

19.08.2019

Counsel for the appellant and Mr. Muhammad Riaz Khan Painsdakhel, Asstt. AG alongwith Dr. Mubarak Zeb for the respondents present.

Learned AAG states that written reply prepared which is yet to be vetted. He requests for time to submit the requisite reply. Adjourned to 17.09.2019 on which date the requisite reply shall positively be submitted.



Chairman

17.09.2019

Appellant in person and Addl. AG alongwith Dr. Mubarak Zeb, Litigation Officer for the respondents present.

Written reply on behalf of respondents furnished which is placed on record. The appeal is assigned to D.B for arguments on 26.11.2019. The appellant may submit rejoinder, within a fortnight, if so advised.



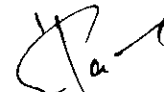
Chairman

26.11.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney present. Vide single/common judgment of today of this Tribunal, placed on file of connected service appeal No.624/2019 filed by Muhammad Imtiaz, the present service appeal is accepted and the respondents are directed to take up the matter with the Finance Department and ensure the release of salaries to the appellant in accordance with law. Parties are left to bear their own costs. File be consigned to the record room.



(Ahmad Hassan)
Member



(Muhammad Hamid Mughal)
Member


21.06.2019

Counsel for the appellant Waqar Younas present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was appointed as Ward Attendant (BPS-4) in Health Department vide order dated 19.01.2018 by the competent authority. It was further contended that after appointment he was directed to perform his duty at Basic Health Unit, Fida Abad, Peshawar vide order dated 30.01.2019. It was further contended that the appellant was performing his duty regularly but the appellant was not paid salary by the department without any reason therefore, the appellant filed departmental appeal on 05.03.2018 but the same has not been decided so far therefore, the appellant filed the present service appeal on 09.05.2019. It was further contended that the appellant is still performing his duty but the respondent department is reluctant to release the salary of the appellant therefore, the respondent-department is bound to pay salary to the appellant.

The contentions raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. 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 19.08.2019 before S.B.

Appellant Deposited
Security & Process Fee

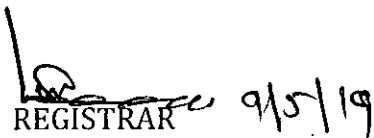

3/13


(Muhammad Amin Khan Kundi)
Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. _____ 603/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/05/2019	<p style="text-align: center;">The appeal of Mr. Waqar Younas presented today by Roeeda Khan 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 9/5/19</p>
2-	10/05/19	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>21/05/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. 603 /2019

Waqar Younas

VERSUS

Secretary Government of Khyber Pakhtunkhwa Health
Department and Others


INDEX

S#	Description of Documents	Annex	Pages
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4.	Copy of appointment order	"A"	9
5.	Copy of medical fitness	"B"	10
6.	Copy of order	"C"	11
7.	Copy of arrival report	"D"	12
8.	Copy of attendance register	"E"	13 To 21
9.	Copy of departmental appeal	"F"	22
10.	Copy of applications	"G/G3"	23 To 30
11.	Wakalat Nama		

Dated: 07/05/2019


APPELLANT

Through


Roeda Khan
Advocate, High Court
Peshawar.

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

In Re S.A No. 603 /2019

Diary No. 738

Dated 09/5/2019

Waqar Younas, Ward attendant (BPS-04) Basic
Health Unit, Fida Abad, Peshawar.

....Appellant

VERSUS

1. Secretary Government of Khyber Pakhtunkhwa
Health Department.
2. District Health Officer Peshawar.
3. Director General Health Service, Khyber
Pakhtunkhwa, Peshawar.
4. Medical Officer Civil Dispensary Zargarabad
Peshawar.

....Respondents

Filed to-day
Registrar
9/5/19

APPEAL U/S-4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL ACT
1974 FOR DIRECTING THE RESPONDENTS TO
RELEASE THE MONTHLY SALARIES OF
APPELLANT W.E.F 02/02/2018 TILL DATE AND
ONWARDS AND AGAINST NOT TAKING ANY
ACTION ON THE DEPARTMENTAL APPEAL OF
APPELLANT WITHIN STATUTORY PERIOD OF
NINETY DAYS.

Prayer:-

ON ACCEPTANCE OF THIS APPEAL THE RESPONDENTS MAY kindly BE DIRECTED TO RELEASE THE MONTHLY SALARIES OF APPELLANT FROM 02/02/2018 TILL DATE AND ONWARDS WITH ALL ARREARS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT THAT MAY ALSO BE ONWARD TRIBUNAL DEEMS FIT THAT MAY ALSO BE GRANTED IN FAVOUR APPELLANT.

Respectfully Sheweth,

1. That the Appellant was initially appointed as ward attended BPS-04 on 19/01/2018. (Copy of appointment order is annexed as annexure "A").
2. That the appellant got medical fitness with the Respondent department. (Copy of medical fitness is annexed as annexure "B")
3. That the appellant has been posted at Basic Health Unit, Fida Abad, Peshawar, on 30/01/2018. (Copy of order is annexed as annexure "C")
4. That the appellant submitted his arrival report to Respondent department on

02/02/2018. (Copy of arrival report | ^{Charge Report} is annexed as annexure "D")

- 5. That the appellant performed his duty regularly with the Respondent Department and no complaint what so ever has been made against the appellant. (Copy of attendance register is annexed as annexure "E")
- 6. That although the appellant performed his duty with Respondent department but despite performing his duty regularly, the Respondent department illegally and without any reason stopped the salary of the appellant w.e.f 02/02/2018.
- 7. That the appellant submitted departmental appeal on dated 05/03/2018 but no response has been given by the Respondent department. (Copy of departmental appeal is annexed as annexure "F")
- 8. That the appellant also moved so many application for the release of the salary to Respondent department but in vain. (Copy of applications are annexed as annexure G/G-3)

9. That feeling aggrieved the Appellant prefers the instant service appeal before this Hon'ble Tribunal on the following grounds inter alia:-

GROUND:-

- A. That not paying monthly salaries to appellant and not taking any action on the departmental appeal of appellant within statutory period of ninety days by Respondents are against the norms of justice, material on record and principles of fair play.
- B. That the appellant has not been treated according to law and rules and has been deprived from his legal right of monthly salaries for no good grounds.
- C. That it is evident from the appointment order that the same was passed after proper recommendations of committee, therefore appellant submitted arrival report and performed his duty regularly with the Respondent department.
- D. That the appellant is still in service and performing his duties, therefore under

(5)

section 17 of the civil servants Act 1973, the appellant is fully entitled to his claim.

E. That non-payment of monthly salaries to appellant without following any codal formalities is an act of arbitrariness on the part of Respondent which cannot be protected and remain in field under the norms of justice.

