

1st Feb, 2023

1. Nobody is present on behalf of the appellant. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

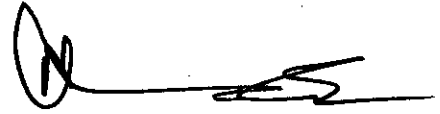
2. Called several times till last hours of the court but nobody turned up on behalf of the appellant. In view of the above, the instant appeal is dismissed for non-prosecution. Consign.

3. *Pronounced in open court in Peshawar and given under our hand and seal of this Tribunal on this 1st day of February, 2023.*

SCANNED
KF3T
Peshawar



(Muhammad Akbar Khan)
Member (E)



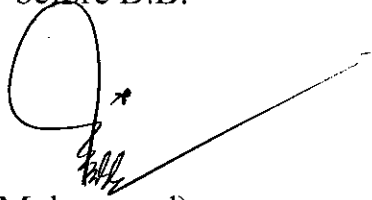
(Kalim Arshad Khan)
Chairman

07.12.2022

Learned counsel for the appellant present. Mr. Laeeq Ahmad, Focal Person alongwith Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for reply/arguments on the application for deletion of respondent No. 5 as well as arguments on main appeal on 01.02.2023 before D.B.

SCANNED
KPSIT
Peshawar



(Mian Muhammad)
Member (E)

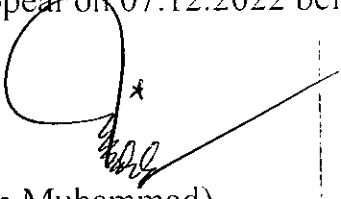



(Salah-ud-Din)
Member (J)

27.10.2022

Clerk of learned counsel for the appellant present. Mr. Laeeq Ahmad, Focal Person (Litigation) on behalf of respondents No. 1 to 4 & 6 and Mr. Jaffar Hussain, Administrative Officer on behalf of respondent No. 5 alongwith Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General present.

Respondents have failed to submit written reply/comments even today, therefore, in light of order sheet dated 08.06.2022, their right for submission of written reply/comments stand struck off. Representative of respondent No. 5 stated that after 18th amendment to the Constitution of Islamic Republic of Pakistan vide Senate Secretariat Act No. E9(19)/2010-Legis dated 20th April, 2010, respondent No. 5 has no concerned with the appellant, therefore, respondent No. 5 may be deleted from the panel of respondents. In this respect, representative of respondent No. 5 has also submitted application, copy of which handed over to clerk of learned counsel for the appellant, who requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for reply/arguments on the application for deletion of respondent No. 5 as well as arguments on main appeal on 07.12.2022 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

08.06.2022

Clerk of learned counsel for the appellant present. Mr. Naseeb Khan, Section Officer as representative on behalf of respondent No. 3 alongwith Mr. Riaz Ahmad Painsakhel, Assistant Advocate General present. None present on behalf of respondents No. 1, 2 & 4 to 6.

Representative of respondent No. 3 requested for further time for submission of reply/comments. Previous date was changed on Reader Note, therefore, notices be issued to respondents No. 1, 2 & 4 to 6 for submission of reply/comments on the next date positively, failing which their right for submission of reply/comments shall be deemed as struck off. Adjourned. To come up for submission of reply/comments as well as arguments before the D.B on 29.08.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

29.08.2022

Bench is incomplete, therefore, case is adjourned to 27.10.2022 for the same as before.



Reader

Stipulated period passed reply not submitted.

29.07.2021

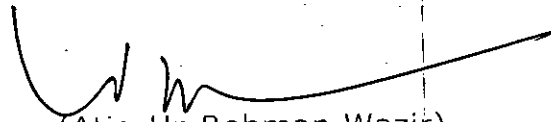
Learned Addl, A.G be reminded about the omission and for submission of reply/comments within extended time of 10 days.

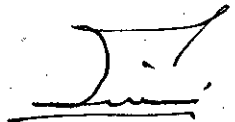

Chairman

09.11.2021

Appellant alongwith his counsel present. Syed Jaffar Hussain, Admin Officer on behalf of respondent No. 5 alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney present.

Representative of respondent No. 5 sought time for submission of reply/comments. None present on behalf of respondents No. 1 to 4 & 6, therefore, notices be issued to them for submission of reply/comments. Adjourned. To come up for submission of reply/comments as well as arguments before the D.B on 11.02.2022.


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


(Salah-Ud-Din)
Member (J)

*Due to retirement of the hon'ble
Chairman the case is adjourned to
Come up for the same as before on
8/6/22*



22.06.2021

Counsel for the appellant present. Preliminary arguments heard.

In the analogy of order dated 08.01.2021, in similarly placed Service Appeal No. 14616/2020, instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days of the receipt of notices positively. If the written reply/comments are not submitted within the stipulated time, the office is directed to submit the file with a report of non-compliance. File to come up for arguments on 09.11.2021 before the D.B.

Appellant Deposited
Security & Process Fee

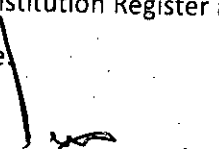
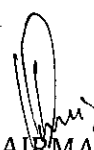

22/6/21


Chairman

FORM OF ORDER SHEET

Court of _____

Case No. 1223 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	19/01/2021	<p>The appeal of Mr. Hidayatullah resubmitted today by Mr. Babar Khan Yousafzai 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</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>15/03/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	15.03.2021	<p>Due to tour of Camp Court Abbottabad and shortage of Members at Principal Bench Peshawar, the case is adjourned to 22.06.2021 before S.B.</p> <p style="text-align: right;"> Reader</p>

The appeal of Mr. Hidayatullah son of Sher Afzal Khan received today i.e. on 20.11.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Copy of regularization order in respect of appellant mentioned in para-5 of the memo of appeal (Annexure-A) is not attached with the appeal which may be placed on it.

No. 3893 /S.T.

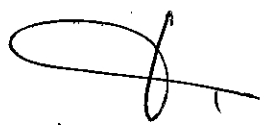
Dt. 23/11 /2020.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Babar.Khan Yousafzai Adv. Pesh.

Six


Further time may be granted to remove above mentioned objections

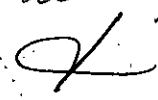

Anseeb Abdullah
Advocate
9/12/20

15 days time further extended.

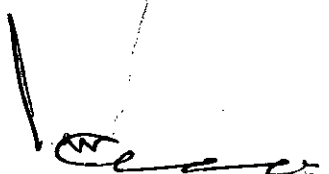
Six

Further time may kindly be granted for removal of above objections


9/12/2020.



Anseeb Abdullah

10 days time further extended.


30/12/2020.

Respected Sir

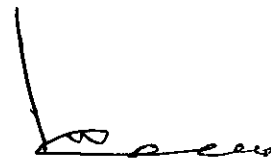
Some time may kindly be granted


Anasab Abdullah

Adv

8/1/21

7 days time further extended.


8/1/2021

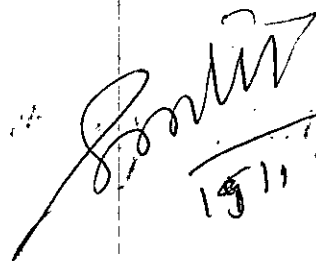
Respected Sir

Kindly grant some time for removal of objection



Anasab Abdullah
15/1/2021

4 days more extend.


