

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

SERVICE APPEAL NO. 1239/2014

Date of institution ... 26.09.2014
Date of judgment ... 20.04.2017

Abdul Sattar S/o Haji Gulfaraz,
R/o Muhallah Serai Barichum, Hoti Mardan
(Carpenter DHQ Hospital Mardan)

... (Appellant)

VERSUS

1. The Secretary, Health Services Department, KPK, Peshawar.
2. The Medical Superintendent, DHQ Hospital, Mardan.
3. The Director General Health Services Department, KPK, Peshawar.
4. The Secretary, Finance Department, KPK, Peshawar.

... (Respondents)

APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL ACT,
1974 AGAINST THE WRONG FIXATION OF THE PAY IN BPS-1
INSTEAD OF EPS-5.

Mr. Muhammad Adam Khan, Advocate.

.. For appellant.

Mr. Muhammad Adeel Butt, Additional Advocate General

.. For respondents.

MR. MUHAMMAD AMIN KHAN KUNDI
MR. AHMAD HASSAN

.. MEMBER (JUDICIAL)
.. MEMBER (EXECUTIVE)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: This appeal has been directed by appellant Abdul Sattar Carpenter in DHQ Hospital Mardan for fixation of the pay of BPS-5 instead of BPS-1.

2. Facts of the case are that appellant was appointed as Carpenter in BPS-1 by Medical Superintendent (Respondent No. 2) vide letter No. 4957 dated 30.07.1995.

That it came to the knowledge of the appellant on 30.05.2014 that the Carpenters

M. Amin
20-4-2017

working in other hospitals of the province are getting benefits of BPS-5, therefore filed departmental appeal on 30.05.2014 for grant of BPS-5 but the same was not decided within statutory period hence the instant service appeal.

3. Learned counsel for the appellant contended that the appellant was appointed as Carpenter in BPS-1 by the competent authority vide order dated 30.07.1995. It was also contended that the carpenters working in other hospitals of the province were placed in BPS-5. He further stated that all the citizens of Pakistan are equal before the law but the appellant has been discriminated. It was prayed that the respondents may be directed to grant BPS-5 on the analogy of carpenters working in other hospitals of Health Department of the province with back benefits.

4. On the other hand learned Additional Advocate General for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant was appointed at the post of carpenter as BPS-1 and post of the carpenter in Mardan hospital has been sanctioned as BPS-1 therefore it was vehemently contended that the appellant is not entitled for the fixation of his pay from BPS-1 to BPS-5 and prayed for dismissal of appeal.

5. We have heard the arguments on both sides and gone through the record.

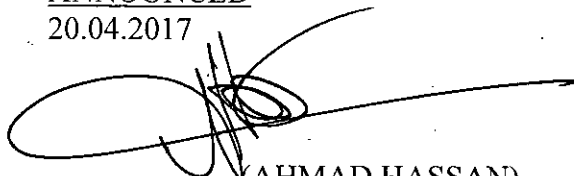
6. Perusal of the record revealed that the appellant was appointed as Carpenter in BPS-1 by the Medical Superintendent (Respondent No. 2) vide letter No. 4957 dated 30.07.1995 and was performing duty regularly to the entire satisfaction of the superiors. Carpenters employed in the other hospitals of the province were placed in BPS-5. It is also well settled law that all the citizens of Pakistan are equal before the law but the appellant is being treated in a discriminatory manner in violation of Article-25 of the Constitution of Islamic Republic of Pakistan. Therefore the appellant is also entitled to be given BPS-5 like as carpenters working in various hospitals of the Health Department. In view of the foregoing, the appeal is accepted and the

Mc Arman
20-4-2017

respondents are directed to grant BPS-5 with immediate effect. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

20.04.2017




(AHMAD HASSAN)
MEMBER

Muhammad Amin
(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

02.03.2017

Counsel for appellant, Dr. Muhammad Asif, Litigation Officer and Mr. Amjid Ali, Assistant alongwith Mr. Kabirullah Khattak, Assistant AG for respondents present. Learned Assistant AG requested for adjournment on the ground of incomplete file. Adjournment granted. To come up for arguments on 20.04.2017 before D.B.


(ASHFAQUR TAJ)
MEMBER

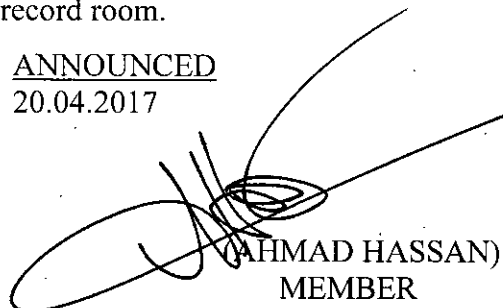

(MUHAMMAD AAMIR NAZIR)
MEMBER


20.04.2017

Appellant alongwith his counsel present. Dr. Muhammad Asif, Litigation Officer and Mr. Amjid Ali, Assistant alongwith Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Arguments heard and record perused.

Vide our detailed judgment of today consisting of three pages placed on file, the appeal is accepted and the respondents are directed to grant BPS-5 with immediate effect. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
20.04.2017


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER


01.12.2015

Appellant in person, M/S Yar Gul, Senior Clerk and Fazal-e-Ahad, Assistant alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 30.3.2016 before S.B.


Chairman

30.03.2016

Appellant in person, M/S Muhammad Arshed, SO and Dr. Syed Ahmed, Litigation Officer alongwith Addl: A.G for respondents present. Written statements by respondents submitted. The appeal is assigned to D.B for rejoinder and final hearing for 18.7.2016.


Chairman

18.07.2016

Junior to counsel for the appellant and Mr. Said Muhammad, Litigation Officer alongwith Mr. Muhammad Jan, GP for respondents present. Junior to counsel for the appellant requested for time to file rejoinder. To come up for rejoinder and final hearing on 09.11.2016.



Member


Member

09.11.2016

Counsel for the appellant and Mr. Said Ahmad, Junior Clerk alongwith Assistant AG for respondents present. Rejoinder submitted which is placed on file. To come up for arguments on

2-3-17


(Muhammad Aamir Nazir)
Member


(Pir Baksh Shah)
Member

31.08.2015

Appellant in person present. Learned counsel for the appellant is not in attendance due to strike of the Bar. Adjourned to 22.9.2015 for preliminary hearing before S.B.


Chairman

22.09.2015

Appellant in person present. Learned counsel for the appellant is indisposed. Adjourned to 28.9.2015 for preliminary hearing before S.B.


Chairman

28.9.2015

Appellant with counsel present Learned counsel for the appellant argued that the appellant is serving as Carpenter (BPS-1) since 1995 while similarly placed employees are granted BPS-5. That the appellant preferred departmental representation on 30.5.2014 which was not responded and hence the instant service appeal on 26.9.2014.

That the appellant is entitled to similar treatment and therefore entitled to claim BPS-5 and monetary benefits attached thereto .

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 1.12.2015 before S.B.


Chairman

Appellant Deposited
Security & Process Fee



02.06.2015

Appellant with counsel and Asstt: AG for the respondents present. Learned AAG requested for adjournment that he will seek guidance and instructions from the respondent-department on the issue involved and that the case may be fixed for arguments on the next date. To come up for preliminary arguments on 05.08.2015 before S.B.


Member


05.08.2015

Appellant with counsel and Asstt: AG for the respondents present. Counsel for the appellant requested for adjournment. Adjourned to 27.08.2015 for preliminary hearing before S.B.


Member

27.08.2015

Appellant with counsel and Asstt: AG for respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 31.08.2015 for preliminary hearing before S.B.


Member

Reader Note:

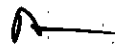
3.
31.12.2014

Clerk of counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned 04.03.2015 for the same.


Reader

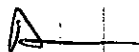
4.
04.03.2015

Counsel for the appellant present. Preliminary arguments partly heard. Since the impugned order was not found in the file, therefore, pre-admission notice be issued to the learned AAG/GP to assist the Tribunal on the point of maintainability on 24.04.2015.