F. That the Respondent department also violated article of 25-A of the Constitution of Islamic Republic of Pakistan.

G. That the Respondent department also violated the well settle principal of law "work done pay done".

H. That any other ground not raised here may graciously be allowed to be raised at the time full of arguments on the instant service appeal.

It is therefore, most humbly prayed that on acceptance of this appeal the respondents may be directed to release the monthly salaries of appellant from 02/02/2018 till date and onwards with all arrears. Any other remedy which this august tribunal deems fit

(b)


*that may also be onward tribunal deems fit
that may also be granted in favour appellant.*

*Any other relief not specifically asked
for may also graciously be extended in
favour of the Appellant in the
circumstances of the case.*

Dated: 07/05/2019


APPELLANT

Through


Roeeda Khan
Advocate, High Court
Peshawar.

NOTE:-

As per information furnished by my client, no such like appeal for the same petitioner, upon the same subject matter has earlier been filed, prior to the instant one, before this Hon'ble Tribunal.


Advocate.

(7)

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2019

Waqar Younas

VERSUS

Secretary Government of Khyber Pakhtunkhwa Health
Department and Others

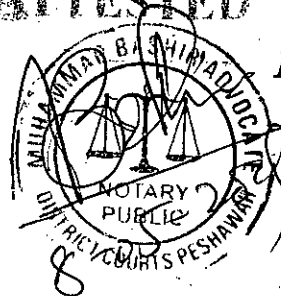
AFFIDAVIT

I, **Waqar Younas, Ward attendant (BPS-04) Basic Health Unit, Fida Abad, Peshawar**, do hereby solemnly affirm and declare that all the contents of the **instant appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.

Identified by:

Rozeda Khan
Advocate High Court
Peshawar.

ATTESTED




DEPONENT

81

BEFORE THE HON'BLE SERVICE TRIBUNAL
PESHAWAR

In Re S.A No. _____/2019

Waqar Younas

VERSUS

Secretary Government of Khyber Pakhtunkhwa Health
Department and Others

ADDRESSES OF PARTIES

PETITIONER.

Waqar Younas, Ward attendant (BPS-04) Basic
Health Unit, Fida Abad, Peshawar.

ADDRESSES OF RESPONDENTS

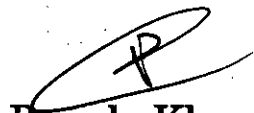
1. Secretary Government of Khyber Pakhtunkhwa
Health Department.
2. District Health Officer Peshawar.
3. Director General Health Service, Khyber
Pakhtunkhwa, Peshawar.
4. Medical Officer Civil Dispensary Zargarabad
Peshawar.

Dated: 07/05/2019



APPELLANT

Through



Roeda Khan
Advocate, High Court
Peshawar.



(9)

AW/A

PESHAWAR.

Phone No. 091 9225387

Fax No. 091 9225388

OFFICE ORDER

As recommended by the District Departmental Selection Committee during the meeting held on 12th January, 2018 at 10:00 AM in the office of the undersigned **Mr. Waqar Younas S/O Safarash Khan (Nasreen Akhtar, Ex- LHV)**, is hereby appointed under incapacitated quota as **Ward Attendant, BPS-04 (9900-440-23100)** in District Health Officer, Peshawar plus other allowances as admissible to the category of staff he belongs.

His appointment in the Government of Khyber Pakhtoonkhwa, Peshawar Health Department will be subject to the following terms and conditions: -

1. He will be on probation initially for a period of one year which may be extendable for further one year.
2. His services will be subject to Medical fitness certificate.
3. He will not be entitled to any TA/DA for medical examination and joining the first appointment.
4. He will be governed by such Rules and Orders as may be issued by the Government for the category of Government servant to which he belongs.
5. He will perform duty where and when the undersigned posted/transfer him in District Peshawar.
6. His services can be dismissed without any notice during the probation period, if his work and conduct found unsatisfactory.
7. If he wishes to resign from service he will have to submit resignation in written 30-days in advance or deposit one month salary in the government treasury. However he will continue to serve the government service till the acceptance of his resignation by the competent authority.
8. If the above terms and conditions are acceptable to him, he should report to District Health Officer, Peshawar and signed this offer within 14 days of the receipt of this order.
9. If he failed to comply with Para-8, the order will automatically be considered as withdrawn and cancelled.

Sd/-xxxxxx

District Health Officer,
Peshawar.

No. 860-67 /DSC/Deceased2018

Dated Peshawar the 19-01 /2018

Copy forwarded to the -

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
 2. Director General Health Services Khyber Pakhtunkhwa Peshawar.
 3. PS to Secretary Govt. of Khyber Pakhtunkhwa Health Department.
 4. Registrar, Peshawar High Court Peshawar.
 5. Litigation Officer, DHO, Office Peshawar.
 6. Account Section of this office.
 7. Mr. Waqar Younas S/O Nasreen Akhtar, Ex- LHV, Resident of Mohallah Tokar Khel, Mattani, District Peshawar.
 8. Office Record.
- For information and necessary action

ATTENDED

10

Ann B

MEDICAL CERTIFICATE

Name of official Waqar Younas ✓
 Caste or race Muslim ✓
 Father's name Shehbaz Khan ✓
 Residence Moh. Toker Khel Matani Dist
Peshawar ✓
 Date of birth 11/04/1993 ✓
 Exact height by measurement 5-7 ✓
 Personal mark of identification Nil ✓
 Signature of the official [Signature] ✓
 Signature of head of office _____

Seal of office _____

I do hereby certify that I have examined Mr. Waqar Younas a candidate
 for employment in the Office of the DHO Peshawar
 and cannot discover that he had any disease communicable or other constitutional affection or bodily
 infirmity except Nil

I do not consider this as disqualification for employment in the office of the As Above
 His age according to his own statement 25/yr year and by appearance about
 year Twenty five

[Signature]
 22/11/18
 MEDICAL SUPERINTENDENT,
 CIVIL HOSPITAL Medical Superintendent,
Police/Services, Hospital
Peshawar.

LEFT HAND THUMB AND FINGER IMPRESSIONS



11) Amic

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

Phone No.091 9225387
Fax No. 091 9225388

OFFICE ORDER.

On arrival of Mr. Waqar Younas, Ward Attendant, BPS-04, vide this Office Order bearing No. 860-67/DSC/Deceased 2018, dated 19/01/2018, is hereby directed to perform his duty at Basic Health Unit, Fida Abad, Peshawar, in the large interest of public.

Sd/xxxxx
District Health Officer,
Peshawar.

