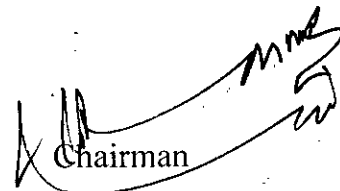


583/2016

23.01.2018

On application of the appellant for withdrawal of the appeal, file has been requisitioned for today. Application placed on file.


In view of the above, the present appeal is dismissed as withdrawn. File be consigned to the record room.

  
Chairman

ANNOUNCED  
23.01.2018

02.03.2017

Counsel for appellant and Mr. Daud Jan, Superintendent alongwith Mr. Muhammad Jan, Government Pleader for respondents present. Rejoinder not submitted. Learned counsel for appellant requested for time for filing rejoinder. To come up for filing of rejoinder and arguments on 13.06.2017 before D.B.

  
(ASHFAQ ULLAH)  
MEMBER

  
(MUHAMMAD AMIR NAZIR)  
MEMBER

13.06.2017


Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Counsel for the appellant requested for adjournment. Adjourned. To come up for rejoinder and arguments on 13.10.2017 before D.B.


  
(GUL ZEB KHAN)  
MEMBER

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

13.10.2017

Counsel for the appellant present. Mr Zia Ullah, Deputy District Attorney for the respondents present. Counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 21.12.2017 before D.B.

  
(Muhammad Amin Khan Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member

21.12.2017

Due to Judicial Officer's Conference today, case is adjourned to 22.02.2018 for the same before the D.B.

  
Reader

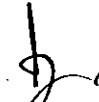
26.09.2016

Counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 16.11.2016 before S.B.

  
Chairman


16.11.2016

Appellant with counsel and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 10.01.2017 before S.B.

  
Chairman

10.01.2017

Counsel for the appellant M/S Daud Jan, Supdt. and Fazle Dayan, Head Clerk alongwith Addl. AG for the respondents present. Written reply by respondents no. 5 & 7 submitted. Learned Addl. AG relies on the same on behalf of remaining respondents. The appeal is assigned to D.B for rejoinder and final hearing for 02.03.2017.

  
Chairman

16.06.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Laboratory Attendant at Government Higher Secondary School, Ghalanai Mohmand Agency since 2005. That vide office order dated 14.1.2015 he was relieved by the Principal of the said school i.e. respondent No. 7 and till date he has not been adjusted anywhere constraining him to prefer departmental appeal on 10.01.2016 which was not responded and hence the instant service appeal.

That the appellant is not being paid his salary etc. despite no fault on his part.

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 18.07.2016 before S.B. Notice of stay application shall also be issued to the respondents for the date fixed.

  
Chairman

18.07.2016

Junior to counsel for the appellant present. Security and process fee have not been deposited. Directed to deposit the same within 3 days there-after notices be issued to the respondents for written reply/comments on main appeal as well as reply to stay application for 26.09.2016 before S.B.





  
MEMBER

Appellant Deposited  
Security & Process Fee

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 583/2016

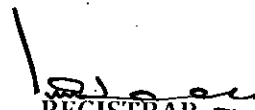
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	31/05/2016	<p>The appeal of Mr. Saleem Khan resubmitted today by Mr. Muhammad Asif Yousafzai Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	1-6-16	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>2-6-16</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	02.06.2016	<p>None for the appellant present. Adjourned for preliminary hearing to 16.06.2016 before S.B.</p> <p style="text-align: right;"> Chairman</p> <p style="text-align: right;"></p>

The appeal of Mr. Saleem Khan Lab. Attendant GHSS Ghallanai Mohmand Agency received to-day i.e. on 06.05.2016 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Index of the appeal may be prepared according to the rules.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- 4- Copy of enquiry report mentioned in para-3 of the memo of appeal (Annexure-C) is not attached with the appeal which may be placed on it.
- 5- Copies of leave sanctioned orders mentioned in para-4&5 are not attached with the appeal which may be placed on it.
- 6- Annexures H, I and J of the appeal are missing.
- 7- Nine more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 730 /S.T,

Dt. 9/5 /2016

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. M.Asif Yousafzai Adv. Pesh.

*Respect Sir*

- 1- Removed
- 2- Removed
- 3- Removed
- 4- Removed
- 5- Removed
- 6- Removed
- 7- Removed



BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 583 /2016

Saleem Khan

V/S

Education Department (FATA).

INDEX


No.	Documents	Annexure	Page No.
1.	Memo of Appeal	-----	01-04
2.	Copy of application for inward salaries		5-6
3.	Copy of appointment order	A	7
4.	Copy of compliant of appellant	B	8
5.	Copy of order dated 10.11.2014	C	9
6.	Copy of inquiry report	D	10-12
7.	Copy of order application	E	13
8.	Copy of notification dt: 9.9.2013	F	14
9.	Copy of notification dt: 10.12.2014	G	15
10.	Copy of relieving chit	H	16
11.	Copy of application	I	17
12.	Copy of application	J	18
13.	Copy of departmental appeal	K	19
14.	Vakalat Nama	-----	20

APPELLANT

THROUGH:

  
( M. ASIF YOUSAFZAI )

&

  
(TAIMUR ALI KHAN)  
ADVOCATES, PESHAWAR

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 583 /2016

Saleem Khan, lab: Attendant,  
GHSS, Ghallanai, Mohmand Agency.

**F.W.P. Province  
Service Tribunal  
Diary No. 455  
Date 06-5-2016**

(Appellant)

**VERSUS**

1. The Adll; Chief Secretary (FATA), FATA Secretariat Peshawar.
2. The Secretary Administration (AI&C) FATA Secretariat Peshawar
3. The Secretary SSD (FATA), (FATA) Peshawar.
4. The Director of Education (FATA), Peshawar.
5. The Agency Education Officer Mohmand agency.
6. The Agency Account officer Agency.
7. The Principal GHSS, Ghallanai, Mohmand agency.

(Respondents)

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APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974 FOR DIRECTING THE RESPONDENTS TO PAY THE SALARIES OF THE APPELLANT FROM 1.1.2015 TILL DATE AND ON ONWARD, PAYMENT OF MEDICAL BILL OF THE APPELLANT WORTH OF RS. 138000/, ADJUSTMENT OF THE APPELLANT ON HIS POST AS LABORATORY ATTENDANT AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

**PRAYER:**

THAT THE ACCEPTANCE OF THIS APPEAL, ~~THE~~ RESPONDENTS MAY BE DIRECTED TO PAY THE SALARIES OF THE APPELLANT FROM 1.1.2015 TILL DATE AND ON ONWARD, TO PAY MEDICAL BILL OF THE APPELLANT WORTH OF RS. 138000 AND TO ADJUST THE APPELLANT ON HIS POST AS LABORATORY ATTENDANT. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

*Filed to-day  
6/5/2016*

Re-submitted to -day  
and filed.

*Registrar  
31/5/16*



2

**RESPECTFULLY SHEWETH:**

**FACTS:**

1. That the appellant was appointed on dated 1.3.2005 as lab: Attendant (class IV) (BPS-1) in Education Department (FATA) in GHSS Ghallanai Mohmand Agency and performed his up to the entire satisfaction of his superior. (Copy of appointment order is attached as Annexure-A)
2. That the parent of the appellant was sick in 2006,2007 and 2008 and the appellant spent Rs. 138000/ on his treatment, as the appellant was on duty at that time therefore he claim of medical of Rs. 138000, but the principal did not approve the medical bill of the appellant as the principal wanted to 80% share for him and for the Senior Clerk of the School in the medical bill, therefore the appellant filed compliant against the Principal of the school to the ACS FATA, on his compliant the Secretary (Admin, Infra & Coordination) directed inquiry in the matter vide order dated 10.11.2014. (Copies of appellant compliant, order dated 10.11.2014 are attached as Annexure-B&C)
3. That on the basis of which inquiry was conducted and gave his inquiry report in the favour of the appellant. (Copy of inquiry report is attached as Annexure-D)
4. That the appellant applied for leave without effect from 1.1.2009 to 31.12.2010 which was sanctioned and after this leave the appellant joined his duty again.(Copy of application is attached as Annexure-E)
5. That again the appellant for Ex- Pakistan leave w.e.f 10.9.2013 to 10.12.2013 which was allowed vide order notification dated 9.9.2013 and then again the appellant applied for leave without w.e.f 1.1.2014 to 31.12.2014 which was also allowed vide notification dated 10.1.2014. (Copies of notifications are attached F&G)
6. That after leave, the appellant came to join his duty at GHSS Ghallanai Mohmand Agency, but did not allow the appellant for duty in the School and relieved the appellant to the Agency Education Officer, Mohmand agency vide letter dated 14.1.2015. (Copy of the relieve chit is attached as Annexure-H)
7. That at the Agency Education Office, the Agency Education Officer told the appellant there is no vacant seat for the appellant in the

3

office as well as in other schools and directed the appellant to go back his School from your you relieve and on the direction of the AEO, the appellant came back to the GHSS Ghallani Mohmand Agency, but the principal of the School refuse to adjust him in the school.


8. That the appellant was not adjusted at any location and his salaries were also stopped from 1.1.2015 till date.
9. That appellant filed applications for his adjustment and release of his salaries to concerned officials but no one take any action on his application. (Copies of applications are attached as Annexure I&J)
10. That lastly the appellant filed departmental appeal to Secretary Administration (AI&C Deptt) FATA Secretariat Peshawar on 10.1.2016 but was not responded within the statutory period of ninety days. (Copy of departmental appeal is attached as Annexure-K)
11. That now the appellant has no other remedy but constrain to file the instant appeal on the following grounds amongst others.

**GROUND:**

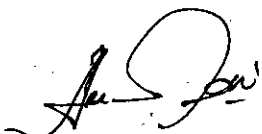

- A) That not adjusting the appellant, stoppage of the salaries, non-payment of medical bill and not taking action on the departmental appeal of the appellant are against the law, facts and norms of justice.
- B) That according to Article-17 of the Civil Servant Act 1973, every Civil Servant is liable for the payment for the service which he rendered and as the appellant is still the employee of the Education Deptt:, therefore he is liable to full pay.
- C) That not paying monthly salaries to the appellant despite of the employee of the Deptt: is amounts to force labour which is prohibited under the Constitution of Pakistan, Article-11.
- D) That as the appellant is still on the strength of Deptt:, therefore it is the responsibility of the Deptt: to adjust him.
- E) That the medical bill has already approved by the Deptt:, but is was stopped due they malafide the Principal of the concerned school.

- 4
- F) That the appellant has not been treated according to law and rules and has been kept deprive from his legal of pay, payment of medical Bill and adjustment against his post.
- G) That the appellant seeks permission to advance other grounds and proofs at the time hearing.

