamated, placed in BPS-9 and re-designated as Junior Clinical Technician (Radiography), however, the then X-Ray Technicians were unlawfully considered as seniors to the then Radiographers including the appellant.
3. That other colleagues/Radiographers of the appellant challenged the decision before the Hon'ble Peshawar High Court, Peshawar in Writ petition No.2525/2010 (*Annex:-C*) which was finally disposed of vide order dated 12.12.2012 (*Annex:-D*) with the direction to the Department to update the Seniority List of JCTs (Radiology) of both previous X-Ray Technicians and Radiographers according to the original record but

so far the order has not been implemented in spite of correspondence vide letters dated 18.01.2012 and 26.12.2012 (*Annex:-E*).

4. That the non-implementation of the order of the Hon'ble Peshawar High Court, Peshawar apart, vide the impugned Notification dated 19.08.2013 and office order dated 24.07.2013 (*Annex:-F*) Respondent No.4 to 14 juniors (former X-Ray Technicians) were upgraded to BPS-16/BPS-17 while appellant and others (former Radiographers) were unlawfully ignored in violation of the law and rules of seniority.
5. That the seniority dispute of previous Radiographers including the appellant and X-Ray Technicians has not yet been resolved therefore, the impugned Notification and office order are/were highly illegal, pre-mature, therefore, appellant challenged the same through departmental Representation (*Annex:-G*) before the appellate authority but the same was not disposed of within the statutory period of 90 days, hence this appeal inter-alia on the following grounds:-

Grounds:

- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully issued the impugned Notification

and office order, which are unjust, unfair and hence not sustainable in the eye of law.

- B. That the Hon'ble Peshawar High Court, Peshawar has clearly mandated the formulation of the seniority as per the original record but inspite of the same, the seniority was not framed as per the original record by means of which appellant was senior to Respondent No.4 to 14 and on the basis of a wrong seniority, Respondent No.4 to 14 were further upgraded to BPS-16/BPS-17 illegally which has resulted in miscarriage of justice.
- C. That the impugned Notification and office order are malafide, discriminatory because appellant and others being seniors have been deprived of their legal rights while at their expense, juniors to them were unlawfully benefited in deviation of the law and rules on the subject.
- D. That the unification of various grades/pay scales of employees as occurred in various other Departments (*Annex:-H*) too wherein the seniority position has not been disturbed after the combination of various pay scales but misfortunately in the Health Department the strange formula was illegally adopted whereby seniors were made juniors to their juniors which has resulted in serious miscarriage of justice.
- E. That the Federal Government had upgraded the posts of X-Ray Technicians as well as Radiographers to BPS-9 vide letter dated

01.03.1988 (*Annex:-I*) but the Govt of Khyber Pakhtunkhwa only upgraded the posts of X-Ray Technicians ignoring the Radiographers. The matter was agitated time and again which was processed to some extent as is evident from the letters dated 03.01.1996, 16.11.1995, 15.01.1995 and 15.11.1994 (*Annex:-J*) but then the matter was thrown at the backburners without any progress.

- F. That appellant would like to offer some other grounds during the course of arguments.

It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.

Any other relief as deemed appropriate in the circumstances of case not specifically asked for, may also be granted to appellant.

Through

Appellant


Khaled Rahman,
Advocate Peshawar.

Dated: _____ / 01/ 2014

APPLICATION FOR THE GRANT OF HOUSE BUILDING ADVANCE UNDER THE ARTICLE
(a) CIVIL ACCOUNTS CODE VOLUME-I

ANWA
7

1. Name of applicant. MOHAMMAD SHAFI
 2. Father Name. AMIR KHISRO
 3. Designation. Radiographer
 4. Present Pay & Grade. 1440-73-2535 G. 6
 5. Date of birth. 1-4-1963
 6. Date of appointment. 15-3-1984
 7. Date of retirement. 31-3-2023
 8. Length of Service. 11 years
 9. House Building Advance (36) Month Basic Pay. Under the rules
 10. Number of Family members. Five 5
 11. Date & Place previously applied for. Nil
 12. Home address and present address. Vill. Puringzai, Moh. Bata Hal, Kuronia, T.D. Chyid
 13. Is the House to be built for personal resident. Yes
 14. Place where the House will be built. Puringzai
 15. Area of boundaries of the land on which the home will be built. 20. Marla
 16. Do you possess full property right in the land upon which you intend to build the house. Yes
 17. If so produce documentary proof of your title to the property duly attested by a 1st Class Magistrate.

SIGNATURE OF THE ASi Amir Khisro
Designation. at Puringzai

CERTIFICATE

Certified that he not been granted any House Building Advance previous.
 Certified that the applicant has no house of his own & residing in a rented home.
 Certified that he will not leave the service untill full recovery of of the advance taken by him.
 Certified that the applicant is a permanent Government.
 I solemnly declared that the certifie as mentioned above are correct to the best of knowledge.

FORWARDING OFFICER
Name & Designation.

Forwarded to
DHO Chyid

Dr. Ghous Ali
M.B.B.S. A.M.S.
Medical Officer (Health),
Civil Hospital Taseel.

Inst: No. 106 / Dt: 30/4/95 at Puringzai

Forwarded induplicate to the Director of Education (School) Peshawar for favourable consideration please.

Signature & Seal of the forwarding officer.

mu x A
DIRECTOR GENERAL HEALTH SERVICES, N.W.F.P. PESHAWAR
12/6

8

Signature and designation of head of the office of other assisting officer in accordance of column 1 & 2.	Date of termination of appoint- ment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other assisting officer.	Leave Allocation of periods of leave on average pay upto last month for which the salary is payable to the Government Period to which admissible	Signature of the head of the office of other assisting officer	Order as to any special provisions of the rules of the Government which may be applicable
--	---	--	--	---	---	--

153
84 P.N. Appointed as a Radiologist
 against vacant post at
 Hospital Peshawar B.P.S. 835
 B.P. 540-20-940 vide
 C.O. No. 224/83 dated
 27-10-83

Medical Superintendent
 Civil Hospital Peshawar

Medical Superintendent
 Civil Hospital Peshawar

Annual increment allowed.

Medical Superintendent
 Civil Hospital Peshawar.

Services verified upto
 and for 30-11-84 P.N.

Medical Superintendent
 Civil Hospital Peshawar.