Member

5.
24.04.2015

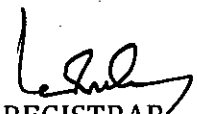

Appellant in person and Asstt. AG for the respondents present. Appellant filed an application for adjournment. Application allowed. Adjourned for preliminary hearing to 02.06.2015 before S.B.


Member

Form- A
FORM OF ORDER SHEET

Court of _____


Case No. 1239/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	16/10/2014	<p>The appeal of Mr. Abdul Sattar resubmitted today by Mr. Muhammad Adam Khan Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	21-10-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on 31-12-2014</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Abdul Sattar son of Haji Gulfaraz r/o Mohallah Serai Barichum Hoti Mardan carpenter DHQ Hospital Mardan received to-day i.e. on 26.9.2014 is returned to the counsel for the appellant with the direction to submit one copy of the appeal along with annexures i.e. complete in all respect, within 15 days.

No. 1432 /S.T,


DT. 29/9 /2014.


Registrar
Service Tribunal
Khyber Pakhtunkhwa
Peshawar.

29/9/14

Mr. Muhammad Adam Khan Adv. Mardan.

16.10.2014 Received ~~today~~ on 15.10.2014. Resubmitted after
Compliance, as desired.


16/10/2014
MUHAMMAD ADAM KHAN
B.A LLB Advocate
High Court Mardan

BEFORE THE SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 1239 / 2014.

Abdul Sattar VS The Secretary and others

INDEX


S.No.	Documents	Annexures	Page No.	
			From	To
1.	Memo of Appeal with Affidavit	----	1	2
2.	Appointment Order	A	3	
3.	Representation with postal receipt	B to C/E	4	5(a)
4.	Documents in respect of BPS-5	D to E/6	6	13
5.	Wakalat Nama	----	14	
Total: -			14	

Appellant
Abdul Sattar



Dated: 24-09-2014

Through:


Muhammad Adam Khan
Advocate District Courts Mardan

**Muhammad
ADAM KHAN
B.A LLB Advocate
HIGH COURT MARDAN**

BEFORE THE SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 1239 / 2014.

Abdul Sattar S/o Haji Gulfaraz R/o Muhallah Serai Barichum, Hoti Mardan.
(Carpenter DHQ Hospital Mardan).

Appellant

VERSUS

1. The Secretary, Health Services Department, KPK, Peshawar.
2. The Medical Superintendent, DHQ Hospital, Mardan.
3. The Director General Health Services Department, KPK, Peshawar.
4. The Secretary, Finance Department, KPK, Peshawar.

Respondents

**APPEAL UNDER-4 OF SERVICE TRIBUNAL ACT, 1974 AGAINST THE
WRONG FIXATION OF THE PAY IN BPS-I INSTEAD OF BPS-5.**

Respected Sir,

1. That the Appellant was appointed as Carpenter in BPS-I by the M.S / The Respondent No. 2 vide letter No. 4957 dated 30-07-1995. (Copy is attached as Annexure "A")
2. That it was learnt by Appellant on 30-05-2014 that the holders of the posts of Carpenters in the other Hospitals of the province are paid salary in BPS-5. Hence, he represented for proper fixation of his salary in BPS-5 vide application dated 30-05-2014, which is unresponded. (Copies are attached as Annexure "B" & "C" ² ₁)
3. That the act of Respondents whereby the Appellant's salary is fixed in BPS-I instead of BPS-5 is illegal, unjustified, against the principles of natural justice and the Appellant is entitled to the fixation of his salary in BPS-5 alike other Carpenters in the Health Services Department, with back benefits thereof, on the following amongst many other grounds:

GROUND:

- I. That all the citizens of Pakistan are equal before law.

That the Appellant has the constitutional right to be granted the same scale of pay as granted to other similar employees in the province.

re-submitted to dep
and filed.

[Signature]
16/10/14

- III. That the holders of the post of carpenter in almost all the health institutions in the province are granted their salary in BPS-5 except the DHQ Hospital Mardan. The copies of relevant documents are attached as Annexure "D" to "E/6".
- IV. That the Appellant is discriminated by grant of lower pay scale as compared to other civil servants of the same nature.
- V. That the claim of proper pay scale is a recurring cause of action, which accrues every month at the time of payment of salary.
- VI. That the Appellant reserves the right to claim further grounds also, deemed relevant.

It is prayed that on acceptance of this Appeal, the Appellant may be granted pay scale No. 5 with back benefits.

The costs of this Appeal may also be awarded in favour of Appellant against the Respondents.

Appellant
Abdul Sattar



Dated: 24-09-2014

Through:



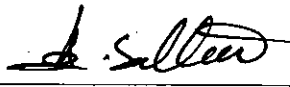
Muhammad Adam Khan
Advocate District Courts Mardan

AFFIDAVIT

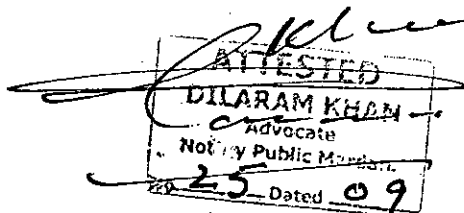
**Muhammad
ADAM KHAN
B.A. LL.B. Advocate
HIGH COURT MARDAN**

I, Abdul Sattar / the Appellant, do hereby stated on solemn affirmation that the contents of the above Appeal are true and correct to the best of my knowledge and belief and nothing is concealed from this Honourable Tribunal, in this respect.

Deponent:



Abdul Sattar



2014

No. 4957

Dated Mardan the 20/7/1995

From - The Medical Superintendent,
D.H.Q. Hospital, Mardan.

TO:- Mr. Abdus Sattar s/o
Haji Gul Faryal s/o
Gemi Bari Cham, Mardan

SUBJECT:- OFFER OF APPOINTMENT

Memo:- References your interview with the selection committee on 29.3.1995.

You are hereby offered a post of Carpenter in B.P.S - I
i.e. Rs. 1245-38-1770 plus usual allowances sanctioned by Government
from time to time. Your appointment will be subject to the following terms
and conditions:-

1. Your appointment will be purely on temporary basis and your services will be liable to termination at any time without assigning any reasons and giving any notice. However if you want to resign a fifteen days notice will be necessary or 15 days pay in lieu thereof will be forfeited.
2. Your appointment will be subject to your being medically fit for Government services.
3. You will be governed by the Rules and Regulations prescribed by Government for the category of the Government servants to which you will belong.
4. You will be on probation for a period of six months extendable to two years and your continuance in service will be subject to your satisfactory work and good conduct.

If you accept the offer with the above mentioned conditions, please report for duty to the Deputy Medical Superintendent/Chief Medical Officer (Admn) D.H.Q. Hospital, Mardan, within 15 days of the issue of this offer letter, failing which the offer will stand cancelled.

Medical Superintendent,
D.H.Q. Hospital, Mardan.

No. _____

Copy forwarded to:-

1. Dy. Medical Supt./Sr. Medical Officer (Admn) M.Q. Hospital, Mardan
2. Accountant

for information and n/action.

Medical Superintendent,
D.H.Q. Hospital, Mardan.

Regd AD

P/4

"B"

To

The Medical Supdt:
DHQ Hospital,
Mardan.

*Attested
Aman*

Subj: REPRESENTATION FOR FIXATION OF PAY IN
BASIC PAY SCALE -5.

Sir,

It is submitted that I was appointed as
Carpenter on 20/07/1995, in BPS-I by the order
The Medical Supdt: DHQ Hospital Mardan, *Contained vide
endorsement no. 4957 of 20.07.1995.*

It is learnt that the Carpenters are granted
salary in BPS-5. But, I am deprived of it, without any
just reason. Copies are attached herewith.

It is requested that my salary may kindly be
revised and fixed in BPS-5 from the date of my appointment
and I may be paid the arrears thereof also.

DA-3

Yours Obediently,

A. Sattar

(ABDUS SATTAR)
Carpenter

DHQ Hospital,

Mardan.

Dt: 30.05.2014.