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

  
APPELLANT  
Saleem Khan

THROUGH:

  
( M. ASIF YOUSAFZAI )  
&  
  
(TAIMUR ALI KHAN)

ADVOCATES, PESHAWAR

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR.

Appeal No. \_\_\_\_\_/2016

Saleem Khan

V/S

Education Department (FATA).

**APPLICATION FOR RELEASE OF ONWARD SALARIES OF THE  
APPELLANT TILL THE DECISION OF THE MAIN APPEAL.**

**RESPECTFULLY SHEWETH:**

1. That the appellant has filed an appeal along with this application in which no date is fixed so for.
2. That the salaries of the appellant were stopped from 1.1.2015 till date, due to which the financial position is very hard and not bearable.
3. That the grounds of main appeal may also be considered as integral part of this application.
4. That the appellant has a good prima facie case and all the three ingredients are in favour of the appellant.
5. That it will be in the interest of justice to release inward salaries of the appellant.

It is therefore most humbly prayed that on the acceptance of this application the respondents may be directed to release inward salaries of the appellant till the decision of main appeal.

APPELLANT

THROUGH:

( M. ASIF YOUSAFZAI )

&

(TAIMUR ALI KHAN)

ADVOCATES, PESHAWAR

6/

**AFFIDAVIT:**

It is affirmed and declared that the contents of the above Application are true and correct to the best of my knowledge and belief.

  
Deponent

APPOINTMENT

With reference to the Directive of worthy Political Agent Mohmands at Ghallanai vide his office order No.1200/A dated 25/2/2005. One Mr Salim Khan S/O Meer Ali Khan r/o Haliazai M/Agent is hereby appointed as laboratory Attendent(C/IV) in BPS No.1 Rs.(1870-55-3520) against vacant ~~post~~ mentioned post at Higher Secondary School portion of this school from the date of taking over charge.

TERMS & CONDITION:

1. His appointment is made purely on CONTRACT BASIS for the period of three years.
2. He should produced Age & health certificate from Agency Surgeon concerned.
3. He is liable to be terminated any time without giving any notice of showing any reason.

( MR IMAM GUL )  
PRINCIPAL

GHSS GHALLANAI M/AGENCY.

Endst: No. 435-40 / dated 1/3 2005.

Copy for information to the:-

1. Political Agent Mohmands at Ghallanai w/r to his queted above No. and date.
2. Agency Education Officer Mohmand at Ghallanai.
3. Director of Education (PATA) K.W.F.P. Peshawar.
4. Agency Accounts Officer Mohmand at Ghallanai.
5. Accountant of this school office.
6. Candidate concerned.

*Imam Gul*  
PRINCIPAL

GHSS GHALLANAI M/AGENCY.

ATTESTED  
*X*

*u*

بعضور جناب ایڈیشنل چیف سیکرٹری فائنا سیکرٹریٹ ورسک روڈ پشاور۔

مضمون: اپیل برائے انصاف / رحم ٹرانسفر پرنسپل۔

جناب عالی!

مؤدبانہ گزارش ہے کہ سائل گورنمنٹ ہائیر سیکنڈری سکول غلٹنی میں بحیثیت لیبارٹری اسٹڈنٹ اپنی ڈیوٹی سرانجام دے رہا ہے یہاں پر متعلقہ پرنسپل اور ایس خان اور سینئر کلرک زردول خان نے اپنی بادشاہت قائم کی ہوئی ہے سائل غریب کلاس فور سے کسی نہ کسی بہانے ہر ماہ کی تنخواہ سے ایک معقول رقم جو مبلغ -/5000 روپے سے کم نہیں ہوتی کاٹ لیتے ہیں اور انکار پر نوکری سے نکالنے کی دھمکیاں دیتے ہیں۔

پچھلے سال 2012-13ء میں سائل نے منت سماجت کر کے اپنے میڈیکل بل اور لیوسلری کیلئے مبلغ -/178,000 روپے فنانس سے بجٹ منظور کروایا تھا لیکن پرنسپل نے میرے بل پر دستخط کرنے سے انکار کر دیا اور کہا کہ 80% مجھے دو گے تو تب دستخط کرونگا۔ میرے انکار پر پرنسپل نے دستخط نہیں کئے اور بجٹ Lapse ہو گیا۔

اس سال 2013-14ء میں پھر منت سماجت کر کے اپنے لئے میڈیکل بل اور لیوسلری کے پیسے بجٹ میں منظور کروائے اور بل لیکر پرنسپل کے گھر جا جوڑ گیا تو پرنسپل صاحب نے دستخط اس شرط پر کئے کہ مجھے سب سے زیادہ پیسے دو گے تو سائل نے حامی بھر لی "مرتا کیا نہ کرتا" پرنسپل نے بل دستخط تو کر دئے اور کہا کہ اگر مجھے میری مرضی کے مطابق پیسے نہ دیے تو تمہارے خلاف کارروائی کرونگا۔

جناب عالی! بل پاس ہو گئے تو زردول کلرک صاحب اور پرنسپل صاحب نے کہا کہ مبلغ -/178000 روپے میں سے -/122000 روپے ہمیں دے دو میرے انکار پر پرنسپل نے بینک والوں کو کہا کہ اسے پیسے کیش کرنے نہ دو کیونکہ بل پر میرے دستخط نہیں ہیں۔

خدا رابیماری پر میرے پیسے خرچ ہوئے چھٹی میری منظور ہوئی اور پیسے پرنسپل اور بابو کو ملیں۔ اللہ کے واسطے سائل کو انصاف دلائی جائے۔ اور مذکورہ بالا زردول کلرک صاحب اور پرنسپل صاحب سے سائل کا رقم و اگر اکر کرنے اور ان کے خلاف تادیبی کارروائی و ٹرانسفر کرنے کے احکامات صادر فرما کر مشکور فرمائی جاوے۔ نیز دیگر داری جو قرین انصاف ہو وہ بھی مرحمت فرمائی جاوے۔  
عین نوازش ہوگی۔  
مورخہ 06/08/2014

السید سلیم خان

سائل سلیم خان لیبارٹری اسٹڈنٹ گورنمنٹ ہائیر سیکنڈری سکول غلٹنی مہمند ایجنسی۔  
Secy AIC

ATTESTED

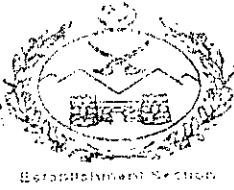
Please look into

کاپی برائے اطلاعاتی و کارروائی!

and conduct a proper inquiry.

- (۱) بخدمت جناب سیکرٹری ایجوکیشن اینڈ ایڈمنسٹریشن فائنا سیکرٹریٹ پشاور۔
- (۲) بخدمت جناب ڈائریکٹر صاحب ایجوکیشن فائنا۔
- (۳) بخدمت جناب اے ڈی مانیٹرنگ سیل ایجوکیشن فائنا۔

06.08.14



FATA SECRETARIAT  
ADMINISTRATION, INFRASTRUCTURE & COORDINATION DEPARTMENT  
WARSAK ROAD PESHAWAR

9

ORDER:-

The competent authority has been pleased to appoint Mr. Abdul Hameed Khan Additional Political Agent Mohmand Agency as Inquiry Officer to investigate and conduct a Facts Finding Inquiry into the text of complaint from Mr. Salim Khan a Laboratory Attendant Government Higher Secondary School Ghallanai Mohmand Agency.

2- The Term of Reference of Inquiry is as follows:-

- i. Deduction of Rs.5000/- by Mr. Idrees Khan Principal and Mr. Zardool Khan Senior Clerk of the School from the pay of establishment.
- ii. The charge against the Principal that he has demanded for 80% as illegal gratification on medical bill of the complainant (bill amount) to Rs.178000/- despite the fact the amount was got allocated by the complainant in the budget through his personal efforts from the Finance Department FATA but the Principal refused to sign his medical bill and the amount so allocated was lapsed.
- iii. Re-allocation of funds for next financial year but the Principal demanded Rs.122000/- out of the total bill amount of Rs.178000/-. On refusal by the complainant, the Principal directed the bank officials not to honour the payment of bills.
- iv. Any other point, the committee may like appropriate to consider.

3- The Inquiry Officer may submit a report to this Department within a period of 10 days of issuance of this order.

4- This department's earlier order bearing No. FS/E/100-96(Vol-3)Inq/Salim Khan/14920-24 dated 22-9-2014 regarding appointment of Sardar Asad Haroon Ex-Deputy Secretary Admn as inquiry officer in the instant case stands cancelled.

SECRETARY (ADMN, INFRA: & COORDINATION)

No. FS/E/100-96(Vol-3)Inq/Salim Khan/ 17337-4c

Dated 10 /11/2014

Copy to

1. Director Education FATA
2. Agency Education Officer Mohmand Agency
3. Principal Govt Higher Secondary School Ghallanai Mohmand Agency  
For information

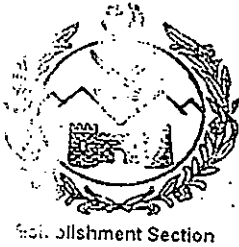
1. Abdul Hameed Khan Additional Political Agent Mohmand Agency (Inquiry Officer) (with a copy of complaint alongwith its enclosure total 17 pages)

**ATTESTED**

(JIBREEL RAZA)

Section Officer (Estab)





Confidential

**FATA SECRETARIAT**  
(ADMINISTRATION, INFRASTRUCTURE & COORDINATION DEPARTMENT)  
**WARSAK ROAD PESHAWAR**

No. FS/E/100-96 (Vol-3) Inq/Salim Khan/SSO-53  
Dated: 15-11-2016

Director Education (FATA)

Subject: RE-IMBURSEMENT OF MEDICAL BILL

I am directed refer to this department Order bearing No. FS/E/ICC-13/Complaint/2014/1037-40 dated 26-01-2015 regarding Constitution of Inquiry Committee on a Medical Bill amounting to Rs. 1,78,000/- claimed by Mr. Salim Khan Laboratory Attendant GHSS Ghallanai Mohmand Agency.

2. A copy of relevant part of Inquiry Report (Para-11) on TOR-II is enclosed herewith to the effect that the Inquiry officer has determined the bill as duly processed through concerned offices on Agency and Directorate level and voucher thereof accepted, therefore the same may be allowed for payment to the official.

