


07.06.2022

Clerk of learned counsel for the appellant present. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 10.08.2022 before the D.B.



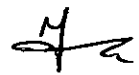
(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

10.8.2022

Proper DB not available the case is adjourned to 2-11-2022



Reader

1st Nov., 2022


01. Counsel for the appellant present. Mr. Kabirullah Khattak, for the respondents present.

02. Learned counsel for the appellant submitted an application for withdrawal of the appeal. Application is placed on file. Dismissed as withdrawn. Consign.

03. Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 2nd day of November, 2022.



(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman

722/2019

05:10:2021

Clerk of counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Due to non-availability of learned counsel for the appellant request has been made for adjournment. Request is accorded. Case to come up for arguments on

24-01-2022 before D.B.

(Mian Muhammad)
Member(Executive)

Chairman

04 01 2022

Counsel for the appellant and Mr. Javidullah, Asstt. AG for the respondents present.

Former seeks adjournment in order to further prepare the brief. Request accorded. To come up for arguments on 10.02.2022 before the D.B.

(Atiq-ur-Rehman Wazir)
Member(E)

Chairman

16-2-2022

Due to retirement of the Honorable Chairman the case is adjourned to come up for the same as before on 7/6/2022

Reader

Before The KP Service Tribunal Peshawar

Muhammad Hakim v/s Health Deptt.

Application for withdrawal of the
titled appeal

R/Sheneth,

- 1- That the titled appeal is pending adjudication before this honorable tribunal and fixed for today i.e. - 2/11/2022.
- 2- That the appellant does not want to contest the instant appeal any further, so the instant appeal may kindly be withdrawn.
- 3- There is no legal bar in allowing the same.

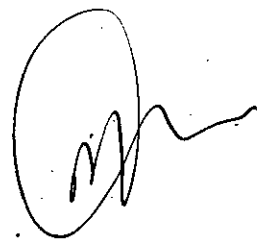
It is therefore most humbly prayed that on acceptance this application, the instant appeal may kindly be withdrawn.

Appellant

Through

Counsel

Dated: 2/11/2022



11.12.2020

Counsel for appellant is present. Mr. Kabirullah Khattak, Additional Advocate General, for the respondents is also present.

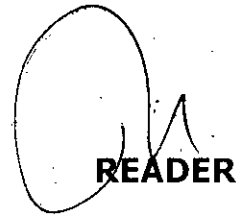
Due to COVID-19, the case is adjourned to 05.03.2021 before D.B.



READER

04.03.2021

Due to COVID-19, the case is adjourned for the same on 10.06.2021 before D.B



READER

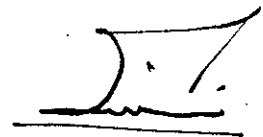
10.06.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not gone through the record. Adjourned. To come up for arguments before the D.B on 05.10.2021.

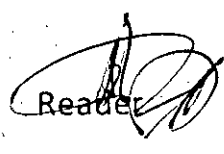


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH-UD-DIN)
MEMBER (JUDICIAL)

_____ .2020 Due to COVID19, the case is adjourned to
13/8/2020 for the same as before.



Reader

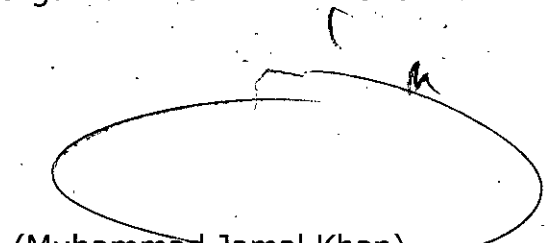
13.08.2020 Due to summer vacations case to come up for the same on
16.10.2020 before D.B.


Reader

16.10.2020 Appellant in person present. Mr. Kabirullah Khattak
learned Additional Advocate General for respondents
present.

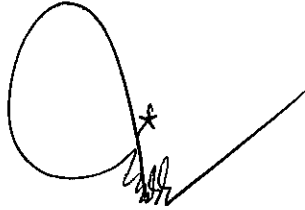
Former requests for adjournment that his senior
counsel is busy before Hon'ble Peshawar High Court.
Adjourned. To come up for arguments on 11.12.2020
before D.B.


(Atiq-Ur-Rehman Wazir)
Member


(Muhammad Jamal Khan)
Member

19.03.2020

None for the appellant present. Addl: AG alongwith Mr. Sajid, Supdt for respondents present. Due to general strike on the call of Peshawar Bar Council, the case is adjourned. To come up for arguments on 21.05.2020 before D.B.

A handwritten signature in black ink, featuring a large, stylized loop at the top and a long, sweeping horizontal stroke extending to the right.

(MAIN MUHAMMAD)
MEMBER

A handwritten signature in black ink, consisting of several sharp, angular strokes that form a distinctive, somewhat abstract shape.

(M.AMIN KHAN KUNDI)
MEMBER

04.12.2019

Appellant in person, Addl. AG alongwith Shah Nawaz, Junior Clerk and Maroof Shah, Superintendent and Sajid Superintendent on behalf of respondents No. 1, 3 to 7 present.

Representative of respondents No. 1, 4, 5, 6 & 7 has submitted reply/comments of the said respondents. Placed on record. Representative of respondent No. 3 relies on the same. Respondents No. 2 has not furnished the requisite reply/comments despite last chance. The appeal is assigned to D.B for arguments on 03.02.2020. The appellant may furnish rejoinder, if any, within a fortnight, if so desired.

Chairman



03.02.2020

Learned counsel for the appellant present. Mr. Ziaullah, DDA alongwith Mr. Sajid, Supdt for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 19.03.2020 before D.B.


Member


Member

05.09.2019

Junior to counsel for the appellant present. Mr. Usman Ghani, District Attorney alongwith Mr. Saleem Javed, Litigation Officer and Mr. Sajid, Supdt for respondents present. Written reply on behalf of the respondents not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on 03.10.2019 before S.B.


(Ahmad Hassan)
Member

03/10/2019

Junior counsel for the appellant and Mr. Kabirullah Khattak, Additional AG alongwith Mr. Sajid, Superintendent for the respondents present.

Representative of respondents requests for further time to furnish written reply/comments. Adjourned to 31.10.2019 before S.B.


CHAIRMAN

31.10.2019

Junior to counsel for the appellant and Addl. AG alongwith Shah Nawaz, Junior Clerk and Sajid Superintendent for the respondents present.

Representatives of the respondents seek time to furnish the requisite reply. Last opportunity granted. To come up for written reply/comments on 04.12.2019 before S.B.


Chairman

22.08.2019

Counsel for the appellant Muhammad Hakim present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant is serving as Naib Qasid in Health Department. It was further contended that the appellant is also having EPI Diploma (copy of the same is available on the record). It was further contended that as per rule there is no provision regarding promotion from the post of Naib Qasid to the post of EPI Technician. It was further contended that some of the colleagues of the appellant who were also Naib Qasids file Writ Petition before the worthy High Court for issuance of direction to respondent-department to promote them to the post of EPI Technician, the Writ Petition of the colleagues of the appellant was accepted vide judgment dated 13.10.2011. It was further contended that the respondent-department was not implemented the judgment of the worthy High Court therefore, colleagues of the appellant filed Contempt of Court Application before the worthy High Court and in the meanwhile respondent-department submitted notification dated 29.02.2012 whereby the judgment of worthy High Court was implemented and the colleagues of the appellant was promoted from the post of Naib Qasid to the post of Technicians. It was further contended that the appellant is also fully qualified for promotion to the post of Technician but the respondent-department are not going to promote the appellant from the post of Naib Qasid to the post of Technician rather respondent-department have published advertisement for the post of said Technician on 09 April 2019. It was further contended that the appellant also filed departmental appeal but the said was not responded. It was further contended that the appellant is also entitled for promotion to the post of Technician on the basis of consistency but the respondent-department have refused to promote the appellant although the respondent-department is bound to consider the appellant for promotion to the post of Technician.

The contentions raised by the learned counsel for the appellant need consideration. The appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 05.09.2019 before S.B. Learned counsel for the appellant also submitted application for restraining the respondents from appointment on the post of EPI Technicians (BPS-12). Notice of the same be also issued to the respondents for the date fixed.



(Muhammad Amin Khan Kundi)
Member




Appellant Deposited
Security & Process Fee

22/8/19

Form- A
FORM OF ORDER SHEET

Court of _____

Case No.- 722/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/06/2019	<p>The appeal of Mr. Muhammad Hakim resubmitted today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 11/6/19</p>
2-	12/06/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>02/07/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
02.07.2019		<p>Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today. Adjourned to 22.08.2019 for preliminary hearing before S.B.</p> <p style="text-align: center;"> (MUHAMMAD AMIN KHAN KUNDI) MEMBER</p>

The appeal of Mr. Muhammad Hakim Naib Qasid Agency Headquarter Hospital Bajuar at Khar received today i.e. on 22.05.2019 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

Annexures-D and E of the appeal are illegible which may be replaced by legible/better one.

No. 1011 /S.T,

Dt. 23-5- /2019



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv. Pesh.

Note:

Sis

All objections have been removed
hence re-submitted today dated 11/6/2019.


/11/6/2019.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 782 /2019

MUHAMMAD HAKEEM

VS

HEALTH DEPTT:

INDEX

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4	Educational testimonials	B	7- 11.
5	Impugned service rules	C	12- 19.
6	Judgment	D	20- 23.
7	COC	E	24- 27.
8	Notification	F	28- 29.
9	Department appeal	G	30.
10	Vakalat nama	31.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 722 /2019

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 796

Dated 22/5/2019

Mr. Muhammad Hakim, Naib Qasid (BPS-04),
Agency Headquarter Hospital at Khar, District Bajaur.

..... **APPELLANT**

VERSUS

- ✓1. The Govt. of Khyber Pakhtunkhwa through Secretary Health Department, Civil Secretariat Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
3. The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- ✓4. The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
- ✓5. The Director Health Services Merged Isas, Warsak Road, Peshawar.
- ✓6. The District Surgeon/Health officer, District Bajaur at Khar.
- ✓7. The Medical Superintendent, District Headquarter Hospital, Bajaur.