15/1/2021

Respected Sir

objections removed i.e appointed letter dated 3/7/2013 is annexed



Anasab Abdullah
Advocate
12/1/2021

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE
TRIBUNAL, PESHAWAR.

In Re

Service Appeal No. _____/2020

Hidayat Ullah.....Appellant

Versus

Govt. of K.P & others.....Respondents

I N D E X

S. No	Description of documents	Annexure	Pages
1.	Grounds of appeal		1-84
2	Affidavit		5
3	Copy of regularization order dated 03-07-2013	"A"	6-9
4	Copy of Pay Scale slip	"B"	10
5	Copies writ petition & order dated 21.7.020	"C" & "D"	10-A-17
6	Wakalatnama		18

Hidayat
Appellant

Through

BK
Babar Khan Yousafzai
Advocate, High Court.
Cell No.3219040499

Dated: - 16.11.2020

①

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL, PESHAWAR.

Khyber Pakhtunkhwa Service Tribunal

In Re

Diary No. 15205

Service Appeal No. 1223/2020

Dated 20/11/2020

Hidayat Ullah S/o Sher Afzal Khan R/o Mohalla Ibrahim Khel, Tehsil Batkhela District Malakand.....Appellant

Versus

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. Government of Khyber Pakhtunkhwa Health Department through Secretary Health, Civil Secretariat, Peshawar.
3. Government of Khyber Pakhtunkhwa, Finance Department through its Secretary, Civil Secretariat, Peshawar.
4. Director General Health Khyber Pakhtunkhwa, PTCL Colony, Peshawar.
- ✓5. National Programme Manager, EPI NIH, National Institute of Health (NIH) Park Road, Chak Shahzad, Islamabad.
6. Director General EPI DGHS, Khyber Pakhtunkhwa, Peshawar

.....Respondents

Filed to-day
[Signature]
Registrar
20/11/2020

=====

Appeal under Section 4 of the Service Tribunal Act, 1974 for grant of anti dating benefit of services as indicated on their pay slip since his initial appointment and also order for release of remuneration for the gap period in between 2010 till the date of regularization i.e. 23.07.2013 may also be

allowed.

Re-submitted to and filed.
[Signature]
Registrar
19/11/2021

=====

Respectfully Sheweth:

1. That the Appellant is law abiding citizen of Pakistan and serving as clinical technician Khyber Pakhtunkhwa Expanded programme of immunization Pakistan.
2. That the initial appointment of the Appellant as EPI Technician was purely on contract bases for year extendable from the year 2006.
3. That in the year 2010 the project was initiated to be regularized by respondent no.3 due to the reason the contract of the Appellant was not extended but despite that he continued to perform his duties & Respondent no.2 and 3 are well aware of the instant fact.
4. That the Employees of the Department were extremely aggrieved from the attitude of the Respondents while performing duties without salary approach The Hon'ble High Court in W.P no.1670-P/2010 Nijat Ali and others Vs Govt and the same was disposed of with direction on 05-07-2012.
5. That in compliance of the order of the Honorable High Court the service of the all the employees along with the present Appellant were Regularized, and the present appellant was appointed against vacant post newly created by the Finance Department vide office order dated 3-9-2013 no order as for the period he work from the year 2010 till 3-9-2013, the date of appointment order. (Copy of the office order of appointment dated 06.09.2013 is attached as Annexure "A").
6. That the appellant for seeking remaining relief, once again approached before the Honourable Peshawar High Court Peshawar, as the said regularization order was silent pertaining to his pending salaries and filed COC 117-P/2012 in W.P 1670-P/2010 but the same was turn down with the technicalities.
7. That the pay slip of the Appellant duly indicate the length of service starting from the year 2006 but the benefit of the same has not been extended at the time of regularization and the salaries from the period 2010 till 03.07.2013 were not given, which amounts to force labour. (Copy of the pay scale of the Appellant is attached as annexure "B").

8. That the Appellant and 33 other Colleagues having no other adequate remedy available to them but to approached the Honorable Peshawar High Court, Peshawar for reprisal of their grievances via W.P. NO. 2914-P/2020. Which was disposed of with the direction to Respondent No 3 to decide the matter with in a period of one month along with the directions to the appellant to Approach the appropriate forum available for civil servants in case of any grievances, after the decision of respondent No.3. (Copies of the writ petition and order are attached as annexure "C" & "D" respectively).
9. That despite the clear directions of the Honourable Peshawar High Court, Peshawar to respondent No.3 dated 21.07.2020, respondent No.3 is reluctant to take any decision till now, hence, the appellant has left with no other option but to approach this Honorable Tribunal for the reprisal of his grievances.

GROUNDS: -

- A) That the length of service is rightly calculated in his pay slip but despite that the benefit of the same has not been given effect at the time of regularization.
- B) That the respondents forced him to continue his services from the period 2010 till the period of regularization i.e. 03~~7~~2013 but the salaries of the mentioned period is still outstanding. It amounts to force Labour rightly protected by the constitution of Pakistan.
- C) That the act of respondents for not calculating the length of Service and not pay the Salaries for the period they worked for is utter violation of law.
- D) That on one hand the pay slip duly indicates the length of Service and on other hand the benefit of the same is not extended towards his Service is an utter most violation of law.
- E) That the grievances of the Appellant are unheard and the respondents have given it a deaf ear.
- F) That the scope of work for eliminating Polio from Pakistan is always putting his life at risk.

4

- G) That the Appellant craves permission of this Honorable Tribunal to advance any other ground at the time of hearing and to submit any other arguments/documents if necessary, in support of this instant Appeal.

It is, therefore, most humbly prayed that on acceptance of this Appeal by directing the respondents,

- i. The benefits of service length w.e.f. from initial appointment till date may please be granted to the appellant.
- ii. The salaries of the Appellant for the period they worked w.e.f 2010 till the date of regularization i.e. ~~03.07~~ 2013 may kindly be released.
- iii. Any other relief which this Hon'ble Tribunal deems fit under the circumstances of the instant Appeal may graciously be granted in favour of the Appellant.

Hidayat
Appellant

Through

Dated: - 13.06.2020

Babar Khan
(BABAR KHAN YOUSAFZAI)
Advocate, High Court,
Peshawar.

CERTIFICATE:

Certified that no such like Appeal has earlier been filed by the appellant before this honourable Tribunal except this one.

Babar Khan
ADVOCATE

3

**BEFORE THE KHYBER PAKHTUNKHWA, SERVICE
TRIBUNAL, PESHAWAR.**

In Re

Service Appeal No. _____/2020

Hidayat Ullah.....Appellant

Versus

Govt. of K.P & others.....Respondents

AFFIDAVIT

I, Hidayat Ullah S/o Sher Afzal Khan R/o Mohalla Ibrahim Khel, Tehsil Batkhela District Malakand, do hereby solemnly affirm and declare on Oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this hon'ble court.

Hidayat
Deponent

ATTESTED
Zahid Ullha Khan Marwat Advocate
Oath
Commissioner
Distt. Court Peshawar
11-2020

(6) *Amc-A*

MMS-3

NOTED FOR THE OFFICE ORDER BEARING THE SAME NUMBER AND DATE

DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTINKHWA

KHYBER ROAD PESHAWAR

NO. 1178603-651 EPI

Dated Peshawar the 22/05/2013

OFFICE ORDER.