Sd/-  
Section Officer (Estab)

- 1. (As above)
- 2. Copy of above along with its enclosure is forwarded to:-
  - 1. Agency Education Officer Mohmand Agency
  - 2. Agency Accounts Officer Mohmand Agency (for similar action)
  - 3. PS to Secretary Social Sectors Department FATA Secretariat. (for information please)

Section Officer (Estab)

**ATTESTED**

**HOW THE OFFICIAL MANAGED TO PRESENT A MEDICAL BILL AMOUNTING TO RS.1,78,000/- FOR DISBURSEMENT.**

Regarding this issue, Principal GHSS Ghalanai, AEO representative and Mr

Saleem Khan Lab Attendant were asked to furnish copies of vouchers / medical bills preferably attested but none of them could produce copy of the subject bills/vouchers amounting to Rs 178000/= despite processing the same to higher authorities for payment. Principal GHSS Ghalanai Muhmand Agency has reported in his letter No 1841- dated 19-3-2015 (Annex-H) that the Agency Account Officer Muhmand refused to provide attested copies of the bills with the contention that it is part of record and cannot be provided but Principal/DDO should have demanded copy of these bills during reconciliation of expenditures with Agency Account Office for the relevant period. However it seems from D.D.Education letter No 646/MRC/SalimKhan/L/Att/M.agy dated 16-1-2009 (Annex-I) that some medical bills of Mr Saleem Khan were pending since long and perhaps medical bills passed/paid are the same which were pending since 2008. However in the absence of copy of bills passed/paid it is not possible for inquiry officer to confirm that these bills are the same or otherwise and to determine related period of the claim and its status regarding admissibility or otherwise of the bills in question. Principal/DDO should have agitated the issue during reconciliation of expenditures with Agency Account Office Muhmand for the relevant period (June 2014).

Moreover earlier several inquiries have also been conducted on the fake medical bills/leave salary issue of the accused but decision of the competent authority on the inquiry reports is not available (Annex-J). Since a lengthy correspondence took place

against Education Directorate, (FATA), Agency, Education Officer, Muhmand, Principal

Finance Deptt. (FATA) therefore the bills can be considered as genuine on the

ground that bills have been submitted to the higher authorities several times by

Principals including Principal GHSS Ghalanai after verification from the concerned

officers as rightly observed by Mr Abdul-Jameed-Jam-Additional Political Agent

and in his inquiry report. It is clear that once reconciled expenditure statement is

passed by DDO and Agency Account Officer both parties accepted the

checkers/supporting documents and expenditures incurred become final in this case

since the expenditures is already accepted by Principal/DDO in the reconciled

the Service Book was not updated. Entries were not made in time which can lead to many

complications. Even leave conversion order issued by AEO Muhmand is not recorded in

4

ATTESTED

It is pertinent to mention here that while going through photo copies of Service Book of Mr Saleem Khan L.A (accused), furnished by S.O (East) it was noted that the Service Book was not updated. Entries were not made in time which can lead to many complications. Even leave conversion order issued by AFO Muhand is not recorded in

In this regard Mr Zardul Khan Senior Clerk GHSS Chalanai was asked to furnish statement showing paid/unpaid monthly salaries of the accused Mr Salim Khan (L.A) since his appointment till date but he failed to furnish the same. Copies of all absence reports of the accused to the higher authorities were also demanded but till now his all absence reports have not been produced to the inquiry officer. Despite claim of the principal that the accused did not attend his duty even for a single moment since he took over charge as Principal on 5-2-2009 still it clear from record that the accused was paid his monthly salaries for a considerable period after 5-2-2009 which raises certain questions in mind. However monthly salary statement/ Correct leave Account and original Service Book of the accused asked along with relevant record will enable inquiry officer to offer comments as without the same it is impossible to offer findings under this OR. It is not clear what action is taken against immediate controlling officer of the accused as well those involved in preparation of monthly pay bills of the accused if the accused was indeed absent and did not attend his duty even for a single moment after the principal took charge on 5-2-2009. The Principal GHSS Chalanai should have ensured that his absence reports have been submitted to the higher authorities timely as on one occasion desired vide AFO Muhand letter No 1615 dated 1-7-2011 but action taken is not reflected in record. A list showing detail of monthly salaries paid/unpaid to Mr Saleem Khan was requisitioned from Mr Zardul Khan during recording his partial statement who promised to furnish all required record but so far the same is still awaited to the inquiry officer. It is crystal clear that loose supervision leads to long absence if any.

3) HOW HE REMAINED ABSENT AFTER AVAILING OF LEAVE FOR SUCH A LONG TIME AND NOT ATTENDED HIS DUTY FOR A SINGLE DAY.

statement for the relevant period.  
expenditure is already accepted by IDO (Principal) in the reconciled expenditure  
separation of expenditures involved is recommended from competent forum as  
the issue is final claim of fake signature by Principal is meaningless at this belated stage  
expenditure statement as admitted by Mr Zardul Khan in his partial statement, therefore

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Assisted ...  
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NO 7547 dated 23/4/2011

Forwarded in original to the AEO, Chandigarh for the  
leave without pay and 11/109 to 31/12/10. Subsequent to 31/12/10  
and further n/e please

13

1-5451-11845-21402-2011

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Vertical text on the right edge, possibly a stamp or reference.



FATA SECRETARIAT  
DIRECTORATE OF EDUCATION  
KHYBER RAHATUNNWA, WARSAK ROAD PESHAWAR, PAKISTAN  
PHONE: 091 9210166 FAX 091 9210216  
No. 15785-85  
Date Pesh: the 9 / 19 / 2013

(14)

To

The Agency Education Officer,  
Mohmand Agency

Subject: EX- PAKISTAN LAEVE WITH EFFECT FROM 10.09.2013 TO 10.12.2013 (03 MONTHS)

Memo:

I am directed to enclose herewith an application in respect of Mr. Salim Khan Lab: A GHSS, Ghallanai Mohmand Agency on the above noted subject & to ask you to deal with the case at your own level as being Agency Cadre case/ as per rules & policy in vogue, please.

Encl: (A.A)

Addl: Director (Estab)

Endst: No. \_\_\_\_\_ /

Copy to the:-

1. P.A to Director Education FATA.
2. Official Concerned.

9/19/13

Addl: Director (Estab)

AWESTED



FATA SECRETARIAT  
DIRECTORATE OF EDUCATION  
KHYBER PAKHTUNKHWA, WARSAK ROAD  
PESHAWAR, PAKISTAN  
PHONE. 091-9210166 FAX 091-9210216



G-12

15

### SANCTION OF EARNED LEAVE WITH OUT PAY

Under the provision of NWFP civil servants rules, 1981 sanction is hereby accorded to the grant of earned leave **WITH OUT PAY** with effect from **01.01.2014 to 31.12.2014** (365 Days) in respect of Mr. Salim Khan Lab: Attendent (BPS-02) GHSS, Ghallanai Mohmand Agency.

**Note:** - Necessary entries to this effect should be made in his service book & leave accounts proforma.

Director Education FATA

Endst: No. 389-93, 10/11/2014

Copy to the:-

1. Agency Education Officer, Mohmand Agency
2. Agency Accounts Officer Mohmand Agency.
3. Principal, GHSS, Ghallanai Mohmand Agency.
4. PA to Director Education FATA.
- ✓ 5. Official concerned.

*[Handwritten Signature]*

Deputy Director (F&A)

*[Handwritten Signature]*  
10/11

**ATTESTED**

*[Handwritten Signature]*

OFFICE OF THE PRINCIPAL,  
G.H.S.S. GHALLANAI M/AGENCY.  
No. \_\_\_\_\_ dated \_\_\_/\_\_\_/2014.

To

The Agency Education Officer,  
Mohmand Agency.


Subject:- RELIEVING CHIT IN R/O MR. SALEEM KHAN LAB: ATTENDANT GHSS GHALLANAI .

Memo:

It is submitted that Mr. Saleem Khan Lab Attendant GHSS Ghallanai is a fraudulent person and is habitual of not performing his duty punctually. His long leave of one year has expired on 01.01.2015. As he has committed a serious crime of drawing Rs. 178000/- illegally from the national treasury on bogus signature of under signed. The Additional Director (P&M) in a letter No. 8696-97 dated 09.07.2014 has directed your kind office to take necessary action against the above cited person under E&D Rules 2011. Similarly the Political Agent Mohmand Agency has also in letter No. 12073 dated 5.11.2014, directed to your office to take a stern action against the said person under E&D Rules 2011.

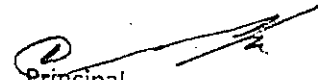
Moreover, the enquiry committee comprising of the Head Master GHS Ekka Ghund Mr. Sardar Hussain and Muhammad Ilyas Khan Principal GHS Pandialai, constituted by the AEO Mohmand Agency have proved the allegations against the said person as true and requested for his penalty and transfer.

Now it is therefore, brought in your kind notice that the under signed has no other option to relieve him from the school and is put at your disposal to adjust him somewhere else. And further requested to recover the above mentioned amount from the fraudulent Lab: Attendant.

  
Principal  
GHSS Ghallanai  
Mohmand Agency

Copy to:- No 1815 dated 14/01/2015

1. PA to Director Education FATA.
2. PA to Political Agent Mohmand Agency.
3. Account officer Mohmand Agency.
- ✓ 4. Lab: Attendant concerned.

  
Principal  
GHSS Ghallanai  
Mohmand Agency

**INTERESTED**

بخدمت جناب سیکرٹری صاحب ایجوکیشن فاٹا سیکرٹریٹ پشاور۔

اپیل برائے تنخواہ ادائیگی

جناب عالی!