..... **RESPONDENTS**

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE INACTION OF THE RESPONDENTS BY NOT ADJUSTING THE APPELLANT AGAINST THE POST OF EPI TECHNICIAN (BPS-12) AND AGAINST THE IMPUGNED PARAMEDICS SERVICE RULES OF THE RESPONDENT DEPARTMENT NOTIFIED VIDE DATED 10.5.2016 WHEREBY NO PROMOTION QUOTA HAS BEEN ALLOCATED IN SERVICE FOR THE CLASS-IV EMPLOYEES/APPELLANT OF THE RESPONDENT DEPARTMENT AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

Filed to-day

Registrar

22/5/19

PRAYER:

That on acceptance of this Service appeal the respondents may kindly be directed to amend the paramedics service structure Notified on 10.5.2016 to the extent of allocation of proper promotion quota for those class-iv employees including appellant who have the requisite qualifications for the post of Clinical Technician (BPS-12) **OR** the respondents may kindly be directed to adjusted the appellant against the post of EPI Technician (BPS-12) in light of the Judgment of Honorable Peshawar High Court passed in W.P No.102/2011 and in light of the Notification dated 28.2.2012 issued by the respondent Department with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

Re-submitted to-day and filed

Registrar 11/6/19

R/Sheweth:

Brief facts which give rise to the instant appeal is as under:-

1. That appellant is the employee of the Health Department and was appointed as Naib Qasid (BPS-02) vide order dated 26.08.2003. Copy of the appointment order is attached as annexure **A.**
2. That the appellant is serving the respondents Department since 2003 as per their job description and during the course of his service the appellant acquired the diploma in EPI. Copy of Educational Testimonials is attached as annexure..... **B.**
3. That appellant inspite of having higher educational qualification as well as professional qualification of Diploma in EPI from medical faculty of Khyber Pakhtunkhwa have no prospects of promotion in the field of Paramedics. That for the purpose of promotion the appellant and other colleagues of the appellant who have diploma in the relevant fields time and again requested for their promotion/adjustment against the post of Clinical Technician (BPS-12) but of no avail.
4. That according to the impugned paramedics service Notified on 10.5.2016 no promotion quota has been allocated for those class-iv employees including the appellant who have acquired the requisite diploma from medical faculty of Khyber Pakhtunkhwa and that is why the appellant and other class-iv employees have continuously been deprived from promotion. Copy of the impugned service Rules are attached as annexure **C.**
5. That colleagues of the appellant finally knocked the door of august Peshawar High Court Dar Ul Qaza Bench in writ petition No.102/2011 titled Aziz Ur Rehman VS Govt: of Khyber Pakhtunkhwa. That vide judgment dated 13.10.2011 the august High Court Dar Ul Qaza Bench directed the respondents to redress the grievance within a period of one month. That where after those employees filed COC petition and during the pendency of the said COC petition the respondents adjusted the class-IV employees against the posts of Clinical Technician (BPS-12) vide Notification dated 28.2.2012. Copies of the judgment and memo of COC petition and Notification/letter are attached as annexure **D, E and F.**
6. That appellant being similarly placed person/employee of the respondent Department also requested the respondents for his adjustment/promotion but no reply has been received so far. That feeling aggrieved the appellant filed Departmental against the

Rules notified vide dated 10.5.2016 and against the inaction of the respondents by not adjusting the appellant against the post of Clinical Technician (BPS-12) in light of the august Peshawar High Court judgment and Notification of the respondent department. Copy of the Departmental appeal is attached as annexure **G**

7. That the appellant having no other efficacious, adequate and alternate remedy, approach this Honourable Tribunal on the following grounds amongst others.

GROUND:-

- A. That by not adjusting the appellant on the relevant post of clinical Technician (BPS-12) in light of the notification dated 28.2.2012 is against the Law, Facts, norms of natural justice and materials available.
- B. That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents are clearly violating Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C. That the respondents have not acted in accordance with law and the rules governing on the subject by not adjusting/promoting the appellant to his respective paramedic post for which he is fully eligible and entitle.
- D. That according to the notification dated 28.2.2012 already issued by the respondents the appellant is fully eligible and entitled to be adjusted/ promoted on the post of Clinical Technician (BPS-12).
- E. That, the petitioner is fully entitled to be benefited from the Notification dated 28.2.2012 in the light of various judgments passed by the Apex Supreme Court of Pakistan especially reported in **2009 SCMR page 01**.
- F. That the appellant has served the Department for a long period with unblemished service record, therefore, they have the right to be adjusted according to his qualification.
- G.** That the inaction of the respondent by not adjusting the appellant according to his qualification and not allocating proper promotion quota in the impugned service Rules dated 10.5.2016 is against Article-38 (e) of the constitution of Pakistan which enshrines **" that the state shall reduce disparity in the income and earnings of the individual including persons in the service of Pakistan"**.

H. That any other grounds will be raised at the time of arguments with prior permission of this Honourable Tribunal.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Appellant



MUHAMMAD HAKIM

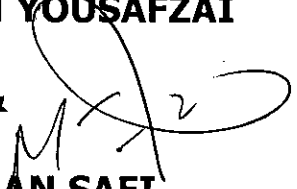
Through



NOOR MOHAMMAD KHATTAK

SHAHZULLAH YOUSAFZAI

&



MIR ZAMAN SAFI

Advocates

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL No. _____/2019

MUHAMMAD HAKIM

VS

HEALTH DEPTT:

APPLICATION FOR RESTRAINING THE RESPONDENTS
FROM APPOINTMENT ON THE POSTS OF EPI
TECHNICIANS (BPS-12) TILL THE DISPOSAL OF THE
ABOVE MENTIONED APPEAL

R/SHEWETH:

- 1- That the above mentioned appeal along with this application has been filed the appellant before this august service Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal for adjustment against the post of EPI Technician (BPS-12).
- 3- That the respondent Department advertised the said post in daily newspaper "Aaj" vide dated 09.04.2019 in violation of law and rules.
- 4- That all the three ingredients necessary for the stay is in favor of the appellant.
- 5- That the grounds of main appeal is also be considered as integral part of this application.

It is therefore, most humbly prayed that on acceptance of this application the respondents may very kindly be restrained from appointment against the post of EPI Technician (BPS-12) till the disposal of the above mentioned service appeal.

APPLICANT


MUHAMMAD HAKIM

THROUGH:


NOOR MOHAMMAD KHATTAK


MIR ZAMAN SAFI
ADVOCATES

A-6

OFFICE OF THE AGENCY SURGEON BAJAUR AT KHAR

Appointment letter

Consequent upon the approval of Departmental Selection Committee held on 7/7/2003 and 8/7/2003.

Mr/Miss. Mohammad Hakim S/O Noor Hakim Khan
Resident of: Shinkay Ali Zai Tehsil : Khar (Bajaur Agency)

Is hereby appointed as Naib Qasid (BPS-01)plus usual allowances as admissible under the rules.

His/ Her appointment will be subject to the following terms and conditions:-

1. That your appointment is on contract basis for period of three years and your services are liable to be terminated at any time with out any notice or resign being assigned.
2. That you are declared medically fit for Govt: service.
3. The post is not transferable, and you must serve for three years on the said post.
4. That you will be governed by such and orders as may be issued by the government of NWFP, from time to time for the category of the Government servant to which he/she belong.
5. That if you wish to resign, at any time, your will resign in written within 30 days notice or you will be forfeit one month pay in lieu thereof and will continue to serve the government till the acceptance of your resignation by the competent authority.
6. That you will be posted any where in Bajaur agency.
7. That you will not be entitled to any TA/DA for Medleal examination and joining the first appointment.
8. The offer is subject to the availability of vacant post.
9. If you accept the post the post on above terms and conditions you should report to the Office of Agency Surgeon Bajaur at Khar Within 15 days. The offer will be cancelled if you fail to report for duty.

Sd/.....
AGENCY SURGEON
BAJAUR AT KHAR

No. 3523-75/C-1/BJR

Dated. 26/9/2003

Copy forwarded to the:-

1. Political Agent Bajaur Chairman Departmental Selection Committee.
2. Deputy Director (Admin) Directorate Health Services PATA NWFP Peshawar
3. DMS AHQ Hospital Khar.
4. Agency Account Officer Bajaur at Khar.
5. Official Concerned.

For information please

Sd/.....
AGENCY SURGEON
BAJAUR AT KHAR

ATTESTED

ALBERTA

B (7)

S. No. 0025693

Roll No. 33459



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Saidu Sharif, Swat N.W.F.P. Pakistan
Secondary School Certificate Examination

SESSION 19 99 (ANNUAL/SUPPLEMENTARY)

THIS IS TO CERTIFY THAT MUHAMMAD HAKIM

Son/Daughter of MOOR HAKIM KHAN



and a student of BAJAUR AGENCY

has passed the *Secondary School Certificate Examination* of the Board of Intermediate and Secondary Education, Saidu Sharif, Swat held in _____ 19 _____ as a *Regular/Private candidate*. He/She obtained 362 Marks out of 850 and has been placed in Grade Representing FAIR

The Candidate passed in the following subjects:

- | | | | |
|------------|---------------------|--------------|------------|
| 1. English | 3. Islamiyat | 5. MATHS | 7. PHYSICS |
| 2. Urdu | 4. Pakistan Studies | 6. CHEMISTRY | 8. BIOLOGY |

Internal Grade

Date of birth according to admission form is ELEVENTH JUNE
 and one thousand nine hundred and Eighty Two (1992)
 Issued at Saidu Sharif, Swat, NWFP, Pakistan, Board of Intermediate and Secondary Education, Saidu Sharif, Swat, NWFP, Pakistan.
 This certificate is issued without alteration or erasure.
 Assst. Secretary  Secretary 

Handwritten signature and stamp at the bottom right corner.

8

S. No.08154



Roll No. 226091

MARKS IMPROVED

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Saidu Sharif Swat N.W.F.P. Pakistan

INTERMEDIATE EXAMINATION

HUMANITIES

SESSION 1902 (ANNUAL / SUPPLEMENTARY)

THIS IS TO CERTIFY THAT MOHAMMAD HAKIM

Son / Daughter of NOOR HAKIM KHAN

and a student of BAJAUR AGENCY

Registered No. 23 -B/KHR-99 has passed the Intermediate Examination of the Board of Intermediate & Secondary Education, Saidu Sharif, Swat held in

1902 as a *Regular/private candidate*, He / She obtained 551

Marks out of 1100 and has been placed in Grade Representing GOOD

Internal Grade

The Examination was taken as a whole / in parts.

Asstt. Suptd.

Asstt. Secretary

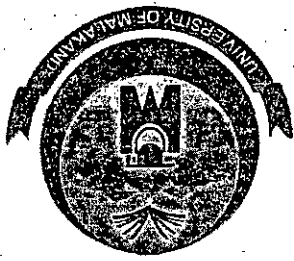
ATTESTED

Secretary

This certificate is issued without alteration or erasure.