In compliance with Government of Khyber Pakhtunkhwa, Health Department letter No. SOB/HD/1-1/2007-08 dated 15.02.2013 read with Peshawar High Court Peshawar order/judgment in W.P No.1670/2010 dated 05.07.2012 the following PHC Tech / EPI Tech (petitioners) (BPS-09-5200-380,17500) plus other allowances as admissible under the rules are hereby regularized against the newly created post by the Finance Department letter No. BOVI/FD/4-2/2011-12/VOL-IV, dated 13/2/2013 in their respective districts with immediate effect.

S No	Name of Officers / Official	Designation / BPS	Place of Posting
1	Qaribullah	Jr. EPI Tech / Jr. PHC Tech	DHO Bannu.
2	Mahabat Khan	-do-	-do-
3	Barkatullah	-do-	-do-
4	Fakhar Alam	-do-	-do-
5	Hadayat Khan	-do-	DHO Buner
6	Muhammad Usman	-do-	-do-
7	Umar Liaq	-do-	-do-
8	Juma Gul	-do-	-do-
9	Abdul Ali Khan	-do-	-do-
10	Muhammad Hamayon	-do-	-do-
11	Miss Yasmeen	-do-	-do-
12	Abdul Kabeer	-do-	-do-
13	Arshad Ali	-do-	DHO Charsadda
14	Hussain Gul	-do-	-do-
15	Zahoor Khan	-do-	-do-
16	Muhammad Nafeeq	-do-	-do-
17	Abidur Rehman	-do-	DHO Chitral
18	Niaz Uddin	-do-	-do-
19	Qaidur Ibrar	-do-	-do-
20	Muhammad Shoab	-do-	DHO D.I.Khan
21	Ejaz Hussain	-do-	-do-
22	Muhammad Waseem	-do-	-do-
23	Muhammad Pervez	-do-	-do-
24	Asmat Ullah	-do-	-do-
25	Ameer Nawaz	-do-	-do-
26	Abdul Khalid	-do-	-do-
27	Jamsheed	-do-	-do-
28	Rafiqur Rehman	-do-	DHO Dir Lower
29	Naseer Muhammad	-do-	-do-
30	Rahman Ullah	-do-	DHO Dir Upper

Attended

	✓ Zada <i>Amir Zaid</i>	-do-	-do-
	✓ Haider <i>Dh. Haider</i>	-do-	-do-
	✓ Shah Wali Khan	-do-	-do-
	✓ Sher Bahadur	-do-	-do-
	✓ Muhammad Nisar <i>Muhammad</i>	-do-	-do-
36	✓ Fazal Wadood	-do-	-do-
37	✓ Nizamul Haq	-do-	-do-
38	Hameedullah	-do-	DHO Karak
39	Taj Muhammad	-do-	-do-
40	Alla Zaheen	-do-	-do-
41	Rohaeda Khatoon	-do-	-do-
42	Anayat Ajab	-do-	-do-
43	Muhammad Asim	-do-	-do-
44	Muhammad Basit	-do-	DHO Kohat
45	Zaheer Abbas	-do-	-do-
46	Azmat Ali Khan	-do-	-do-
47	Khalid Iran	-do-	-do-
48	Sajid Khan	-do-	-do-
49	Muhammad Ayaz	-do-	DHO Lakk Marwal
50	Amin Ullah	-do-	-do-
51	Muhammad Farooq	-do-	-do-
52	Hayat Ullah	-do-	-do-
53	Saifullah	-do-	-do-
54	Liaqa Zaman	-do-	-do-
55	✓ Muhammad Iqbal	-do-	DHO Malakand
56	✓ Shahid Hussain	-do-	-do-
57	✓ Shahid Khan	-do-	-do-
58	✓ Ata Ullah	-do-	-do-
59	✓ Kalsoom Ara	-do-	-do-
60	✓ Taruf Khan	-do-	DHO Mardan
61	✓ Shah Khalid	-do-	-do-
62	✓ Riz Khan	-do-	-do-
63	✓ Asghar Ali Shah	-do-	-do-
64	✓ Khalid Daood	-do-	DHO Nowshera
65	✓ Khalid Khan	-do-	-do-
66	✓ Fazle Amin	-do-	-do-
67	✓ Arshad Khan	-do-	-do-
68	✓ Wisal Muhammad	-do-	-do-
69	Chand Tahir Mahmood	-do-	DHO Mansehra
70	Haroon Rashid	-do-	-do-
71	Syed Tasaduq Shah	-do-	-do-
72	Waqar Ahmad	-do-	-do-
73	Iftikhar Ahmad	-do-	-do-
74	Haroon ur Rashid	-do-	DHO Peshawar
75	✓ Wahid Gul	-do-	-do-
76	Sheraz Khan	-do-	-do-
77	Saeed Ur Rahman	-do-	-do-
78	Hameed Ullah	-do-	DHO Swat
79	Gul Rahman	-do-	-do-
80	Said Karam	-do-	-do-
81	Sher Muhammad Khan	-do-	-do-

(7)

	Dayal	-do-	DHO Shangra
	Muhammad Wahab	-do-	-do-
	Bibi Ayesha	-do-	-do-
	Azimullah	-do-	-do-
	Roqia Bibi	-do-	-do-
87	Zia ur Rahman	-do-	-do-
88	Umar Khitab	-do-	DHO Tank
89	Waqas	-do-	-do-
90	Asad Abbas	-do-	-do-
91	Azmat ulah	-do-	-do-
92	Muhammad Zubair	-do-	-do-
93	Ahmad Jan	-do-	-do-

8

No. _____

Date: _____

Their appointment in the Health Department, Govt of Khyber Pakhtunkhwa will be the subject to the following Terms and Conditions:-

1. He will be on probation initially for a period of one year extendable for further period not exceeding one year.
 2. His services can be dispensed with during the probation period, if his / her work and conduct found unsatisfactory.
 3. His appointment will be subject to medical fitness verification of character / antecedents and educational qualifications.
 4. He will not be entitled to any TA / DA for medical examination and joining the first appointment.
 5. He will be governed by such rules and orders as may be issued by the Government Khyber Pakhtunkhwa for the category of Government servant to which He / She belongs.
 6. As laid down vide Govt. Khyber Pakhtunkhwa E & AD Notification No. E&A(1-3)/2005 dated 10.8.2005, he will not be entitled to pension or gratuity however in lieu thereof, will be entitled to receive such amount contributed by her towards the contributory provident fund along with the contributions made by the Government to her account in the said fund.
 7. If he wishes to resign from the service she will have to submit resignation in writing 14-days in advance of deposit 14-days salary in the Govt. treasury. However he will continue to service the Government till his / her resignation is accepted by the competent authority.
- If the above terms and conditions are acceptable to him he should report within 14 days of the receipt of this order.

The Competent authority is pleased to relax the rules for age to the petitioners for appointment one time.

(12) (9)
ent authority is pleased to relax rules in qualification to the petitioners one time.