مودبانہ گزارش ہے کہ سائل گورنمنٹ ہائر سیکنڈری سکول غلٹی (مہندراجنسی) میں لیب انڈنٹ کی پوسٹ پر اپنے خدمات سرانجام دے رہا ہوں۔ کہ پرنسپل ادریس اورولی محمد AEO مہند نے مل کر میرے خلاف محاذ کھڑا کر رکھا اور ذاتیات کی انتہا کر دی ہے یہ دونوں آپس میں رشتہ دار ہیں۔ علاوہ ازیں پرنسپل ادریس نے سائل کا ٹرانسفر / تبادلہ AEO آفس بذریعہ آفس چھٹی نمبر 1815 مورخہ 14/01/2015 کیا گیا ہے۔ جبکہ اس کے باوجود بھی سائل کو نہ پرنسپل اور نہ AEO اپنے ساتھ ایڈجسٹ کرتا ہے۔ اور نہ سائل کو اپنی تنخواہ دینے کیلئے تیار ہیں۔ اس سے بڑھ کر سائل کی تنخواہ جنوری 2015ء سے تاحال بند کر دی ہے جس پر میں نے اپیل گزاری ہے اور انکو آری آپ کے سیکریٹریٹ میں سیکشن آفیسر شمس کے پاس چل رہا ہے لیکن سائل کا 5/6 مہینے گزرنے کے بعد بھی کوئی فیصلہ نہیں ہوا ہے اور پرنسپل مذکورہ بھی ایک دفعہ اس انکو آری حاضر ہوا ہے سائل تنخواہ کے بغیر سائل کے گھر میں فاتوں کی نوبت آئی ہے اور اب رمضان کا مہینہ بھی شروع ہو گیا اور سائل کے گھر میں کھانے کیلئے کچھ نہیں ہے۔

AEO کہتا ہے کہ میرا کام نہیں ہے یہ پرنسپل کا کام ہے اور پرنسپل کہتا ہے کہ میں نے AEO کو رپورٹ کر دی ہے اس کے پاس جاؤ سائل کو AEO نے انکو آری کے دوران ہی Suspended کر دیا ہے جو کہ غیر قانون اور واقعات ہے۔ متعلقہ دونوں AEO اور پرنسپل سائل کلاس-IV پر ظلم ڈھا رہا ہے۔

جناب عالی سائل تقریباً 11 سال ملازمت ہے اور سائل کو سزا پرنسپل ادریس کو ہر ماہ میں تنخواہ سے اپنا حصہ مانگتا ہے جس پر سائل نے انکار کیا اور آج مجھ غریب پر انکو آری بنا دی گئی۔

لہذا آپ صاحبان گزارش ہے کہ میری تنخواہ جاری Release کرنے کے احکامات صادر فرمائیں۔ سائل اس نیکی کے بدلے بہت احسان مندر ہے گا اور سائل کے چھوٹے بچے آپ کی عمر درازی کیلئے ہمیشہ دعا گو رہے گا۔

مورخہ 17/06/2015

سائل آپ کے انصاف کا طلبگار

*Slim*

سلیم خان لیب انڈنٹ ہائر سیکنڈری سکول غلٹی مہندراجنسی۔

شناختی کارڈ نمبر 1-1184501-21402

موبائل نمبر 0346-9089325

ATTESTED

*[Signature]*



بخدمت جناب ایڈیشنل چیف سیکرٹری فانا،

خیبر پختونخواہ، پشاور

J  
18

عنوان:

شکایت برخلاف پرنسپل و متعلقہ کلرک زردول  
گورنمنٹ ہائیر سیکنڈری سکول غلٹی، مہمند ایجنسی

جناب عالی!

گزارش ہے کہ۔ اہل گورنمنٹ ہائیر سیکنڈری سکول غلٹی مہمند ایجنسی میں لیب اٹینڈنٹ کی پوسٹ پر کام کر رہا ہے، یہ کہ سائل کے والدین چند سال سے سخت بیماری میں مبتلا ہیں اور ان کے علاج کیلئے لوگوں سے کچھ رقم ادھار لی تھی، ان کے علاج کا ایک میڈیکل بل AEO اور موجودہ پرنسپل نے تصدیق (Verify) کیا تھا، اور ڈیمانڈ کیلئے ڈائریکٹر ایجوکیشن فانا کو بھیجا تھا، اور سال 2012-13 کیلئے میرے نام پر میڈیکل فنانس سے منظور بھی ہوا، اور ڈائریکٹر فانا نے پرنسپل کو لیٹر نمبر 9244 مورخہ 24/06/2013 بھیجا تھا، جو درخواست ہذا کے ساتھ لف ہے، مذکورہ بلا کو پرنسپل کے دستخط کیلئے پیش کیا مگر اس نے انکار کیا اور بشمول زردول کلرک نے رشوت کی غرض سے ٹال مٹول سے کام لیا، جس کی وجہ سے میرا میڈیکل بل جون میں پاس ہوا لیکن ان کے دستخط نہ ہونے کی وجہ سے Laps ہوا۔

یہ کہ سائل نے ماہ جنوری میں جنوری تا اپریل چھٹیوں کی درخواست مذکورہ پرنسپل کو گزاری جو کہ منظور ہو کر سائل کو ریکارڈ میں حاضر رکھا گیا اور سائل کی چار ماہ کی تنخواہ وصول کی گئی ہے اور سائل کو ادا نہیں کئے گئے۔

لہذا آپ صاحبان سے التماس ہے کہ مذکورہ پرنسپل بمعہ کلرک زردول کے خلاف قانونی کارروائی کرنے اور یہاں سے کسی دوسری ایجنسی میں ٹرانسفر کئے جانے کے احکامات صادر فرمائے جائیں، نیز یہ کہ میڈیکل بل کا بجٹ سائل کو دینے کے احکامات صادر فرمائے جائیں۔  
عین نوازش ہوگی۔

المرقوم: 02/07/2013

ارض

سائل

سلیم خان ولد نور علی لیب اٹینڈنٹ

گورنمنٹ ہائیر سیکنڈری سکول

غلٹی مہمند ایجنسی۔

RECEIVED

خدمت جناب سیکرٹری ایڈمنسٹریشن (اے آئی اینڈ سی ڈیپارٹمنٹ) فائنا سکیئر ٹریٹ پشاور  
اپیل برائے ادائیگی تنخواہ۔

جناب عالی

مودبانہ گزارش ہے کہ سائل گورنمنٹ ہائیر سیکنڈری سکول غلٹی (مہندراجنسی) میں لیب اسٹنٹ کی پوسٹ پر اپنے خدمات سرانجام دے رہا ہوں اور پرنسپل ادریس نے ذایات کی انتہا کر دی ہے علاوہ ازیں پرنسپل ادریس نے سائل کا Relieve لیٹر نمبر AEO آفس بذریعہ آفس چھٹی نمبر 1815 مورخہ 14-01-2015 کیا گیا ہے جبکہ اس کے باوجود بھی سائل کو نہ پرنسپل اور نہ AEO اپنے ساتھ ایڈ جسٹ کرتا ہے۔ اور نہ سائل کو اپنی تنخواہ دینے کیلئے تیار رہیں اور نہ اپنی جگہ پر ڈیوٹی کرنے دیتا ہے اور نہ ہی کسی دوسری جگہ پر تبدیل کر رہا ہے۔ اس سے بڑھ کر سائل کی تنخواہ جنوری 2015ء سے تاحال بند کر دی ہے سائل نے مورخہ 18-06-2015 پرائیڈنشل چیف سیکرٹری فاٹا، فائنا سکیئر ٹریٹ پشاور کو ایک اپیل کی تھی جس پر ایڈیشنل چیف سیکرٹری فاٹا نے یہ remarks لکھا تھا۔

(set out his salary issue) اس پر کسی نے کوئی عمل درآمد نہیں کیا تھا۔ سائل ابھی تک pending رکھا ہوا ہے۔ جس پر میں نے اپیل گزاری ہے لیکن سائل بہت عرصہ گزارنے کے بعد سائل کو نہ salary ملی اور نہ ڈیوٹی کے لئے جگہ ملی۔ AEO کہتا ہے کہ یہ میرا کام نہیں ہے یہ پرنسپل کا کام ہے اور پرنسپل کہتا ہے کہ میں نے تو تم کو Relieved کر دیا ہے۔

لہذا آپ صاحبان سے گزارش ہے کہ میری تنخواہ جاری Release کرنے اور سائل کو ڈیوٹی کے لئے اسٹیشن دیئے جانے کے احکامات صادر فرمائیں۔ سائل اس نیکی کے بدلے بہت احسان مند رہے گا اور سائل کے چھوٹے بچے آپ کی عمر درازی

کیلیے ہمیشہ دعا گو رہے گا۔  
- adjustment  
- salaries - 14 1/15 till date  
- med. bill.

مورخہ 10-01-2016

See file  
By Secy: A  
S.O.  
20-01-2016

العبد  
سائل آپ کے انصاف کا طلبگار

سلیم خان لیب اسٹنٹ ہائیر سیکنڈری سکول غلٹی مہندراجنسی

ATTESTED

# VAKALAT NAMA

20

NO. \_\_\_\_\_/20

IN THE COURT OF Service Tribunal, Peshawar

Saleem Khan

(Appellant)  
(Petitioner)  
(Plaintiff)

, VERSUS

Education Deptt. (FATA)

(Respondent)  
(Defendant)

I/We Saleem Khan

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated \_\_\_\_\_/20

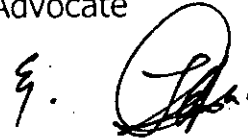


( CLIENT )

ACCEPTED



**M. ASIF YOUSAFZAI**  
Advocate



**TAIMUR ALI KHAN**  
Advocate

**M. ASIF YOUSAFZAI**  
Advocate High Court,  
Peshawar.

**OFFICE:**

Room No.1, Upper Floor,  
Islamia Club Building,  
Khyber Bazar Peshawar.  
Ph.091-2211391-  
0333-9103240

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

Service Appeal No. 579/2016

Bibi Sultania.....(Appellant)

**VERSUS**

The Secretary Health KPK Peshawar  
and others.....(Respondents)

**I N D E X**

<b>S.No</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Rejoinder		1-9
2.	Affidavit		10
3.	Copy of Notification of Finance Department	A	11-13
4.	Copy of letter dated 15/02/2016	B	14
5.	Copy of duty list	C	15-17
6.	Copy of pay slip on both instructors i.e. Dr. Shaima from Medical Manager and appellant	D & E	18-19
7.	Copy of affidavit for drawing salary	F	20
8.	Copy of endorsement order dated 06/05/2016		21
9.	Copy of advice letter dated 26/12/2016		22

Appellant

Through

Dated: 26/01/2017

**Mahboob Ali Khan Khilil**  
Advocate, High Court  
Peshawar.  
Cell No. 0333-9361987

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

Service Appeal No. 579/2016

Bibi Sultania.....(Appellant)

**VERSUS**

The Secretary Health KPK Peshawar  
and others.....(Respondents)

**REJOINDER ON BEHALF OF APPELLANT**

**Respectfully Sheweth:**

**Misleading and misconceived objection, have been raised for the sake of more objections only. The objections raised by the respondents are nothing but just to side the main issue.**

1. That appellant posted against the post of Nursing Instructor and not on the post of Medical Manager. It is correct that the post of Instructor is schedule post of Health Management Cadre but Nursing Instructor is schedule post of Nursing Cadre. Health

Department trying to deceive the Forum on "Instructor" and "Nursing Instructor" this fact has mention clearing in Para 4 of the comments.