0123456789

UNIVERSITY OF MALAKAND
PAKISTAN



Serial No. BA/PR/1422

*This Degree of
 Bachelor of Arts
 is Awarded to*

MUHAMMAD HAKIM Son/Daughter of NOOR HAKIM KHAN

BAJOUR AGENCY

Having passed the prescribed examination held in JULY-AUGUST, 2005

Session 2005-2005 Registration No 2003670058 Roll No 366509

Division SECOND

Examination was taken as a third/ret party
 Resurce Date MARCH 20, 2009

Counter signed

Chief Chancellor

[Signature]
 Registrar

Director of Examinations

[Signature]

ATTACHED

11/10/76
11/10/76
11/10/76
11/10/76
11/10/76

10



**OFFICE OF THE AGENCY SURGEON
BAJAUR AT KHAR**




Experience Certificate

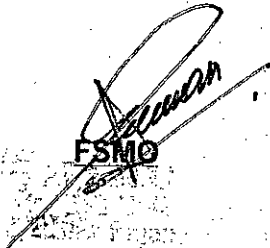
TO WHOM IT MAY CONCERN

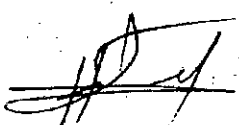
It is certified thar Mr. Muhammad Hakim S/O Noor Hakim Khan
His Worked as a Mobile team leader in Polio Eradication Programme
Under the supervision of health department from 01-01-2005
Upto till date.

He worked in Measles Vaccination and IPV Vaccination.


During the said Period he was found dutiful and hard working
Having good working experience and communication skills.


Area In Charge


FMO


DHT

ATTESTED


Agency Surgeon Bajor

021077A

EXPANDED PROGRAMME ON IMMUNIZATION

NWFP, PESHAWAR.

No. 11/2007

Date: 20/1/2007



DEPARTMENT OF HEALTH
Government of NWFP (Pakistan)

EPI TRAINING CERTIFICATE

This is to Certify that Mr./ Mrs. MUHAMMAD HAKIM S/o, D/o, W/o NOOR HAKIM KHAN

resident of SHINKAY ALI ZAI BAJOUR AGENCY

P.O. KHAR Tehsil KHAR District BAJOUR AGENCY

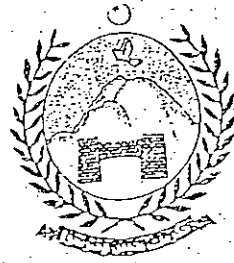
Has successfully completed EPI Training, From 1.1.2006 to 31.1.2007

at EPI Centre AHQ HOSPITAL BAJOUR. KHAR. at his own cost and risk.

Prepared by:

DEPUTY DIRECTOR
EXPANDED PROGRAMME ON IMMUNIZATION
NWFP, PESHAWAR.

EXTRAORDINARY
GOVERNMENT



REGISTERED NO. P.III
GAZETTE

1
C-12

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 10TH MAY, 2016

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

NOTIFICATION

Peshawar dated the 10th May, 2016

No. SOH-III/HD/3-5/2014 - In pursuance of the provision contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, and in supersession of all Notifications issued in this behalf by the Health Department, in consultation with the Establishment Department and the Finance Department, hereby lays down the method of recruitment, qualification and other conditions specified in column 3 to 5 of the Appendix to the posts of Paramedical Staff in the Health Department specified in column 2 of the said Appendix.

APPENDIX

S. No.	Nomenclature of the post.	Qualification for appointment by initial recruitment.	Age limits.	Method of recruitment.
	2	3	4	5
1	Principal Technologist (BS-20)			By promotion, on the basis of seniority-cum-fitness, from amongst the Chief Technologists and Chief PF-IC Technologists with five years service in BS-19 or seventeen years service in BS-17 and above as such in the relevant technology.
	(i) Principal Clinical Technologist Dental; (ii) Principal Clinical Technologist Pharmacy; (iii) Principal Clinical Technologist Radiology; (iv) Principal Clinical Technologist Pathology;			

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<p>(v) Principal Clinical Technologist Anesthesia; (vi) Principal Clinical Technologist Cardiology; (vii) Principal Clinical Technologist Surgical; (viii) Principal Clinical Technologist Dialysis; (ix) Principal Clinical Technologist Physiotherapy; (x) Principal Clinical Technologist Pulmonology; (xi) Principal Clinical Technologist Gastroenterology; and (xii) Principal Clinical Technologist Ophthalmology / otorhinolaryngology; and</p> <p><u>Principle PHC Technologist</u></p> <p>(i) Principal PHC Technologist (Multi Purpose); and (ii) Principal PHC Technologist (MCH).</p>		
<p>2 Chief Technologist (BPS-19)</p> <p>(i) Chief Clinical Technologist Dental; (ii) Chief Clinical Technologist Pharmacy; (iii) Chief Clinical Technologist Radiology; (iv) Chief Clinical Technologist Pathology; (v) Chief Clinical Technologist Anesthesia; (vi) Chief Clinical Technologist Cardiology; (vii) Chief Clinical Technologist Surgical; (viii) Chief Clinical Technologist Dialysis; (ix) Chief Clinical Technologist Physiotherapy; (x) Chief Clinical Technologist Pulmonology; (xi) Chief Clinical Technologist Gastroenterology; and (xii) Chief Clinical Technologist Ophthalmology/ Otorhinolaryngology; and</p>		<p>By promotion, on the basis of seniority-cum-fitness, from amongst Senior Technologists and Senior PHC Technologists with seven years service in BPS-18 or twelve years service in BPS-17 and above as such in the relevant technology.</p>

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<p>Chief PHC Technologist</p>			
<p>(i) Chief PHC Technologist (Multi-Purpose); and (ii) Chief PHC Technologist (MCH).</p>			
<p>3 Senior Technologist (BS-18)</p> <p>(i) Senior Clinical Technologist Dental; (ii) Senior Clinical Technologist Pharmacy; (iii) Senior Clinical Technologist Radiology; (iv) Senior Clinical Technologist Pathology; (v) Senior Clinical Technologist Anaesthesia; (vi) SCT Senior Clinical Technologist Cardiology; (vii) Senior Clinical Technologist Surgical; (viii) Senior Clinical Technologist Dialysis; (ix) Senior Clinical Technologist Physiotherapy; (x) Senior Clinical Technologist Pulmonology; (xi) Senior Clinical Technologist Gastroenterology; and (xii) Senior Clinical Technologist Ophthalmology/Otorhinolaryngology; and</p> <p>Senior PHC Technologist</p> <p>(i) Senior PHC Technologist (Multi-Purpose); and (ii) Senior PHC Technologist (MCH).</p>	<p>At least Second Class Master's Degree or B.SC Honours/ BS (04-years) in the relevant technology or equivalent qualification from a recognized University/ Institution.</p>	<p>20-35 years</p>	<p>(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Technologists and PHC Technologists with five years service as such in the relevant technology; and (b) Fifty percent by initial recruitment.</p>
<p>4 Technician (BS-15)</p> <p>(i) Clinical Technologist Dental; (ii) Clinical Technologist Pharmacy; (iii) Clinical Technologist Radiology; (iv) Clinical Technologist Pathology; (v) Clinical Technologist Anesthesia;</p>	<p>At least Second Class Bachelor's Degree in the relevant Technology from a recognized University/ Institution.</p>	<p>18-32 years</p>	<p>(a) Forty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Chief Technicians and Chief PHC Technicians with three years service as such in the relevant technology;</p>

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(12) (15)

<p>(vi) Clinical Technologist Cardiology; (vii) Clinical Technologist Surgical; (viii) Clinical Technologist Dialysis; (ix) Clinical Technologist Physiotherapy; (x) Clinical Technologist Pulmonology; (xi) Clinical Technologist Gastroenterology; and (xii) Clinical Technologist Ophthalmology / Otorhinolaryngology); and</p> <p><u>PHC Technologist</u></p> <p>(i) PHC Technologist (Multi-Purpose), and (ii) PHC Technologist (MCH).</p>		<p>(b) twenty percent by promotion, on the basis of seniority-cum-fitness from amongst the Chief Technicians, Senior Technicians and Technicians having qualification prescribed for initial recruitment with three years service as such in the relevant technology.</p> <p><u>Note:</u> For the purpose of promotion, there shall be maintained a joint seniority list of Chief Technicians, Senior Technicians and Technicians with reference to the dates of their acquiring qualification prescribed for initial recruitment as in column No. 3:</p> <p>Provided that if two or more officials acquired the qualification prescribed for initial recruitment in the same session, then the official who obtains the highest marks or grade in the examination shall be deemed to be senior to the other officials; and</p> <p>(c) forty percent by initial recruitment.</p>
<p>5 Chief Technician (BS-16)</p> <p>(i) Chief Clinical Technician Dental; (ii) Chief Clinical Technician Pharmacy; (iii) Chief Clinical Technician Radiology; (iv) Chief Clinical Technician Pathology; (v) Chief Clinical Technician Anesthesia; (vi) Chief Clinical Technician Cardiology; (vii) Chief Clinical Technician Surgical; (viii) Chief Clinical Technician Dialysis; (ix) Chief Clinical Technician Physiotherapy; (x) Chief Clinical Technician Pulmonology; (xi) Chief Clinical Technician Gastroenterology; and</p>	<p>AT</p> <p><i>[Signature]</i></p>	<p>By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Technicians and Senior PHC Technicians with at least two years service as such in the relevant technology.</p> <p>AT</p> <p><i>[Signature]</i></p>

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	(xii) Chief Clinical Technician Ophthalmology, (Otorhinolaryngology); and <u>Chief PHC Technician</u>			
	(i) Chief PHC Technician (Multi-Purpose); and (ii) Chief PHC Technician (MCH)			
6	<u>Senior Technician (BS-14)</u> (i) Senior Clinical Technician Dental; (ii) Senior Clinical Technician Pharmacy; (iii) Senior Clinical Technician Radiology; (iv) Senior Clinical Technician Pathology; (v) Senior Clinical Technician Anesthesia; (vi) Senior Clinical Technician Cardiology; (vii) Senior Clinical Technician Surgical; (viii) Senior Clinical Technician Dialysis; (ix) Senior Clinical Technician Physiotherapy; (x) Senior Clinical Technician Pulmonology; (xi) Senior Clinical Technician Gastroenterology; and (xii) Senior Clinical Technician Ophthalmology/Otorhinolaryngology); and <u>Senior PHC Technician</u> (i) Senior PHC Technician (Multi-Purpose); and (ii) Senior PHC Technician (MCH)			By promotion, on the basis of seniority-cum-fitness, from amongst the Technicians and PHC Technicians with at least two years service as such in the relevant technology.
7	<u>Technician (BS-12)</u> (i) Clinical Technician Dental; (ii) Clinical Technician Pharmacy; (iii) Clinical Technician Radiology; (iv) Clinical Technician Pathology; (v) Clinical Technician Anesthesia; (vi) Clinical Technician Cardiology; (vii) Clinical Technician Surgical; (viii) Clinical Technician Dialysis; (ix) Clinical Technician Physiotherapy; (x) Clinical Technician Pulmonology; (xi) Clinical Technician Gastroenterology; and	(i) <u>Technician/PHC Technician</u> : At least Second Division Secondary School Certificate with Science from a recognized Board with Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical technology from any recognized institution; provided that the same is registered with the Medical Faculty Khyber Pakhtunkhwa Peshawar; and	18-30 years	By initial recruitment

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952. KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 10th MAY, 2016

<p><u>PHC Technicians</u></p> <p>(i) PHC Technician (Multi-Purpose); and (ii) PHC Technician (MCH).</p>	<p><u>PHC Technician (MCH):</u> Secondary School Certificate with at least Second Division in Science from a recognized board and Diplomas of LHV and Midwifery from recognized Nursing Examination Board.</p>		
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SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA,
HEALTH DEPARTMENT.