No. 1713-21 /DHO/P.F

Dated Peshawar the 30-07/2018

Copy forwarded to the: -

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
 2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
 3. District Nazim, City District Govt: Peshawar.
 4. Deputy Commissioner, Peshawar.
 5. Deputy District Health Officer, Peshawar.
 6. Coordinator, DHIS DHO, Office Peshawar.
 7. Incharge, Basic Health Unit, Fida Abad, Peshawar.
 8. Account Section of this office.
 9. Official, concerned.
- For information & necessary action.

District Health Officer,
Peshawar.

30/11/8

RECEIVED
DISTRICT HEALTH OFFICER
PESHAWAR

حضرت جناب الحاج ڈی ایچ او لورڈ ایبٹ آباد
جناب عالی

مضمون: حافی رپورٹ
پشاور

مورد یاد گزارش ہے کہ میرا اردو ڈیپارٹمنٹ نمبر 1713-1
ڈی ایچ او پشاور کے آفس کے دفتر میں ہوا ہے۔
لہذا میری حافی قبول فرمائیں۔

عین نوآبادی ہوگی

Annual
accepted
NO @ BHU Fida Abad
28/02/18
Medical Officer
BHU Fida Abad

الحاج

رفیق ہولیس

w/A

تاریخ: 02-02-018

D/NOB 8/0
02-02-018

ATTACHED



Month - February 2018

ATTENDANCE

REGISTER

Amr'E" (13)

B.H.U. Fida Abad Feb 2018

Attendance Role For the Month February 2018

No	Name and Designation	Days																															Total Late		Casual Leave		Holiday			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Current Month	To end of Current Month	Present Month	To end of Current Month	Current Month	To end of Current Month		
(1)	Dr. Suhail Khan Medical Officer	P	P	X	X	X	P	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	P	P	X	P	P	P	P	P	P	P	P				0+0	0		
(2)	Malik Gul Bukh M.T	P	P	X	X	X	P	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	P	X	P	P	P	P	P	P	P	P	P				0+0			
(3)	Shaibana Minnany F.M.T	S	S	S	X	X	S	S	S	M	X	S	S	S	S	S	S	S	S	S	S	S	S	S	X	S	S	S	S	S	S	S	S				0+0	02		
(4)	Darward Beshi	P	P	X	X	X	P	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	P	X	P	P	P	P	P	P	P	P	P				0+0	0		
(5)	Khyista Khan Chokidar	P	P	X	X	X	P	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	P	X	P	P	P	P	P	P	P	P	P				0+0	0		
(6)	(Waqar Younas) W/O	X	X	X	X	X	P	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	P	X	P	P	P	P	P	P	P	P	P				0+0	0		

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ATTENDANCE

B.P.N

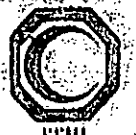
March 2018

(M)

ATTENDANCE REGISTER

P.H.O. Fish Dept. March 2018

Attendance Role For the Month MARCH 2018



No.	Name and Designation	March 2018																															Total Late		Casual Leave		Holiday		Remarks
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Current Month	To end of Current Month	Current Month	To end of Current Month	Current Month	To end of Current Month	
(1)	Dr. Subash Khoo Medical Officer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	0	0	0			
(2)	MAMU GUN BERTI M-T	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	0	0	0			
(3)	GUARDIAN MAMAMUR P-M-T	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	2	0	0			
(4)	DANOROP P-BUSHTI	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1	0	0			
(5)	KUPJIN KUMI CHORAKSIK	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	0	0	0			
(6)	(KUNQDI BUNDS) M-T	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	1	0	0			

APPROVED

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May 2018

ATTENDANCE

REGISTER

Attendance Role For the Month May 2018



B.H.U Fida Abad: May 2018.

No	Name and Designation	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total Late		Casual Leave		Holiday		Remarks
																																	Current Month	To end of Current Month	Current Month	To end of Current Month	Current Month	To end of Current Month	
(1)	Dr. Suhail Khan Medical officer	X	A	M	C	X	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	L	L	A	A	A	X	A	A	A			0+						
(2)	MATID Gul Burki M.T.	X	A	A	A	X	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	A	A	A	A	A	A	A	A	A	A			0+					
(3)	Shabana Mushtaq F.M.T	X	S	S	S	X	S	S	S	S	S	S	S	S	S	S	S	S	S	S	X	S	S	S	S	S	S	S	S	S			02+						
(4)	DAWOD Bexiti	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	P	P	P	P	P	P	P	P	P			0+						
(5)	KHISTA Kinn Chaukidar	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	P	P	P	P	P	P	P	P	P			0+						
(6)	WAZIR YUNUS JIA	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	P	P	P	P	P	P	P	P	P			0+						

ATTENDANCE

September - 2018



Fildn Abad BHU

ATTENDANCE

REGISTER

No	Date	Designation	Month																															Total
			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
1	Sep-2018	YASIR EDD	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
2	YASIR EDD	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
3	YASIR EDD	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
4	FACHANA YAMIFEN H-V	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
5	(YASIR YUNAS N/A)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6	DAWUD KHAN BESHTI	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
7	HANAYUN KHAN NALL	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
8	MUSTAFA KHAN CHUCKIDAR	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	

16

October 2018

ATTENDANCE REGISTER

No	Name and Designation	October 2018																															Total				
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31					
(1)	DR. SHEHIL KHAN Medical Officer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
(2)	MADID GUL BURKI M.T	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
(3)	SABANA MANSUR F.M.T	Elat leave																																			
(4)	FACHAND YASMEEN L.H.V	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
(5)	WAGAR YUNAS W/A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
(6)	DANIGOS KHAN BESHTI	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
(7)	HAMAYUN KHAN MALL	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(8)	KHYISTA KHAN CHAWKIDAR	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
	KHITAB KHAN EPI	Attendance																																			
	SAMI-ULLAH EPI	Absence																																			
	RAHMAT-ULLAH (EPI)	Absence																																			

ATTENDANCE

December 2018

ATTENDANCE REGISTER

B-4-11 Firdi Abad

Attendance R

No	Name and Designation	December 2018																															Total			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31		Current Month		
(1)	DR. SUHAIL KHAN Medical Officer	P	X	P	P	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	31	
(2)	MATD GILL BURKI M-T	P	X	P	P	P	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	31	
(3)	SABANA MUNAWAR F-M-T	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	31	
(4)	KHUTAB SHAH E-P-T	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	K	31	
(5)	SAMI-ULLAH F-P-T	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	31	
(6)	RAHIMAT-ULLAH E-P-T	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	R	31
(7)	(WAKAR YUNUS) W/A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	31	
(8)	DANIED KHAN BESHAI	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	31	
(9)	HAMAYUN KHAN MALT	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	31	
(10)	KHAYSTA KHAN CHAKRIDAR	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	31	