~~B~~
B

P/S

"C"
Attended
Aman

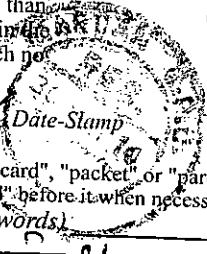
No. 762

For Insurance Notices see reverse.
Stamps affixed except in case of
uninsured letters of not more than
the initial weight prescribed in the
Post Office Guide or on which no
acknowledgement is due.

Received a registered*
addressed to

[Handwritten signature]

Date-Stamp



Initials of Receiving Officer

Write here "letter", "postcard", "packet", or "parcel"
with the word "insured" before it when necessary.

Insured for Rs. (in figures)

(in words)

If insured.

Insurance fee Rs.

Ps.

(in words)

Weight

Kilo

Grams

Name and
address
of sender

[Handwritten signature]

۲/۵ (ا)

C/I

RP-54

دسیہ ۲/۵ (ا)

رجسٹری یا بیمہ بھیجنے والے کو پشت پر دیئے گئے پتہ پر واپس بھیجا جائے۔

☆ ایک رجسٹری
برائے (نام) _____
☆ بیمہ کی مالیت _____
☆ وزن (لٹنوں میں) _____
☆ گرام _____

مکتوب الیہ کے دستخط _____
تاریخ تقسیم _____

☆ یہاں چھٹی "پوسٹ کارڈ" یا "پیکٹ" یا "پارسل" جو چیز ہو تحریر کریں۔ بیمہ کی صورت میں لفظ "بیمہ" پہلے تحریر کریں۔
☆ صرف بیمہ کی صورت میں یہاں اندراج کیا جائے۔ بصورت دیگر کٹ دیا جائے۔

قیمت پانچ روپے - Rs.5/-

DISPATCHER

Office of the Medical Supdt:
D.H.Q Hospital Mardan

ACKNOWLEDGEMENT DUE CARD



نام _____
پتہ _____
ڈاکخانہ _____
MUHAMMAD ADAM KHAN
B.A.L.L.R Advocate
High Court Mardan

پوسٹ کوڈ _____

(پوسٹ کوڈ لکھنا نہ بھولیں)

KHYBER HOSPITAL, PESHAWAR.

OFFICE ORDER

In Purvance to Govt. of NWFP, Finance Department Peshawar Letter No. BVI/4-85/75/FD, dated 29.10.1981 and U.O. No. BVI/4-85/FD/75, Vol: II dated 4.10.1984, the following ~~xxxxxxx~~ maintenance staff of this Institution are hereby confirmed from the dates as noted against each. Their services rendered by them in temporary capacity treated their probationary period.

S. NO.	NAME	DESIGNATION	BPS	DATE OF CONFIRMATION
--------	------	-------------	-----	----------------------

1.	Mr. Janshed Khan	Electrician	BPS-5	1.6.1982
2.	Mr. Gul Rahim	Wire Man, Tube Well Operator	-do-	-do-
3.	Mr. Mohammad Naseem	Plumber	-do-	-do-
4.	Mr. Sirajul Muneeer	-do-	-do-	-do-
5.	Mr. Jan Gul Shah	-do-	-do-	-do-
6.	Mr. Mohammad Hussain	Electrician	BPS-6	23.11.1982
7.	Mr. Gul Aftab	Capitner	BPS-5	27.1.1986
8.	Mr. Ghulam Nabi	Telephone Attendant	BPS-2	1.6.1982
9.	xxxxxxx	-do-	-do-	-do-
10.	Mr. Gul Mast	-do-	-do-	9.12.1985
11.	Mr. Asmatullah	Boiler	BPS-11	1.6.1982
12.	Mr. Abdur Rahim	Sub-Engineer	-do-	-do-
13.	Mr. Raj Jehan	-do-	-do-	-do-
14.	Mr. Niaz Ali	-do-	-do-	-do-

(Prof: Dr. Mohammad Alam Khan Afridi) Administrator, Peshawar. Khyber Hospital, Peshawar.

No. 4116-19/KH(E) Dated 6/7/1988.

Copy of the above is forwarded for information and necessary action to:-

1. The Dy: Medical Supdt (Admin) Khyber Hospital, Peshawar.
2. The Maintenance Engineer, Khyber Hospital, Peshawar.
3. Assistant Accounts Officer, KHF.
4. All concerned mentioned above for information.

(Prof: Dr. Mohammad Alam Khan Afridi) Administrator, Peshawar. Khyber Hospital, Peshawar.

1988

M. Afridi

M. Afridi

M. Afridi

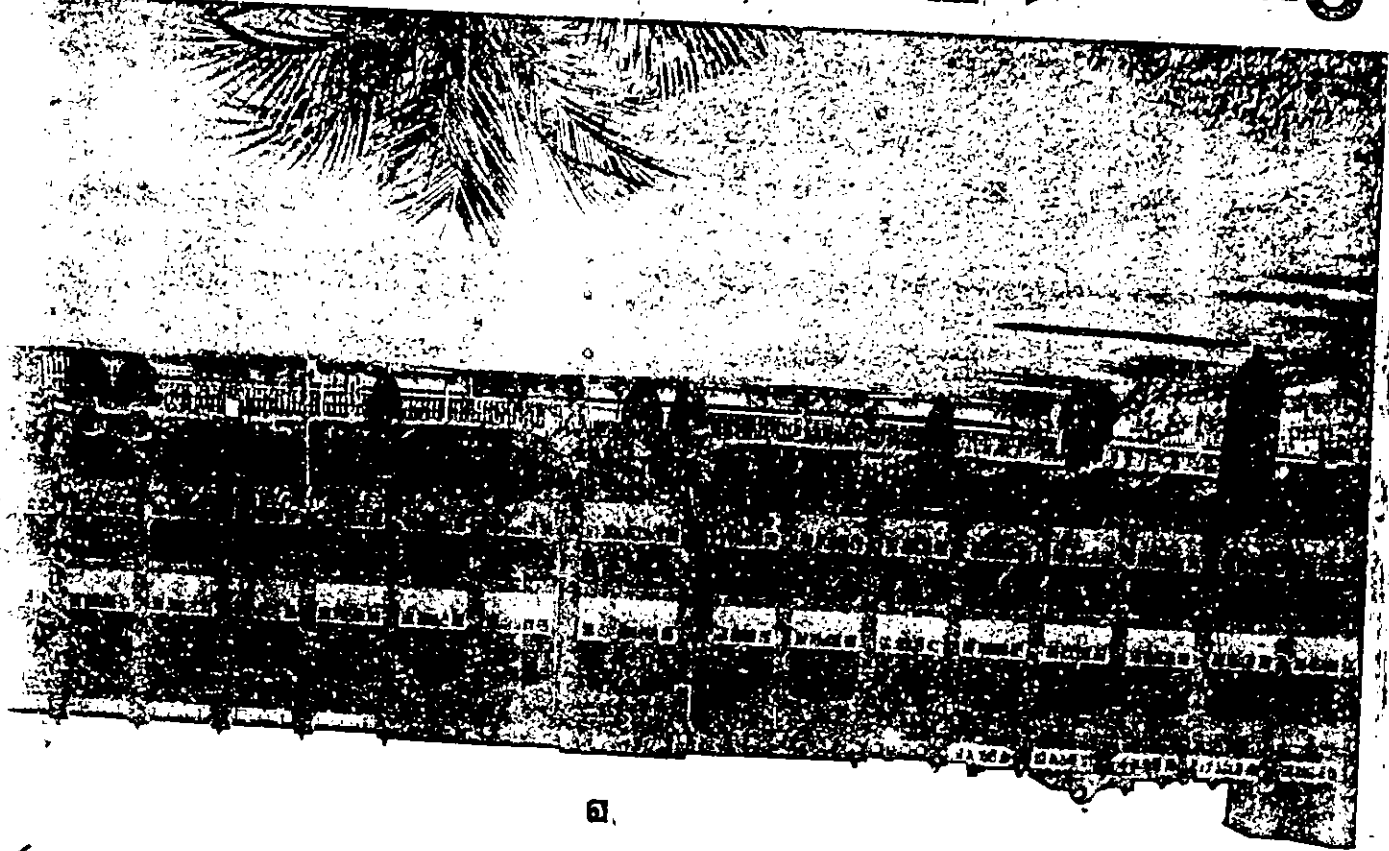
8.7

Government of Khyber Pakhtunkhwa
Finance Department



(Provincial and District Peshawar, Charsadda,
Nowshera, Mardan, Swabi, Kohat & Hangu)