Printed and published by the Manager,
Saeed & Pigeon, Deptt. Khyber Pakhtunkhwa, Peshawar.

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OFFICE OF THE SECRETARY TO GOVT. OF PAKHTUNKHWA DEPARTMENT HEALTH DEPARTMENT

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No. & Date even

No. SC14-III/6-60/2016 (Paramedics/Teachers/Service Rules)

Dated Peshawar, 17-03-2016

Copy forwarded for information and necessary action to:-

1. The Director General Health Services Khyber Pakhtunkhwa.
2. The Director Provincial Health Services Agency, Khyber Pakhtunkhwa
3. All District Health Officers, Khyber Pakhtunkhwa.
4. The Registrar Khyber Medical University, Peshawar.
5. The Director Health Services FATA.
6. All Hospital Directors/Medical Directors of Autonomous Institutions in Khyber Pakhtunkhwa.
7. All Medical Superintendents DHO/THQ Hospitals of Khyber Pakhtunkhwa.
8. All the Principals of Medical Colleges in Khyber Pakhtunkhwa.
9. The Dean PMU Peshawar.
10. The Chief HSRD Health Department Khyber Pakhtunkhwa.
11. The Director Information Khyber Pakhtunkhwa.
12. The Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
13. The Secretary, Medical Faculty, Khyber Pakhtunkhwa, Peshawar.
14. The Principal, Post Graduate Paramedical Institute, Peshawar.
15. The Principal, Post Graduate College of Nursing, Hayatabad Peshawar.
16. The Controller, Nursing Examination Board, Peshawar.
17. PS to Chief Secretary Khyber Pakhtunkhwa.
18. PS to Additional Chief Secretary (FATA) Peshawar.
19. PS to Secretary to Governor Khyber Pakhtunkhwa.
20. PS to Secretary to Chief Minister Khyber Pakhtunkhwa.
21. PS to Secretary to Government of Establishment Department.
22. PS to Secretary to Government of Finance Department.
23. PS to Secretary to Government of Law Department.
24. PS to Secretary, Public Service Commission, Khyber Pakhtunkhwa.
25. PS to Senior Minister for Health Department.
26. The Manager, Government Printing Press, Peshawar.

(Signature)

(Asfandyar Khattak) Deputy Secretary-II

(Signature)

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GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated the Peshawar 15th May, 2018

NOTIFICATION.

No. SOH-III/8-60/2018. The competent authority has been pleased to approve the proposal to enhance the ratio/restructuring of Paramedics staff of Health Department in the higher grades for availing promotion due to anomalous allocation in different scales as per following tables.

Scale wise Existing ratio of posts of Paramedical Staff			Scale wise Proposed ratio of posts of Paramedical Staff			Number of Posts
S. No.	BPS	Percentage	S. No.	BPS	Percentage	
1.	Posts in BPS-12	80%	1.	Posts in BPS-12	40%	5818
2.	Posts in BPS-14	12%	2.	Posts in BPS-14	30%	4362
3.	Posts in BPS-16	3.5%	4.	Posts in BPS-16	20%	2908
4.	Posts in BPS-17	2.5%	5.	Posts in BPS-17	8.0%	1164
5.	Posts in BPS-18	1.85%	6.	Posts in BPS-18	1.95%	284
6.	Posts in BPS-19	0.03%	7.	Posts in BPS-19	0.04%	05
7.	Posts in BPS-20	0.04%	8.	Posts in BPS-20	0.01%	01
100%			Total:			14542

2. The expenditure involved shall be debatable to function cum object classification 07-Health-076-Health-Administration-0761-Administration-076101-Administration current Financial Year 2017-18.

3. The Administrative Department will amend service rules through SSRC accordingly.

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst: No. SO(FR)FD/7-3/2018/17401/H

Dated: 11-05-2018

Copy forwarded to Accountant General, Khyber Pakhtunkhwa Peshawar for information & necessary action.

Section Officer (FR)
Finance Department

No. SOH-III/8-60/2018.

Dated: 15-05-2018

Copy forwarded to:-

1. The Additional Chief Secretary (FATA) Khyber Pakhtunkhwa.
2. The Secretary to Governor, Khyber Pakhtunkhwa.
3. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
4. The Secretary FATA, Governor's Secretariat Peshawar.

ATTESTED

**BEFORE THE PESHAWAR HIGH COURT, BENCH AT MINGORA/DAR
UL QAZA SWAT**

W.P NO. 102/2011

1. Aziz Ur Rehman Sweeper DHQ Hospital Timergara, Dir Lower.
2. Muhammad Khan Sweeper DHQ Hospital Timergara, Dir Lower.
3. Bakht Munir Sweeper DHQ Hospital Timergara, Dir Lower.
4. Taj Muhammad Sweeper DHQ Hospital Timergara, Dir Lower.
5. Bakht Said Sweeper DHQ Hospital Timergara, Dir Lower.
6. Amjad Ali Khan Mali, DHQ Hospital Timergara, Dir Lower.
7. Javed Khan ward attendant DHQ Hospital Timergara, Dir Lower.
8. Umar Sadiq Ward Attendant DHQ Hospital Timergara, Dir Lower.
9. Munawar Said, ward Attendant, DHQ Hospital Timergara, Dir Lower.
10. Noor Khitab Ward Attendant, DHQ Hospital Timergara, Dir Lower.

VERSUS

- 1) The Govt: of Khyber Pakhtunkhwa through Secretary Health Civil Secretariat, Peshawar.
- 2) Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
- 3) Executive District Officer (Health) Dir Lower.
- 4) District Account Officer Dir Lower.
- 5) Medical Superintendent DHQ Hospital Timergara, Dir Lower.
- 6) Nasir Ali S/O Nadar Khan R/O Village Bajaur, P/O Tehsil Timergar, District Lower.
- 7) Zubair Ali S/O Muhammad Rasool Khan R/O Village Danwa, Dir Lower.

PESHAWAR HIGH COURT, MINGORA BENCH DAR UL QAZA, SWAT

JUDICIAL DEPARTMENT

W.P..... No..... 102..... of..... 2011.....

JUDGMENT

Date of hearing 13.10.2011

Appellant/Petitioner (Aziz Ur Rehman & others) by Mr. Sultan Muhammad Khan
Respondent: (Govt: of Kpk) by Mr. Ikram Ullah Khan Advocate

YAHYA AFRIDI. J:- Azizur Rehman alongwith his nine other petitioners have sought the constitutional jurisdiction of this Court seeking that;

“for the aforementioned reasons it is therefore, respectfully prayed that on may graciously be pleased to declare the acts and actions of the respondents and the impugned appointment order dated 28.7.2011 and 9.7.2011 as without lawful authority and hence of no legal effect and this august Court may further pleased to set aside the same and direct respondents No.1 to 5 to act in the matter in accordance with law and to adjust petitioners against post announce”.

2. The petitioners may be categorized in two groups; petitioner No.1 to petitioner No.6, who are presently serving as sweepers (BPS-1) at DHQ Hospital Timergara, Dir Lower (“Group-1”) and petitioner No.7 to petitioner No.10, who are serving as Ward Attendance (BPS-2) at (BPS-1) at DHQ Hospital Timergara, Dir Lower, (“Group-2”).
3. The grievance of the petitioners in Group-1 is that the policy decision determined by the Government in its high powered meeting dated 12.7.2006 to resolve the problems of paramedic employees of the province have not been complied with and thus adversely affected the petitioners prospects of promotion to “Ward Orderlies, Chowkidar’s, Mali’s and other class-IV posts. It is further asserted that eight persons had been appointed on the said posts without even fulfilling the essential codal formalities provided under the law. Thus they have a two fold grievance;

Firstly, the petitioners be appointed to the upgraded post on seniority basis and

Secondly, the illegal appointments made to the said posts be set aside.

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4. Now moving on the petitioners in Group-2, their grievances is that they have not been promoted to the post of Junior Clerk (BPS-7) on seniority basis on the 33% quota determined under Rule 3 of the NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 ("Rules") as amended vide notification dated 4.2.2009. These petitioners further urged that other Naib Qasids and Sweepers, similarly placed as the petitioners, have been promoted to the post of Junior Clerk (BPS-7), while the petitioners have been discriminated against. In addition there to they further urged that the governed has recently advertised fresh appointments to the post of Junior Clerks in complete violation of the Rules.
5. Lest this Court passes any findings on the merits of the present case so as to prejudice the case of the parties, suffice to it to state that the petitioners are aggrieved of being to considered for promotion to the higher grade and their grievance needs to be first considered, addressed and resolved by the government.
6. As for as the jurisdiction of this constitutional Court to entertain matters seeking to be considered for promotion of a civil servant, we are afraid Article 212 of the Constitution bars our jurisdiction to entertain the said matter and the same exclusively falls within the domain of the Service Tribunal. Guidance is sought from the judgment of the Apex Court in Muhammad Anees's case (PLD 2006 SC 539).
7. In the peculiar circumstances of the present case where the grave grievances of the petitioners require urgent redressal, we instead of dismissing the present petition, treat the same as a representation before the departmental authority and direct the office to send this case to the Secretary Health, Government of Khyber Pakhtunkhwa for decision in writing rendering valid reasons thereof to be made within a period of one month, if not earlier, from the receipt of this judgment. It is further directed that the decision so made should be sent to the Additional Registrar PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA SWAT).
8. This petition is disposed of in the above terms.