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ATTACHED

January - 2019

ATTENDANCE

REGISTER

B.H.U. Ferozabad January 2019

Atten

No	Name and Designation	January - 2019																															
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	
(1)	DR. SUHAIB KHAN Medical Officer	E	R	R	L	L	X	DHO MEBBY (P/MS)		O	R	R	R	R	R	R	R	R	R	R	X	R	R	R	L	R	R	R	R	R	R	R	
(2)	MADU GUL BURKI M.T	Travel		Travel		Travel		BHU Feroz		Travel		Travel		Travel		Travel		Travel		Travel		Travel		Travel		Travel		Travel		Travel			
(3)	SABENA MUNDKAR F.M.T	S	S	S	S	S	S	DHO		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
(4)	KHITAB ISHAN E.P.T	O	R	O	R	O	R	DHO		O	R	O	R	O	R	O	R	O	R	O	R	O	O	R	O	R	O	R	O	R	O	R	O
(5)	SAMI ULLAH E.P.T	O	R	O	R	O	R	DHO		O	R	O	R	O	R	O	R	O	R	O	R	O	O	R	O	R	O	R	O	R	O	R	O
(6)	RAHMAT ULLAH E.P.T	Relief		Relief		Relief		Relief		Relief		Relief		Relief		Relief		Relief		Relief		Relief		Relief		Relief		Relief		Relief			
(7)	W/AQAR YOUNUS W/A	P	P	P	P	P	P	DHO		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	L	P	P	P	P	P	P	P	
(8)	DANISH KHAN (BENATI)	P	P	P	P	P	P	DHO		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
(9)	HAMAYUN KHAN MALI	P	P	P	P	P	P	DHO		P	P	P	L	P	P	P	L	P	P	P	P	P	P	P	P	L	P	P	P	P	P	P	
(10)	KURISTA KHAN CHAKRIDAR	P	P	P	P	P	P	DHO		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

ATTENDANCE

February - 2019

ATTENDANCE REGISTER

B-N-U FIDA ADAS

February - 2019

No.	Name and Designation	Attendance																														Total Late				
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Current Month	To end of Current Month		
1	Dr. Subair Khan Medical Officer	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
2	Shabana Munawar FMT	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L		
3	Khitob Shah EPI - Tech	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
4	Sami-ullah EPI - Tech	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
5	Rahmat-ullah EPI - Tech	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
6	(Waqar Younas) W/A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
7	Dawood Khan Beshki	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
8	Khaiista Khan Chowkidar	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
9	Hamayun Khan Mali	P	P	P	P	P	L	P	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	L	P	P	P	L	P	P	P	P	P	P	P	
10	Majid Gul Buzki M-T	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

(28)

March - 2019

ATTENDANCE REGISTER

B.H.U. Fida Abdul

Fida Abdul B.H.U.

Attendance Role For th

No	Name and Designation	March - 2019																														Total Late				
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Current Month	To end of Current Month		
(1)	Dr. Suhail Khan Medical officer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
(2)	Majid Gul Butki M-T	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
(3)	Shabana Munawar FMT	L	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
(4)	Khatib Shah Epi Tech	L	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
(5)	Sami-ulla Epi-Tech	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
(6)	Waqar Younis W/A	L	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
(7)	Rahmat-ulla Epi-Tech	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L	L		
(8)	Dawood Khan Behti	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
(9)	Khalifa Khan Chaukhala	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
(10)	Hameem Khan Mali	P	P	L	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		

(Signature)

ATTACHED



April 2019

ATTENDANCE

Field Area Office

April 2019

No	Name and Designation	Days																			
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
(1)	Dr. Sumit Khari Medical Officer.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(2)	Shalona Munwar P.M.T.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(3)	Majid Gul Buxi J.T.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(4)	Khalid Shih E.P.I. Tech.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(5)	Sami Ullah E.P.I. Tech.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(6)	Rahmat Ullah E.P.I. Tech.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(7)	(Waqar Younas) Word body.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(8)	Dameed Khan Behaldi	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(9)	Khajata Khan Chankidai	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
(10)	Hamayun Khan Nali	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

(16)

بخدمت جناب ڈائریکٹر جنرل ہیلتھ سروسز خیبر پختونخواہ پشاور

ڈیپارٹمنٹل اپیل برائے ریلیز / جاری کرنے ماہوار تنخواہ

جناب عالی! ایپلانٹ حسب ذیل عرض رساں ہے۔

- 1- یہ کہ ایپلانٹ ہیلتھ ڈیپارٹمنٹ میں بحیثیت وارڈ اینڈنٹ BPS-11 مورخہ 19/01/2018 کو بھرتی ہوا تھا۔
- 2- یہ کہ ایپلانٹ نے باقاعدہ طور پر ڈیپارٹمنٹ میں چارج لیا۔ (چارج رپورٹ لف ہے)۔
- 3- یہ کہ چارج سنبھال کر ایپلانٹ نے ڈیوٹی شروع کی۔ (اس حوالے سے حاضری رجسٹر لف ہے)۔
- 4- یہ کہ اگرچہ ایپلانٹ باقاعدگی سے ڈیوٹی سرانجام دے رہا ہے لیکن ڈیپارٹمنٹ نے بغیر کسی وجہ کے ایپلانٹ کی ماہوار تنخواہ مورخہ 02/02/2018 سے بند کی ہوئی ہے۔

لہذا استدعا کی جاتی ہے کہ ایپلانٹ کو ماہوار تنخواہ جاری کرنے کا حکم صادر فرمایا

جاوے۔

ایپلانٹ وقار یونس (کوکسی)
سول ڈسپنسری، زرگر آباد پشاور

05/03/2018

ATTACHED

دینا صاحبہ ڈائری بلیڈ بلڈ ٹروٹھو سٹریٹنگ ٹیوٹھو ٹیوٹھو

درخواست ملوانہ جاری کرنے کا ہوا

تھوٹھو

صاحبہ عالیہ اسٹیٹس ڈیپارٹمنٹ

تذکرہ جاری ہے کہ اس بلڈ ٹروٹھو سٹریٹنگ ٹیوٹھو ٹیوٹھو
 اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ
 اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ
 اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ
 اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ

اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ
 اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ

اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ میں اسٹیٹس ڈیپارٹمنٹ

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Handwritten mark

کرمنا جناب ڈائریکٹر ایجوکیشن (س) خیبر پختونخوا کراچی

درخواست مکمل ہجاری آرڈر کا حوالہ

تذکرہ

منابہ عالی آرڈر کے حوالہ سے

مقرر شدہ جاتی ہے کہ اس بلڈیوٹ میں کٹوتی وارڈ
اور ڈسٹرکٹ برقی ٹیبلوں سے اور بائبلنگ ڈیویژن سے
فوری طور پر لیکن ڈیپارٹمنٹ کے بغیر کسی وجہ
کے ساتھ میموراندیم نمبر 2-02-2018ء مورخہ 2-02-18
لینا کوئی نہیں ہوگی ہے

لینڈ اور اسٹوریج جاتی ہے کہ سائل کو ممبران
جاری کرنے کا حکم صادر فرمایا جائے

تذکرہ
2019

P

ATTESTED

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Service Appeal No.603/2019.