Services verified
 upto & for 30-11-1985 A.N.

M.M.A.
 Medical Superintendent,
 Civil Hospital Peshawar

Transferred to Civil Hospital
 Tangi (under control of DHO Peshawar)
 vide D.O., N.K.F.A. Peshawar dated
 No- 3703/22015/E-210/13-11-85

M.M.A.
 Medical Superintendent,
 Civil Hospital Peshawar

Service Verified
 upto and for 30.11.1986

District Health Officer
 PESHAWAR

District Health Officer
 Peshawar

District Health Officer
 Peshawar

Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating State (i) substantive appointment, or (ii) whether temporary under Art. 391 C. S. R.	Pay in substance	Additional Pay for officiating	Other emoluments falling under the term "Pay"	Date of appointment	Remarks
--------------	---	---	------------------	--------------------------------	---	---------------------	---------

BPS No 6 Radiographer Ch. Tangi	N		600/-	✓	1 1/2	✓	
---------------------------------------	---	--	-------	---	-------	---	--

Office of the Accountant General
N.W.F.P. Peshawar
Pay fixed in the revised Pay Scale 1987
of Rs. 725-28-1285 (B6)
P.M.F.E.F. 1-7-1987
Increment on 1-12-1987

BPS No 6 Radiographer Police Services Head Qu Peshawar. Tangi			600/- P.M.	✓	2 1/2	25/7/87	
--	--	--	------------	---	-------	---------	--

Accounts Officer
Pay Fixation Party
B.W.F.P. Peshawar

Revised BPS No. 6 (Rs. 725-28-1285) RADIOGRAPHER Police/Sec: Head Qu			Pay Rs. 809/- P.M.	✓	1 1/2	87	F.H.
---	--	--	--------------------	---	-------	----	------

N			Pay Rs. 837/- P.M.	✓	1 1/2	87	F.H.
---	--	--	--------------------	---	-------	----	------

(For use in Police Department only).

9

Meirs,

- 1.
- 2.
- 3.

Verification Roll No. _____, dated _____ received back _____

Left thumb-impression.

Qualification	Date	Qualifications	Date
English		First Arts	
Pashtu		B. L. or B. A.	
Urdu		Pleadership examination	
Plan-drawing		Training School Final examination	
Finger print		Other qualifications—	
Drill instructing		<i>Matriculate Qualified Radiographer for med. faculty.</i>	
Court duties			
Reserve duties			

N. B.—A line to be drawn under the qualification possessed.

10

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature of Governmental agent
B.P. 9-10-6 No 540-20-940 Radiographer C. J. D. H. M. Temporary					Pay Rs 540/- 15/9 84/11 1974		
Radiographer est. Tangi	off			580/-		12/85	

Pay Rs 560/- p.m. 12/84

AKC

12/85

Amx 13 (11)
Government of N.W.F.P.

Health Department

DATED PESHAWAR THE 10TH MAY 2006

Notification :

No. SOH-III /8-60/05(Paramedics)

**EIGHT STAGE PARAMEDICS
SERVICE STRUCTURE
OF N.W.F.P.**

[Handwritten signature]

افسر فان
H.M.C.

[Handwritten signature]

5/3

B

BPS	%	NO. OF POSTS
Post in BPS-9	80%	7172
Post in BPS-12	12%	1076
Post in BPS-14	3.5%	314
Post in BPS-16	2.5%	224
Post in BPS-17	1.86%	167
Post in BPS-18	0.09%	8
Post in BPS-19	0.04%	3
Post in BPS-20	0.01%	1

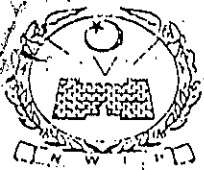
12

However additional posts shall be created for any of the left over personals of paramedics cadre (if any). Moreover, subsequent creation of posts in any of the 14 paramedics cadres in any scale shall also be included in the aforesaid proportionate ratio of posts in the 8 tiers formula. The proportionate ratios of posts in BPS-12 and above shall be modified accordingly as and when new creation of posts are made in BPS-9 in each of the 14 cadres subsequently.

4. Seniority of the incumbents of the posts in the 14 cadres so merged shall be caused on the basis of scale wise seniority as well as date of regular appointment in the pay scale. (e.g. in joint seniority list of BPS-12, the official already in BPS-12 will be placed on the top of the list and the officials in the lower pay scale shall be accordingly placed step by step in the list, invariably keeping intact the inter-Se-seniority of the incumbents in the same pay scales).
5. In the first instance, the higher posts in the re-structured 14 paramedics cadres as per annexure "C" shall be filled in by way of promotion, as one time exercise, where-after the service rules duly prescribed as at annexure D shall be followed in subsequent promotion/ initial recruitment.
6. Promotions in the post in BPS-18, 19 and BPS 20 shall be made on the basis of joint seniority list. The Joint seniority list of all the 14 cadres shall be caused at BPS-17 level keeping in view the principles laid down in section 8 of the NWFP civil servants (ACT), 1973 read with Rule-17 of the NWFP civil servants (appointment, promotion and transfer) rules, 1989.
7. The afore-said paramedics service structure into 14 cadres shall also be applicable mutatis-mutandis to the paramedics working in FATA and employees working in Districts, all autonomous, semi autonomous and corporate bodies.
8. There shall be a council of paramedics to be notified separately.
9. The approved implementation committee and anomaly committee shall also be notified separately.
10. This eight stage paramedics service structure will replace all existing categories, cadres, structures and nomenclatures and will cancel all such cadres /categories rules and regulations etc which are in contravention to the approved paramedics service structure. New posts in all type of Health Delivery System will be created in

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GOVERNMENT OF NWFP
HEALTH DEPARTMENT

13

Dated the Peshawar 17th January, 2009.

NOTIFICATION.

No. SOH-III/8-60/2009 (Paramedics). The Competent Authority has been pleased to approve that this Department's Notification No. SOH-III/8-60/2006 (Paramedics) dated 25.08.2006 shall be back dated to 01.01.2002 for the purpose of implementation of the paramedics service structure subject to the following conditions:-

- i. Promotion cases of Paramedics under this service structure shall be deemed to have effect from the date prior to 15.01.2002 on the basis of seniority but without any arrears/increments.
- ii. For the purpose of pay fixation such promotion shall have effect from the date of issuance of promotion order.
- iii. The measures/action in sub-Para-(ii) shall be a special/one time concession only in this particular case and shall not be quoted as precedent in any other case.