DEPUTY DIRECTOR EPI
KHYBER PAKHTUNKHWA

24/4/17

No. _____/EPI

Dated _____/2013

Copy forwarded to the:-

1. Registrar Peshawar High Court Peshawar with ref to W.P 1670/2010.
2. Accountant General Khyber Pakhtunkhwa.
3. National Program Manager Islamabad Chak Shahzad.
4. PS to Secretary Health Department Khyber Pakhtunkhwa.
5. PA to DGHS, Khyber Pakhtunkhwa.
6. Section Officer (Budget) Health Department Khyber Pakhtunkhwa.
7. Budget Officer VI Finance Department Khyber Pakhtunkhwa.
8. ALL DHOs Health in Khyber Pakhtunkhwa for compliance.
9. ALL DAOs Health in Khyber Pakhtunkhwa for n/action.
10. AD Accounts DGHS Khyber Pakhtunkhwa.
11. Officers / Officials concerned with the direction to submit arrival / Charge Assumption / Charge Relieving Reports under intimation to all concerned within 30-days on the receipt of this order. In case of failure to do so, it would be presumed that you are not willing to join duty and the post would be declared as vacant.


DEPUTY DIRECTOR EPI
KHYBER PAKHTUNKHWA

24/4/17

9A



OFFICE OF THE DISTRICT HEALTH OFFICER, MALAKAND

Phone # 0932-410399, Fax No. 0932-413110

No. _____/

Dated 23 /07/2013

OFFICE ORDER

Mr. Hidayat Ullah EPI Technician Newly appointed by the Deputy Director EPI, Kpk Peshawar vide his No. 1178178-95/EPI dated 2/07/2013 and posted to DHO Malakand is hereby adjusted at RHC Dehri Allahdand with immediate effect in the interest of public till further order.

District Health Officer
Malakand.

Dated _____/06/2013

Copy to:

1. The Deputy Director EPI, Khyber Pakhtun Khwa Peshawar w/r to his No. quoted above
2. The District Coordinator EPI, Malakand
3. The Medical Officer incharge RHC Dehri Allahdand.
4. Accounts Clerk of this Office
5. Official Concerned.

Handwritten signature

District Health Officer
Malakand.

9B

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (HEALTH) MALAKAND AT BATAKHELA
OFFICE ORDER

As recommended by the Selection Committee Mr. Hidayatullah S/O Sher Afzal Khan Resident of Batakhele Malakand Agency is hereby appointed as junior EPI Technician

BPS-5 plus other allowance admissible under the government rules. His appointment shall be purely on contract basis against the post of Junior EPI Technician available through EPI/GAVI PC-1. The project will come to an end on 30th June, 2008. His appointment is subject to the following terms and condition.

1. He is domiciled of District Malakand.
2. He is declared medically fit for government service
3. He will perform his duty at B.H. 66/12699
4. His services will not be transferable from the above mentioned area in public interest.
5. He will not be entitled for any TADA for medical examination and joining his first appointment.
6. His appointment is purely on temporary basis and his services can be terminated at any time without any reasons being assigned.
7. He will be governed by the rules and orders issued by the government for the category of government servant to which he belong.
8. If he wishes to resign at any time he will tender his resignation in writing by giving a prior notice of one month and continue the duty till acceptance if his resignation by the competent authority failing which one month pay has to be forfeited.
9. If he accepts this offer on the above terms and conditions he should report for duty within seven days after the receipt of this letter failing which the offer will be treated as cancelled.

Executive District Officer,
(Health) Malakand.

No. 728-31 /EPI Dated Batakhele, the

02 / 02 / 2006.

Copy forwarded for information and necessary action to the:

1. Director General Health Services, NWFP, Peshawer.
2. Deputy Director EPI NWFP, Peshawer.
3. Accountant General NWFP.
4. Hidayatullah

Executive District Officer,
(Health) Malakand.

Dist. Govt. NWFP-Provincial
District Accounts Office Malakand
Monthly Salary Statement (September-2020)

10



Annex B

Personal Information of Mr HIDAYAT ULLAH d/w of SHER AFZAL KHAN
Personnel Number: 00282058 CNIC: 1540298856783 NTN:
Date of Birth: 05/03/1981 Entry into Govt Service: 06/02/2006 Length of Service: 14 Years 07 Months 026 Days

Employment Category: Active Temporary
Designation: JUNIOR EPI TECHNICIAN 30814311-DISTRICT GOVERNMENT KHYBH
DDO Code: MD6219-EPI
Payroll Section: 003 Cash Center
GPI A/C No: Interest Applied: Yes GPI Balance: 184,273.00
Vendor Number: Pay Scale: BPS For 2017 Pay Scale Type: Civil BPS: 12 Pay Stage: 5
Pay and Allowances:

Wage type	Amount	Wage type	Amount
0001 Basic Pay	18,120.00	1000 House Rent Allowance	1,961.00
1210 Convey Allowance 2005	2,856.00	1300 Medical Allowance	1,500.00
1911 Compen Allow 20% (1-15)	1,000.00	1985 Health Professional Allow	10,000.00
2148 15% Adhoc Relief All-2013	318.00	2199 Adhoc Relief Allow @ 10%	243.00
2211 Adhoc Relief All 2016 10%	1,274.00	2224 Adhoc Relief All 2017 10%	1,812.00
2247 Adhoc Relief All 2018 10%	1,812.00	2264 Adhoc Relief All 2019 10%	1,812.00

Deductions - General

Wage type	Amount	Wage type	Amount
3012 GPI Subscription	2,220.00	3501 Benevolent Fund	600.00
4004 R. Benefits & Death Comp.	600.00		0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 0.00 Recovered till September 2020 0.00 Exempted: 0.00 Recoverable: 0.00

Gross Pay (Rs.): 42,738.00 Deductions: (Rs.): -3,420.00 Net Pay: (Rs.): 39,318.00

Payee Name: HIDAYAT ULLAH
Account Number: 0001005487
Bank Details: UNITED BANK LIMITED, 211&08 Batkhela Batkhela, MALAKAND

Leave: Opening Balance: Availed: Earned: Balance:

Permanent Address

City: batkhela Domicile: NW Khyber Pakhtunkhwa Housing Status: No Official

Temp. Address:

City: Email:

Handwritten signature
Attest: *Handwritten signature*

10.A

Amo - C

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.

In Re:

WP No _____/2020

1. Taruf Khan S/o Musafar Khan
2. Asghar Ali Shah S/o Syed Hameed Shah
3. Riaz Khan S/o Gul Zada
4. Shah Khalid S/o Moin Ud Din
5. Abdul Khalid S/o Abdul Aziz
6. Ejaz Hussain S/o Ismael Khan
7. Shah Wali S/o Muhammad Alam
8. Muhammad Pervez S/o Muhammad Ramzan
9. Ali Haider S/o Mutabar Khan
10. Shahid Hussain S/o Amin Khan
11. Shahid Khan S/o Mukaram Khalid
12. Muhammad Iqbal S/o Bahadar Khan
13. Mst Kalsoom Ara D/o Muslim Shah
14. Hidayat Ullah S/o Sher Afzal Khan
15. Amjid Ali S/o Muhammad Islam Khan
16. Rafiq Ur Rehman S/o Habib Ur Rehman
17. Atta Ullah S/o Rehman Ullah
18. Arshad Khan S/o Fazal Khan
19. Nisar Muhammad S/o Said Muhammad
20. Amir Zada S/o Nazar Muhammad



ATTESTED
EXAMINER
Peshawar High Court

Attested

- (11)
21. Rehman Ullah S/o Zolayat Khan
 22. Subhan Ullah S/o Fazal Subhan
 23. Umar Badshah S/o Gran Badshah
 24. Sher Bahadar S/o Muhammad Razaq
 25. Nizam Ul Haq S/o Muhammad Ajmeer
 26. Naseer Muhammad S/o Neik Muhammad
 27. Fazal Wadood S/o Abdur Raziq
 28. Arshad Ali S/o Haroon Khan
 29. Fazal Amin S/o Najeem Khan
 30. Khalid Khan S/o Taj Muhammad
 31. Arshad Khan S/o Wazir Gul
 32. Khalid Daud S/o Daud Khan
 33. Arshad Ali S/o Abbas Khan
 34. Zahoor Khan S/o Tahmash Khan

All Clinical Technicians in Expanded Programme on immunization (EPI)
posted at different Districts of Khyber Pakhtunkhwa.