Current Expenditure 2014-15 Vol - III (Part-C/1) Health



*Attended
Kuson*

Demands for Grants

7

1/8

P/8

E/1

Attested
Alian

NC21017 (013)
HEALTH

73101 GENERAL HOSPITAL SERVICES

ESTIMATIONAL CUM OBJECT CLASSIFICATION PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
	2013-2014	2014-2015	2013-2014	2013-2014	2014-2015
			Rs	Rs	Rs
HEALTH					
HOSPITAL SERVICES					
731 GENERAL HOSPITAL SERVICES					
73101 GENERAL HOSPITAL SERVICES					
04240 Ayub Hospital Complex (1000 Beds)					
012 Carpenter (BPS-05)	1	1	134,000		141,000
06 Electrician for HVAC (BPS-05)	1	1	73,000		77,000
08 Hvac Operator (BPS-05)	1	1	77,000		81,000
41 Plumber (BPS-05)	8	8	557,000		585,000
00 Press Man (BPS-05)	2	2	141,000		148,000
13 Receptionist (BPS-05)	3	3	217,000		228,000
09 Sanitary Fitter (BPS-05)	5	5	715,000		751,000
05 S.T.P. Operator (BPS-05)	2	2	149,000		156,000
05 Tailor (BPS-05)	1	1	112,000		118,000
021 Wireman (BPS-05)	2	2	189,000		198,000
12 Driver (BPS-04)	15	15	1,482,000		1,556,000
07 Lift Operator (BPS-04)	4	4	506,000		531,000
26 Chillar Operator (BPS-03)	2	2	130,000		137,000
12 Operation Theatre Attendant (BPS-03)	13	13	1,323,000		1,389,000
09 Tubewell Operator (BPS-03)	10	10	801,000		841,000
07 Dai (BPS-02)	30	30	2,781,000		2,920,000
11 Dark Room Attendant (BPS-02)	6	6	577,000		606,000
02 Laboratory Attendant (BPS-02)	8	8	821,000		862,000
024 Laundry Operator (BPS-02)	1	1	63,000		66,000
07 Lift Operator (BPS-02)	2	2	127,000		133,000
012 Operation Theatre Attendant (BPS-02)	7	7	506,000		531,000
40 Sub Station Helper (BPS-02)	1	1	63,000		66,000
03 Ward Aya (BPS-02)	6	6	557,000		585,000
04 Ward Orderli (BPS-02)	110	110	9,744,000		10,231,000
09 Barber (BPS-01)	1	1	69,000		72,000
13 Bearer (BPS-01)	10	10	959,000		1,007,000
03 Boiler Helper (BPS-01)	4	4	332,000		349,000

E/1

8/19

E/2
Attested
Allman

NC21017 (013)
HEALTH

073101 GENERAL HOSPITAL SERVICES

BUDGET ESTIMATE 2014-20	FUNCTIONAL CUM OBJECT CLASSIFICATION PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET	REVISED	BUDGET
		2013-2014	2014-2015	ESTIMATES 2013-2014	ESTIMATES 2013-2014	ESTIMATES 2014-2015
Rs				Rs	Rs	Rs
	07 HEALTH					
	073 HOSPITAL SERVICES					
	0731 GENERAL HOSPITAL SERVICES					
	073101 GENERAL HOSPITAL SERVICES					
	BU4350 Khalifa Gul Nawaz Hospital Bannu					
156	A324 Autoclave Operator (BPS-08)	3	3	216,000		227,000
156	P088 Projectionist (BPS-08)	1	1	80,000		84,000
249	S141 Sub Station Supervisor (BPS-08)	3	3	233,000		245,000
234	J013 Junior Clerk (BPS-07)	10		834,000		
166	S127 Store Keeper (BPS-07)	1	1	77,000		81,000
166	T019 Telephone Operator (BPS-07)	4	4	309,000		324,000
166	M138 Medical Gas Operator (BPS-06)	3	3	222,000		233,000
83	T073 Telephone Technician (BPS-06)	2	2	134,000		141,000
938	A035 Air Conditioner Plant Operator (BPS-05)	3	3	195,000		205,000
1,406	B078 Boiler Operator (BPS-05)	3	3	201,000		211,000
234	C012 Carpenter (BPS-05)	1	1	72,000		76,000
547	E019 Electrician (BPS-05)	5	5	333,000		350,000
1,719	L024 Laundry Operator (BPS-05)	5	5	324,000		340,000
647	M018 Masson (BPS-05)	2	2	142,000		149,000
704	P008 Painter (BPS-05)	1	1	71,000		75,000
446	P047 Plumber (BPS-05)	3	3	201,000		211,000
443	T005 Tailor (BPS-05)	2	2	142,000		149,000
732	D112 Driver (BPS-04)	7	7	497,000		522,000
83	G013 Generator Operator (BPS-04)	3	3	233,000		245,000
83	D006 Dafitari (BPS-02)	1	1	67,000		70,000
83	D007 Dai (BPS-02)	48	48	3,030,000		3,182,000
83	D011 Dark Room Attendant (BPS-02)	1	1	67,000		70,000
83	K013 Khadim For Mosque (BPS-02)	1	1	67,000		70,000
83	L002 Laboratory Attendant (BPS-02)	5	5	335,000		352,000
83	L037 Lift Operator (BPS-02)	3	3	201,000		211,000
83	T018 Telephone Attendant (BPS-02)	2	2	122,000		128,000
83	T049 Tubewell Operator (BPS-02)	2	2	134,000		141,000
	W004 Ward Orderli (BPS-02)	109	109	6,921,000		7,267,000

NC21017 (013)
HEALTH

E/3
Attached
Allam

7101 GENERAL HOSPITAL SERVICES

BUDGET ESTIMATE 2014-2015	FUNCTIONAL CUM OBJECT ARTICULARS OF THE SCHEME	CLASSIFICATION	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
			2013-2014	2014-2015	2013-2014	2013-2014	2014-2015
Rs					Rs	Rs	Rs
	HEALTH						
	HOSPITAL SERVICES						
	GENERAL HOSPITAL SERVICES						
	7101 GENERAL HOSPITAL SERVICES						
	7200 District Headquarter Hospital DIKhan						
541	Senior Clerk	(BPS-09)	1		172,000		
181	Audio Visual Technician	(BPS-08)	1	1	81,000		85,000
	Projectionist	(BPS-08)	1	1	108,000		113,000
181	Junior Clerk	(BPS-07)	8		945,000		
270	Telephone Operator	(BPS-07)	1	1	91,000		96,000
	Dietician	(BPS-06)	1	1	90,000		95,000
181	Electrician	(BPS-06)	1	1	86,000		90,000
181	Store Keeper	(BPS-06)	1	1	93,000		98,000
	Carpenter	(BPS-05)	1	1	125,000		131,000
90	Medical Gas Assistant	(BPS-05)	1	1	107,000		112,000
195	Plumber	(BPS-05)	1	1	147,000		154,000
2,174	Driver	(BPS-04)	6	6	857,000		900,000
1,793	Nurse Dai	(BPS-04)	1	1	105,000		110,000
1,033	Operation Theatre Attendant	(BPS-03)	3	3	321,000		337,000
2,452	Tubewell Operator	(BPS-03)	1	1	121,000		127,000
	Blood Bank Attendant	(BPS-02)	2	2	153,000		161,000
975	Dai	(BPS-02)	13	13	1,302,000		1,367,000
4,951	Khadim, For Mosque	(BPS-02)	1	1	70,000		74,000
	Laboratory Attendant	(BPS-02)	5	5	545,000		572,000
427	Operation Theatre Attendant	(BPS-02)	5	5	350,000		368,000
11	Ward Orderli	(BPS-02)	45	45	4,244,000		4,456,000
1,315	Ward Attendant	(BPS-02)	9	9	670,000		704,000
	X-Ray Attendant	(BPS-02)	4	4	492,000		517,000
10	Attendant	(BPS-01)	1	1	70,000		74,000
227	Behishi	(BPS-01)	10	10	962,000		1,010,000
10	Chowkidar	(BPS-01)	8	8	838,000		880,000
	Dhabi	(BPS-01)	10	10	989,000		1,038,000