SECRETARY HEALTH

Encl: No. of even No and Date.

Copy forwarded for information to:

1. The Secretary, to Govt. of NWFP, Finance Department Peshawar.
2. The Accountant General, NWFP.
3. All Chief Executives of Teaching Hospitals in NWFP.
4. Director General Health Services NWFP, Peshawar.
5. Director Health Services (DATA) NWFP Peshawar.
6. All EDOs (H), in NWFP.
7. All Medical Superintendents in NWFP.
8. Computer Programmer, Health Department, NWFP.
9. PS to Minister Health, NWFP, Peshawar.
10. PS to Secretary Health, NWFP, Peshawar.

Section Officer-(H-III)

(14)

Writ Petition No. 2525, 2010

Ammal

Muhammad Arshad and others..... Petitioners

Versus

Province of Khyber Pukhtoonkhwa
and others Respondents.

I N D E X

S.No.	Description of documents	Pages
1.	Writ petition	1 - 4
2.	Affidavit	0 - 5
3.	Addresses of the parties	0 - 6
4.	Merger of X-Ray Technician and Radiographer.	"A" 0 - 7
5.	Service Rules	"B" 8 - 9
6.	References of Departmental authorities.	"C" 10 - 11
7.	Reference of Finance Deptt	"D" 0 - 12
8.	Federal Government Notification.	"E" 0 - 13
9.	Representation of the petitioners.	"F" 14 - 17
10.	Court fee	
11.	Vakalat Nama	

Do
Muhammad Arshad
Petitioners

through *Shahpur Jan*
(Shahzada Shahpur Jan.)
Advocate,
13-G, Haroon Mansion,
Khyber Bazar, Peshawar
Phone No. 2566126

15736

FILED TODAY
Deputy Registrar
2.1 JUN 2010

JUN 2010

Do

B

IN THE PESHAWAR HIGH COURT, PESHAWAR.

15

Writ Petition No. 2525 / 2010

1. Muhammad Arshad, Radiographer,
Lady Reading Hospital, Peshawar.
 2. Zard Ali, Radiographer,
Lady Reading Hospital, Peshawar.
 3. Afsar Khan, Radiographer,
Hayat Abad Medical Complex, Peshawar
- Petitioners

Versus

1. Province of Khyber Pukhtoonkhwa through
Chief Secretary, Civil Secretariat,
Peshawar.
 2. Secretary to Government of Khyber Pukhtoonkhwa
Health Department, Peshawar.
 3. Director General of Khyber Pukhtoonkhwa
Health Department, Peshawar.
 4. Secretary to Government of Khyber Pukhtoonkhwa
Finance Department, Peshawar
- Respondents.

WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN, 1973.

Respectfully sheweth:

1. That the petitioners are regular members of the Provincial service of Health Department holding the post of Radiographers in BPS-6 and serving in different Institutions of Health Department.

RECEIVED TODAY

21 JUN 2010

9

10

2. That on promulgation of the N.W.F.P. Civil Services, Pay Revision Rules, 1978, the post of Radiographers and X-Ray Technician were placed in BPS-6 subsequently in the year 1983 the post of X-Ray Technician was upgraded to BPS-9. (Annexure "A").
3. That as per Service Rules, the prescribed academic and professional *qualification*, training period for the post of Radiographers and X-Ray Technician are equivalent and they are performing the same functions as per their job description. (Annexure "B").
4. That the anomaly in pay scale was seriously realized by the Head of the Institutions and they referred the matter to the respondent No.3 for removal of disparity among the employees performing similar functions. It was also suggested that X-Ray Technician and Radiographers be treated at par in pay and other prospectus of service. (Annexure "C").
5. That the Administrative Department referred the matter to the Finance Department for advice and decision on 15-01-1995. The respondent No.4 made observations and certain information regarding qualification of the Radiographers was sought which was accordingly provided by the Administrative Department. Ever since the matter is lying pending in the office of the respondent No.4 without any tangible result (Annex "D") The respondent No.4 however promptly pursuing the case but to utter dismay of the petitioners that respondent No.4 made no move to finalize the issue. Now it is beyond the reach of the petitioners to awake the respondent from his deep slumber.

FILED TODAY
Deputy Registrar
21 JUN 2010

[Handwritten signatures]

17

6. That it is pertinent to mention that Government of Pakistan Ministry of Health, Social Education allowed (B.P.S-9) to the X-Ray Technician and Radiographers with 1/3rd posts in selection grade (BPS-11) w.e.f. 26-01-1988. Thus both category of employees are treated at par with the approval of the Finance Department while the same benefit is being denied to the petitioners. (Annexure "E").
7. That since the respondents have confirmed in their references that Radiographers and X-Ray Technicians are the same, their basic qualification, training tenure, examination and job descriptions are identical, therefore, the authorities left with no other option to consider the case of the petitioners with sympathetic out look as most of them were at the verge of retirement.
8. That the respondents bitterly ignored the provisions of Article 3 of the Constitution wherein it is envisaged that the state shall ensure the elimination of all forms of exploitation and the gradual fulfilment of the fundamental principle, from each according to his ability to each according to his work.
9. That the petitioners with series of representations (Annexure "F") constantly and vigorously pursued their case with the concerned authorities. The case remained in process between the respondents right from 2005 to date but there was no end to the continuous observations raised by the respondent No.4 from time to time without any positive result. As the petitioners are drawing near

21 JUN 2010

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18

to their retirement and they are victim of discrimination, therefore, they respectfully approaches this Hon'ble Court and hope court would be gracious enough to remove the disparity among the employees of the same category following the principle of policy of the Constitution Article 38(a)(e)

10. That the petitioners have not been treated according to Article 4 and 25 of the Constitution. They have been deprived of the pay and status due to lethargic attitude of the respondents for which they were legally entitled.

In view of the facts and circumstances of the case, it is humbly prayed that in the interest of justice, equity and good conscience the respondents may kindly be directed to finalize the upgradation case of the petitioners in order to bring them at par with the X-Ray Technicians on priority basis.

Any other relief which this Hon'ble Court deems appropriate in the circumstances of the case may also be granted to the petitioners.