Waqar Younus

-----Appellant

Versus

- 1: Secretary Health, Govt of Khyber Pakhtunkhwa Peshawar
- 2: Director General Health Services Peshawar near district courts Peshawar
- 3: District Health Officer (DHO) Peshawar
- 4: Medical Officer CD Zargarabad Peshawar.

-----Respondents

PARAWISE REPLY ON BEHALF OF RESPONDENTS No.1.2.3&4

Respectfully Shewith

Preliminary Objections.

- The appellant has neither cause of action nor locus standi to file the instant appeal.
- The appellant has not come to the court with clean hands.
- The appeal is bad for mis joinder and non joinder of the necessary parties.

Reply on facts:-

Para No.1 Correct.

Para No.2 Pertains to record.

Para No.3 Pertains to record.

Para No.4 Pertains to record.

Para No. 5 Pertains to record.

Para No. 6 &7. Incorrect. The respondents have not turned deaf ear over the matter.

The fact is that post on which the appellant was employed was converted from the post of Dai (BPS-04) to the post of ward attendant (BPS-04) due to the non-availability of qualified dais for long, as the training of Dais was not conducted since 2003. Hence the post of Dais were converted to the post of ward attendants under the Health department letter No 15376-476/Personal (**Annex-A**) & finance department notification which is annexure as (**Annex-B**). In spite of conversion of the post of Dais to the posts of ward attendant, the Nomenclature of the posts was not modified by the Finance department in its documents including Budget Book, which is the main hurdle in the release of salary of the appellant.

Health department has written to the Finance department & then reminded also to modify the Nomenclature of the converted posts (Annex-C,D,E,F,G) ,but the reply of the Finance department is still awaited .

Salaries of the appellant will be released once the nomenclature of the converted posts is modified by the Finance department in Budget book.

Para No. 8 NO comments.

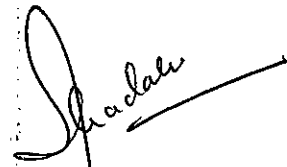
Reply on Grounds:-

- A:- Incorrect , as already explained in reply to para 6&7.
- B:- Incorrect , as already explained in reply to para 6&7..
- C:- This para pertains to record .
- D:- This para needs no comment on the part of respondents .
- E:- As replied above
- F:- Incorrect. Respondent have not denied release of his salary .The reason of delay in the release of salary is explained in reply to para 6&7.
- G:- Incorrect . As replied above.
- H:- The respondents seek leave to raise additional grounds at the time of arguments.

It is therefore, requested that the writ petition in hand, being devoid of merit may graciously be dismissed with cost..



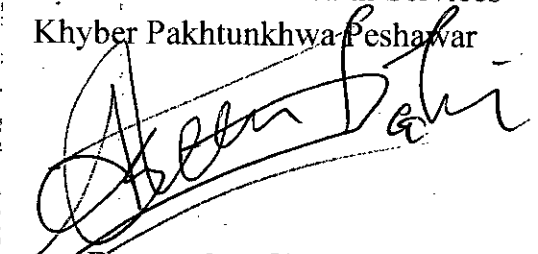
Respondent No.1
Secretary Health
Khyber Pakhtunkhwa Peshawar



Respondent No. 2
Director General Health Services
Khyber Pakhtunkhwa Peshawar



Respondent No.3
District Health Officer Peshawar.



Respondent No.4
Medical Officer CD Zargarabad
Peshawar.

577

DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR



OFFICE ORDER

In pursuance of Government of Khyber Pakhtunkhwa Health Department letter No. SOH-IV/HQ/4-4/2016/Dai dated 30.10.2017 & concurrence of Government of Khyber Pakhtunkhwa Finance Department letter No. SO(FR)/FD/7-3/2016/3371 dated 01.01.2017, the posts of Dai/Dal Nurse (BS-04) is hereby converted in to Ward Attendant (BS-04).

Moreover if the posts of Dai have become redundant the same may be abolished or restructuring of the post be made.

10/11/2017

CC/*****
DIRECTOR GENERAL HEALTH
SERVICES K.P. PESHAWAR.
Dated 10/11/2017

No. 15376-456/Personnel

Copy forwarded to the:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. All Chief Executive of Teaching Hospitals in Khyber Pakhtunkhwa
3. All Additional (DGI) DGHS KP Peshawar.
4. Director Health Services FATA Peshawar.
5. All Sub-Offices of Health Department in Khyber Pakhtunkhwa.
6. Director (R1) DGHS KP Peshawar.
7. All Deputy Directors DGHS KP Peshawar
8. All District Accounts Officers in Khyber Pakhtunkhwa.
9. P.S to Secretary to Govt of Khyber Pakhtunkhwa Health Department Peshawar.
10. P.A to DGHS KP Peshawar.

For information and necessary action.

[Signature]
DIRECTOR (HR/ADMN) 10 Nov 17
DIRECTORATE GENERAL HEALTH
SERVICES, K.P. PESHAWAR.

Better Copy

**DIRECTORATE GENERAL HEALTH SERVICES KHYBER
PAKHTUNKHWA PESHAWAR.**

OFFICE ORDER

In pursuance of Government of Khyber Pakhtunkhwa Health Department No. SOH-IV/HD/4-4/2016/Dai dated 30-10-2017 & concurrence of Government of Khyber Pakhtunkhwa Finance Department letter No. SO (FR)FD/7-3/2016/3371 dated 01.08.2017 the posts of Dai/Dai Nurse (BPS-04) is hereby converted in to Ward attendant (BPS-04).

More if the posts of Dai have become redundant the same may be abolished or restructuring of the post be made.

SI/xxxxxxxxxxxxxxxxxxxx

Director Demerol Health
Services KP Peshawar

Dated. 10/11/2017

No15376-456/Personal

Copy forwarded to :-

1. Account General Khyber Pakhtunkhwa Peshawar.
2. All Chief Executive of Teaching Hospitalist in Khyber Pakhtunkhwa.
3. All Additional (DGH)DGHS KP Peshawar.
4. Director Health Services FATA Peshawar.
5. All Sub-Officer of Health Department in Khyber Pakhtunkhwa.
6. Director (RH) DGHS KP Peshawar.
7. All Deputy Director DGHS KP Peshawar.
8. All District Account Officer in Khyber Pakhtunkhwa.
9. P.S to Secretary to Govt of Khyber Pakhtunkhwa Health Department Peshawar.
10. P.A to DGHS KP Peshawar.