Announce.

13.10.2011

BEFORE THE PESHAWAR HIGH COURT, BENCH
AT MINGORA/DARUL QAZA SWAT

P.No. 109 2011

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- 1) Aziz Ur Rahman Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 2) Muhammad Khan Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 3) Bakht Munir Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 4) Taj Muhammad Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 5) Bakht Said Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 6) Anjad Ali Khan Mali D.H.Q Hospital Timergara, Dir Lower.
- 7) Javed Khan Ward Attendant D.H.Q Hospital Timergara, Dir Lower.
- 8) Umar Sadiq Ward Attendant D.H.Q Hospital Timergara, Dir Lower.
- 9) Munawar Said Ward Attendant D.H.Q Hospital Timergara, Dir Lower.
- 10) Noor Khitab Ward Attendant D.H.Q Hospital Timergara, Dir Lower.

ATTESTED TO BE TRUE COPY

...Petitioners

VERSUS

- 1) The Govt. of Khyber Pukhtoonkhwa through Secretary Health Civil Secretariat, Peshawar.
- 2) Director General Health Services, Khyber Pukhtoonkhwa, Peshawar.
- 3) Executive District Officer (Health) Dir Lower.
- 4) District Account Officer Dir Lower.
- 5) Medical Superintendent DHQ Hospital Timergara Dir Lower.
- 6) Nasir Ali S/o Nadar Khan R/o Village Sajaro, P.O Tehsil Timergara, District Dir Lower.
- 7) Zubair Ali S/o Muhammad Rasool Khan R/o Village Danwa, District Dir Lower.

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ATTESTED

...Respondents

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Judgment Sheet

PESHAWAR HIGH COURT, MINGRA BENCH (DAR-UL-QAZA),
SWAT.

JUDICIAL DEPARTMENT

W.P. No. 102 of 2011

JUDGMENT

Date of hearing 13.10.2011

Appellant/Petitioner: (Azizur Rehman & others) by Mr. Sultan Muhammad (C.A.)

Respondent: (Govt of PPK) by Mr. J. M. Khan (C.A.)

YAHYA AFRIDI, J.: Azizur Rehman

alongwith his nine other petitioners have sought the constitutional jurisdiction of this Court seeking that;

"for the aforementioned reasons, it is, therefore, respectfully prayed that on acceptance of this writ petition this august may graciously be pleased to declare the acts and actions of the respondents and the impugned appointment order dated 28.7.2011 and 9.7.2011 as without lawful authority and hence of no legal effect and this august Court may further pleased to set aside the same and direct respondents No.1 to 5 to act in the matter in accordance with law and to adjust petitioners against posts announced."

2. The petitioners may be categorized in two groups; petitioner No.1 to petitioner No.6, who are presently serving as sweepers (BPS-1) at DHQ Hospital Timergara, Dir Lower ("Group-1") and petitioner No.7 to petitioner No.10, who are serving as

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Ward Attendance (BPS-2) at (BPS-1) at DHQ Hospital Timergara, Dir Lower ("Group-2").

3. The grievance of the petitioners in Group-1 is that the policy decision determined by the Government in its high powered meeting dated 12.7.2006 to resolve the problems of paramedic employees of the province have not been complied with and thus adversely affected the petitioners prospects of promotion to 'Ward Orderlies', 'Chokidar', 'Malis' and other class-IV posts. It is further asserted that eight persons had been appointed on the said posts without even fulfilling the essential cordial formalities provided under the law. Thus they have a two fold grievance;

Firstly, the petitioners be appointed to the upgraded post on seniority basis and

Secondly, the illegal appointments made to the said posts be set aside.

4. Now moving on to the petitioners in Group-2, their grievance is that they have not been promoted to the post of Junior Clerk (BPS-7) on seniority basis on the 33% quota determined under Rule 3 of the N.W.F.P. Civil Servants (Appointment, Promotion

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and Transfer) Rules, 1989 ("Rules") as amended vide notification dated 4.2.2009. These petitioners further urged that other Naib Qasids and Sweepers, similarly placed as the petitioners, have been promoted to the post of Junior Clerk (BPS-7), while the petitioners have been discriminated against. In addition there to, they further urged that the government has recently advertised fresh appointments to the post of Junior Clerks in complete violation of the Rules.

5. Lest this Court passes any findings on the merits of the present case so as to prejudice the case of the parties, suffice to it to state that the petitioners are aggrieved of being not considered for promotion to the higher grade and their grievance needs to be first considered, addressed and resolved by the government.

6. As far as the jurisdiction of this constitutional Court to entertain matters seeking to be considered for promotion of a civil servant, we are afraid Article 212 of the Constitution bars our jurisdiction to entertain the said matter and the same exclusively falls within the domain of the Services Tribunal. Guidance is

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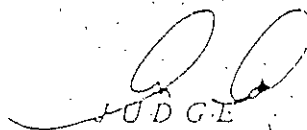
13/10

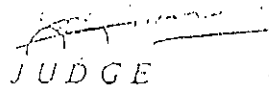
sought from the judgment of the Apex Court in

Muhammatul Anees's case (PLD 2006 SC 539).

6. In the peculiar circumstances of the present case where the grave grievances of the petitioners require urgent redressal, we instead of dismissing the present petition, treat the same as a representation before the departmental authority and direct the office to send this case to the Secretary Health, Government of Khyber Pukhtoon Khwa for decision in writing rendering valid reasons thereof to be made within a period of one month, if not earlier, from the receipt of this judgment. It is further directed that the decision so made should be sent to the Additional Registrar PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT.

7. This petition is disposed of in the above terms.


JUDGE


JUDGE

Announced.
Dt. 13/10/2011.

ATTESTED



COC NO 01/2012

IN

WRIT PETITION NO. 102/2011

MAZHAR ALAM KHAN MIANKHEL, J:- The petitioner through instant petition seek implementation of the judgment dated 13.10.2011 of this Court by initiating contempt proceedings against the respondents.

2. The learned counsel for the petitioners was heard and record of the case was perused.

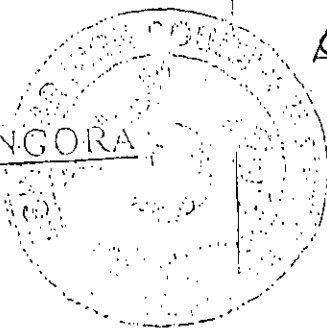
3. the learned A.A.G. present in the Court in some other case, accepted the notice this petition and thereafter sought some time to inquire about the matter involved in this petition from the concerned authorities. Later on the learned A.A.G informed the court that the appeal of the present petitioner is under consideration before the competent authority and within a short span of time, the same would be decided. He also produced Photostat copy of a letter dated 29.12.2011. When this being the situation, we once again would direct the respondents to do the needful at their earliest, but not later than one month.

This COC is thus disposed of in above terms.

Announced
11.01.2012.

E-24

BEFORE THE PESHAWAR HIGH COURT, MINGORA
BENCH AT MINGORA SWAT



- 1) Aziz-Ul-Rehman Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 2) Muhammad Khan Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 3) Bakht Munir Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 4) Taj Muhammad Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 5) Bakht Said Sweeper D.H.Q Hospital Timergara, Dir Lower.
- 6) Anjad Ali Khan Mali D.H.Q Hospital Timergara, Dir Lower.
- 7) Javed Khan Ward Attendant D.H.Q Hospital Timergara, Dir Lower.
- 8) Umar Sadiq Ward Attendant D.H.Q Hospital Timergara, Dir Lower.
- 9) Munawar Said Ward Attendant D.H.Q Hospital Timergara, Dir Lower.
- 10) Noor, Khatib Ward Attendant D.H.Q Hospital Timergara, Dir Lower.

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[Name]
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..... Petitioners

VERSUS

1. Secretary Health, Govt of Khyber Pakhtoonkhwa, Civil Secretariat, Peshawar.
2. Director General Health services Khyber Pakhtoonkhwa.
3. District Coordination Officer Dir Lower at Timergara.
4. Executive District Officer (Health) Dir Lower.
5. Medical Superintendent D.H.Q Hospital Timergara, Dir Lower.

..... Respondents

Application Under Article 204 Constitution
Of the Islamic Republic of Pakistan, 1973

Respectfully Sheweth!

5-20-11

1) That a Writ Petition No. 102 of 2011 was decided by this Honorable Court vide order dated 13-10-2011 wherein it was held "in the peculiar

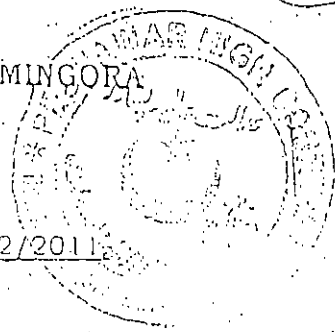
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JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, MINGORA
BENCH
(DAR-UL-QAZA), SWAT.
(Judicial Department)



C.O.C. No.01/2012 in W.P. No.102/2011

JUDGMENT

Date of hearing: 11.01.2012.

Appellant-Petitioner (A.Z. 247 Rehman
and others) by Mr. Asghar Ali Advocate
Respondent (Secretary Health and
others) by Mr. Ghousias Khan Advocate

MAZHAR ALAM KHAN MIANKHEL, J. The
petitioners through instant petition seek
implementation of the judgment dated
13.10.2011 of this Court by initiating contempt
proceedings against the respondents.

2. The learned counsel for the
petitioners was heard and record of the case was
perused.

3. The learned A.A.C. present in the
Court in some other case, accepted the notice of
this petition and thereafter sought some time to
inquire about the matter involved in this petition
from the concerned authorities. Later on, the
learned A.A.C. informed the court that the
appeal of the present petitioner is under
consideration before the competent authority

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M
Bench
Court

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and within a short span of time, the same would be decided. He also produced Photostat copy of a letter dated 29.12.2011. When this, being the situation, we once again would direct the respondents to do the needful at their earliest, but not later than one month.

This C.O.C. is thus disposed of in above terms.

Announced.
Dt: 11.01.2012.

Sd/-
Judge

S.No. 207
Name of Katir Batskh
Date 14.1.12
Date 19.1.12
Page 3 P
Page 6 P
Date 19.1.12

office
16.1.12

Certified to be true copy

[Signature]
19/01/12
12

[Signature]

ATTESTED

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MOST IMMEDIATE
COURT MATTER

GOVERNMENT OF KHYBER PAKHTUNKHWA

HEALTH DEPARTMENT

No. SOH(LIT.I)12(1)-47/2011

Dated Peshawar the 29th December, 2011

To

1. The Director General,
Health Services, Khyber Pakhtunkhwa,
Peshawar.
2. The Executive District Officer-Health,
Dir. Lower.