Shahzada Shahpur Jan
Petitioners

through *F. Khan*
(Shahzada Shahpur Jan)
Advocate,
13-C, Haroon Mansion,
Khyber Bazar, Peshawar
Cell No. 2566126

PESHAWAR
12-06-2010

CERTIFICATE

Certified that no such like W.P. has earlier been filed in this Hon'ble Court as per instructions of my client.

LIST OF BOOKS.

1. Constitution of Pakistan, 1973
2. Case law according to need

F. Khan
Advocate

Shahzada Shahpur Jan

RECEIVED TODAY
21 JUN 2010

IN THE PESHAWAR HIGH COURT, PESHAWAR.

19

Writ Petition No. _____ / 2010

Muhammad Arshad and others Petitioners

Versus


Province of Khyber Pukhtoonkhwa
and others Respondents.

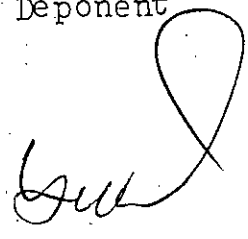
A F F I D A V I T

I, Muhammad Arshad, Radiographer, Lady Reading Hospital Peshawar do hereby solemnly affirm and declare on oath that the contents of the accompanying writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

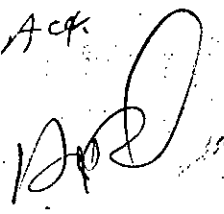
Muhammad Arshad
Deponent

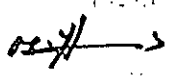
Identified by:


(Shahzada Shahpur Jan)
Advocate, Peshawar.



20872
Certified that the above is verified on solemn affirmation before me in office on the 15th day of June 2010, at Peshawar, P.K. who was identified by Shahzada Shahpur Jan who is personally known to me:
Oath Commissioner
15/6/2010

Jan Ack




21 JUN 2010



IN THE PESHAWAR HIGH COURT, PESHAWAR

20

Writ Petition No. _____ / 2010

Muhammad Arshad and others Petitioners

Versus

Province of Khyber Pukhtoonkhwa

and others Respondents.

ADDRESSES OF THE PARTIES

Petitioners

1. Muhammad Arshad, Radiographer,
Lady Reading Hospital, Peshawar.
2. Zard Ali, Radiographer,
Lady Reading Hospital, Peshawar.
3. Afsar Khan, Radiographer,
Hayat Abad Medical Complex, Peshawar

WTS

Respondents

1. Province of Khyber Pukhtoonkhwa
through Chief Secretary, Civil
Secretariat, Peshawar.
2. Secretary to Government of Khyber
Pukhtoonkhwa Health Department,
Peshawar.
3. Director General of Khyber Pukhtoonkhwa
Health Department, Peshawar.
4. Secretary to Government of Khyber
Pukhtoonkhwa Finance Department, Peshawar

Muhammad Arshad

Petitioners

through

[Signature]

(Shahzada Shahpur Jan)
Advocate, Peshawar.

[Signature]

FILED TODAY

District Registrar
21 JULY 2010

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IN THE PESHAWAR HIGH COURT, PESHAWAR



Writ Petition No. 2525, 2010

21

1. Muhammad Arshad, Radiographer,
Lady Reading Hospital, Peshawar.
2. Zard Ali, Radiographer,
Lady Reading Hospital, Peshawar.
3. Afsar Khan, Radiographer,
Hayat Abad Medical Complex, Peshawar

Annex D

..... Petitioners

Versus

1. Province of Khyber Pukhtoonkhwa through
Chief Secretary, Civil Secretariat,
Peshawar.
2. Secretary to Government of Khyber Pukhtoonkhwa
Health Department, Peshawar.
3. Director General of Khyber Pukhtoonkhwa
Health Department, Peshawar.
4. Secretary to Government of Khyber Pukhtoonkhwa
Finance Department, Peshawar

..... Respondents.

WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN, 1973.

ATTESTED

May
EXAMINED
Peshawar High Court.

Respectfully sheweth:

1. That the petitioners are regular members of the
Provincial service of Health Department holding the
post of Radiographers in BPS-6 and serving in different
Institutions of Health Department.

Red

Act

AY
510

Seal Health

No 7559/18/1/10

51 NO

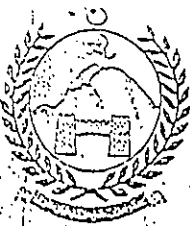
PESHAWAR HIGH COURT, PESHAWAR

FORM OF ORDER SHEET

22

Date of Order or Proceedings	Order of other Proceedings with Signature of Judge.
12.12.2012	<p data-bbox="485 390 762 441"><u>WP No.2525/2010.</u></p> <p data-bbox="485 466 1255 554"><i>Present: Mr. Shah Nawaz Khan, Advocate for the petitioners.</i></p> <p data-bbox="662 567 1208 655"><i>Mr. Daris Khan, Advocate for private respondents.</i></p> <p data-bbox="654 667 1216 756"><i>Mr. Lal Jan Khattak, AAG for official respondents.</i></p> <p data-bbox="746 756 839 781">*****</p> <p data-bbox="469 844 1301 1423"><u>DOST MUHAMMAD KHAN, CJ.</u> The respondent No.4 in his comments has squarely stated that the petitioners have been upgraded to BPS-9 thus, the petitioners' grievance of upgradation/ promotion has been redressed in view of the clear admission of the said respondent, hence, this petition has served out its purpose and is disposed of, however, the respondents are directed to update the seniority list according to their original record.</p> <p data-bbox="954 1398 1270 1600"><i>[Signature]</i></p> <p data-bbox="1031 1751 1285 1978"><i>[Signature]</i></p>

Quseem



MOST IMMEDIATE
COURT MATTER.

23

GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

NO. SOH (Lit-I)12-1139/2012

Dated Pesh: the, 18th Jan, 2012

21

To

The Director General,
Health Services Khyber Pakhtunkhwa,
Peshawar.

Subject:- WRIT PETITION NO. 2525/2010- MUHAMMAD ARSHAD & OTHER
VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA & OTHERS.

I am directed to refer to this office letter of even No. dated 26-12-2012 and to forward herewith a copy of a representation made to Secretary Health by All J/Clinical Technician Radiographer Senior Most Radiographer wherein they have presented the decision of the Hon'ble Peshawar High Court Peshawar for necessary compliance regarding upgradation as per length of services/First date of appointment of the requisite seniority list as order by the Hon'ble Court.