- 2. Incorrect as mentioned in Para-1 above.
- 3. Incorrect, while correct as in Original Appeal.
- 4. Incorrect. Health Department recently abolished excluded the post of Principal BPS-20, BPS-18 and BPS-17 of Instructor for Medical Manager from the schedule of health Management Cadre from Public Health School, Hayatabad, Peshawar by Finance Department while the post of the appellant remain intake because the appellant is a Nursing Instructor. (Copy of Notification of Finance Department is attached as annexure "A").
- 5. It is incorrect. Due to political approach the transfer order of the appellant was passed, while in other hand the respondent No. 1 prior to the official Gazette regarding the qualification for appellant has admitted under the letter No. SOH-III/8-89/2015 dated 15/02/2016 it was officially published and

declare that the appellant is well qualified for the Teaching at Public Health School, Hayatabad. Further the respondent No. 1 had added that it is pertinent to mention that currently certain changes have been made in the service rules of Nurses, wherein the Masters in Public Health has been included, which was in that time under process and later on in the Official Gazette dated 10/05/2016 it was published. The nomenclature (annexed on page No. 33 of the Service Appeal) for the post in Serial No. 3, in which the criteria of the said post has been mentioned, thresh out the whole doubt and clear, the qualification of the appellant which she possess and now these rules are very much in field and fully support and favour the appellant. (Copy of letter dated 15/02/2016 is attached as annexure "B").

6. Incorrect, as the appellant possess the required qualification and experience and same has been endorsed by Health Department in its notification No. SOH-III/8-89/2015 dated 27/01/2016, wherein it has been declared that the post of the appellant instructor w.e.f 19/01/2016 already annexed on

Page-36 of the main service appeal, hence the ex-cadre has been set aside.

7. Incorrect. The respondents are inimical toward the appellant because in one year three time transfer orders passed against appellant and the appellant was too much mentally tortured by the respondent No. 3 and also struck off from her duty. (Copy of duty list is attached as annexure "C").

**ON GROUNDS:**

- A. Incorrect, the post of Nursing Instructor in Public Health School Hayatabad was created after June 2015, therefore the appellant was rightly adjusted/posted as per office order dated 31/07/2015 duly annexed on the page No. 36 of the main appeal, because of the very fact that appellant was drawing her salary for the post of Instructor of Management in Provincial Health Services Academy. The above adjustment was made by respondent No. 2. Moreover, the post of Nursing Instructor was created by the Finance Department on 01/07/2016, on the request of respondent No. 3. (Copy of pay slip on both



5

instructors i.e. Dr. Shaima from Medical Manager and appellant are attached as annexure "D" & "E").

B. Incorrect, the appellant was drawing her salary on the post of Instructor from June 2015 as mentioned in Para A.

C. Incorrect. Consequent upon creation of post of Nursing Instructor by the Finance Department w.c.f June 2015, respondent No. 2 posted the appellant as Nursing Instructor, PHS Hayatabad against the newly created post on 31/07/2016. When the appellant submitted her charge assumption report, the respondent No. 3 denied to accept the same. Consequently, respondent No. 1 re-notified the posting orders of the appellant as Nursing Instructor on 19/01/2016, (duly annexed on page 38 of the main service appeal). Which is still not implemented by the respondents No. 3. The malafide intention is very much clear under the later issued by the D.G Health for single employee i.e. Margaret Mahi upon which the respondent No. 2 relived not only the required employee Margaret Mahi but also the appellant was relived and transferred as per order

mentioned on Page No. 40, 41 and 43 of the main service appeal. After that respondents No. 2 and 3 issued an office order and directed the appellant to report to the Office of D.G.Health KPK Peshawar upon which, respondent No. 1 called explanation from respondents No. 2 and 3 upon issuance an office order for the reason that respondents No. 2 and 3 travelled beyond its jurisdiction and the same was not under their competency. (duly annexed on page 39 of the main service appeal). The appellant did not challenged the order dated 19/01/2016 issued by the respondents No. 2 and 3 as the same was cancelled by respondent No. 1. Upon receipt of response of explanation, respondent No. 1 issued another notification under political pressure and posted the appellant in Police Hospital instead of implementation of its earlier notification issued on 19/01/2016. (duly mention on Page No. 38 of service appeal).

- D. Incorrect, as narrated in Para-C above.
- E&F. Incorrect as narrated in Para-C above.

G. Incorrect, the respondent No. 3 has not entertained the notification dated 19/01/2016 (on Page No. 38 of main service appeal) whereby the appellant was transferred to Police Hospital against the post of Head Nurse issued by respondent No. 1. If he had entertained the notification issued on 19/01/2016, there was no reasons to knock the door of this Hon'ble Tribunal. Respondent No. 3 did not referred the appellant salary case to AG office till date. Now after passage of one year, the appellant was draw pay at her own risk and cost and submitted an affidavit to the AG Office for release of her salary. (Copy of affidavit for drawing salary is attached as annexure "F").

H. Incorrect. The post of Nursing Instructor, Public Health School, Hayatabad (from which the appellant has been transferred) is scheduled post which belongs to Nursing Cadre, as per Rules. (On page No. 56 of the comments).

I. Agreed. The Health Department was required to transfer the appellant against any other schedule

post instead of Head Nurse which is not scheduled post for the appellant.

In the Note, the notification of the Finance Department, Government of KPK Notification No. BOVI/FD/4-1/2014-15/Vol-VII dated 09/09/2016 is regarding the abolishing of post of instructor for WMO Medical Officer/ Manager which is a different cadre post of Medical Officer and not for the Nursing Instructor Post for appellant.

Currently stay order endorsed by the respondent No. 1 on 06/05/2016 under the letter No. SOH-III/8-89/2015 but still not implement by the respondent No. 3, rather the respondent No. 3 denied to honours the order of the respondent No. 1 under Letter No. 22878 dated 26/12/2016. The respondent No. 3 is responsible to obey the stay order rather through futile exercise deceiving the respondent No. 1 against the appellant.

It is, therefore, most humbly prayed that on acceptance of this rejoinder, the main appeal of the appellant may graciously be accepted, moreover the appellant was promoted to BPS-17 in year 2010 while the others were promoted in 2011 in BPS-17

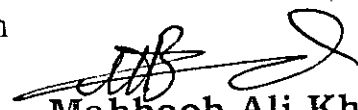
(9)

and now the juniors were promoted in BPS-18 who are too much juniors from the appellant while the appellant was ignored to promote in BPS-18 which is clear cut discrimination on the part of the respondents, hence need to be promoted and considered.

Appellant

Through

Dated: 26/01/2017

  
**Mahboob Ali Khan Khilil**  
Advocate, High Court  
Peshawar.

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

Service Appeal No. 579/2016

Bibi Sultania.....(Appellant)

**VERSUS**

The Secretary Health KPK Peshawar  
and others.....(Respondents)

**AFFIDAVIT**

I, **Mahboob Ali Khan Khalil** Advocate Peshawar, as per instructions of my client, do hereby solemnly affirm and declare that the contents of the **Rejoinder** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

  
**ADVOCATE**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

NO. BOVI/FD/4-1/2014-15/VOL-VII  
DATED PESHAWAR THE 09-09-2016

Annex-A

To

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

Subject: CREATION OF POSTS OF MEDICAL OFFICERS AND HEALTH MANAGERS.

Dear Sir,

I am directed to refer to your letter No. SOB/HD/3-1/General dated 02-08-2016 on the subject noted above and to intimate that in pursuance of approval accorded by the Chief Minister Khyber Pakhtunkhwa on a summary moved by Health Department; Finance Department agrees to creation of 226 posts, downgradation of 24 posts, conversion of 59 posts of Health Management Cadre; and abolishment of 51 posts of Management/General Cadre Doctors in the following health institutions during CFY 2016-17, subject to observance of all codal/legal formalities before making appointments/filling of the said posts:

• 1. CREATION OF POSTS OF MANAGEMENT CADRE

S.No.	DDO Code	Name of Institution	Designation	BPS	No. of posts
1	AD6132	DHO Abbottabad	Coordinator	18	1
2	AD7009	DHQ Abbottabad	Dy. Med. Supdt.	18	1
3	AD4154	PHS Abbottabad	Vice Principal	18	1
4	AD4414	PMI Abbotabad	Principial	19	1
5	AD6242	Havelian Abbottabad(Cat.-D Hospital )	Medical Supdt.	19	1
6	AD6242	Havelian Abbotabad (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
7	AD6134	Lora Abbotabad (Cat.-D Hosp.)	Medical Supdt.	19	1
8	AD6134	Lora Abbottabad (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
9	BM6011	DHO Battagram	Coordinator	18	1
10	BM7005	DHQ Battagram ©	Dy. Med. Supdt.	18	1
11	BM6013	Banna (Cat-D Hsp) Battagram	Medical Supdt.	19	1
12	BM6013	Banna (Cat.-D) Battagram	Dy. Med. Supdt.	18	1
13	BU6327	Kakki (Cat.-D Hosp.) Bannu	Dy. Med. Supdt.	18	1
14	BU6327	Janikhel (Cat.-D Hosp.) Bannu	Medical Supdt.	19	1
15	BU6327	Janikhel (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
16	BD6068	DHO Buner	Dy. DHO	19	1
17	BD7008	DHQ Buner (Cat.-B)	Dy. Med. Supdt.	18	2
18	BD6071	Pachkaly (Cat.-D) Buner	Medical Supdt.	19	1
19	BD6071	Pachkaly (Cat.-D) Buner	Dy. Med. Supdt.	18	1
20	PR4309	DG Health Services	Addl. DG	20	2
21	PR4309	DG Health Services	Director	19	4
22	PR4309	DG Health Services	Dy. Director	18	14
23	PR4331	PHSA Office Peshawar	Director	19	2
24	CA6112	DHO Charsadda	Coordinator	18	1
25	CA7005	DHQ Charsadda (A)	Dy. Med. Supdt.	19	1
26	CA6226	Shabqadar (Cat.-C Hosp.)	Medical Supdt.	19	1
27	CA6226	Shabqadar (Cat.-C) Charsadda	Dy. Med. Supdt.	18	2
28	CAG109	Tangi (Cat.-C) Charsadda	Medical Supdt.	19	1
29	CA6109	Tangi (Cat.-C.) Charsadda	Dy. Med. Supdt.	18	2
30	CA6115	Jamal Abad Charsadda (Cat.-D Hosp.)	Medical Supdt.	19	1
31	CA6115	Jamal Abad Charsadda (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
32	CL6020	DHO Chitral	Coordinator	18	1
33	CL7005	DHQ Chitral (Cat. B)	Dy. Med. Supdt.	18	2
34	CL6029	Boni Chitral (Cat.-D Hosp.)	Medical Supdt.	19	1
35	CL6029	Boni Chitral (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
36	CL6029	THQ Chitral Cat.D Drosh	Medical Supdt.	19	1
37	CL6029	THQ Chitral Cat.D Drosh	Dy. Med. Supdt.	18	1
38	DI4184	PMI D.I.Khan	Vice Principal	18	1
39	DI6128	THQ D.I.Khan Cat.D Kulachi	Medical Supdt.	19	1
40	DI6128	THQ D.I.Khan Cat.D Kulachi	Dy. Med. Supdt.	18	1
41	DI6128	Paharapur (Cat.-D Hosp.) D.I.Khan	Medical Supdt.	19	1
42	DI6128	Paharapur (Cat.-D Hosp.) D.I.Khan	Dy. Med. Supdt.	18	1