.....Petitioners.

V E R S U S

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. Government of Khyber Pakhtunkhwa Health Department through Secretary Health, Civil Secretariat, Peshawar.
3. Government of Khyber Pakhtunkhwa, Finance Department through its Secretary, Civil Secretariat, Peshawar.

ATTESTED
EXAMINER
Peshawar High Court

- (12)
4. Director General Health Khyber Pakhtunkwa, PTCL Colony, Peshawar.
 5. National Programme Manager, EPI NIH, National Institute of Health (NIH) Park Road, Chak Shahzad, Islamabad.
 6. Director General EPI DGHS, Khyber Pakhtunkhwa, Peshawar
.....Respondents

=====

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

=====

Respectfully Sheweth:

1. That the petitioners are law abiding citizens of Pakistan with designation of clinical technician.
2. That the initial appointment of the petitioner as EPI Technician was purely on contract bases for year extendable from the year 2006.
3. That in the year 2010 the project was initiated to be regularized by respondent no.3 due to the reason the contract of the petitioner was not extended but despite that they continued to perform their duties. Respondent no.2 and 3 are aware of the fact.
4. That the petitioner were extremely aggrieved from the attitude of the Respondents while performing duties without salary approach this Honble Court in W.P no.1670-P/2010 Nijat Ali and others Vs Govt and the same was disposed of with direction on 05-07-2012 .

ATTESTED

**EXAMINER
Peshawar High Court**

(13)

(Copy of the W.P 1670-P/2010 along with order is attached as annexure "A").

5. That in compliance of the order of this Honourable court the service of the petitioners were regularized with immediate effect and no order as for the period they work from the year 2010 till 22-05-2013 the date of regularization. (Copy of the orders of regularization are attached as Annexure "B").
6. That the petitioners aggrieved from the regularization orders as the same was silent pertaining to their pending salaries once again approach this Honble Court in COC 117-P/2012 in W.P 1670-P/2010 but the same was turn down with the technicalities. (Copy along with order in COC is attached as annexure "C").
7. That the pay slip of the petitioners duly indicate the length of service as 13 years and 10 months with different dates of appointment starting from the year 2006 but the benefit of the same has not been extended at the time of regularization and the salaries from the period 2010 till 22-05-2013 were not given amounts to force labour. (Copies of the pay scale of the petitioners are attached as annexure "D").
8. That the petitioners time and again approach the authorities but they were reluctant to redress the grievance of the petitioners thus they have no other remedy available to them but to approach this Honourable Court in the instant W.P inter alia on the following grounds;

ATTESTED
EXAMINER
Peshawar High Court

(14)

GROUNDS: -

- A) That the length of service is rightly calculated in their pay slip but despite that the benefit of the same has not been given effect at the time of regularization.
- B) That the respondents forced them to continue their services from the period 2010 till the period of regularization i.e. 22-05-2013 but the salaries of the mentioned period is still outstanding. It amounts to force Labour rightly protected by the constitution of Pakistan.
- C) That the act of respondents for not calculating the length of Service and not pay the Salaries for the period they worked for is utter violation of law.
- D) That on one hand the pay slip duly indicates the length of Service and on other hand the benefit of the same is not extended towards their Service is an utter most violation of law.
- E) That the grievances of the petitioners are unheard and the respondents have given it a deaf ear.
- F) That the acts of the respondents by not calculating the length of Service are creating agony among the petitioners.
- G) That the scope of work for eliminating Polio from Pakistan is always putting their life at risk.
- H) That the petitioners craves permission of this Honourable court to advance any other ground at the time of hearing and to submit any other arguments/documents if necessary, in support of this writ petition.

ATTESTED

EXAMINER
Peshawar High Court

(15)


It is, therefore, most humbly prayed that on acceptance of this Writ Petition by directing the respondents,

- i. The benefits of initial appointment till date may kindly be extended to the petitioners by amending the regularization order.
- ii. The salaries of the petitioners for the period they worked w.e.f 2010 till the date of regularization i.e. 25.05.2013 may kindly be released.
- iii. Any other relief which this Hon'ble Court deems fit under the circumstances of the instant Writ Petition may graciously be granted in favour of the petitioners.

Petitioners

Through

Dated: - 13.06.2020


(BABAR KHAN YOUSAFZAI)
Advocate, High Court,
Peshawar.

CERTIFICATE:

Certified that earlier the petitioners filed a writ petition No.2368-P/2020 before this honourable court but the same was withdrawn on 12.05.2020 with the permission to file fresh one.

LAW BOOKS:

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


ADVOCATE


CERTIFIED TO BE TRUE COPY

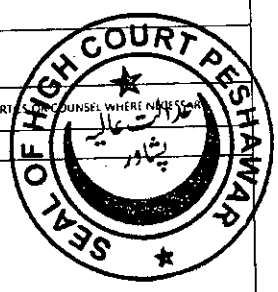
EXAMINER
Peshawar High Court, Peshawar
Authorised Under Article 8.7 of
the Dawn-e-Shahadat Order 1984

08 AUG 2020

16

Amir - D

PESHAWAR HIGH COURT, PESHAWAR		
FROM 'A'		
FORM OF ORDER SHEET		
COURT OF CASE NO		
SERIAL NO OF ORDER OR PROCEEDINGS	DATE OF ORDER OR PROCEEDINGS	ORDER OR OTHER PROCEEDINGS WITH SIGNATURE OF JUDGE OR MAGISTRATE AND THAT OF PARTIES AND COUNSEL WHERE NECESSARY
1	2	
21.07.2020		<p>W.P. No. 2914-P/2020 with IR.</p> <p>Present: -</p> <p>Mr. Babar Khan Yousafzai, advocate for the petitioners</p> <p style="text-align: center;">R R R</p> <p>WAQAR AHMAD SETH CJ; - Through the instant constitutional petition filed by the petitioners under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, they prayed that;-</p> <ol style="list-style-type: none"> i. The benefits of initial appointment till date may kindly be extended to the petitioners by amending the regularization order. ii. The salaries of the petitioners for the period they worked w.e.f. 2010 till the date of regularization i.e. 25.05.2013 may kindly be released. iii. Any other relief which this Hon'ble Court deems fit under the circumstances of the instant writ petition may graciously be granted in favour of the petitioners. <p>2. After arguing the case at some length, learned counsel for the petitioners requests for sending the instant writ petition by treating the same as appeal/representation to the respondent No. 3 for its decision within a period of one month.</p>



(DB). HON'BLE MR. JUSTICE WAQAR AHMAD SETH, CHIEF JUSTICE AND MR. JUSTICE MUHAMMAD NASIR MEHFOOZ, HJ.
 AMIR BASHIR AWAN, SENIOR COURT SECRETARY.