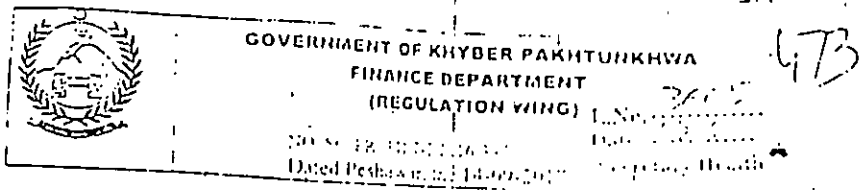
For information and necessary action

DIRECTOR (HRM/ADMN)

Director Demerol Health

Services KP Peshawar

①



To
The Secretary in Govt of Khyber Pakhtunkhwa,
Health Department.

14/9/2017

Subject: - REDESIGNATION OF THE POST OF DAI (DPS-04) TO WARD ATTENDANT (DPS-04)

Dear Sir,
I am directed to refer to your Department letter No. SOH-IV/HO/4-4/2017/dai dated 25-08-2017 on the subject noted above and to state that this Department has already converted the post of Dai (DPS-04) into ward Attendant (DPS-04) vide letter of even number dated 01-08-2017 (copy enclosed).

Encls: As Above

Yours faithfully,
[Signature]
SECTION OFFICER (FR)

I am directed to refer to your department letter SOH-IV/HO/4-4/2017/dai dated 25/08/2017 on the subject noted above and to state that this department has already converted the post of dai (DPS-04) into ward attendant and (DPS-04) vide letter of even number dated 01-08-2017.

DS-III

SOH-IV

Finance converted on 1-8-17
Sec Health 25-8-17

Better Copy

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

To

The Secretary Govt. of Khyber Pakhtunkhwa
Health Department

Subject:

**RESIGNATION OF THE POST OF DAI BPS -04 TO WARD
ATTENDANT BPS-04**

Dear Sir,

I am directed to refer to your Department letter No. SOH-IV/HD/4-4/2016 dated 25-08-2017 on the subject noted above and to state that this department has already converted the post of Dai (BPS-04) into ward attendant (BPS-04) vide letter of even number of dated 01-08-2017(copy enclosed).

Encls: As Above

Your faithfully,

SECTION OFFICER (FR)

(6)

Annexure - C

Change of Nomenclature



OFFICE OF THE DISTRICT HEALTH OFFICER
DISTRICT PESHAWAR

No. 378 /DHO dated Pesh: 23/01/2019

To:-

The Director General Health Services,
Khyber Pakhtunkhwa Peshawar.

Subject:

CHANGE OF NOMENCLATURE OF POSTS OF DAIS BPS-04 TO WARD
ATTENDANT BPS-04.

I have the honour to state that about 100 posts of Dais under various head of accounts under District Health Officer Peshawar has been sanctioned from the beginning against which the eligible persons has been appointed having one year Dai Certificate issued from your good office. Now the training has been stopped from 16/1/2003 and no training was arranged after 2003. The said posts have already become redundant and redesignated as Ward Attendant BPS-04 vide letter No. SO(FR)FD/7-3/2016/3371 dated 1/8/2017 (Annex:A) endst: by your good office vide latter No. 15376-456/Personnel dated 10/11/2017 (Annex:B), but the Finance department asked for submission of fresh case.

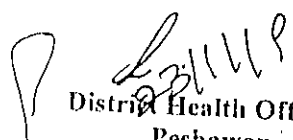
It is therefore requested that the competent authority in the Finance Department Khyber Pakhtunkhwa may please be approached to change the nomenclature of the posts of Dais BPS-04 to the post of Ward attendant BPS-04 in the light of letters cited above.


District Health Officer
Peshawar.

No. 398-403/DHO/Change of Nomenclature of Dai/2018-19

Copy forwarded to the:

1. Secretary to Government of Khyber Pakhtunkhwa Health Department.
2. Budget officer-VI Finance Department Khyber Pakhtunkhwa
3. Section Officer (Budget) Health Department Khyber Pakhtunkhwa
4. Section Officer (FR) Finance Department Khyber Pakhtunkhwa for information w/r to his letter No. SO(FR)FD/7-3/2016/3371 dated 1/8/2017.
5. District Officer (F&P) District Govt: Peshawar
6. Accounts Section.


District Health Officer
Peshawar

Date: 23/01/2019

(7)

Annex-D

DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA PESHAWAR



E-Mail Address: dgshs@khyber.gov.pk office Ph# 091-9210269 Fax# 091-9210187, 9210196 Ext# 091-9210230
No. 260-6-1 / Personnel Dated: 28 / 01 / 2019

To,

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

27/1/19

Subject:

CHANGE OF NOMENCLATURE OF POSTS OF DAIS BPS-04 TO
WARD ATTENDANT BS-04.

Sir

I have the honour to forward herewith a copy of DHO Peshawar letter No. 397/DHO dated 23.01.2019 alongwith its enclosures, which is self explanatory for further necessary action please.

DIRECTOR (HRM)
DIRECTORATE GENERAL HEALTH
SERVICES, K.P.K PESHAWAR.

cc ✓

District Health Officer Peshawar.

28/01/19

591
06-02-2019

Sir,
may be need removal
6/02/2019
OIC

Date = 27-01-019

7

Annex - E

Posts of W.A.H. B-04
into W.A.H. B-04.



OFFICE OF THE DISTRICT HEALTH OFFICER
DISTRICT PESHAWAR

No. 859 /DHO dated Pesh: 07/2/2019

To:-

The Director General Health Services,
Khyber Pakhtunkhwa Peshawar.

Subject: **CHANGE OF NOMENCLATURE OF POSTS OF DAIS BPS-04 TO WARD
ATTENDANT BPS-04.**

I would like to invite your kind attention to this office letter No.397/DHO dated 23/1/2019, the progress in the matter is still awaited.


It is once again requested that the competent authority in the Finance Department Khyber Pakhtunkhwa may please be approached to change the nomenclature of the posts of Dais BPS-04 to the post of Ward attendant BPS-04 in the light of letters cited above.

 District Health Officer
Peshawar.