Subject: ORDER/JUDGMENT DATED 13/10/2011 PASSED BY THE PESHAWAR HIGH COURT MINGORA BENCH(DARUL QAZA) SWAT IN WRIT PETITION NO. 102/201 MR. AZIZ UR REHMAN ETC VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA AND OTHERS.

I am directed to refer to this Department letter of even number dated 28/11/2011 and your letter 10788, dated 22/12/2011 and letter No. 10521/EDO-Health Dir Lower, dated 01/12/2011, on the subject noted above and to state that your comments/report do not cover the requirements as per promotion, posting/transfer rules, 1989, therefore you are once again requested to prepare report as per rules/policy so that the issue could be placed before the Hon' able Secretary Health Khyber Pakhtunkhwa for necessary decision. Meanwhile no action be taken/initiate and do not disturb the petitioners till the final decision of the Secretary Health in the matter/final decision of the Peshawar High Court Mingora Bench Swat, otherwise, any adverse orders passed by the Peshawar High Court Mingora Bench Swat your office will be held responsible.

SECTION OFFICER (LIT.I)

Endst. No. and date a.a.

Copy forwarded to:-

1. The Section Officer-III, Govt. of Khyber Pakhtunkhwa, Health Department, Peshawar with the request to direct the Executive District Officer-Health, Dir Lower to submit report as per rules /policy and placed before the Hon' able Secretary Health to decide the case on merit.
2. The Addl. Advocate General, Peshawar High Court Mingora Bench Swat.
3. The P.S to Secretary Health, Khyber Pakhtunkhwa, Peshawar.

[Signature]
SECTION OFFICER (LIT.I)

ATTESTED

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F-28

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Government of Khyber Pakhtunkhwa
Health Department

No.SOH(Lit.I)12(1)-47/2011.
Dated Peshawar, the 23rd February, 2012.

*SO 11
Compliance of Court's
Order in Peshawar*

To

- The Director General,
Health Services, Khyber Pakhtunkhwa,
Peshawar
- The Executive District Officer-Health,
Dir Lower

Subject:

COMPLIANCE OF PESHAWAR HIGH COURT'S ORDER IN WP NO.102/11 & PROCEEDINGS IN CONTEMPT PETITION NO.01/2012

I am directed to refer to the Peshawar High Court's orders passed in WP No.102/11 titled Azizur Rehman etc. Versus Government of Khyber Pakhtunkhwa Health Secretary and others dated 13/10/11 and subsequent orders of the apex court in contempt petition No. 01/2012 dated 11/01/2012 wherein the apex court has directed the Provincial Government, Health Department to resolve the issue within a period of one month positively. Copies of the aforesaid orders are enclosed.

18/3

To comply the superior court's orders in letter and spirit, the competent authority has been pleased to approve the adjustment of petitioners as under:-

S.No.	S.No., name & designation of petitioners in WP No.102/11.	Required adjustment against the posts	Remarks/Justification
1.	Petitioners at S.No.1 to 5 (excluding S.No.2) are Muslim Sweepers in BPS-01	Ward Attendant (BPS-02)	Adjustment/appointment to be made on the basis of Establishment & Admn.Deptt. Notification No.SOI/VII(4)S9/Vol.II dated 13/5/90. Copy enclosed for ready reference.
2.	Petitioner at S.No.2 also a Muslim Sweeper in BPS-01.	Driver (BPS-03)	Petitioner is in possession of a valid driving licence plus experience/ commendation certificate awarded by MS DHQ Hospital Dir Lower and also working as Driver for the last one year.
3.	Petitioner at S.No.6 Anjid Ali Khan Mali(BPS-01)	Junior Clerk (BPS-07)	Petitioner is in possession of FA certificate plus experience certificate awarded by MS DHQ Hospital Dir Lower and also working as Junior Clerk for the last one year.
4.	Petitioner at S.No.7(Javed Khan) is Ward Attendant (BPS-02)	Dental Technician (BPS-09)	Petitioner is in possession of diploma in the relevant field awarded by the KPK Medical Faculty plus experience/commendation certificate awarded by MS DHQ Hospital Dir Lower and also working as Dental Technician for the last 03 years.
5.	Petitioner at S.No.8 Umar Sadiq Ward Attendant (BPS-02)	Laboratory Technician (BPS-09)	Petitioner is in possession of diploma in the relevant field awarded by the KPK Medical Faculty plus experience/commendation certificate awarded by MS DHQ Hospital Dir Lower and also working as such for the last one year.
6.	Petitioner at S.No.9 Munawar Saeed Ward Attendant (BPS-02)	Anesthesia Technician (BPS-09)	Petitioner is in possession of diploma in the relevant field awarded by the KPK Medical Faculty plus experience/commendation certificate awarded by MS DHQ Hospital Dir Lower and also working as Anesthesia Technician for the last two years.
7.	Petitioner at S.No.10 Noor Khilab Ward Attendant (BPS-02)	Health Technician (BPS-09)	Petitioner is in possession of diploma in the relevant field awarded by the KPK Medical Faculty plus experience/commendation awarded by MS DHQ Hospital Dir Lower and also working as Health Technician for the last one year.

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The competent authority desires to adjust/appoint the aforesaid petitioners against the posts mentioned in Col. 05 of the table above under intimation to this department enabling us to apprise the Hon'ble Peshawar High Court Mingora Bench (Dard Quza), Swat without further loss of time.

SECTION OFFICER (LIT.) - 2/6/2012

Enlist No. & Date: EVEN

- 1. Copy forwarded to the: Additional Registrar, Peshawar High Court, Mingora Bench Swat with reference to his letter No: 910/Judl
- 2. Additional Advocate General, Peshawar High Court Mingora Bench, Swat.
- 3. P/S to Secretary Health, Khyber Pakhtunkhwa Peshawar.
- 4. Deputy Secretary-II, Health Department, Peshawar.

SECTION OFFICER (LIT.)

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29/A

آسامیاں خالی ہیں

تفصیلات کے ساتھ آسامیوں میں ذیل آسامیاں خالی ہیں جن کو پر کرنے کیلئے فراہم شدہ حضرات سے درخواستیں مطلوب ہیں درخواست
سادہ کاغذ پر ہمدردی شدہ اسناد دفتر ڈاکو 25 اپریل 2019 تک پہنچانی جائیں۔

نمبر	آسامی نام	سیکل	تعمیراتی قابلیت	نمبر
1	آسامی پبلکیشن	12	سیڈیکل ٹیکنیسیئن خیرہ پختونخوا سے متعلقہ شعبہ میں 2 سالہ ڈپلومہ	18 سال سے 33 سال
2	سیڈیکل پبلکیشن	12	سیڈیکل ٹیکنیسیئن خیرہ پختونخوا سے متعلقہ شعبہ میں 2 سالہ ڈپلومہ	18 سال سے 33 سال
3	پیتھالوجی پبلکیشن	12	سیڈیکل ٹیکنیسیئن خیرہ پختونخوا سے متعلقہ شعبہ میں 2 سالہ ڈپلومہ	18 سال سے 33 سال
4	ریڈیالوجی پبلکیشن	12	سیڈیکل ٹیکنیسیئن خیرہ پختونخوا سے متعلقہ شعبہ میں 2 سالہ ڈپلومہ	18 سال سے 33 سال
5	(ای ایچ سی) ای پی آئی پبلکیشن	12	سیڈیکل ٹیکنیسیئن خیرہ پختونخوا سے متعلقہ شعبہ میں 2 سالہ ڈپلومہ	18 سال سے 33 سال
6	سٹوریو گرافی	12	سیڈیکل ٹیکنیسیئن خیرہ پختونخوا سے متعلقہ شعبہ میں 2 سالہ ڈپلومہ	18 سال سے 33 سال
7	ایڈیٹنگ اور ڈیزائن	12	سیڈیکل ٹیکنیسیئن خیرہ پختونخوا سے متعلقہ شعبہ میں 2 سالہ ڈپلومہ	18 سال سے 33 سال
8	ڈاٹا	04	ڈاٹا کوئس	18 سال سے 40 سال

۱۔ شہادت مسٹ امیدواروں کو انٹرویو کیلئے بلایا جائیگا۔

۲۔ لوکل امیدواروں کو ترجیح دی جائیگی۔

۳۔ ہر امیدوار کو اپنا سہ ماہی نمبر دینا ضروری ہوگا۔

ڈاکٹر وزیر صافی ڈسٹرکٹ ہیلتھ آفیسر (باجور ڈسٹرکٹ) ڈسٹرکٹ

ATTESTED

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VAKALATNAMA

Before the HP Service Tribunal, Peshawar

No. _____/2019

Mohammad Hakim

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Health Department

(RESPONDENT)
(DEFENDANT)

I/We *Mohammad Hakim*

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated _____/_____/2019


CLIENT


ACCEPTED

NOOR MOHAMMAD KHATTAK

SHAHZULLAH KHAN YOUSAFZAI


&
MIR ZAMAN SAFI
ADVOCATES

OFFICE:

Room No. 1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391.

BEFORE THE SERVICES TRIBUNAL

KHYBER PAKHTUNKHWA, PESHAWAR

APPEAL NO. 722 / 2019

Muhammad Hakim Naib Qasid
DHQ Hospital, Bajaur at Khar----- Appellant

VERSES

Govt of Khyber Pakhtunkhwa, and others----- Respondents

S NO.	DETAIL	PAGE NO.	Description
1	Para wise Comments	1-2	
2	Notification 2006 regarding Service Structure of Paramedics	3-4	A
3	New Service Structure 2016	5-11	B

BEFORE THE SERVICES TRIBUNAL

KHYBER PAKHTUNKHWA, PESHAWAR

APPEAL NO. 722 / 2019

Muhammad Hakim Naib Qasid
DHQ Hospital, Bajaur at Khar----- Appellant

VERSES

Govt of Khyber Pakhtunkhawa, and others----- Respondents

Reply / comments on behalf of the Respondents No. 1,4,5,6 & 7

Respected Sheweth

Preliminary objections

1. That the appellant has got no locus standi to file the instant appeal.
2. That the appellant has not come to this Honorable Court with clean hands.
3. That, the Honorable Tribunal has no jurisdiction to adjudicate the matter under S. 4(b)(i) of the KP Service Tribunal Act 1974.