Sl. No.	Code	Name of Institution	Designation	BPS	No. of posts
43	DI6128	Paroa (Cat.-D Hosp.) D.I.K			
44	DI6128	Paroa (Cat.-D Hosp.) D.I.K	Medical Supdt.	19	1
45	DI6129	Civil Hospital Panyala D.I.K	Dy. Med. Supdt.	18	1
46	DI6129	Civil Hospital Panyala D.I.K	Medical Supdt.	19	1
47	DP6066	DHO Dir (Upper)	Dy. Med. Supdt.	18	1
48	DP7005	DHQ Dir (Upper) Cat-B	Dy. DHO	19	1
49	DP6133	Wari Dir (Upper) (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
50	DP6133	Wari Dir (Upper) (Cat.-D Hosp.)	Medical Supdt.	19	1
51	DP6117	Patrak Dir (Upper) Cat-D	Dy. Med. Supdt.	18	1
52	DP6117	Patrak Dir (Upper) Cat-D	Medical Supdt.	19	1
53	DP6134	Barawal Banda cat-D Dir Upper	Dy. Med. Supdt.	18	1
54	DP6134	Barawal Banda cat-D Dir Upper	Medical Supdt.	19	1
55	DA6120	DHO Dir (Lower)	Dy. Med. Supdt.	18	1
56	DA6129	Samarbagh Dir (Lower) (THQ Cat. C Hosp.)	Coordinator	18	1
57	DA6129	Samarbagh Dir (Lower) (THQ Cat. C Hosp.)	Medical Supdt.	19	1
58	DA6129	Chakdara Cat.C Dir Lower	Dy. Med. Supdt.	18	2
59	DA6129	Chakdara Cat.C Dir Lower	Medical Supdt.	19	1
60	DA6131	Mayar Dir (Lower) (Cat.-D Hosp.)	Dy. Med. Supdt.	18	2
61	DA6131	Mayar Dir (Lower) (Cat.-D Hosp.)	Medical Supdt.	19	1
62	DA6131	Lal Qila Dir (Lower) (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
63	DA6131	Lal Qila Dir (Lower) (Cat.-D Hosp.)	Medical Supdt.	19	1
64	DA6131	Munda Dir (Lower) (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
65	DA6131	Munda Dir (Lower) (Cat.-D Hosp.)	Medical Supdt.	19	1
66	DA6131	Ziarat Talash (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
67	DA6131	Ziarat Talash (Cat.-D Hosp.)	Medical Supdt.	19	1
68	HR6113	DHO Haripur	Dy. Med. Supdt.	18	1
69	HR7008	DHQ Haripur	Dy. DHO	19	1
70	HR6222	Khanpur (Cat.-D) Haripur	Dy. Med. Supdt.	18	1
71	HR6222	Khanpur (Cat.-D) Haripur	Medical Supdt.	19	1
72	HR6361	Seri Niamat Khan (Cat.-D) Haripur	Dy. Med. Supdt.	18	1
73	HR6361	Seri Niamat Khan (Cat.-D) Haripur	Medical Supdt.	19	1
74	HR6223	Ghazi (Cat.-D) Haripur	Dy. Med. Supdt.	18	1
75	HR6223	Ghazi (Cat.-D) Haripur	Medical Supdt.	19	1
76	HG6034	DHO Hangu	Dy. Med. Supdt.	18	1
77	HG7009	DHQ Hangu	Dy. DHO	19	1
78	HG7009	DHQ Hangu	Medical Supdt.	19	1
79	HG6035	Civil Hosp. Doaba (Cat.-D) Hangu	Dy. Med. Supdt.	18	2
80	HG6035	Civil Hosp. Doaba (Cat.-D) Hangu	Medical Supdt.	19	1
81	HG6035	Civil Hosp. Thall (Cat.-D) Hangu	Dy. Med. Supdt.	18	1
82	HG6035	Civil Hosp. Thall (Cat.-D) Hangu	Medical Supdt.	19	1
83	KK6103	DHO Karak	Dy. Med. Supdt.	18	1
84	KK7008	DHQ Karak (Cat. B)	Coordinator	18	1
85	KK6115	THQ Banda Daud Shah Karak @	Dy. Med. Supdt.	18	1
86	KK6115	THQ Banda Daud Shah Karak @	Medical Supdt.	19	1
87	KK6216	Women & Children Hosp. Karak	Dy. Med. Supdt.	18	2
88	KK6109	Takhte Nusrati (Cat.-D)Karak	Dy. Med. Supdt.	18	1
89	KK6109	Takhte Nusrati (Cat.-D)Karak	Medical Supdt.	19	1
90	KK6109	Latambar (Cat.-D) Karak	Dy. Med. Supdt.	18	2
91	KK6109	Latambar (Cat.-D) Karak	Medical Supdt.	19	1
92	KK6109	Sabir Abad (Cat.-D) Karak	Dy. Med. Supdt.	18	1
93	KK6109	Sabir Abad (Cat.-D) Karak	Medical Supdt.	19	1
94	KT7010	Women & Child. Hosp. Kohat	Dy. Med. Supdt.	18	1
95	KT7009	DHQ Hospital Kohat	Dy. Med. Supdt.	18	2
96	KT6095	Shakardara (Cat.-D) Kohat	Dy. Med. Supdt.	18	1
97	KT6095	Shakardara (Cat.-D) Kohat	Medical Supdt.	19	1
98	KT6095	Lachi (Cat.-D Hosp.) Kohat	Dy. Med. Supdt.	18	1
99	KT6095	Lachi (Cat.-D Hosp.) Kohat	Medical Supdt.	19	1
100	KD6020	DHO Kohistan	Dy. Med. Supdt.	18	1
101	LK6066	DHO Lakki	Coordinator	18	1
102	LK7007	DHQ Lakki	Dy. DHO	19	1
103	LK6076	City Hosp. Lakki (Cat.-C)	Dy. Med. Supdt.	18	2
104	LK6107	Civil Hosp. Tajori Lakki (Cat.-D Hosp.)	Dy. Med. Supdt.	18	2
105	LK6107	Civil Hosp. Tajori Lakki (Cat.-D Hosp.)	Medical Supdt.	19	1
106	LK6107	Civil Hosp. Titter Khel Lakki (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
107	LK6107	Civil Hosp. Titter Khel Lakki (Cat.-D Hosp.)	Medical Supdt.	19	1

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S.No.	DDO Code	Name of Institution	Designation	BPS	No. of posts
108	MD6085	DHO Malakand	Coordinator	18	1
109	MD6092	THQ Malakand (Cat.C) dargai	Medical Supdt.	19	1
110	MD6092	THQ Malakand (Cat.C) dargai	Dy. Med. Supdt.	18	2
111	MD6087	Agra (Cat.-D) Malakand	Medical Supdt.	19	1
112	MD6087	Agra (Cat.-D) Malakand	Dy. Med. Supdt.	18	1
113	MD6087	Thana (Cat.-D) Malakand	Medical Supdt.	19	1
114	MD6087	Thana (Cat.-D) Malakand	Dy. Med. Supdt.	18	1
115	MD6087	Totakan (Cat.-D) Malakand	Medical Supdt.	19	1
116	MD6087	Totakan (Cat.-D) Malakand	Dy. Med. Supdt.	18	1
117	MR6326	THQ Takhtbhai Mardan	Dy. Med. Supdt.	18	1
118	MR6170	Rustam Mardan (Cat.-D)	Medical Supdt.	19	1
119	MR6170	Rustam Mardan (Cat.-D)	Dy. Med. Supdt.	18	1
120	MR6170	Shahbaz Garhi Mardan (Cat.-D)	Medical Supdt.	19	1
121	MR6170	Shahbaz Garhi Mardan (Cat.-D)	Dy. Med. Supdt.	18	1
122	MR6170	Toru Mardan (Cat.-D)	Medical Supdt.	19	1
123	MR6170	Toru Mardan (Cat.-D)	Dy. Med. Supdt.	18	1
124	MR6170	Katlang Mardan (Cat.-D) Mardan	Dy. Med. Supdt.	19	1
125	MR6170	Katlang Mardan (Cat.-D) Mardan	Dy. Med. Supdt.	18	1
126	MA4198	Mental Hospital Mansehra	Dy. Med. Supdt.	18	1
127	MA7010	DHQ Mansehra	Dy. Med. Supdt.	18	1
128	MA6151	Garhi Habibullah (Cat.-D) Mansehra	Medical Supdt.	19	1
129	MA6151	Garhi Habibullah (Cat.-D) Mansehra	Dy. Med. Supdt.	18	1
130	MA6150	THQ Balakot Mansehra	Medical Supdt.	19	1
131	MA6150	THQ Balakot Mansehra	Dy. Med. Supdt.	18	1
132	MA6151	Baffa Mansehra(Cat.-D)	Medical Supdt.	19	1
133	MA6151	Baffa Mansehra(Cat.-D)	Dy. Med. Supdt.	18	1
134	MA6151	Cat.D Hospt Oghi Mansehra	Medical Supdt.	19	1
135	MA6151	Cat.D Hospt Oghi Mansehra	Dy. Med. Supdt.	18	1
136	NR6114	DHO Nowshera	Dy. DHO	19	1
137	NR6195	Mian Rashid Hussain Hosp. Nowshera	Dy. Med. Supdt.	18	2
138	NR6119	Akora Khattak Nowshera (Cat.-D Hosp.)	Medical Supdt.	19	1
139	NR6119	Akora Khattak Nowshera (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
140	PR4334	Naseerullah Babar Hospital Peshawar (Cat. B)	Dy. Med. Supdt.	18	2
141	PW6160	Sifwat Ghayur Hosp. Peshawar	Dy. Med. Supdt.	18	2
142	PR4328	Services Hosp. Peshawar	Dy. Med. Supdt.	18	1
143	PW6155	Badaber Peshawar (Cat.-D Hosp.)	Medical Supdt.	19	1
144	PW6155	Badaber Peshawar (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
145	PW6155	Gara Tajik Peshawar (Cat.-D Hosp.)	Medical Supdt.	19	1
146	PW6155	Gara Tajik Peshawar (Cat.-D Hosp.)	Dy. Med. Supdt.	18	1
147	PW6155	Civil Hosp. Matani	Medical Supdt.	19	1
148	PW6155	Civil Hosp. Matani	Dy. Med. Supdt.	18	1
149	PW6155	Nahaqi Peshawar (Cat.-D Hosp.)	Medical Supdt.	19	1
150	PW6155	Nahaqi Peshawar (Cat.-D Hosp.)	Dy. Med. Supdt.	18	2
151	PW6159	Maternity Hosp. Peshawar	Medical Supdt.	19	1
152	PW6159	Maternity Hosp. Peshawar	Dy. Med. Supdt.	18	1
153	PR4902	PHS (T&R) Nishtarabad Pesh.	Vice Principal	18	1
154	SH6068	DHO Shangla	Dy. DHO	19	1
155	SH7008	DHQ Shangla Cat. B	Dy. Med. Supdt.	18	2
156	SH6063	THQ Bisham Shangla	Medical Supdt.	19	1
157	SH6063	THQ Bisham Shangla	Dy. Med. Supdt.	18	1
158	SH6063	THQ Pooran singh Shangla	Medical Supdt.	19	1
159	SH6063	THQ Pooran singh Shangla	Dy. Med. Supdt.	18	2
160	SU6196	DHO Swabi	Coordinator	18	1
161	SU6274	THQ Lahor Swabi	Dy. Med. Supdt.	18	2
162	SU6195	Civil Hosp. Kalu Khan Swabi	Medical Supdt.	19	1
163	SU6195	Civil Hosp. Kalu Khan Swabi	Dy. Med. Supdt.	18	1
164	SU7005	DHQ Hospital Swabi	Dy. Med. Supdt.	18	1
165	SU6145	Cat.D Hospt Topi Swabi	Medical Supdt.	19	1
166	SU6145	Cat.D Hospt Topi Swabi	Dy. Med. Supdt.	18	1
167	SW6199	DHO Swat	Coordinator	18	1
168	SW4341	Saidu Teaching Hosp. Swat	Dy. Med. Supdt.	18	4
169	SW6201	THQ Matta Swat	Dy. Med. Supdt.	18	2
170	SW6202	Civil Hosp. Kalam Swat	Medical Supdt.	19	1
171	SW6202	Civil Hosp. Kalam Swat	Dy. Med. Supdt.	18	1