It is therefore, directed that as and when the working paper for seniority is preparing, ensure the above court order to avoid unnecessary litigation.

Being Court matter may please be treated as Most Urgent

Encl. a.a.

(S. KAWAR KHAN)
SECTION OFFICER (LIT-I)

Phone No. 091-9210872

Endst. No. and date a.a.

Copy forwarded to :-

1. The Addl; Registrar Peshawar High Court Peshawar with reference to the above for information.
2. P.S to Secretary Health, for information please.
3. P.A to Deputy Secretary-If Health, Department for information please.

SECTION OFFICER (LIT. I)

D

29



MOST IMMEDIATE
COURT MATTER.

GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT
NO. SOH (LH-D)12-1139/2012
Dated Pesh: the, 26th Dec, 2012

To

The Director General,
Health Services Khyber Pakhtunkhwa,
Peshawar.

Subject:-

WRIT PETITION NO. 2525/2010- MUHAMMAD ARSLAN & OTHERS
VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA & OTHERS.

I am directed to refer to the subject noted above and to forward herewith
3 copy of Addl. Registrar, Peshawar High Court Peshawar letter No.20080 Dated
17/12/2012 along with self-explanatory orders dated 12-12-2012, of the Hon'ble
Peshawar High Court Peshawar for necessary compliance regarding upgradation as
per length of services/First date of appointment of the requisite seniority list as order
by the Hon'ble Court.

Being Court matter may please be treated as Most Urgent

Encl. a.a.

02
27/12/12

Dilawar Khan
(DILAWAR KHAN)
SECTION OFFICER (LH-D)
Phone No.091-9210872

Endst. No. and date a.a.

Copy forwarded to :-

- 1 The Addl. Registrar Peshawar High Court Peshawar with reference to the above for information.
- 2 P.S to Secretary Health; for information please.
- 3 P.A to Deputy Secretary-II Health Department for information please.

(Signature)

Dilawar Khan
SECTION OFFICER (LH-D)

DE

GOVT. OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT
No. SOH-III/8-60/2005(Paramedics)
Dated the Peshawar 19th August, 2013

NOTIFICATION



No. SOH-III/8-60/2005(Paramedics). The Competent authority is pleased to upgrade the following Clinical Technician (Radiology) BS-12 to the post of Clinical Technologist (Radiology) BS-17 with immediate effect:-

S/No	Name/F. Name	Designation With BS	Place of Present Posting
1	Alzal ur Rehman	Clinical Technician (Radiology) BS-12	DHQH Swabi
2	Gul Sher Khalil	-do-	KTH Peshawar
3	Razem Khan	-do-	LRH Peshawar
4	Jamil Khan S/O	-do-	KTH Peshawar
5	Muhammad Amir Khan	-do-	Peshawar
5	Muhammad Alam S/O	-do-	STH Swat
6	Abdur Rahman S/O Gul	-do-	DHQH KDA Kohat
7	Syed Hasnain S/O Syed	-do-	AHQH Parachinar

On their Upgradation to the post of Clinical Technologist (Radiology) BS-17, the following posting/transfer are hereby ordered in the interest of public service with immediate effect:-

S/No	Name/F. Name	From	To	Remarks
1	Alzal ur Rehman	DHQH Swabi	LRH Peshawar	Against the vacant post
2	Gul Sher Khalil	KTH Peshawar	HMC Peshawar	-do-
3	Razem Khan	LRH Peshawar	LRH Peshawar	-do-
4	Jamil Khan S/O	KTH Peshawar	KTH Peshawar	-do-
5	Muhammad Amir Khan	Peshawar	AHQ Hospital Khat	-do-

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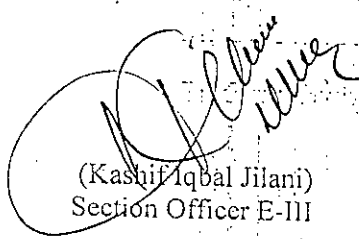
	Habibur Rehman		Bajaur	
6	Abdur Rahman S/O Gul Hassan Badshah	DHQH KDA Kohat	DHQ Hospital, Bannu	-do-
7	Syed Hasnain S/O Syed Muhammad Sibtain	AHQH Parachinar	DHQ, Haripur	-do-

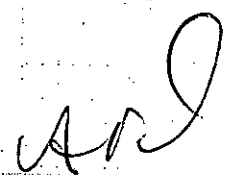
26

Secretary Health, Govt. of Khyber Pakhtunkhwa

Copy forwarded to:-

1. PS to Secretary Health Department, Khyber Pakhtunkhwa.
2. The Director General Health Services Khyber Pakhtunkhwa Peshawar w/r to his letter No. 9031/AE. VII dated; 04-04-2013.
3. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
4. The Director Health Services FATA, Khyber Pakhtunkhwa.
5. All the Chief Executives, of Teaching Hospitals in Khyber Pakhtunkhwa.
6. All the Medical Superintendents, of DHQ Hospital in Khyber Pakhtunkhwa.
7. The Deputy Director (Information Technology) Health Department Peshawar.
- ✓ 8. Officer Concerned.


(Kashif Iqbal Jilani)
Section Officer E-III





Radiology BS-16

DIRECTORATE GENERAL HEALTH SERVICES, KHYBER PAKHTUNKHWA, PESHAWAR

OFFICE ORDER:-

27

Consequent upon approval accorded by the competent authority in its meeting held on 01.07.2013, the following Clinical Tech: (Radiology) BS-12 and Jr. Clinical Tech: (Radiology) BS-09 have been upgraded to the post of Chief Clinical Tech: (Radiology) BS-16 in the light of Govt. of Khyber Pakhtunkhwa, Health Department Notification No. SOH-III/8-60/2005(Paramedics) dated 09.05.2012.