No. 859-65 /DHO/Change of Nomenclature of Dai/2018-19

Copy forwarded to the:

1. Secretary to Government of Khyber Pakhtunkhwa Health Department.
2. Budget officer-VI Finance Department Khyber Pakhtunkhwa
3. Section Officer (Budget) Health Department Khyber Pakhtunkhwa
4. Section Officer (FR) Finance Department Khyber Pakhtunkhwa for information w/r to his letter No. SO(FR)FD/7-3/2016/3371 dated 1/8/2017.
5. District Officer (F&P) District Govt; Peshawar
6. Accounts Section.

 District Health Officer
Peshawar

Date = 07-02-019

(8)

Annex - F

DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA PESHAWAR



E-Mail Address: aw@hqs.gov.pk Website: www.hqs.gov.pk Office Phn 091-9210269 Ext. Exchange# 091-9210187, 9210186 Fax # 091-9210230
No. 1811-12 / Personnel Dated: 20/02/2019

Change of
Designation
Dai to W/AH

REMINDER

To,

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

Subject:

CHANGE OF NOMENCLATURE OF POSTS OF DAIS BPS-04 TO
WARD ATTENDANT BS-04.

Sir

Kindly refer to this Directorate letter No. 1260-61/Personnel dated
28.01.2019 on the subject noted above.

You are requested to please intimate the action taken in the matter so as to
proceed further.

DIRECTOR (HRM)
DIRECTORATE GENERAL HEALTH
SERVICES, K.P.K PESHAWAR.

C.C

District Health Officer Peshawar w/r to his letter No. 859/DHO dated 07.02.2019.

1054
25/2/2019

San
28/2/19

Date = 20-02-019

9

Annex-9



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

No. SOH-IVHD//4-4/14/Dai/Nomenclature/19
Dated Pesh: the 11-03-2019

To
The Secretary to Government of Khyber Pakhtunkhwa,
Finance Department, Peshawar.

11/3/19
2/26
13/03/19

SUBJECT:- CHANGE OF NOMENCLATURE OF POSTS OF DAIS BPS-04 TO
WARD ATTENDANT BS-04.

Dear Sir,

I am directed to refer to your letter No. SO (IR)FD/7-3/2016/3371 dated 01/08/2017 and to forward herewith a copy of Director General Health Services, Khyber Pakhtunkhwa letter No. 1260-61/Personnel dated 28/01/2019 along with its enclosure, on the subject noted above with the request to re-designate the posts of Dais BS-04 in all the health facilities/institutions of Health Department and reflect the same in the Budget Book accordingly.

Page 517

Encl. as above.

1949
25-3-2019

Yours faithfully,

SECTION OFFICER-IV
HEALTH DEPARTMENT

OFFICE OF THE DIRECTOR GENERAL HEALTH SERVICES, K.P.K, PESHAWAR.

No. 2822 /Personnel

Dated 21 / 3 / 2019.

A copy of above is forwarded to the DHO Peshawar, for further necessary action.

Seen
DHO
29/3/19

ASSISTANT DIRECTOR (Ministerial)
DIRECTORATE GENERAL HEALTH
SERVICES, K.P.K, PESHAWAR

11/03/19

REMINDER 2nd

**OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR**

Phone No. 091-9225387

No. 12446 / DHO : dated Pesh : 07/11/2019

To,

The Secretary to the Govt of,
Khyber Pakhtunkhwa Finance Department, Peshawar.

Attention:- Litigation Cell

Subject: **IMPLEMENTATION OF WRIT PETITION NO.1545-P/2019
MOHAMMAD IBRAHIM VS GOVT OF KHYBER PAKHTUNKHWA.**

Sir,

Reference this office letters No:11605/DHO dated 21/10/2019.No.11944/DHO, dated.28-10-2019; on the subject cited noted above ,I have the honour to state that the above writ petition has been decided by the Honourble Peshawar High Court in favour of petitioners, which needs implementation.

You are therefore once again requested to look in the matter and implement the order, honourble court to proceed further in the matter .

Priority is requested being the "court matter".

**District Health Officer,
Peshawar**



Copy forwarded to the:-

1. Additional Registrar, Peshawar High Court Peshawar.
2. Section Officer (Lit-I) Health Department , Khyber Pakhtunkhwa, Peshawar
3. Accountant General Office. Khyber Pakhtunkhwa, Peshawar.

1 set

**OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR**

Phone No. 091-9225387

No. 12979 / DHO : dated Pesh : 21 / 11 / 2019

To,

The Secretary to the Govt of,
Khyber Pakhtunkhwa Finance Department, Peshawar.

Attention: - Litigation Cell

Subject: IMPLEMENTATION OF COC No.763-P/2019 in WRIT PETITION NO. 1545-P/2019 MOHAMMAD. IBRAHIM VS GOVT OF KHYBER PAKHTUNKHWA.

Sir,

Enclosed herewith a copy of order sheet Honourble Peshawar High Court which is self explanatory .The court has given clear directions to release the salaries within a fortnight positively .So do the needful as per court orders .

Priority is requested being the "court matter".

Subl
District Health Officer,
Peshawar

Copy forwarded to the:-

1. Section Officer (Lit-I) Health Department , Khyber Pakhtunkhwa, Peshawar
2. Accountant General Office. Khyber Pakhtunkhwa, Peshawar.

IN THE HON'BLE PESHAWAR HIGH COURT,
PESHAWAR

COC No. _____ of 2019

In

Writ Petition No.1545-P/2019



Muhammad Ibrahim Son of Sabz Ali Khan
R/o Malik Din Khel, Tapa Karna Khel, Sordand, Kajori
Teshil Bara District Khyber.

..... Petitioner

VERSUS

- 1- Ghulam Subhani, District Health Officer, Near Molve Jee Hospital Hashtnagri Peshawar City.
- 2- Yahya Akhonzada, Secretary Health, Govt of Khyber Pakhtunkhwa Peshawar.
- 3- Muhammad Younas Khan, Secretary Finance, Govt of Khyber Pakhtunkhwa Peshawar
- 4- Arshad Khan, Director General Health Services, Khyber Pakhtunkhwa Peshawar.
- 5-

..... Respondents

APPLICATION FOR INITIATING CONTEMPT
OF COURT PROCEEDINGS UNDER ARTICLE
204 OF CONSTITUTION OF ISLAMIC
REPUBLIC OF PAKISTAN, 1973 R/W 3/4
CONTEMPT OF COURT ACT, AGAINST THE
RESPONDENTS NO.1 TO 3 AND PUNISHING
THEM FOR WILLFULLY FLOUTING AND
VIOLATING CLEAR CUT ORDERS OF THIS
HON'BLE COURT PASSED IN WP NO.1545-
P/2019.