*M. R. Khan*

S.No.	DDO Code	Name of Institution	Designation	BPS	No. of posts
172	SW6202	Civil Hosp. Kabal Swat			
173	SW6202	Civil Hosp. Kabal Swat	Medical Supdt.	19	1
174	SW6202	Civil Hosp. Madyan Swat	Dy. Med. Supdt.	18	1
175	SW6202	Civil Hosp. Madyan Swat	Medical Supdt.	19	1
176	SW6202	Civil Hosp. Barikot Swat	Dy. Med. Supdt.	18	1
177	SW6202	Civil Hosp. Barikot Swat	Medical Supdt.	19	1
178	TK6039	DHO Tank	Dy. Med. Supdt.	18	1
179	KT6041	Amakhel Tank (Cat.-D)	Coordinator	18	1
180	KT6041	Amakhel Tank (Cat.-D)	Medical Supdt.	19	1
181	KT6007	DHO Torghar	Dy. Med. Supdt.	18	1
182	KT6007	DHO Torghar	Dy. DHO	19	1
			Coordinator	18	3
			Total		226

**2. ABOLISHMENT OF POSTS OF MANAGEMENT/GENERAL CADRE DOCTOR**

S#	Name of Institution	Designation	BPS	No. of Posts
1	TBC Abbottabad	Distt. TB Control Officer	19	1
2	PHS Abbottabad	Instructor	17	1
3	PMI Abbottabad	Instructor	17	4
4	DHDC Abbottabad	Women Med. Officer	17	1
5	DHDC Abbottabad	Medical Officer	17	1
6	TBC Battagram	Distt. TB Control Officer	18	1
7	TBC Bannu	Distt. TB Control Officer	18	1
8	DHDC Bannu	Women Med. Officer	17	1
9	DHDC Bannu	Medical Officer	17	1
10	Buner TBC	Distt. TB Control Officer	18	1
11	PHSA	Instructor	17	3
12	DHO Charsadda	Distt. TB Control Officer	18	1
13	TBC Chitral	Distt. TB Control Officer	19	1
14	DHDC Chitral	Women Med. Officer	17	1
15	DHDC Chitral	Medical Officer	18	1
16	TBC D.I.Khan	Distt. TB Control Officer	19	1
17	PHS D.I.Khan	Instructor	17	1
18	PMI D.I.Khan	Sr. Instructor	19	1
19	PMI D.I.Khan	Instructor	17	3
20	TBC Dir (Upper)	Distt. TB Control Officer	18	1
21	TBC Dir (Lower)	Distt. TB Control Officer	18	1
22	TBC Haripur	Distt. TB Control Officer	19	1
23	TBC Hangu	Distt. TB Control Officer	18	1
24	TBC Karak	Distt. TB Control Officer	18	1
25	TBC Kohat	Distt. TB Control Officer	18	1
26	TBC Kohistan	Distt. TB Control Officer	18	1
27	DHO Lakki	Distt. TB Control Officer	18	1
28	TBC Malakand	Distt. TB Control Officer	18	1
29	TBC Mardan	Distt. TB Control Officer	19	1
30	DHDC Mardan	Women Med. Officer	17	1
31	DHDC Mardan	Medical Officer	17	1
32	TBC Mansehra	Distt. TB Control Officer	19	1
33	TBC Nowshera	Distt. TB Control Officer	18	1
34	TBC Peshawar	Distt. TB Control Officer	19	1
35	PHS Hayatabad	Instructor	17	1
36	PHS Hayatabad	Instructor	18	1
37	TBC Shangla	Distt. TB Control Officer	18	1
38	TBC Swabi	Distt. TB Control Officer	18	1
39	TBC Swat	Distt. TB Control Officer	18	1
40	PMI Swat	Instructor	19	1
41	PMI Swat	Instructor	17	1
42	DHDC Swat	Women Med. Officer	17	1
43	DHDC Swat	Medical Officer	17	1
44	TBC Tank	Distt. TB Control Officer	18	1
	Total			51

*MS/2014*

3. DOWNGRADATION OF POSTS OF MANAGEMENT CADRE

S#	Name of Institution	Designation	Existing BPS	No. of Posts	FD Downgraded BPS
1	DHQ Abbottabad	Medical Supdt.			
2	DHQ Abbottabad	Dy. Medical Supdt.	20	1	19
3	PHS Abbottabad	Principal	19	1	18
4	DHO Bannu	Coordinator	20	1	19
5	DHO Buner	Coordinator	19	1	18
6	DHO D.I.Khan	Coordinator	19	1	18
7	PHS D.I.Khan	from Instructor to Vice Principal	19	1	18
8	DHO Haripur	Coordinator	19	1	18
9	DHQ Haripur (B)	Dy. Medical Supdt.	19	1	18
10	DHO Hangu	Coordinator	19	1	18
11	DHO Karak	Coordinator	19	1	18
12	DHO Kohat	Coordinator	19	1	18
13	DHO Lakki	Coordinator	19	1	18
14	Sarai Naurang Lakki (Cat.-C Hosp.)	from MS to DMS	19	1	18
15	DHO Mardan	Coordinator	19	1	18
16	DHO Nowshera	Coordinator	19	1	18
17	DHO Peshawar	Coordinator	19	1	18
18	Maseerullah Babar Hosp. Pesh.	Medical Supdt.	19	1	18
19	Mental Hosp. Peshawar	Medical Supdt.	20	1	19
20	Moulvi Ameer Shah Hosp. Pesh. ©	Medical Supdt.	20	1	19
21	PHS Hayatabad Pesh.	Principal	20	1	19
22	DHO Swat	Coordinator	20	1	19
23	Saidu Teaching Hosp. Swat	Dy. Medical Supdt.	19	1	18
	Total		19	2	18
				24	

4. CONVERSION OF POSTS OF MANAGEMENT CADRE

S#	Name of Institution	Existing Designation	BPS	No. of Posts	Re-designation/ conversion
1.	DHQ Abbottabad	Dy. Director Admn.	18	1	Dy. Medical Supdt.
2.	DHDC Abbottabad	Vice Principal	19	1	Dy. Director
3.	DHQ Battagram	Dy. Director Admn.	18	1	Dy. Medical Supdt.
4.	DHDC Bannu	Vice Principal	19	1	Dy. Director
5.	DHQ Buner	Dy. Director Admn.	18	1	Dy. Medical Supdt.
6.	DG Health Services	Director Health	20	1	Additional DG
7.	DG Health Services	Director (Admn.)	20	1	
8.	DG Health Services	Dy. Director Public	19	1	Director
9.	DG Health Services	Dy. Director (EPI)	19	1	
10.	DG Health Services	Dy. Director (RH)	19	1	
11.	DG Health Services	Dy. Director (Admn.)	19	1	
12.	DG Health Services	Dy. Director (Personal)	19	1	
13.	DG Health Services	Assistant Director (PH)	17	2	Deputy Director B-18
14.	DG Health Services	Assistant Director (PH)	17	1	
15.	DG Health Services	Assistant Director (EPI)	17	2	
16.	DG Health Services	Assistant Director (RH)	17	2	
17.	DG Health Services	Assistant Director (Admn.)	17	1	
18.	DG Health Services	Assistant Director (Admn.)	17	1	
19.	DG Health Services	Assistant Director (Personal)	17	4	
20.	DG Health Services	Assistant Director (Admn.)	17	1	
21.	DG Health Services	Training Coordinator	17	1	Director General
22.	PHSA	Director	20	1	
23.	PHSA	Dy. Dir. Management	19	1	
24.	PHSA	Course Dir. PHCKDC	19	1	Director
25.	PHSA	Course Dir. Management	19	1	
26.	PHSA	Dy. Director M&R	19	1	
27.	PHSA	Course Dir. MCH	18	1	Deputy Director
28.	PHSA	Epidemiologist	18	1	
29.	DHQ Charsadda	Dy. Dir. Admn.	18	1	Dy. Medical Supdt.
30.	DHQ Chitral	Dy. Dir. Admn.	18	1	Dy. Medical Supdt.
31.	DHDC Chitral	Vice Principal	19	1	Dy. Director
32.	PMI D.I.Khan	Vice Principal	19	1	Principal