S. No	Name/Father's Name	Place of Present Posting
1.	Mohiuddin	DHQH Karak
2.	Khurshid	KAT Hospital Mansehra
3.	Muhammad Arshad	LRH Peshawar
4.	Ijaz Mahmood Qureshi S/O Ghulam Miskeen	ATH Abbottabad
5.	M. Riaz Akhtar S/O Muhammad Rafiq	BBSH Abbottabad
6.	Mutahir Shah S/O Syed Muhammad Karim Shah	DHQH Mardan
7.	Abdul Aziz S/O Haji Fazal Ahmad	BBSH Abbottabad
8.	Zard Ali Khan	LRH Peshawar
9.	Mubasherin	EDO Charsadda
10.	Asfar Khan	HMC Peshawar
11.	Faheem Ullah S/O Habibullah Khan	DHQH Bannu
12.	Rizwan Ullah s/o Mehr Gul khan.	KGNTH Bannu

On their up-gradation to the post of Chief Clinical Tech: (Radiology) BS-16, the following posting/transfer adjustment are hereby ordered in the interest of public service with immediate effect:-

S. No	Name/Father's Name	From	To	Domicile	Remarks
1.	Mohiuddin	DHQH Karak	DHQ (H) Karak	Karak	Against the vacant post
2.	Khurshid	KAT Hospital Mansehra	DHQH Kohat	Mansehra	-do-
3.	Muhammad Arshad	LRH Peshawar	LRH Peshawar	Peshawar	-do-
4.	Ijaz Mahmood Qureshi S/O Ghulam Miskeen	ATH Abbottabad	ATH Abbottabad	Abbottabad	-do-
5.	M. Riaz Akhtar S/O Muhammad Rafiq	BBSH Abbottabad	ATH Abbottabad	Abbottabad	-do-
6.	Mutahir Shah S/O Syed Muhammad Karim Shah	DHQ H Mardan	STH Swat	Mardan	-do-
7.	Abdul Aziz S/O Haji Fazal Ahmad	BBSH Abbottabad	DHQ H Dir Lower	Abbottabad	-do-
8.	Zard Ali Khan	LRH Peshawar	KTH Peshawar	Peshawar	-do-
9.	Mubasherin	EDO Charsadda	AHQ (H) Ghallanai	Charsadda	-do-
10.	Asfar Khan	HMC Peshawar	NBM Hosp: Peshawar	Peshawar	-do-
11.	Faheem Ullah S/O Habibullah Khan	DHQH Bannu	DHQ Teaching Bannu	Bannu	-do-
12.	Rizwan Ullah s/o Mehr Gul khan.	KGNTH Bannu	KGNTH Teaching Hosp: Bannu	Bannu	-do-

Sd/xxxxxxxx

Director General Health Services,
Khyber Pakhtunkhwa, Peshawar

No. 18/04-204 /AE-VII

Dated Peshawar the 26 / 7 / 2013

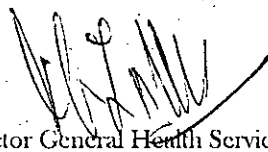
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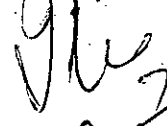
1. The Secretary to Govt. of Khyber Pakhtunkhwa, Health Department Peshawar.
2. The DHS FATA, Khyber Pakhtunkhwa, Peshawar.
3. The Director Provincial Health Services Academy, Khyber Pakhtunkhwa, Peshawar.
4. Medical Superintendents, KTH, LRH, HMC Peshawar.
5. Director IKD, HMC Peshawar
6. The All Principals of Medical Colleges in Khyber Pakhtunkhwa
7. Medical Superintendent, Maulvi Amcer Shah Memorial Hospital Peshawar.
8. All District Health Officer in Khyber Pakhtunkhwa, Province.
9. Medical Superintendents, DHQ Hospitals in Khyber Pakhtunkhwa.
10. Medical Superintendent, City Hospital Kohaf Road, Peshawar.
11. Medical Superintendent, Police/ Services Hospital Peshawar.

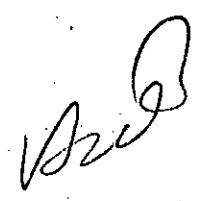
28

12. Accountant General, Khyber Pakhtunkhwa, Peshawar
13. All District Accounts Officers in Khyber Pakhtunkhwa, Province.
14. All Agency Surgeons in FATA/ FRs Khyber Pakhtunkhwa.
15. The all Agency Accounts Officers in FATA/ FRs Khyber Pakhtunkhwa.
16. I/C Gynaecologist, Govt. Maternity Hospital Peshawar
17. President Paramedics Health Deptt: KPK Peshawar.
18. Incharge, Paramedics Promotion Cell DGHS Office Peshawar.
19. Officials concerned.
20. Personal Files.
21. P.A to DGHS, Khyber Pakhtunkhwa, Peshawar.
22. P.A to Director (Administration) DGHS Office Peshawar.
23. P.A to Deputy Director (Personnel) DGHS Office Peshawar.

For information and necessary action.


Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.


28/2/13



To

The worthy Chief Secretary,
Government of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.

29

Amir G.

Through Proper Channel

Subject: Departmental Representation against the impugned Notification dated 19.08.2013, Office Orders dated 24.07.2013 by means of which juniors to the appellant were granted upgradation to BPS-17, BPS-16 and BPS-14 in violation of the law and seniority.

Respected Sir,

With due respect I have the honour to submit this departmental representation for your kind consideration and favourable action on the following facts and grounds:

1. That appellant was initially appointed as Radiographer (BPS-6) the way back in the year 1984 after observing all the codal formalities. At the moment appellant has at his credit 30 years service and serving as SO (CR) / Peshawar at LRH Peshawar.
2. That in the year 2006, new Paramedics structure was formulated wherein the post of Radiographer and X-Ray Technician were amalgamated, placed in BPS-9 and re-designated as Junior Clinical Technician (Radiography), however, the then X-Ray Technicians were unlawfully considered as senior to the then Radiographers including the appellant.
3. That the Radiographers challenged the decision before the Hon'ble Peshawar High Court, Peshawar in Writ petition No.2525/2010 which was finally disposed of vide order dated 12.12.2010 with the direction to the Department to update the Seniority List of JCTs (Radiology) of both previous X-Ray Technicians and Radiographers according to the original record but so far the order has not been implemented.
4. That the non-implementation of the order apart, now the Department has issued the impugned Notification dated 19.08.2013 whereby juniors (former X-Ray Technicians) were upgradation to BPS 17 while appellant and others (former Radiographers) were unlawfully ignored in violation of the law


Amir G.

and rules of seniority (Copy of Notification is attached).