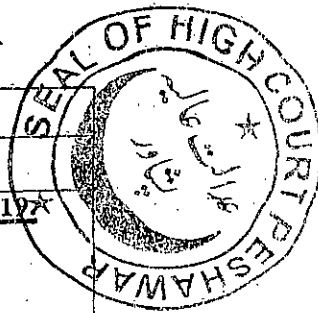
Respectfully Sheweth:



The petitioner submits as under:

- 1- That the petitioner is permanent and bonafide resident of Malik Din Khel, Tapa Karna Khel,

ATTESTED
EXAMINER
Peshawar High Court

**PESHAWAR HIGH COURT, PESHAWAR
FORM OF ORDER SHEET**



Date of Order of Proceedings	Order of other Proceedings with Signature of Judge.
1.	2.
12.11.2019	<p>COC No. 763-P of 2019 in WP No. 1545-P of 2019*</p> <p>Present: Mr. Shaukat Ali, advocate, for the petitioner.</p> <p>Syed Sikandar Hayat Shah, AAG, along with Dr. Ghulam Subhani and Dr. Mubarak Zeb, DHO Office Peshawar.</p> <p align="center">*****</p> <p>The latter state that the matter has been finalized at the Health Department's end and would now be processed by the Finance Department. The needful be done positively within a fortnight. Adjourned to a date in office.</p> <p align="center">  SENIOR PUISNE JUDGE  JUDGE </p> <p align="right"> CERTIFIED TO BE TRUE COPY <small>Peshawar High Court, Peshawar Authorized Under Article 87 of the Constitution of Pakistan</small> 19 NOV 2019 </p>
No. <u>14576</u>	
Date of Presentation of Application <u>18/11/19</u>	
No of Pages <u>2</u>	
Copying fee <u>5</u>	
Total <u>5</u>	
Date of Preparation of Copy <u>19/11/19</u>	
Date of Delivery of copy <u>19/11/19</u>	
Received By <u>[Signature]</u>	

"younas"

(DB) Hon'ble Mr. Justice Qaiser Rashid Khan
Hon'ble Mr. Justice Muhammad Nasir Mahfooz

M

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.

Writ Petition No. 1545 of 2019

Muhammad Ibrahim S/o Sabz Ali Khan
R/o Malikdin Khel, Tapa Karna Khel, Sordand, Kajori
Tehsil Bara District Khyber.



VERSES

- 1- Director General Health Services Khyber Pakhtunkwa Peshawar
 - 2- Secretary Finance Govt of Khyber Pakhtunkhwa Peshawar
 - 3- Secretary Health Govt of Khyber Pakhtunkhwa Peshawar
 - 4- Accountant General, Govt. of Khyber Pakhtunkhwa Peshawar
 - 5- District Health Officer, Peshawar
- Respondents

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

Prayer

On acceptance of the instant writ petition, the salaries of the petitioner may please be release w.e.f 24/01/2018 and onward and the petitioner may please be allowed to perform his duties.

Respectfully Sheweth:

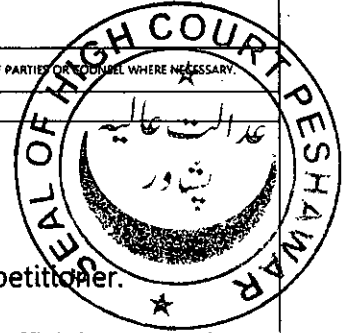
The petitioner very humbly submits as under:

- 1- That the petitioner is the permanent and bonafide resident of Malikdin Khel, Tapa Karna Khel, Sordand, Kajori Tehsil Bara District

ATTESTED

EXAMINER
Peshawar High Court

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 OR COUNSEL WHERE NECESSARY.
1	2	3
24.09.2019		<p>W.P. No. 1545/2019.</p> <p>Present: -</p> <p>Mr. Shaukat Ali, advocate for the petitioner.</p> <p>Mr. Kamran Hayat, AAG for official respondents alongwith departmental representative.</p> <p>*****</p> <p>WAQAR AHMAD SETH CJ:- Through the instant constitutional petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioner prayed that on acceptance of this instant writ petition;-</p> <p>a. Salaries of the petitioner may please be release w.e.f. 24.01.2018, and onward and the petitioner may please be allowed to perform hi duties.</p> <p>b. Any other relief/remedy which this Hon'ble Court deems fit and appropriate in the light of facts and circumstances of the case which has not been specifically prayed for, may also be granted in favour of the petitioner.</p> <p>2. In essence the grievance of the petitioner is that he was appointed as Ward Attendant, BPS-04 on 09.01.2018. Thereafter he was posted at Civil Dispensary village Sheikhan Tehsil & District Peshawar and since then he is performing his duties upto the mark and entire satisfaction of the respondents/department. That petitioner received his salaries till February, 2018; but; thereafter, it was stopped till date for the reasons best known to the respondents.</p> <p>3. Feeling aggrieved, petitioner filed departmental appeal/representation to the respondent, but, failed to get any premium. Hence the instant constitutional petition.</p>



(DB). Hon'ble Mr. Justice Waqar Ahmad Seth, Chief Justice and Mr. Justice Muhammad Naeem Anwar, H.J.,
Amir Bashir Awan, Senior Court Secretary.

ATTESTED
EXAMINER
Peshawar High Court

- 4. Respondents were put to notice and the answering respondents Nos. 1 and 3 to 5 filed their comments as well.
- 5. Arguments heard and record perused with the able assistance of learned counsel for the parties.
- 6. During the course of arguments learned AAG admitted the stance so taken by the learned counsel for the petitioner and stated at the bar that grievance of the petitioner will be redressed within shortest possible time.
- 7. Thus, with the consent of learned AAG, instant constitutional petition is allowed as prayed for, with the direction to respondents to release the salaries of petitioner within **15-days**. If the order of this Court was not complied with letter and spirit, petitioner may file contempt petition for onward process.
- 8. In this regard proper report should be filed before Additional Registrar (Judicial) of this Court for perusal of the Court.
- 9. With these observations, petition in hand is disposed of accordingly.


CHIEF JUSTICE


JUDGE

ANNOUNCED
24.09.2019

6091

No.

Date of Presentation of Application *27/9/19*

No of Pages *3*

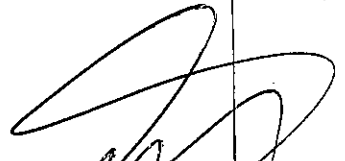
Copying fee

Total *14*

Date of Preparation of Copy *27/9/19*

Date of Delivery of copy *27/9/19*

Received By *[Signature]*


CERTIFIED TO BE TRUE COPY
 Peshawar High Court
 AUTHORIZED TO SIGN WITH
 THE SEAL OF THE COURT
27/09/2019

ATTESTED
EXAMINER
Peshawar High Court