FACTS


1. Correct. The appellant was appointed as Naib Qasid (BS-2) on 21.08.2003 in DHQ Hospital Bajaur at Khar and still working on the same post.
2. Correct to the extent of appointment as Class-IV in DHQ Hospital Bajaur. As far as acquiring of Diploma is concerned, so it is stated that the appellant has only one year EPI Training Certificate which is now not acceptable. It is pertinent to mention here that the Govt. has changed the nomenclature of "EPI Technician" as Primary Health Care (Multi-Purpose) (PHC Technician) vide Notification at **Annex-A** and qualification for the said post was approved in the new Service Structure approved by the Govt. of Khyber Pakhtunkhwa Health Department vide Notification at **Annex-B** which is reproduced as "At least second division Secondary School Certificate with science from a recognized board with Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical Technology from any recognized Institution, provided that the same is registered with the Medical Faculty Khyber Pakhtunkhwa Peshawar" which means the Certificate of the appellant in light of the new service structure, is not acceptable for a post of BPS-12.
3. Correct, there is no prospect of promotion of Class-IVs employees to the posts of BPS-12 in the new service structure of paramedics which has been approved and notified by the Govt. of Khyber Pakhtunkhwa Health Department, wherein Diploma is required for appointment of PHC Technician. BPS-12, therefore, one year Certificate of the appellant is not acceptable.
4. Incorrect as stated in Para-3 above.


5. Correct to the extent of Writ Petition No. 102/2011 and Notification dated 28.02.2012 by the Health Department Khyber Pakhtunkhwa, wherein some Petitioners were adjusted against the posts of BPS-12 being Diploma holders and got experience in the concerned fields by working there on general basis. Now approval of new service structure for Paramedic, has superseded all the earlier Notifications.
6. Incorrect, after promulgation of new service structure for Paramedics, all the Class-IVs employees having Diplomas in Health Technologies will apply and contest when the posts are advertised. As far as the appellant is concerned, he has only one year certificate which is now not acceptable.
7. Incorrect, in light of the new service structure of Paramedics, the appellant has no right to file the instant appeal.

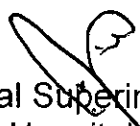
GROUNDS

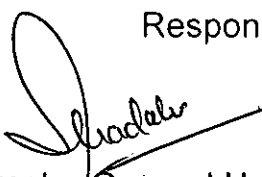
- A- Incorrect, there is no violation from the law because in light of new service structure for Paramedics, there is no quota for Class-IVs employees having Diplomas of Health Technologies whereas the appellant has only one year Certificate, cannot be adjusted against the post of BPS-12.
- B- Incorrect, as stated above.
- C- Incorrect, as stated above.
- D- Incorrect, the new service structure for Paramedics has superseded all the past Notifications.
- E- Incorrect, in light of new service structure, Diploma holders will apply to the posts of BPS-12 whereas the appellant has only one year Certificate which is now not acceptable.
- F- Incorrect, as stated above.
- G- Incorrect, as stated above.
- H- The respondents will also produce other proofs at the time of arguments.

As the appellant being a Certificate holder is not eligible for the post of BPS-12, which means the appeal has no legal footings, therefore, it is humbly prayed that the appeal may please be dismissed.


Director Health Services,
Merged Areas Peshawar.
Respondent No. 5


Secretary Health
Khyber Pakhtunkhwa Peshawar
Respondent No. 1


Medical Superintendent,
DHQ Hospital Bajaur
Respondent No. 6&7


Director General Health Services,
Khyber Pakhtunkhwa Peshawar
Respondent No. 4

A

GOVERNMENT OF NWFP
HEALTH DEPARTMENT

Dated Peshawar the 25th August, 2006

NOTIFICATION

NO SOH-III /8-60/05 (Paramedics). In supersession of this Department's Notification of even number dated 10th May 2006 and in pursuance of the decision taken by the Provincial Cabinet in its meeting held on 27th December 2005, the Competent Authority is pleased to approve eight stage Paramedics Services Structure of NWFP as follows:-

- (1) The existing 57 different categories of Paramedics at annex A are restructured into 14 cadres as annexure B.
- (2) In all the aforesaid cadres/specialties, the posts in various pay scales shall be integrated/categorized and re-designated as under:-

S.No	Existing Posts	Re-designation
i)	Posts in BPS-5 to BPS-9, in all specialties	Junior Technicians (BPS-9)
ii)	Posts in BPS-10 to BPS-12 in all specialties	Technicians (BPS-12)
iii)	Posts in BPS-13 to BPS-14 in all specialties	Senior Technicians (BPS-14)
iv)	Posts in BPS-15 to BPS-16 in all specialties	Chief Technicians (BPS-16)
v)	Posts in BPS-17 in all specialties	Technologist (BPS-17)
vi)	Posts in BPS-18 in all specialties	Senior Technologist (BPS-18)
vii)	Posts in BPS-19 in all specialties	Chief Technologist (BPS-19)
viii)	Posts in BPS-20 in all specialties	Principal Technologists (BPS-20)

The words "clinical" shall be mentioned with the categories of posts meant for Paramedics working in the hospitals and "Primary Health Care" with the paramedics working in the field alongwith mention of specific specialty (e.g. Junior Clinical Technician (Radiology) and Junior Primary Health Care Technician (Multi purpose).

- (3) The number of Posts in BPS-9, BPS-12, BPS-14, BPS-16, BPS-17, BPS-18, BPS-19 and BPS-20, in the service shall be worked out according to the following proportionate ratio:-

S.No.	BPS	Percentage
a)	Post in BPS-9	80%
b)	Post in BPS-12	12%
c)	Post in BPS-14	3.5%
d)	Post in BPS-16	2.5%
e)	Post in BPS-17	1.36%
f)	Post in BPS-18	0.09%
g)	Post in BPS-19	0.04%
h)	Post in BPS-20	0.01%

- (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 officials already in BPS-12 will be senior and the officials in the lower pay scales 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) Promotions to the posts 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 and Rule-17 of the NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989.
- (6) 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.

(7) The following four Cadres declared as dying cadre by the Provincial Cabinet vide its decision dated 22.06.2000 will be replaced with the following new cadres:-

Existing Nomenclature	New Nomenclature
Dispenser/Compounders/Dressors	Pharmacy Technician
Malaria Technician	Primary Health Care(Multipurpose)
EPI Technician	-do-
Sanitation Technician	-do-

- a) The Health Department should devise job description and distribution plan of the above four cadres.
- b) The post so vacated by the incumbent of the above four cadres will be filled in after its fresh approval from Finance Department.

Sd/xxx
(ABDUS SAMAD KHAN)
SECRETARY HEALTH

ENDST: NO.KC/FD/SO(FR)/7-3/2001

Dated Peshawar, 25.08.2006

Copy forwarded for information and necessary action to:-

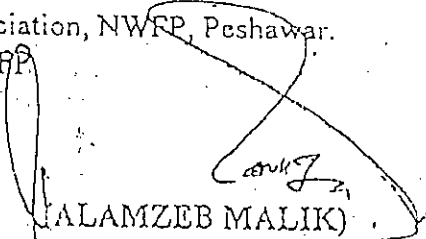
- 1) The Accountant General, NWFP, Peshawar.
- 2) All District/Agency Accounts Officer in NWFP.

Sd/xxx
(YAKI AKBAR)
SECTION OFFICER(FR)
FINANCE DEPARTMENT

Endorsement No. & date as above.

Copy forwarded to: -

1. The Additional Chief Secretary (FATA), Civil Secretariat FATA, Peshawar.
2. The Secretary to Governor, NWFP.
3. The Secretary to Chief Minister, NWFP.
4. The Secretary to FATA, Governor's Secretariate, (Peshawar).
5. The Secretary to Govt of NWFP, Finance Deptt for information
6. All Administrative Secretaries to Govt of NWFP.
7. The Accountant General, NWFP, Peshawar.
8. The Director General, Health Services, NWFP.
9. The Inspector-General of Prisons, NWFP.
10. The Director General, Social Security, NWFP.
11. The Director, PHSA, NWFP.
12. Dr. Mahmood Alam, Chairman, Paramedics Service Structure Committee, PHSA, NWFP.
13. The Chief HSRRU.
14. The Chief Planning Officer Health Department.
15. Director Health Services FATA, (Peshawar) to ensure reflection of the up-gradation/ re-designation of posts in the budget book 2007-2008.
16. All Chief Executives of Teaching Hospitals in NWFP.
17. All Medical Superintendents of DHQ Hospital in NWFP.
18. All Executive District Officers (Health) of NWFP.
19. The Director of Information, NWFP.
20. All Agency Surgeons/MS of FATA.
21. The Principal KMC/KCD, Peshawar, AMC Abbott Abad, Saidu Medical College Swat & Gomal Medical College D.I.Khan.
22. The Dean, P.G.M.I, Peshawar.
23. All District Accounts Officers in NWFP.
24. All Agency Accounts Officers in FATA.
25. The Budget Officer-VI Finance Deptt; to ensure reflection of the up-gradation/ re-designation of posts in the budget book 2007-2008.
26. The Section Officer (Budget) Health Department.
27. PS to Chief Secretary NWFP.
28. PS to Secretary Establishment, E&A Department NWFP.
29. PS to Minister for Health, NWFP.
30. President, Provincial Paramedical Association, NWFP, Peshawar.
31. The Manager Govt. Printing Press, NWFP.


SALAMZEB MALIK
SECTION OFFICER -III

EXTRAORDINARY

GOVERNMENT



REGISTERED NO. 221

G A Z E T T E

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 10TH MAY 2018

GOVERNMENT OF THE KHYBER PAKHTUNKHWA

HEALTH DEPARTMENT

NOTIFICATION

Published under the 10th May 2018

NOTIFICATION NO. 5011-18-1011 is published in pursuance of the provision contained in subrule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Service (Recruitment, Promotion and Transfer) Rules, 1974 in the pursuance of all regulations issued in this behalf by the Health Department, in consultation with the Establishment Department, Government of the Khyber Pakhtunkhwa, for the recruitment of the following posts, the names of recruitment, qualification and other conditions specified in column 1 to 3 of the Appendix in the Appendix.