E/3

NC21017 (013)
HEALTH

E/S
Attested
Ahmad

073101 GENERAL HOSPITAL SERVICES

FUNCTIONAL CUM OBJECT CLASSIFICATION EST-24 PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
	2013-2014	2014-2015	2013-2014	2013-2014	2014-2015
			Rs	Rs	Rs
07 HEALTH					
073 HOSPITAL SERVICES					
0731 GENERAL HOSPITAL SERVICES					
073101 GENERAL HOSPITAL SERVICES					
07310101 Khyber Teaching Hospital Peshawar (1300 Beds)					
0731010101 Junior Clinical Technician (Surgical) (BPS-09)	45	45	6,494,000		6,810,000
0731010102 Junior Clinical Technician (Dental) (BPS-09)	3	3	264,000		277,000
0731010103 Junior Clinical Technician (Dialysis) (BPS-09)	1	1	134,000		141,000
0731010104 Junior Clinical Technician (Pharmacy) (BPS-09)	92	92	13,977,000		14,676,000
0731010105 Jr. Clinical Tech. (Ophthalmology/Otorhinology) (BPS-09)	1	1	147,000		154,000
0731010106 Junior Clinical Technician (Physiotherapy) (BPS-09)	3	3	442,000		464,000
0731010107 Junior Clinical Technician (Radiology) (BPS-09)	21	24	2,807,000		3,170,000
0731010108 Lift Technician (BPS-09)	1	1	152,000		160,000
0731010109 Pesh Imam (BPS-09)	1	1	163,000		171,000
0731010110 Senior Clerk (BPS-09)	5		988,000		
0731010111 Shift Supervisor (BPS-09)	1	1	206,000		211,000
0731010112 Generator Operator (BPS-08)	2	2	370,000		389,000
0731010113 Projectionist (BPS-08)	1	1	172,000		181,000
0731010114 Sub Station Supervisor (BPS-08)	3	3	569,000		597,000
0731010115 Instrument Mechanic (BPS-07)	2	2	346,000		363,000
0731010116 Junior Clerk (BPS-07)	35		4,586,000		
0731010117 Registration Clerk (BPS-07)	15	15	1,505,000		1,580,000
0731010118 Sanitary Fitter (BPS-07)	9	9	1,663,000		1,663,000
0731010119 Telephone Operator (BPS-07)	8	8	1,079,000		1,133,000
0731010120 Assistant House Keeper (BPS-06)	1	1	71,000		75,000
0731010121 Driver M.T. (BPS-06)	9	9	1,544,000		1,544,000
0731010122 Electrician (BPS-06)	9	9	1,513,000		1,544,000
0731010123 Store Keeper (BPS-06)	6	6	735,000		772,000
0731010124 Carpenter (BPS-05)	3	3	456,000		475,000

2/4

R/12

(4)

E/S
Attached
Account

132

NC21017 (013)
HEALTH

63101 GENERAL HOSPITAL SERVICES

NATIONAL CUM OBJECT CLASSIFICATION
PARTICULARS OF THE SCHEME

NUMBER OF POSTS	BUDGET ESTIMATES		REVISED ESTIMATES	BUDGET ESTIMATES
	2012-2013	2013-2014	2012-2013	2013-2014
	Rs		Rs	Rs

HEALTH
HOSPITAL SERVICES
GENERAL HOSPITAL SERVICES
GENERAL HOSPITAL SERVICES

70338 Khyber Teaching Hospital Peshawar
(1300 Beds)

Junior Clinical Technician (Surgical)	(BPS-09)	43	45	6,336,000		6,494,000
Junior Clinical Technician (Dental)	(BPS-09)	3	3	250,000		264,000
Junior Clinical Technician (Dialysis)	(BPS-09)	1	1	106,000		134,000
Junior Clinical Technician (Pharmacy)	(BPS-09)	92	92	13,557,000		13,977,000
Jr. Clinical Tech. (Ophthalmology/Otorhinology)	(BPS-09)	1	1	204,000		147,000
Junior Clinical Technician (Physiotherapy)	(BPS-09)	3	3	455,000		442,000
Junior Clinical Technician (Radiology)	(BPS-09)	21	21	2,903,000		2,807,000
Lit Technician	(BPS-09)	1	1	149,000		152,000
Pesh. Imam	(BPS-09)	1	1	163,000		163,000
Senior Clerk	(BPS-09)	5	5	942,000		988,000
Shift Supervisor	(BPS-09)	1	1	204,000		206,000
Generator Operator	(BPS-08)	2	2	379,000		370,000
Projectionist	(BPS-08)	1	1	170,000		172,000
Sub Station Supervisor	(BPS-08)	3	3	503,000		569,000
Instrument Mechanic	(BPS-07)	2	2	312,000		346,000
Junior Clerk	(BPS-07)	35	35	4,445,000		4,586,000
Registration Clerk	(BPS-07)	15	15	1,101,000		1,505,000
Sanitary Fitter	(BPS-07)	9	9	1,594,000		1,663,000
Telephone Operator	(BPS-07)	8	8	1,079,000		1,079,000
Assistant House Keeper	(BPS-06)	1	1	70,000		71,000
Driver M.T.	(BPS-06)	9	9	1,262,000		1,544,000
Electrician	(BPS-06)	9	9	1,137,000		1,513,000
Store Keeper	(BPS-06)	9	9	774,000		735,000
Carpenter	(BPS-05)	6	6	447,000		456,000
		3	3			

E/S

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P/6
Attested
Ahsan

PROFESSIONAL /TECHNICAL UNIVERSITIES/ COLLEGES /INSTITUTES

CLASSIFICATION SALARIES OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
	2013-2014	2014-2015	2013-2014	2013-2014	2014-2015
			Rs	Rs	Rs
EDUCATION AFFAIRS AND SERVICES					
TERTIARY EDUCATION AFFAIRS AND SERVICES					
TERTIARY EDUCATION AFFAIRS AND SERVICES					
PROFESSIONAL /TECHNICAL UNIVERSITIES/ COLLEGES /INSTITUTES					
Ayub Medical College Abbottabad					
Imam	(BPS-09)	1	1	90,000	95,000
Clerk	(BPS-09)	12		2,407,000	
Stationist	(BPS-08)	2	2	325,000	341,000
Clerk	(BPS-07)	26		3,063,000	
Junior Fitter	(BPS-07)	1	1	168,000	176,000
Telephone Operator	(BPS-07)	2	2	332,000	349,000
	(BPS-06)	3	3	287,000	301,000
	(BPS-06)	8	8	928,000	974,000
Technician	(BPS-06)	2	2	298,000	313,000
Operator	(BPS-05)	1	1	65,000	68,000
	(BPS-05)	1	1	145,000	152,000
	(BPS-05)	1	1	135,000	142,000
	(BPS-04)	8	8	732,000	769,000
	(BPS-04)	1	1	88,000	92,000
	(BPS-04)	1	1	103,000	108,000
Motor Driver	(BPS-04)	1	1	116,000	122,000
Well Operator	(BPS-04)	3	3	393,000	413,000
Generator Operator	(BPS-03)	1	1	65,000	68,000
Well Operator	(BPS-03)	2	2	131,000	138,000
Attendant	(BPS-02)	1	1	66,000	69,000
General Attendant	(BPS-02)	5	5	326,000	342,000
Reception Hall Attendant	(BPS-02)	1	1	62,000	65,000
Generator Operator	(BPS-02)	1	1	120,000	120,000
Laboratory Attendant	(BPS-02)	17	17	1,377,000	1,446,000
General Attendant	(BPS-01)	2	2	173,000	182,000
	(BPS-01)	36	36	3,043,000	3,195,000
Conductor	(BPS-01)	1	1	61,000	64,000
	(BPS-01)	6	6	532,000	559,000