ATTESTED
 EXAMINER
 Peshawar High Court

Attested

3. Since the petitioners are civil servant; therefore, after the decision of respondent No. 3, they may approach the proper forum available to the civil servants.

4. In this view of the matter, respondent No. 3 is directed to conclude the same within a period of one month. With these observations, petition in hand is disposed of.

CHIEF JUSTICE

JUDGE

ANNOUNCED
21.07.2020

CERTIFIED TO BE TRUE COPY
EXAMINER
Peshawar High Court, Peshawar
Authorised Under Article 97 of
the Constitution of Pakistan
08 AUG 2020

No. 4198
Date of Presentation of Application 8/8/2020
No of Pages 12 P
Copying fee 485
Total 485
Date of Preparation of Copy 8/8/2020
Date of Delivery of Copy 8/8/2020
Received By DAKRAM

VAKALATNAMA

(POWER OF ATTORNEY)

IN THE K.P. Service Tribunal, Peshawar

Case. _____ No. _____/2020

Hidayat Ullah

.....Petitioner

Court, of K.P. etc. Versus

.....Respondents

I, Hidayat Ullah S/o, D/o Sher Afzal Khan the

Appellant, do hereby appoint and constitute Babar Khan Yousafzai, Muhammad Ali Khan and Ansab Abdullah, Advocates of Legal Oracles, in the above-mentioned cause, to do all or any of the following acts, deeds and things:-

1. To appear, act, and plead for me in the above-mentioned cause, in this court or any other court in which the same may be tried or heard, and in any other proceedings arising out of or connected therewith;
2. To sign and verify and file or withdraw all proceedings, petitions, appeals, affidavits, and applications for compromise or withdrawal, or for submission to arbitration of the said cause, or any other documents as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said cause at all its stages;
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to me/us during the course or on the conclusion of the proceedings;
4. To do all other acts and things which may be deemed necessary or advisable during the course of proceedings;
5. To delegate all or any of the above powers to any other legal practitioner;

AND I, hereby also agree:-

- (a) To ratify whatever the Advocate(s) or their substitutes may do in the proceedings;
- (b) not to hold the Advocate(s) or their substitutes responsible if the said cause be proceeded ex parte or dismissed in default in consequence of their absence from the court when it is called for hearing unless such absence is due to the gross negligence of the Advocate(s) or their substitutes; and
- (c) That the Advocate(s) shall be entitled to withdraw from the prosecution of the said cause if the whole or any part of the agreed fees remain unpaid.

IN WITNESS WHEREOF I have signed this Power of Attorney hereunder on this _____ day of _____ 2020 at Peshawar and the contents of this Power of Attorney have been read, fully explained and understood by me.

Hidayat
Signatures of executants:

Hidayat Ullah
SW
Sher Afzal Khan

ACCEPTED
LEGAL ORACLES

Suite No. 1, Opposite Cantt Railway Station,
Saddar Road, Peshawar Cantt.
T: 92 91 5284140 - E: fmanan@legaloracles.com
W: www.legaloracles.com

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

SERVICE APPEAL NO. 1223/2020

Hidayat Ullah.....Appellant

Versus

Government of Khyber Pakhtunkhwa & othersRespondents

Index

S. No.	Description	Annexure	Pages No.
1	Comments		1-3
2	Affidavit		4
3	Letter dated 23/06/2009 alongwith Better Copy	A	5-6
4	Letter dated 13/2/2013	B	7

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 1223/2020

Hidayat Ullah.....Appellant

Versus

Government of Khyber Pakhtunkhwa & othersRespondents.

Affidavit

I, Laeeq Ahmad, Focal Person (Litigation) office of the Director General Health Services, Khyber Pakhtunkhwa, Peshawar, under the directions of the Competent Authority, do hereby solemnly affirm that the contents of the parawise Comments on behalf of Respondent are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'able Court.

Laeeq Ahmad
Deponent

17301-1648599-3

ATTESTED
NOTARY PUBLIC
Abdur Rashid
Peshawar, Khyber Pakhtunkhwa, Pakistan

27 OCT 2022

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1223 OF 2020

Hidayat Ullah.Appellant

Versus

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

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1 TO 4 & 6

Respectfully Sheweth:

Preliminary Objections:-

1. That the appellant has got neither cause of action nor did locus standi to file the instant appeal.
2. That the appellant has filed the instant appeal just to pressurize the respondents.
3. That the instant appeal is against the prevailing Law and Rules.
4. That the appeal is not maintainable in its present form and also in the present circumstances of the issue.
5. That the appellant has filed the instant appeal with mala-fide intention hence liable to be dismissed.
6. That the appellant has not come to this Honorable Tribunal with clean hands.
7. That the appeal is barred by law and limitation.
8. That the Honorable Tribunal has no Jurisdiction to adjudicate upon the matter.
9. That the instant appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.

ON FACTS:

1. Pertains to record.
2. Correct to the extent that the appellant was appointed in the project GAVI Phase-I project which was started in the year 2002-04 and expired on 30 June 2009.
3. Incorrect. No authority can force terminated person to continue duty after issuance of termination order as the project life was ended on 30 June 2009 and after termination, the appellant did not perform duties.

Pertains to court record. However, after completion of project life on 30 June 2009, all Provincial and District level staff was issued termination orders as per project policy (Annex-A).

- 5. Correct to the extent that after ending the life of the project on 30th June 2009, services of the employees were terminated and the Finance Department created posts vide letter dated 13/02/2013 with immediate effect (Annex-B).
- 6. Correct to the extent that COC No. 117-P/2012 in Writ Petition No. 1670-P/2010 was turned down.
- 7. Correct to the extent that after ending the life of the project on 30th June 2009, services of the employees were terminated and the Finance Department crated posts in the year 20013 with immediate effect. There is break in the services of the appellant, therefore, under R 2.3 West Pakistan Pension Rules 1963, the appellant is not entitled for the benefit of his previous service. Moreover, vide Judgment in Fazal Rabi VS DFO etc. Service Appeal No. 508/Naeem/1998 dated 26/12/2017, the Honorable Tribunal already dismissed simi8lar nature appeals.
- 8. Pertains to record, however, the instant appeal is badly time barred and file in violation of section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974.
- 9. Pertains to record, however, instant appeal is not maintainable on the following grounds:.