5. That the impugned Notification dated 19.08.2013, Office Orders dated 24.07.2013 those juniors (former X-Ray Technicians) were granted upgradation to BPS-17, BPS-16 and BPS-14 in violation of the law and seniority which are illegal, unlawful, against the rules and therefore, the same are not sustainable in the eye of law and liable to be set aside. *copies attached.*
6. That the seniority dispute of the previous Radiographers including appellant and X-Ray Technicians now combinedly re-designated as JCT (Radiology) has not yet been resolved, therefore, the issuance of the impugned Notification and orders are highly illegal and premature.
7. That the Judgment of the Hon'ble High Court, has clearly dictated the formulation of seniority as per the original record but inspite of the same the seniority was not framed as per the original record by means of which appellant was the senior to those who have been upgraded.
8. That the impugned Notification and orders are malafide, discriminatory because appellant and others have been deprived of their legal rights while those juniors to the appellant were unlawfully benefited.
9. That the phenomenon of unification of the various grades/pay scales of employees has occurred in other Departments too wherein the seniority position has not been disturbed after the combination of various pay scales but unfortunately in the Health Department a unique formula was illegally adopted whereby seniors were made juniors to their juniors which has resulted in serious miscarriage of justice.

It is, therefore, humbly requested that on acceptance of this departmental Representation, the impugned Notification dated 19.08.2013, Office Orders dated 24.07.2013 may graciously be set aside while appellant being senior may graciously be allowed upgradation as per his seniority position.

Yours faithfully


 Muhammad Shafi
 SCT Radiology L R H Parkman

Dated: _____/09/2013



Dated Peshawar the March 7, 2012

NOTIFICATION

No. SOE-V(E&AD)5-11/2010.- In pursuance of Section 3(1) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 17 Civil Servants (Appointment, Promotion & Transfer) Rules 1989, the Competent Authority is pleased to notify/circulate Final Seniority list of Computer Operator (BS-12), Provincial I.T Group, Civil Secretariat Khyber Pakhtunkhwa (As it stood on 7.3.2012) for general information.

FINAL SENIORITY LIST OF COMPUTER OPERATOR (BS-12) OF PROVINCIAL I.T GROUP OF CIVIL SECRETARIAT KHYBER PAKHTUNKHWA (AS IT STOOD ON 7.3.2012)

Sl. No.	Name of official	academic qualification	Date of birth	Domicile	Date of 1st entry into Govt service	EPS	Date of Regular appointment to present post	Department	Remarks
1	Shakeel Ahmad	B.A	12/11/1970	Peshawar	17/5/1989 (B-12)	12	17/5/1989	Finance	Initial rec. by the Finance Deptt.
2	Khalid Rehman	B.A Economics	11/5/1967	Battagram	17/5/1989 (B-10)	12	17/5/1989	Finance	Initial rec. by the Finance Deptt.
3	Hanif-Ur-Rehman	B.A	4/1/1966	Nowshera	17/5/1989 (B-10)	12	17/5/1989	Finance	Initial rec. by the Finance Deptt.
4	Jamil Khan Durrani	Matric	1/1/1963	Peshawar	17/5/1989 (B-10)	12	17/5/1989	Finance	Initial rec. by the Finance Deptt.
5	Syed Mahmood Shah	B.Sc	2/3/1963	Peshawar	23/11/1989 (BS-11)	12	23/11/1989	P & D Deptt	Initial Recruitment by P&D deptt.
6	Javed Iqbal	B.A	17/02/1958	Charsadda	12/8/1990 (B-11)	12	12/8/1990	P & D Deptt	Adjusted in P&D from Agriculture Extension Deptt.
7	Muhammad Fayaz Khan	B.A Economics	3/2/1963	Battagram	13/8/1990 (B-10)	12	13/8/1990	Finance	Initial Rec. by Finance deptt
8	Khalid Mehmood	F.A	23/4/1968	Peshawar	13/8/1990 (B-10)	12	13/08/1990	Finance	Initial Rec. by Finance deptt
9	Muhammad Rafiq	B.A	6/10/1968	Eannu	02/9/1990 (B-10)	12	2/9/1990	P & D Deptt	Initial Rec by P&D Deptt.
10	Khan Mohammad	M.A	11/2/1965	Peshawar	19/09/1990 (B-11)	12	19/09/1990	P & D Deptt	Initial Rec. by P&D Deptt.

(15)

Annex H

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①
No. F. 4-73/85-MF-II
Government of Pakistan
Ministry of Health, Special Education
and Social Welfare,
(HEALTH DIVISION)

33

Amir

Islamabad, the 1st March, 1988

1. The Director,
Jinnah Postgraduate
Medical Centre,
KARACHI.
2. The Medical Superintendent,
Federal Government Services
Hospital,
ISLAMABAD.
3. The Executive Director,
Pakistan Institute of
Medical Sciences,
ISLAMABAD.
4. The Director,
Central Health Establishment,
Block-47, Pak. Secretariat,
KARACHI.
5. The Executive Director,
National Institute of Cardiovascular
Diseases, Rafiqi (R.J.) Shaheed Road,
KARACHI.

Subject: - X-RAY TECHNICIAN/RADIOGRAPHER'S SCALE OF
PAY - REMOVAL OF ANOMALY.

Sir,

I am directed to convey the sanction of the
President to the placement of the post of X-Ray Technicians
and Radiographers in BPS-9 with 1/3rd posts in selection
grade (BPS-11) with effect from the 26th January, 1988.

2. This issued with the approval of The Finance
Division (Regulations Wing) obtained vide their U.O. No.
D. 63-R1/88, dated 25-1-1988.

Your obedient servant,

214
CH. MUHAMMAD SIDDIQUI

Handwritten signature

Handwritten initials

From pre-page:

Copy with spare copies forwarded to the
Ministry of Finance for Counter Signature and
communication to Accountant General Pakistan Revenues,
Islamabad, Lahore, Karachi, Hyderabad, Quetta and
Peshawar.

SECTION OFFICER (MF-II)
GOVERNMENT OF PAKISTAN

No. F. 1(1)-RI/88-D272/83
Government of Pakistan
Ministry of Finance
(REGULATION WING)

Islamabad, the 6th March, 1988.

Forwarded to the Accountant General Pakistan
Revenues, Islamabad, Karachi, Lahore, Quetta, Peshawar
and Hyderabad.



MUHAMMAD ISHAQUE
SECTION OFFICER 6/3/88

(84)

Subject:- AMALGAMATION OF X-RAY TECHNICIAN AND RADIOGRAPHER OF HSEH PESHAWAR.