E-6

کوالت فیس	قیمت ایک روپیہ
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تاریخ: 24 ستمبر
 مقدمہ: عبدالصمد
 دعویٰ: روس اپیل
 جرم:

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و گل کاروائی متعلقہ آن مقام پور کیلئے مسٹر احمد خان ایڈووکیٹ، پور کو مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی گل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے جواب دہی، اقبال دعویٰ، بصورت ڈگری دائر کرانے درخواست اجراء اور وصولی بینک یا نقد رقم نیز عرضی دعویٰ اور درخواست ہر قسم کی تصدیق دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور منسوخی کیلئے درخواست دائر کرنے، اپیل درخواست نگرانی، درخواست نظر ثانی کی پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت گل یا جزوی کاروائی کے واسطے دوسرا وکیل یا مختار قانون کو اپنے ہمراہ یا اپنی جگہ مقرر کرنے کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساخنہ برداشتہ منظور و قبول ہوگا اور دوران مقدمہ میں جو زچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا، اسے وصولی کے مستحق وکیل صاحب ہونگے۔ نیز بقا اخراج غیر ادا شدہ کی وصولی کرنے کا بھی اس کو اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا عدالت ہذا کے حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کہ پیروی مقدمہ مذکور ہذا کرے۔ وکالت نامہ لکھ دیا کہ سندر ہے۔

وکالت نامہ
 ایڈووکیٹ

مرقوم: 24 ماہ ستمبر 14

گواہ شدہ

کیلئے منظور ہے

بمقام: پور

Before The Service Tribunal, Peshawar

Appeal No. 1239/2014.

Abdussattar v/s Health Deptt etc;

Sir,

Being ill, I am unable to travel ~~from~~ ⁱⁿ between Mardan and Peshawar.

It is requested that the above captioned case may be adjourned afresh.

DT-24.04.2015

Submitted by

Adam

MUHAMMAD ADAM KHAN
B.A LLB Advocate
High Court Mardan
(For Appellant)

Allowed.

24/4/15

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

Appeal No. 1239/2014.

Mr. Abdul Sattar..... **Appellant.**

Versus.

1. Secretary to Government of Khyber Pakhtunkhwa, Health Department, Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa Peshawar.
3. Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Peshawar.

And others **Respondents.**

Parawise comments on behalf of respondent No. 1, 3 & 4.

Preliminary Objections:-

1. That the Appellant has neither cause of action nor locus standi.
2. That the Appeal is not maintainable in its present form.
3. That the Appellant has not come to the Court with clean hands and hit by laches.
4. That the Appeal is bad due to non-joinder and mis-joinder of necessary parties.
5. That the Appeal is time barred.


RESPECTFULLY SUBMITTED.

01. Pertain to record needs no comments.
02. According to the budget book of DHQ: Hospital Mardan, the post of Carpenter is BPS-01 not BPS-05 (copy of budget book is attached)
03. No comments.

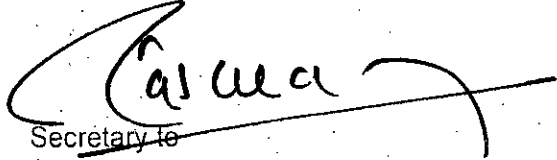
GROUNDS:-

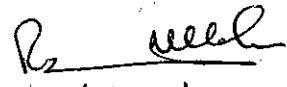
- i. Correct.
- ii. In-correct. According to the SNE fresh approval and budget book of DHQ Hospital Mardan, the post of Carpenter has been sanctioned as BPS-01. Hence the Appellant is not entitled for fixation of his pay from BPS-01 to BPS-05.
- iii. The Basic Pay scale of Carpenter in different institutions have been sanctioned with different Basic Pay scale i.e. BPS-05, BPS, 04 and BPS-01. The appellant was initially appointed as Carpenter BPS-I according to the sanctioned post of Carpenter BPS-01 of Budget Book of DHQ Hospital Mardan.
- iv. The appellant is drawing his Pay regularly according to his own Pay scale in BPS-01.
- v. According to the rules the appellant is not entitled to draw extra claim.

It is therefore most humbly requested on the above grounds that the instant appeal may please be dismissed with cost.


Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.
(Respondent No.03)

19/2/16


Secretary to
Government of Khyber Pakhtunkhwa
Health Department, Peshawar.
(Respondent No.01).


Secretary to:-
Government of Khyber Pakhtunkhwa
Finance Department Peshawar.
(Respondent No.04)

30/1/16

GENERAL HOSPITAL SERVICES

GENERAL CUM OBJECT CLASSIFICATION PARTICULARS OF THE SCHEME			NUMBER OF POSTS 2015-2016	BUDGET ESTIMATES 2015-2016	RELEASED 2015-2016
			Rs	Rs	Rs
07	HEALTH				
073	HOSPITAL SERVICES				
0731	GENERAL HOSPITAL SERVICES				
073101	GENERAL HOSPITAL SERVICES				
MR7010	MS District Head Quarter Hospital Mardan				
T005	Tailor	(BPS-05)	1	89,000	89,000
D112	Driver	(BPS-04)	4	359,000	359,000
D007	Dai	(BPS-03)	9	829,000	829,000
F033	Foreman	(BPS-02)	2	235,000	235,000
L002	Laboratory Attendant	(BPS-02)	4	244,000	244,000
O012	Operation Theatre Attendant	(BPS-02)	4	414,000	414,000
W004	Ward Orderli	(BPS-02)	43	3,454,000	3,454,000
X001	X-Ray Attendant	(BPS-02)	4	414,000	414,000
C012	Carpenter	(BPS-01)	1	89,000	89,000
C057	Chowkidar	(BPS-01)	8	691,000	691,000
D060	Dhobi	(BPS-01)	6	414,000	414,000
G005	Gate Keeper	(BPS-01)	1	115,000	115,000
H053	Helper	(BPS-01)	4	345,000	345,000
M010	Mali	(BPS-01)	4	345,000	345,000
N005	Naib Qasid	(BPS-01)	6	414,000	414,000
S162	Sweeper	(BPS-01)	37	2,763,000	2,763,000
T049	Tubewell Operator	(BPS-01)	2	207,000	207,000
112	TOTAL ALLOWANCES			114,950,000	114,948,000
112-1	TOTAL REGULAR ALLOWANCES			114,947,000	114,947,000
11201	Senior Post Allowance			4,000	4,000
11202	House Rent Allowance			7,436,000	7,436,000
11203	Conveyance Allowance			13,634,000	13,634,000
11207	Washing Allowance			50,000	50,000
11208	Dress Allowance			4,230,000	4,230,000
11209	Integrated Allowance			18,000	18,000
1120X	Adhoc Allowance - 2010			21,212,000	21,212,000
11217	Medical Allowance			7,594,000	7,594,000
1121A	Ad - hoc Allowance - 2011			7,530,000	7,530,000