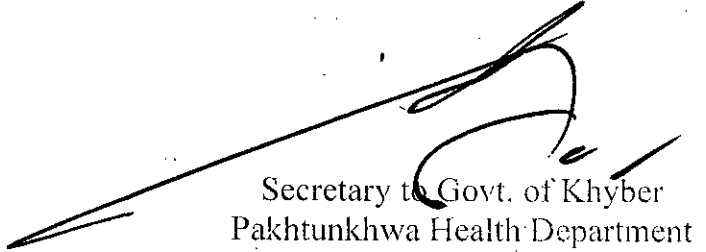
ON GROUNDS:

- A) Incorrect. After the expiry of the project life i.e. 30 June 2009, termination orders issued as per project policy. The period in between termination & regularization has no legal or lawful obligation to be paid as project was closed and the appellant did not performed his duties during the period.
- B) Incorrect. No documentary proof has been annexed by the appellant in support of his claim as the appellant alongwith other project employees were terminated after expiry of the project life i.e. 30th June 2009, hence not entitled for the relief claimed for. The appellant has already been paid for the period he worked for.
- C) Incorrect. There is no law or rules which may entitle the appellant for the benefits of the project services as there is break of four years in their project service and regularization.
- D) Incorrect as in preceding para.
- E) Incorrect. Already replied in preceding paras.
- F) Incorrect. Already replied in preceding paras.
- G) The respondents also seek prior permission of this Honorable Tribunal to adduce additional grounds at the time of arguments.

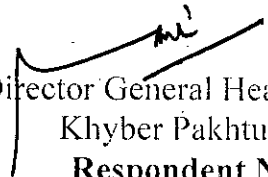

PRAYER:


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

~~Secretary Govt. of Khyber Pakhtunkhwa~~


Secretary to Govt. of Khyber
Pakhtunkhwa Health Department
Respondent No. 02 -01


Secretary to Govt. of Khyber
Pakhtunkhwa Finance Department
Respondent No. 03


Director General Health Services
Khyber Pakhtunkhwa
Respondent No. 04
Dy (EPI) 


Director (General) (EPI)
DGHS office Peshawar.
Respondent No. 06

17

Annex A 5

DIRECTORATE
GENERAL HEALTH SERVICES
N.W.F.P., PESHAWAR

All communications should be addressed to the Director General Health Services Peshawar and not to any official by name.

Postal Address: Peshawar
Office Phone: 851-1234
Fax: 851-1234
E-mail: ghs@peshawar.gov.pk

No. 4982 - (City) / 07
Date: 25/06/09

1. Deputy Director EPI NWFP
2. All Executive District Officers Health NWFP

Contracts Expiry of GAVI Staff

The project was started on 2002-04 and ending on 30th June, 2009 after completion of the contract extension of the said project will be after 30th June, 2009.

Employed majority consisting of EPI Technicians are serving in various districts of the NWFP in contract expiring on 30th June, 2009. As per laid down conditions in the contracts of GAVI staff they may be issued one week prior notice for ending of their contracts. Moreover, this staff is possessing government/project logistics/data/mobile etc. Similarly at Provincial level GAVI staff may be issued contract expiry notice.

It is therefore directed to issue one week prior contract expiry notice to all GAVI Provincial and District Level Staff along with recovery of possession with the staff well before 30th June, 2009. In case of defaulting employees salary etc may be stopped along with other disciplinary measure.

In case of any future extension of the project from the quarter concerned their services will be considered for extension on performance and merit.

[Signature]
Director General Health Services
N.W.F.P., Peshawar

1. National Programme Manager EPI NIH, Islamabad for information and with request that if there is any future extension of the GAVI Project his office may be informed immediately to safeguard the future of 163 low paid, basic essential positions of EPI Programme in NWFP.
2. P.S to Secretary Health N.W.F.P., Peshawar
3. P.S to Secretary P & D NWFP, Peshawar

BETTER COPY

6

**DIRECTORATE
GENERAL HEALTH SERVICES
N.W.F.P, PESHAWAR**

No: 4982-5010/EPI

Date: 23-06-2009

1. The Deputy Director EPI, NWFP.
2. All Executive District Officers in NWFP. _____

Subject CONTRACTS EXPIRY OF GAVI STAFF.

GAVI Project was started on 2003-04 and ending on 30th June, 2009 after completion of six category employee's extension of the said project is still unclear after 30th June, 2009.

GAVI Employed majority consisting of EPI Technicians are serving in various districts of the Province on contract expiring on 30th June, 2009. As per laid down condition in the contracts of GAVI staff, they may be issued the prior week noticed for ending of the contacts. Moreover, this staff is possessing Government/Projects logistics/data/mobility etc. Similar at provincial GAVI staff may be issued contract expiry notice.

It is therefore directed to issue one week prior contract expiry notice to all GAVI provincial and District Level staff along with recovery of possession with the staff well before 30th June, 2009. In case of defaulting employee staff salary etc may be stopped along with other preventing measure.

In case of any future extension of the project from the quarter concerned, their services will be recommended for extension on performance and merit.

Director General Health Service,
NWFP, Peshawar.

C.C

1. National Programme Manager, EPI NIH Islamabad for information and with the request that if there is any future extension of the GAVI project, this office may informed immediately to safe guard the future of 168 low paid barest minin essential positions of EPI Programme in N.W.F.P.
2. P.S to Secretary Health N.W.F.P, Peshawar.



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

(12)

Annex-B

7

NO. BOVI/FD/4-2/2011-12/NOL-IV
DATED PESHAWAR, THE 13-02-2013

To
The Secretary to Govt. of Khyber Pakhtunkhwa,
Health Department, Peshawar.

Subject: WRIT PETITION NO. 1670/2010-MR. NIJAT ALI ETC V/S GOVT. OF KHYBER PAKHTUNKHWA, HEALTH DEPARTMENT AND OTHERS.

Dear Sir,

I am directed to refer to your Department's letter No. SOB/HD/1-1/2007-08/EPI dated 31-01-2013 on the subject noted above and to intimate that pursuance of the approval accorded by the Honorable Chief Minister, Khyber Pakhtunkhwa on a summary moved by Health Department, Finance Department agrees to the creation of following 169 number of posts for EPI/GAVI during current financial year 2012-13, subject to the observance of all codal/legal formalities by the Administrative Department before filling of the posts in the prescribed manner/laid down procedure:-

S.No	Nomenclature of post & BPS	Name of District/DDO Code:	No. of Post
1.	Junior EPI Technician/ Junior PHC Technician (MP) B-9	HG-5011- EPI Hangu	4
2.	-do-	AD-5013-EPI Abbottabad	6
3.	-do-	KK-6107-EPI Karak	7
4.	-do-	MR-6174-EPI Mardan	4
5.	-do-	BD6076-EPI Baner	8
6.	-do-	MA-4265-EPI Mansehra	5
7.	-do-	NIR-6113-EPI Nowshera	5
8.	-do-	SI-6089-EPI Shangla	4
9.	-do-	CA-6108-EPI Charsadda	4
10.	-dso-	CL-6022-EPI Chitral	6
11.	-do-	DP-6073-EPI Dir Upper	15
12.	-do-	SW-6207-EPI Swat	6
13.	-do-	HR-6121-EPI Haripur	8
14.	-do-	LK-6072-EPI Lakki Marwat	6
15.	-do-	BU-6083-EPI Bannu	14
16.	-do-	TK-6043-EPI Tanki	8
17.	-do-	DA-6123-EPI Dir Lower	6
18.	-do-	DI-6134-EPI D.I.Khan	9
19.	-do-	MD6093-EPI Malakand	8
20.	-do-	KT-6101-EPI Kohat	5
21.	-do-	PW-6153-EPI Peshawar	6
22.	-do-	BM-6020-EPI Batagram	2
23.	-do-	KD6073-EPI Kohistan	3
24.	-do-	SUG146-EPI Swabi	4
25.	Driver II-4	144300-DGHS, Peshawar.	12
		Total:	169

Asst. Secy
13/02/2013

13/02/2013

2- The expenditure involved therein will be met out within the sanctioned budget grant of current financial year 2012-13 through Account-IV of the districts concerned and Director General Health Services, Peshawar, respectively.