APPENDIX

Name of the post	Qualification for appointment by initial recruitment	Age limit	Method of recruitment
<p>1. Principal Technical Officer (TS-19)</p> <p>(i) B.Sc. in Chemical Technology, B.Pharm, B.Tech. in Chemical Engineering, Pharmacy, (ii) B.Tech. in Chemical Technology, (iii) B.Tech. in Chemical Engineering, (iv) B.Tech. in Chemical Technology.</p>	1	1	<p>5</p> <p>By promotion on the basis of seniority from amongst the Chief Technicians and Chief Technicians with five years service in the category of TS-17 and above or with five years service in the category of TS-17 and above in the relevant field.</p>

<p>2</p> <p>Chief Technologist</p> <p>CSB-193</p>	<p>(v) Principal Clinical Technologist Anaesthetist;</p> <p>(vi) Principal Clinical Technologist Cardiology;</p> <p>(vii) Principal Clinical Technologist Surgeon;</p> <p>(viii) Principal Clinical Technologist Dialysis;</p> <p>(ix) Principal Clinical Technologist Physiotherapy;</p> <p>(x) Principal Clinical Technologist Pulmonology;</p> <p>(xi) Principal Clinical Technologist Gastroenterology and Ophthalmology / otorhinolaryngology; and</p> <p>Principal PIC Technologists</p> <p>(i) Principal PIC Technologist (Main Purpose); and</p> <p>(ii) Principal PIC Technologist (MCIA)</p>	<p>(i) Chief Clinical Technologist Dental;</p> <p>(ii) Chief Clinical Technologist Pharmacy;</p> <p>(iii) Chief Clinical Technologist Radiology;</p> <p>(iv) Chief Clinical Technologist Pathology;</p> <p>(v) Chief Clinical Technologist Anaesthesia;</p> <p>(vi) Chief Clinical Technologist Cardiology;</p> <p>(vii) Chief Clinical Technologist Surgical;</p> <p>(viii) Chief Clinical Technologist Dietetics;</p> <p>(ix) Chief Clinical Technologist Physiotherapy;</p> <p>(x) Chief Clinical Technologist Pulmonology;</p> <p>(xi) Chief Clinical Technologist Gastroenterology; and</p> <p>(xii) Chief Clinical Technologist Ophthalmology; and Otorhinolaryngology; and</p>	<p>By promotion, on the basis of seniority, senior fitness, from amongst Senior Technologists and Senior PIC Technologists with seven years service in HPS-18 or twelve years service in HPS-17 and above as such in the relevant technology.</p>
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	<p>Chief PHC Technologist</p> <p>(i) Chief PHC Technologist (Multi-Purpose); and (ii) Chief PHC Technologist (MCF).</p>			
3	<p>Senior Technologist (BS-18)</p> <p>(i) Senior Clinical Technologist Dental; (ii) Senior Clinical Technologist Pharmacy; (iii) Senior Clinical Technologist Radiology; (iv) Senior Clinical Technologist Pathology; (v) Senior Clinical Technologist Anaesthesia; (vi) SCT Senior Clinical Technologist Cardiology; (vii) Senior Clinical Technologist Surgical; (viii) Senior Clinical Technologist Dialysis; (ix) Senior Clinical Technologist Physiotherapy; (x) Senior Clinical Technologist Pulmonology; (xi) Senior Clinical Technologist Gastroenterology; and (xii) Senior Clinical Technologist Ophthalmology/Otorhinolaryngology; and</p> <p>Senior PHC Technologist</p> <p>(i) Senior PHC Technologist (Multi-Purpose); and (ii) Senior PHC Technologist (MCH).</p>	<p>At least Second Class Master's Degree or B.Sc Honours/ BS (04 years) in the relevant technology or equivalent qualification from a recognized University / Institution.</p>	<p>20-35 years</p>	<p>(a) Fifty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Technologists and PHC Technologists with five years service as such in the relevant technology; and (b) Fifty percent by initial recruitment.</p>
4	<p>Technologist (BS-17)</p> <p>(i) Clinical Technologist Dental; (ii) Clinical Technologist Pharmacy; (iii) Clinical Technologist Radiology; (iv) Clinical Technologist Pathology; (v) Clinical Technologist Anaesthesia;</p>	<p>At least Second Class Bachelor's Degree in the relevant Technology from a recognized University/ Institution.</p>	<p>18-32 years</p>	<p>(a) Forty percent by promotion, on the basis of seniority-cum-fitness, from amongst the Chief Technicians and Chief PHC Technicians with three years service as such in the relevant technology;</p>

	<ul style="list-style-type: none"> (vi) Clinical Technologist Cardiology; (vii) Clinical Technologist Surgical; (viii) Clinical Technologist Dialysis; (ix) Clinical Technologist Physiotherapy; (x) Clinical Technologist Pulmonology; (xi) Clinical Technologist Gastroenterology; and (xii) Clinical Technologist Ophthalmology / Otorhinolaryngology); and <p><u>PHC Technologist</u></p> <ul style="list-style-type: none"> (i) PHC Technologist (Multi-Purpose); and (ii) PHC Technologist (MCH). 		<p>(b) twenty percent by promotion, on the basis of seniority-cum-finesse, from amongst the Chief Technicians, Senior Technicians and Technicians having qualification prescribed for initial recruitment with three years service as such in relevant technology.</p> <p><u>Note:</u> For the purpose of promotion, there shall be maintained a joint seniority list of Chief Technicians, Senior Technicians and Technicians with reference to the dates of their acquiring qualification prescribed for initial recruitment as in column No. 5.</p> <p>Provided that if two or more officials acquired the qualification prescribed for initial recruitment in the same session, then the official who obtains the highest marks or grade in the examination shall be deemed to be senior to the other officials; and</p> <p>(c) forty percent by initial recruitment.</p>
5	<p><u>Chief Technician CBS-16</u></p> <ul style="list-style-type: none"> (i) Chief Clinical Technician Dental; (ii) Chief Clinical Technician Pharmacy; (iii) Chief Clinical Technician Radiology; (iv) Chief Clinical Technician Pathology; (v) Chief Clinical Technician Anesthesia; (vi) Chief Clinical Technician Cardiology; (vii) Chief Clinical Technician Surgical; (viii) Chief Clinical Technician Dialysis; (ix) Chief Clinical Technician Physiotherapy; (x) Chief Clinical Technician Pulmonology; (xi) Chief Clinical Technician Gastroenterology; and 		<p>By promotion, on the basis of seniority-cum-finesse from amongst the Senior Technicians and Senior PHC Technicians with at least two years service as such in relevant technology.</p>

	(xii) Chief Clinical Technician Ophthalmology, (Otorhinolaryngology); and Chief PHC Technician			
	(i) Chief PHC Technician (Multi-Purpose); and (ii) Chief PHC Technician (MCH).			
6	Senior Technician (BS-14) (i) Senior Clinical Technician Dental; (ii) Senior Clinical Technician Pharmacy; (iii) Senior Clinical Technician Radiology; (iv) Senior Clinical Technician Pathology; (v) Senior Clinical Technician Anaesthesia; (vi) Senior Clinical Technician Cardiology; (vii) Senior Clinical Technician Surgical; (viii) Senior Clinical Technician Dialysis; (ix) Senior Clinical Technician Physiotherapy; (x) Senior Clinical Technician Pulmonology; (xi) Senior Clinical Technician Gastroenterology; and (xii) Senior Clinical Technician Ophthalmology/ Otorhinolaryngology); and Senior PHC Technician			By promotion, on the basis of seniority amongst the Technicians and PHC Technicians with at least two years service as such in the relevant technician
	(i) Senior PHC Technician (Multi-Purpose); and (ii) Senior PHC Technician (MCH).		18-30 years	By initial recruitment
	Technician (BS-12) (i) Clinical Technician Dental; (ii) Clinical Technician Pharmacy; (iii) Clinical Technician Radiology; (iv) Clinical Technician Pathology; (v) Clinical Technician Anaesthesia; (vi) Clinical Technician Cardiology; (vii) Clinical Technician Surgical; (viii) Clinical Technician Dialysis; (ix) Clinical Technician Physiotherapy; (x) Clinical Technician Pulmogology; (xi) Clinical Technician Gastroenterology; and	(i) Technician/PHC Technician: At least Second Division Secondary School Certificate with Science from a recognized Board with Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical technology from any recognized institution, provided that the same is registered with the Medical Faculty Khyber Pakhtunkhwa Peshawar; and		

	<p><u>PHC Technician</u></p> <p>→ (i) PHC Technician(Multi-Purpose); and (ii) PHC Technician (MCH).</p>	<p>(ii) <u>PHC Technician (MCH):</u> Secondary School Certificate with at least Second Division in Science from a recognized board and Diplomas of LHV and Midwifery from recognized Nursing Examination Board.</p>		
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SECRETARY TO
GOVERNMENT OF THE KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

OFFICE OF THE SECRETARY TO GOVT. OF PAKHUNKHWA DEPARTMENT HEALTH SERVICES

File No. & Date: 11/05/2016

Ref: No-404-III/5-60/2015 (Paramedics/Nurses/Service Rules)

Date: Peshawar 11/05/2016

Copy forwarded for information and necessary action to:

1. The Director General Health Services Khyber Pakhtunkhwa.
2. The Director Provincial Health Services Academy, Khyber Pakhtunkhwa.
3. All District Health Officers, Khyber Pakhtunkhwa.
4. The Registrar, Khyber Medical University, Peshawar.
5. The Director Health Services FATA.
6. All Hospital Directors/Medical Directors of Autonomous Institutions in Khyber Pakhtunkhwa.
7. All Medical Superintendents DHO/THQ Hospitals of Khyber Pakhtunkhwa.
8. All the Principals of Medical Colleges in Khyber Pakhtunkhwa.
9. The Dean MAJL Peshawar.
10. The Chief HSRU Health Department, Khyber Pakhtunkhwa.
11. The Director Information, Khyber Pakhtunkhwa.
12. The Deputy Director (I) Health, Khyber Pakhtunkhwa.
13. The Secretary, Medical Faculty, Khyber Pakhtunkhwa, Peshawar.
14. The Principal, Post Graduate Paramedical Institute, Peshawar.
15. The Principal, Post Graduate College of Nursing, Hayatabad Peshawar.
16. The Controller, Nursing Examination Board, Peshawar.
17. PS to Chief Secretary Khyber Pakhtunkhwa.
18. PS to Additional Chief Secretary (FATA) Peshawar.
19. PS to Secretary to Governor Khyber Pakhtunkhwa.
20. PS to Secretary to Chief Minister Khyber Pakhtunkhwa.
21. PS to Secretary to Government of Establishment Department.
22. PS to Secretary to Government of Finance Department.
23. PS to Secretary to Government of Law Department.
24. PS to Secretary, Public Service Commission, Khyber Pakhtunkhwa.
25. PS to Senior Minister, Health Department.
26. The Manager, Government Printing Press, Peshawar.

(AS) Secretary
Deputy Secretary