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NC21017 (013)
HEALTH

GENERAL HOSPITAL SERVICES

FUNCTIONAL CUM OBJECT CLASSIFICATION PARTICULARS OF THE SCHEME	NUMBER OF	BUDGET	RELEASED
	POSTS 2015-2016	ESTIMATES 2015-2016	2015-2016
	Rs	Rs	Rs
07 HEALTH			
073 HOSPITAL SERVICES			
0731 GENERAL HOSPITAL SERVICES			
073101 GENERAL HOSPITAL SERVICES			
MR7010 MS District Head Quarter Hospital Mardan			
0121B Health Professional Allowance		7,500,000	7,500,000
0121M Adhoc Relief Allowance - 2012		13,644,000	13,644,000
0121T Adhoc Relief Allowance 2013		12,918,000	12,918,000
0121Z Adhoc Relief Allowance-2014		7,404,000	7,404,000
01224 Entertainment Allowance		62,000	62,000
01226 Computer Allowance		9,000	9,000
01251 Mess Allowance		10,812,000	10,812,000
01252 Non Practising Allowance		410,000	410,000
01254 Anaesthesia Allowance		480,000	480,000
012-2 TOTAL OTHER ALLOWANCES(EXCLUDING TA)		3,000	1,000
01274 Medical Charges		2,000	
001 Medical Charges		1,000	
01278 Leave Salary		1,000	1,000
TOTAL OPERATING EXPENSES		<u>24,539,000</u>	<u>19,662,850</u>
032 TOTAL COMMUNICATIONS		<u>180,000</u>	<u>90,000</u>
03201 Postage and Telegraph		30,000	15,000
03202 Telephone and Trunk Call		150,000	75,000
033 TOTAL UTILITIES		<u>15,055,000</u>	<u>15,045,000</u>
03301 Gas		35,000	35,000
03303 Electricity		15,000,000	15,000,000
001 Electricity		15,000,000	15,000,000
03304 Hot and Cold Weather Charges		20,000	10,000
038 TOTAL TRAVEL & TRANSPORTATION		<u>3,669,000</u>	<u>1,676,350</u>
03805 Travelling Allowance		380,000	190,000
03806 Transportation of Goods		11,000	5,500
03807 P.O.L. Charges A planes Helicopters S.Cars M/Cycle		3,163,000	1,423,350
03808 Conveyance Charges		15,000	7,500

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NC21017 (013)
HEALTH

01 GENERAL HOSPITAL SERVICES			
FUNCTIONAL CUM OBJECT CLASSIFICATION PARTICULARS OF THE SCHEME	NUMBER OF POSTS 2015-2016	BUDGET ESTIMATES 2015-2016	RELEASED 2015-2016
	Rs	Rs	Rs
07 HEALTH			
073 HOSPITAL SERVICES			
0731 GENERAL HOSPITAL SERVICES			
073101 GENERAL HOSPITAL SERVICES			
MR7010 MS District Head Quarter Hospital Mardan			
03809 CNG Charges (Govt)		100,000	50,000
A039 TOTAL GENERAL		<u>5,635,000</u>	<u>2,851,500</u>
A03901 Stationery		85,000	42,500
A03902 Printing and Publication		70,000	35,000
A03905 Newspapers Periodicals and Books		19,000	9,500
A03906 Uniforms and Protective Clothing		31,000	15,500
A03907 Advertising & Publicity		68,000	68,000
A03917 Law Charges		31,000	15,500
A03927 Purchase of Drug and Medicines		3,090,000	1,545,000
A03942 Cost of Other Stores		1,673,000	836,500
002 Anesthesia/OT Items		330,000	165,000
003 Bedding & Clothing		220,000	110,000
004 Chemicals/Apparatus		330,000	165,000
005 X-Ray Films		330,000	165,000
006 Medical Gas		110,000	55,000
008 ACD Bags		110,000	55,000
009 Washing Charges		110,000	55,000
028 028-Spirit		55,000	27,500
047 Blood Bank		78,000	39,000
03970 Others		568,000	284,000
09 TOTAL PHYSICAL ASSETS		<u>7,000</u>	<u>3,500</u>
091 TOTAL PURCHASE OF BUILDING		<u>5,000</u>	<u>2,500</u>
09101 Land and buildings		5,000	2,500
096 TOTAL PURCHASE OF PLANT & MACHINERY		<u>1,000</u>	<u>500</u>
09601 Plant and Machinery		1,000	500
097 TOTAL PURCHASE FURNITURE & FIXTURE		<u>1,000</u>	<u>500</u>

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GENERAL HOSPITAL SERVICES

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME		NUMBER OF POSTS 2015-2016	BUDGET ESTIMATES 2015-2016	RELEASED 2015-2016
		Rs	Rs	Rs
07	HEALTH			
073	HOSPITAL SERVICES			
0731	GENERAL HOSPITAL SERVICES			
073101	GENERAL HOSPITAL SERVICES			
MR7010	MS District Head Quarter Hospital Mardan			
09701	Furniture and fixtures		1,000	500
A13	TOTAL REPAIRS AND MAINTENANCE		<u>710,000</u>	<u>355,000</u>
A130	TOTAL TRANSPORT		<u>351,000</u>	<u>175,500</u>
A13001	Transport		351,000	175,500
A131	TOTAL MACHINERY AND EQUIPMENT		<u>176,000</u>	<u>88,000</u>
A13101	Machinery and Equipment		176,000	88,000
A132	TOTAL FURNITURE AND FIXTURE		<u>183,000</u>	<u>91,500</u>
A13201	Furniture and Fixture		183,000	91,500
MS District Head Quarter Hospital Mardan			219,450,000	214,213,350



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HEALTH

GENERAL HOSPITAL SERVICES

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME			NUMBER OF POSTS 2015-2016	BUDGET ESTIMATES 2015-2016	RELEASED 2015-2016
			Rs	Rs	Rs
07	HEALTH				
073	HOSPITAL SERVICES				
0731	GENERAL HOSPITAL SERVICES				
073101	GENERAL HOSPITAL SERVICES				
MR7010	MS District Head Quarter Hospital Mardan				
301	TOTAL EMPLOYEES RELATED EXPENSES.			<u>194,194,000</u>	<u>194,192,000</u>
A011	TOTAL PAY		<u>462</u>	<u>79,244,000</u>	<u>79,244,000</u>
A011-1	TOTAL PAY OF OFFICERS		<u>197</u>	<u>51,890,000</u>	<u>51,890,000</u>
A01101	Total Basic Pay Of Officer		<u>197</u>	<u>51,868,000</u>	<u>51,868,000</u>
C381	Chief Medical Officer	(BPS-20)	2	967,000	967,000
M037	Medical Superintendent	(BPS-20)	1	859,000	859,000
D048	Deputy Medical Superintendent	(BPS-19)	1	484,000	484,000
M119	Medicological Officer	(BPS-19)	1	414,000	414,000
P358	Principal Medical Officer	(BPS-19)	13	5,280,000	5,280,000
P359	Principal Dental Surgeon	(BPS-19)	1	484,000	484,000
S521	Senior Gynaecologist	(BPS-19)	1	622,000	622,000
S525	Senior Physician	(BPS-19)	1	484,000	484,000
S526	Senior Children Specialist	(BPS-19)	1	414,000	414,000
S529	Senior Cardiologist	(BPS-19)	1	484,000	484,000
S543	Senior Surgeon	(BPS-19)	1	414,000	414,000
S568	Senior Orthopadic Surgeon	(BPS-19)	1	414,000	414,000
A039	Anaesthetist	(BPS-18)	1	414,000	414,000
C045	Chief Nursing Superintendent	(BPS-18)	1	414,000	414,000
C067	Clinical Pathologist	(BPS-18)	1	414,000	414,000
C137	Community Opthomologist	(BPS-18)	1	414,000	414,000
D033	Deputy Director Administration	(BPS-18)	1	252,000	252,000
T0048	Deputy Medical Superintendent	(BPS-18)	1	414,000	414,000
G025	Gynaecologist	(BPS-18)	1	387,000	387,000