3- Financial implications may kindly be worked out and an audit copy may be sent for the authentication of this Department.

Yours faithfully,

(LAL SAEED KHATTAK)
Budget Officer-VI

C.C

1. Director General Health Services, Peshawar.
2. Director FMU, Finance Department.
3. Budget Officer (PFC-II), Finance Department.
4. Section Officer (Litigation), Finance Department.

Budget Officer-VI

P.T.O

BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR

Service Tribunal Appeal No.1223&1224/2020

Hidayat Ullah S/o Sher Afzai Khan R/o Mohalla Ibrahim Khel, Tehsil Batkhela District
Malakand.

Appellant

Versus

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. Government of Khyber Pakhtunkhwa, Health Department through Secretary Health, Civil Secretariat, Peshawar.
3. Government of Khyber Pakhtunkhwa, Finance Department through its Secretary, Civil Secretariat, Peshawar.
4. Director General Health Khyber Pakhtunkhwa, PTCL Colony, Peshawar.
5. National Programme Manager, Expanded Program on Immunization (EPI), Prime Minister's National Health Complex, Park Road, Chak Shahzad, EPI Building, Islamabad.

Respondents

Response on behalf of National Programme Manager (EPI)

(Now Director General (FDI)

Respondent No.5)


Respectfully Sheweth:

The appeal No.1223/2020 titled Hidayat Ullah Vs Govt of Khyber Pakhtunkhwa Health Department & others has been filed in the Honorable Khyber Pakhtunkhwa Service, Tribunal, Peshawar with the prayer that the petitioner are eligible of salary w.e.f. 2010 till date of regularization i.e.22-03-2013.

2. After 18th amendment to the constitution of Pakistan vide Senate Secretariat Act No.E9(19)/2010-Legis dated 20th April, 2010, the act has gave self governing, legislative and financial autonomy to the provinces. The petitioner is the employee of Health Department, Govt of Khyber Pakhtunkhwa therefore his service record is with Health Department of Khyber Pakhtunkhwa, Federal Directorate of Immunization (FDI) has no administrative, financial and decision making role in provincial issues.

Prayer:-

In view of above submission it is humbly prayed that as nothing is on the part of Federal Directorate of Immunization (FDI). It is therefore, respectfully prayed that the Federal Directorate of Immunization (FDI) M/o NHR&C may kindly be excluded from the array of respondents in the instant appeal.


(Mahir Ahmed)
Deputy Director (Admin)
On behalf of
Respondent No. 5

BEFORE THE KYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR

Service Tribunal Appeal No.1223&1224/2020

Hidayat Ullah S/o Sher Afzal Khan R/o Mohalla Ibrahim Khel, Tehsil Batkhela District
Malakand.

Appellant

Versus

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. Government of Khyber Pakhtunkhwa, Health Department through Secretary Health, Civil Secretariat, Peshawar.
3. Government of Khyber Pakhtunkhwa, Finance Department through its Secretary, Civil Secretariat, Peshawar.
4. Director General Health Khyber Pakhtunkhwa, PTCL Colony, Peshawar.
5. National Programme Manager, Expanded Program on Immunization (EPI), Prime Minister's National Health Complex, Park Road, Chak Shahzad, EPI Building, Islamabad.

Respondents

Response on behalf of National Programme Manager (EPI)

(Now Director General (FDI)

Respondent No.5)

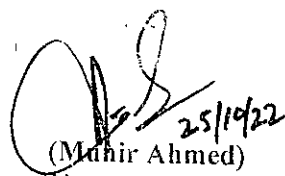
Respectfully Sheweth:

The appeal No.1223/2020 titled Hidayat Ullah Vs Govt of Khyber Pakhtunkhwa Health Department & others has been filed in the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar with the prayer that the petitioner are eligible of salary w.e.f. 2010 till date of regularization i.e.22-05-2013.

2. After 18th amendment to the constitution of Pakistan vide Senate Secretariat Act No.E9(19)/2010-Legis dated 20th April, 2010, the act has gave self governing, legislative and financial autonomy to the provinces. The petitioner is the employee of Health Department, Govt of Khyber Pakhtunkhwa therefore his service record is with Health Department of Khyber Pakhtunkhwa, Federal Directorate of Immunization (FDI) has no administrative, financial and decision making role in provincial issues.

Prayer:-

In view of above submission it is humbly prayed that as nothing is on the part of Federal Directorate of Immunization (FDI). It is therefore, respectfully prayed that the Federal Directorate of Immunization (FDI) M/o NHR&C may kindly be excluded from the array of respondents in the instant appeal.


(Muhrir Ahmed)
Deputy Director (Admin)
On behalf of
Respondent No. 5

BEFORE THE KYBER PAKHTUNKHWA, SERVICE TRIBUNAL,
PESHAWAR

Service Tribunal Appeal No. 1223&1224/2020

Hidayat Ullah S/o Sher Afzal Khan R/o Mohalla Ibrahim Khel, Tehsil Batkhela District Malakand.

Appellant

Versus

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Civil Secretariat, Peshawar.
2. Government of Khyber Pakhtunkhwa, Health Department through Secretary Health, Civil Secretariat, Peshawar.
3. Government of Khyber Pakhtunkhwa, Finance Department through its Secretary, Civil Secretariat, Peshawar.
4. Director General Health Khyber Pakhtunkhwa, PTCL Colony, Peshawar.
5. National Programme Manager, Expanded Program on Immunization (EPI), Prime Minister's National Health Complex, Park Road, Chak Shahzad, EPI Building, Islamabad.

Respondents

Response on behalf of National Programme Manager (EPI)

(Now Director General (FDI)

Respondent No.5)


Respectfully Sheweth:

The appeal No.1223/2020 titled Hidayat Ullah Vs Govt of Khyber Pakhtunkhwa Health Department & others has been filled in the Honorable Khyber Pakhtunkhwa Service, Tribunal, Peshawar with the prayer that the petitioner are eligible of salary w.e.f. 2010 till date of regularization i.e.22-05-2013.

2. After 18th amendment to the constitution of Pakistan vide Senate Secretariat Act No.E9(19)/2010-Legis dated 20th April, 2010, the act has gave self governing, legislative and financial autonomy to the provinces. The petitioner is the employee of Health Department, Govt of Khyber Pakhtunkhwa therefore his service record is with Health Department of Khyber Pakhtunkhwa, Federal Directorate of Immunization (FDI), has no administrative, financial and decision making role in provincial issues

Prayer:-

In view of above submission, it is humbly prayed that as nothing is on the part of Federal Directorate of Immunization (FDI). It is therefore, respectfully prayed that the Federal Directorate of Immunization (FDI) M/o NHR&C may kindly be excluded from the array of respondents in the instant appeal.


25/10/22
(Mahir Ahmed)
Deputy Director (Admin)
On behalf of
Respondent No. 5