Amir

Reference your Endst: No. 32675/d.I, dated 18.12.1995, on the subject noted above.

Originally the post of Radiographer and X-Ray Tech: were allowed BPS-6 in the NWFP, Civil Services, Pay Revision Rules 1973 by the Finance Department vide Notification No. FD/S.O. (PRC) 1-2/77 dated 31.3.1978. Later on the post of C.T. Tech: S.C.G. Tech: Dental Tech: Laby: Tech: Blood Bank Tech: and Medical Tech: except X-Ray Tech: were allowed in BPS-9 vide Finance Department letter No. FD(SR-I) 1-67/82 dated 24.8.1983. In the meantime the post of X-Ray Tech: in BPS-9 has been created by the F/Deptt: vide letter No. BXIV/FD/2-28/94 dated 10.5.1994 for RHC Shergac on the directive of Chief Minister NWFP, Peshawar vide his letter No. CO.II /C-M/NWFP/2-6/Vol-VII/40-25 dated 10.5.1994.

✓ Superintendent (Estab.)
DG Health Services, NWFP, Pesh.

Dr. M. A. Khan
Project Director (BNSC)
DG Health Services, NWFP, Pesh.

U.O. NO. 121 /BNSC(SNE),

Dated Pesh: the 3 /01/1996.

07/1

Amir

I

(35)

Radiology Department
Post Graduate Medical Institute/Lady
Reading Hospital Peshawar.

No. 950 /X.Ray LRH

Dated. 16 /11/1995.

To

The Administrator
Govt: Lady Reading Hospital
Peshawar.

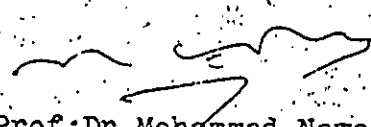
Subject: AMALGAMATION OF RADIOGRAPHER & X.RAY TECHNICIAN.

Sir,

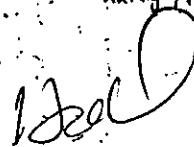
Ref: Endost: No. SOH-III/7-317/04 dated 15.2.1995.
from the SO-III, Health Deptt; Addressed to the DGHS, NWFP, Peshawar.

Reply regarding para(C) of the letter referred to
above is as under.

Basically radiographers & X-Ray Technicians are the
same regarding their basic qualifications, training, tenure,
examination and job descriptions. For all the practical purposes,
X-Ray technicians and radiographers should be treated at par.


Prof: Dr. Mohammad Nawaz
Head of the Radiology Department
Lady Reading Hospital
Peshawar.

PROF. DR. MOHAMMAD NAWAZ
Head of The Deptt. of Radiology
Postgraduate Medical Institute,
Govt. Lady Reading Hospital Peshawar



SGH 011/7-317/84 Oct 15/11/85

36

To

The Administrator,
Hayat Shaheed Teaching Hospital,
Peshawar.

SUBJECT:

DIFF: IN NOMINCLATURE AND GRADE OF
RADIOGRAPHERS AND X-RAY TECHNICIAN.

Memo:-

Basically Radiographers and X-ray Technicians are the same, their basic qualification, training tenure, examinations and job discription are the same.

Post at Hayat Shaheed Teaching Hospital were created around 1975-76, when this hospital had seperate cadre for Para Medics. At that time Nominclature and grades were same as that of P.H.S.

Latte P.H.S. revised grades and nominclature as this Institution had seperate cadre, so the benefits were not transferred.

For all practical purposes, X-ray Technicians/Radiographers are treated at par.

Dr. Rehmatullah
DR. REHMATULLAH
PROFESSOR OF RADIOLOGY
HSTH, PESHAWAR.

HAYAT SHAHEED TEACHING HOSPITAL, PESHAWAR.

No. 33745 /HSTH/E Dt: 15-11-1994.

Secretary Health,
Government of N.W.F.P.
Peshawar.

37

SUBJECT: AMALGAMATION OF X-RAY TECHNICIAN & RADIOGRAPHERS.
OF HAYAT SHAHEED TEACHING HOSPITAL, PESHAWAR.

Sir,

Reference your letter No. SO(H)III/7-317/94
Dated 15/11/1994.

An application of Radiographers of this Institution was sent to your office vide this Office No.22305, dated 17/11/1994 which is self explanatory.

1. The Radiographers working in this Institution are drawing pay in BPS-6, while the X-ray Technicians are drawing pay in BPS-9, but the recruitment rules for both the categories are equal i.e. Matric with Science subject and qualified Radiographer from NWFP, Medical Faculty.

2. This anomaly has also been removed by the Ministry of Health Islamabad vide notification No.F.4-78/85 MF II Health Division dated 1/3/1988 and Ministry of Finance Islamabad notification No. F 1(1) - RI/88-D272/88, Ministry Finance regulations wing and all the Radiographers and X-ray Technicians are placed in BPS-9 with 1/3rd in BPS-11 selection grade.

In view of the above facts it is requested that the posts of Radiographers and X-ray Technicians in Hayat Shaheed Teaching Hospital, Peshawar may please be amalgamated and the same may be read as X-ray Technicians/Radiographers BPS-9 with 1/3rd Selection grade in BPS-11.

NO _____/HSTH(E) dated _____/1994.

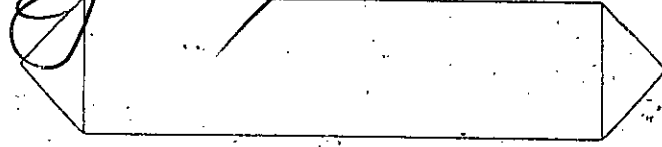
15/11/94
ADMINISTRATOR
HAYAT SHAHEED TEACHING HOSPITAL
PESHAWAR.

Copy to:-

The Professor & Head Department of Radiology Department, HSTH, Peshawar.

ADMINISTRATOR
HAYAT SHAHEED TEACHING HOSPITAL
PESHAWAR.

بعدالت



2014ء منجانب اسٹریٹ

محمد سعیدی بنام حکومت

مورخہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بللا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ آن مقام کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک دروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

20

ماہ

الرقوم

العبد گدگ العبد

کے لئے منظور ہے۔

عدنان سٹیشنری مارٹ
پتہ مشنگری پٹارشی ٹون 2220193
Mob: 0345-923239

مقام
Atstare
Neelpare
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