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NC21017 (013)
HEALTH

GENERAL HOSPITAL SERVICES

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME			NUMBER OF POSTS 2015-2016	BUDGET ESTIMATES 2015-2016	RELEASED 2015-2016
			Rs	Rs	Rs
07	HEALTH				
073	HOSPITAL SERVICES				
0731	GENERAL HOSPITAL SERVICES				
073101	GENERAL HOSPITAL SERVICES				
MR7010	MS District Head Quarter Hospital Mardan				
P015	Pathologist	(BPS-18)	1	414,000	414,000
P033	Physician	(BPS-18)	1	414,000	414,000
P095	Psychiatrist	(BPS-18)	1	345,000	345,000
S156	Surgeon	(BPS-18)	1	387,000	387,000
S213	Senior Medical Officer	(BPS-18)	13	5,112,000	5,112,000
A039	Anaesthetist	(BPS-17)	1	387,000	387,000
B034	Blood Bank Officer	(BPS-17)	1	345,000	345,000
F050	Female Dental Surgeon	(BPS-17)	1	345,000	345,000
H032	Head Nurse	(BPS-17)	4	921,000	921,000
M033	Medical Officer	(BPS-17)	16	6,789,000	6,789,000
N021	Nursing Superintendent	(BPS-17)	1	345,000	345,000
P024	Pharmacist	(BPS-17)	1	345,000	345,000
A057	Assistant	(BPS-16)	2	414,000	414,000
C028	Charge Nurse	(BPS-16)	98	16,814,000	16,814,000
C291	Chief Clinical Technician (Anaesthesia)	(BPS-16)	1	277,000	277,000
C292	Chief Clinical Technician (Pathology)	(BPS-16)	1	249,000	249,000
C293	Chief Clinical Technician (Dental)	(BPS-16)	1	277,000	277,000
C295	Chief Clinical Technician (Pharmacy)	(BPS-16)	2	249,000	249,000
H282	Homeo Doctor	(BPS-16)	1	277,000	277,000
M008	Male Nurse	(BPS-16)	15	2,719,000	2,719,000
P097	Public Health Supervisor	(BPS-16)	1	207,000	207,000
T107	Tabeeb	(BPS-16)	1	207,000	207,000
A01102	Personal pay			22,000	22,000
A011-2	TOTAL PAY OF OTHER STAFF		265	27,354,000	27,354,000

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NC21017 (013)
HEALTH

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3101 GENERAL HOSPITAL SERVICES

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME		NUMBER OF POSTS 2015-2016	BUDGET ESTIMATES 2015-2016	RELEASED 2015-2016
		Rs	Rs	Rs
07	HEALTH			
073	HOSPITAL SERVICES			
0731	GENERAL HOSPITAL SERVICES			
073101	GENERAL HOSPITAL SERVICES			
MR7010	MS District Head Quarter Hospital Mardan			
01151	Total Basic Pay Other Staff	265	27,354,000	27,354,000
S055	Senior Clerk (BPS-14)	3	414,000	414,000
S332	Senior Clinical Technician (Surgical) (BPS-14)	1	207,000	207,000
S342	Senior Clinical Technologist (Pathology) (BPS-14)	2	207,000	207,000
C301	Clinical Technician (Cardiology) (BPS-12)	3	568,000	568,000
C302	Clinical Technician (Dental) (BPS-12)	1	84,000	84,000
C304	Clinical Technician (Pharmacy) (BPS-12)	6	775,000	775,000
C305	Clinical Technician (Ophthalmology/Otorhnology) (BPS-12)	1	84,000	84,000
C306	Clinical Technician (Pathology) (BPS-12)	3	498,000	498,000
C307	Clinical Technician (Radiology) (BPS-12)	1	84,000	84,000
C308	Clinical Technician (Anaesthesia) (BPS-12)	2	277,000	277,000
C309	Clinical Technician (Surgical) (BPS-12)	3	464,000	464,000
C310	Clinical Technician (Physiotherapy) (BPS-12)	1	84,000	84,000
B038	Boiler Engineer (BPS-11)	1	165,000	165,000
J013	Junior Clerk (BPS-11)	6	691,000	691,000
S136	Sub Engineer (BPS-11)	1	138,000	138,000
F149	Female Junior Clinical Technician Dental (BPS-09)	2	274,000	274,000
F150	Female Junior Clinical Technician Pharmacy (BPS-09)	4	524,000	524,000
F151	Female Junior Clinical Technician Radiology (BPS-09)	2	252,000	252,000
F155	Female Junior Clinical Technician Pathology (BPS-09)	2	252,000	252,000



BO-VI

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1239/2014

Mr. Abdul Sattar S/O Haji Gulfarz R/O Muaallah Serai Chem ,Hoti,Mardan
Carpenter DHQ Hospital MardanAppellant.

VERSUS

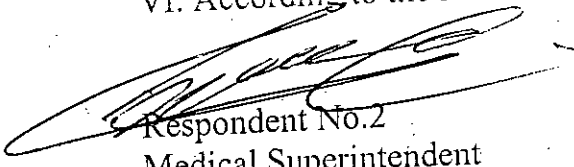
- 1) Secretary ,Health Services ,Department ,KPK,Peshawar.
- 2) Medical Superintendent, DHQ Hospital Mardan.
- 3) Director General Health Services ,Peshawar.
- 4) Secretary Finance Department KPK. Peshawar.....Respondents.

APPEAL, UNDER -4 OF SERVICE TRIBUNAL ACT, 1974, AGAINST THE
WORKING FIXATION OF THE PAY IN BPS-1 INSTEAD OF BPS-5 .

1. Correct.
2. True but according to the budget book, of DHQ Hospital Mardan, the post of
Carpenter is BPS-1 not BPS-5(copy of budget book) is attached herewith.
3. No comments.

Grounds:-

- I. Correct.
- II. No, According to the SNE fresh approval and budget book of DHQ Hospital
Mardan, the post of Carpenter has been sanctioned as BPS-1 .Hence the
Petitioners is not entitled for fixation of his pay from BPS-1 to BPS-5 .
- III. The Basic Pay Scale of Carpenter in different institutions. have been
sanctioned with different Basic Pay Scale i.e. BPS-5 ,BPS-4 and BPS-The
appellant was initially appointed as Carpenter BPS-1 according to the
sanctioned post of Carpenter BPS-1 of Budget Book of DHQ Hospital
Mardan.
- IV. The appellant is drawing his pay regularly according to his own Pay scale
BPS-1 .
- VI. According to the rules the appellant is not entitled to draw extra claim.


Respondent No.2
Medical Superintendent
DHQ Hospital Mardan.

Before The Service Tribunal, Peshawar
Service Appeal No. 1238/2014

Abdussattar v/s The Secy, Health & others

Replication on behalf of Appellant.

Preliminary Objections:

All the preliminary objections are wrong, based on misconception, mischievous and irrelevant.

Facts:-

1. No further comments.
2. Misleading. In all other institutions of Health Dept, in K.P.K., the carpenters are paid salary in BPS-5, as per Annexure - B to C/I with the Appeal. Hence, the Appellant is entitled to equal treatment.
3. No further comments.

Grounds:-

1. No further comments.
- II & III. Incorrect & misleading. Using different yardsticks to employees of the same category is unconstitutional and against the principles of natural justice. Hence, denied.
- IV. Misleading and against principles of natural justice.
- V. As above

It is prayed that on acceptance of the captioned Appeal, treating the Appellant alike other employees of the same category, his salary may be ordered to be fixed in BPS-5 with retrospective effect and with costs of this Appeal against the Respondents.

Appellant
(Abdussattar)

Through:- Amir

Affidavit

I, Abdusattar the Appellant do hereby state on solemn affirmation that the contents of this Appeal and rejoinder are true & correct to the best of my knowledge and belief and further that the objections raised by the Respondents are incorrect and false.

Subscribed by me.

Deponent A. Attar
(Abdusattar)

Adam
MUHAMMAD ADAM KHAN
B.A LLB Advocate
High Court Mardan

Attested
Shafiq Anwar
Shafiq Anwar Advocate 9/11/16
(Notary Public)
District Courts Peshawar

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1293 /ST

Dated 11 / 5 / 2017

To


The Medical Superintendent District Headquarter Hospital,
Government of Khyber Pakhtunkhwa,
Mardan.

Subject: -

JUDGMENT IN APPEAL NO. 1239/2014, MR. ABDUL SATTAR.

I am directed to forward herewith a certified copy of Judgement dated 20.4.2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1293 /ST

Dated 11 / 5 / 2017

To


The Medical Superintendent District Headquarter Hospital,
Government of Khyber Pakhtunkhwa,
Mardan.

Subject: -

JUDGMENT IN APPEAL NO. 1239/2014, MR. ABDUL SATTAR.

I am directed to forward herewith a certified copy of Judgement dated 20.4.2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.