*M. S. Khan*

S#	Name of Institution	Existing Designation	BPS	No. of Posts	Re-designation/ conversion <sup>1</sup>
33.	DHQ Dir (Upper)	Dy. Dir. Admn.	18	1	Dy. Medical Supdt.
34.	DHO Dir Lower	Dy. Dir. Admn.	18	1	Dy. Medical Supdt.
35.	DHQ Haripur	Dy. Dir. Admn.	18	1	Dy. Medical Supdt.
36.	DHQ Karak	Dy. Dir. Admn.	18	1	Dy. Medical Supdt.
37.	DHO Kohat	Coordinator	19	1	Dy. Medical Supdt.
38.	DHQ Kohat	Hospital Doctor	20	1	Dy. Distt. Health Officer
39.	DHQ Kohat	Dy. Dir. Admn.	18	1	Medical Superintendent
40.	DHQ Lakki	Dy. Dir. Admn.	18	1	Dy. Medical Supdt.
41.	DHQ Malakand	Dy. Dir. Admn.	18	1	Dy. Medical Supdt.
42.	DHQ Mardan	Dy. Dir. Admn.	18	1	Dy. Medical Supdt.
43.	DHDC Mardan	Vice Principal	19	1	Dy. Medical Supdt.
44.	DHQ Mansehra	Dy. Dir. Admn.	18	1	Dy. Director
45.	PHS Hayatabad Pesh	Instructor	18	1	Dy. Medical Supdt.
46.	PGPMI LRH Pesh.	Sr. Instructor	18	1	Vice Principal
47.	DHQ Shangla	Dy. Dir. Admn.	19	1	Principal BS-20
48.	Saidu Teach. Hosp.	Director	18	1	Dy. Med. Supdt.
49.	Saidu Teach. Hosp.	Director Admn.	20	1	Medical Superintendent already converted
50.	PMI Swat	Instructor	19	1	Dy. Med. Supdt.
51.	DHDC Swat	Vice Principal	18	1	Vice Principal
52.	DHQ Tank	Dy. Dir. Admn.	19	1	Dy. Director
53.	Maternity Hospital Peshawar	DMS (Female)	18	1	Dy. Med. Supdt.
54.	Public Health School Nishtarabad	Principal PHS (Trg & Research) Peshawar	0	0	Principal PHS Nishtarabad Peshawar
55.	DHO Swat	Dy. DHO Tehsil Swat	0	0	Dy. DHO Swat
	Total			59	

2- The expenditure involved therein will be met out from the sanctioned budget grant of the provincial institution concerned and through Account-IV of the district concerned during current financial year 2016-17.

3- It is pertinent to mention that upgradation of posts of Health Management Cadre will be notified separately.

Yours faithfully,

*Mufarrah Shah*  
(MUFARRIH SHAH)  
Budget Officer-VI

Ends of even & date:

- 1 Accountant General Khyber Pakhtunkhwa Peshawar.
- 2 Director General Health Services, Khyber Pakhtunkhwa.
- 3 All Medical Superintendents, Khyber Pakhtunkhwa.
- 4 All District Health Officers, Khyber Pakhtunkhwa.
- 5 All District Accounts Officers concerned.
- 6 Director FMU, Finance Department.
- 7 Assistant Director HR, Finance Department.
- 8 Master file/concerned files.

*Mufarrah Shah*  
Budget Officer-VI



14

GOVT. OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT  
No. SOH-III/8-89/2015(Bibi Sultania)  
Dated the Peshawar 15<sup>th</sup> February, 2016

To.

The Secretary,  
Provincial Inspection Team,  
Khyber Pakhtunkhwa.

SUBJECT: INQUIRY INTO APPLICATION OF MST. BIBI SULTANIA FOR  
RELEASE OF HER SALARY.

I am directed to refer to your letter No. 8259/INSP/05/PIT/2016 dated: 04-02-2016 on the subject noted above and to state that Mst. Bibi Sultania Head Nurse BS-17 has been adjusted against the vacant post of Instructor BS-17 (without changing her cadre) as the Health Department is short of Nursing Instructors.

Moreover, the rules & regulations laid down by Pakistan Nursing Council (PNC) are specifically related to Nursing School while the said official has been adjusted in the Public Health School not Nursing School.

There are no specific rules regarding posting of Instructor in Public Health School where LHV's are being trained.

It is further added that the above cited official is having Masters in Public Health (MPH) implying that she is well qualified for teaching at the Public Health School.

It is pertinent to mention that currently certain changes have been made in the service rules of Nurses wherein the Masters in Public Health has been included as a pre-requisite qualification (which is under process) in Health Department.

Endst: of even no & date.

Copy forwarded to:-

PS to Secretary Health, Khyber Pakhtunkhwa.

(Muhammad Tariq)  
Section Officer-III

Section Officer-III

15

TIME TABLE CMW STUDENTS (SESSION 2016-17)  
PUBLIC HEALTH SCHOOL HAYATABAD PESHAWAR

Days Time	8:00- 8:30	8:30- 9:30	9:30- 10:30	10:30 - 11:30	11:30 - 12:00	12:00 - 01:00	01:00 - 2:00
Monday	<b>Assembly</b>	Ms. Shamim	Ms. Razia	Ms. Rehmat	<b>Break</b>	Ms. Gulshan	Ms. Shamim
Tuesday		Ms. Shamim	Dr. Shaima	Ms. Razia		Ms. Shamim	Ms. Gulshan
Wednesday		Ms. Shamim	Dr. Shaima	Ms. Razia		Ms. Rehmat	Ms. Gulshan
Thursday		Ms. Shamim	Ms. Razia	Ms. Gulshan		Ms. Rehmat	Ms. Razia
Friday		Ms. Razia	Ms. Shamim	Ms. Rehmat		CLOSED	CLOSED
Saturday		Ms. Shamim	Dr. Shaima	Ms. Gulshan		Ms. Razia	Ms. Shamim

Class Teacher

Ms. Razia

*[Handwritten Signature]*  
24/10

16

TIME TABLE LHV 1<sup>st</sup> YEAR STUDENTS (SESSION 2016-18)  
PUBLIC HEALTH SCHOOL HAYATABAD PESHAWAR

Days Time	8:00- 8:30	8:30- 9:30	9:30- 10:30	10:30 - 11:30	11:30 - 12:00	12:00 - 01:00	01:00 - 2:00
Monday	Assembly	English	Ms. Gulshan	Dr. Safia	Break	Dr. Shaima	Ms. Rehmat
Tuesday		English	Ms. Gulshan	Dr. Safia		Dr. Shaima	Ms. Rehmat
Wednesday		English	Ms. Gulshan	Dr. Shaima		Dr. Safia	Ms. Rehmat
Thursday		English	Ms. Gulshan	Dr. Safia		Dr. Shaima	Ms. Rehmat
Friday		English	Ms. Gulshan	Dr. Shaima		CLOSED	CLOSED
Saturday		English	Ms. Gulshan	Dr. Safia		Dr. Shaima	Ms. Rehmat

Class Teacher

Ms. Rehmat

*[Handwritten Signature]*  
24/10

17

TIME TABLE LHV 2<sup>nd</sup> YEAR STUDENTS (SESSION 2016-18)  
PUBLIC HEALTH SCHOOL HAYATABAD PESHAWAR

Days Time	8:00- 8:30	8:30- 9:30	9:30- 10:30	10:30 - 11:30	11:30 - 12:00	12:00 - 01:00	01:00 - 2:00
Monday	<b>Assembly</b>	Ms. Rehmat	English	Dr. Shaima	<b>Break</b>	Dr. Safia	Ms. Gulshan
Tuesday		Ms. Rehmat	English	Dr. Shaima		Ms. Gulshan	Dr. Safia
Wednesday		Ms. Gulshan	English	Dr. Safia		Dr. Shaima	Ms. Rehmat
Thursday		Ms. Rehmat	English	Dr. Shaima		Dr. Safia	Ms. Gulshan
Friday		Ms. Rehmat	English	Dr. Safia		CLOSED	CLOSED
Saturday		Ms. Rehmat	English	Dr. Shaima		Dr. Safia	Ms. Gulshan

Class Teacher      Ms. Gulshan

*[Handwritten Signature]*  
24/10/2016



1521 Grant Allowance 75	5,350.00
1522 Grant Allowance 75	5,350.00
1527 Grant Allowance	1,000.00
1547 Medical Allow 15% (1)	2,811.00
1548 Adhoc Allowance 2013	2,000.00
1721 Health Professional	15,000.00
2147 15% Adhoc Relief All	1,380.00
2148 Adhoc Relief Allou s	900.00
2211 Adhoc Relief All 201	4,474.00
2211 Adj Conveyance Allow	50,000.00
2212 Adjustment Medical &	24,010.00
2213 Adj Dress/Uniform Al	21,000.00
2225 Adj Hous Allowance	65,000.00
2227 Adj 15% Adhoc Allou	30,720.00
2228 Adj Basic Pay	387,530.00
2229 Adj Adhoc Allowance	64,050.00
2225 Adj Health Prof. All	55,000.00
2228 Adj Adhoc Relief All	17,220.00
2224 Adj Adhoc Relief All	25,341.00
2225 Adj Adhoc Relief All	13,422.00

3017 GPF Subscription - Rs	2,870.00-
3501 Benevolent Fund	2,500.00-
3508 GPF Group Insurance	2,300.00-
3075 GPF	28,990.00-
3145 Adj Adol Group Insur	200.00-
3501 Benevolent Fund	250.00-
3509 Income Tax	9,767.00-

GPF: 2500011377  
INCOME TAX 87,896.55

9,767.00

71,378.00  
79,130.00

PAYMENTS  
Branch Code: 250365  
398,119.00  
PDA Complex Hajotabad

DEDUCTIONS  
ALLIED BANK LIMITED  
46,945.00-  
PDA Complex Hajotabad

NET PAY  
Peshawar  
791,174.00 01.10.2016 31.10.2016  
Acct. No: 84149

GHANESH DH. SHAINA MALIK  
P A Y M E N T S

CNIC: 1730112074214  
Design: INSTRUCTOR  
AMOUNT DEDUCTIONS AMOUNT

(00215492) Grade: 17 HTS.  
LEARN/FUND

Booklet No.:  
PRINCIPAL  
Gazetted/Non-Gazetted: 6  
REPAID BALANCE

0001 Basic Pay	31,290.00
1501 House Rent Allowance	4,413.00
1721 Convey Allowance 70	5,000.00
1520 Hous - Practicing All	3,000.00
1547 Medical Allow 15% (1)	1,477.00
1548 Adhoc Allowance 2010	4,925.00
1721 Health Professional	42,000.00
2148 15% Adhoc Relief All	920.00
2149 Adhoc Relief Allou s	634.00
2211 Adhoc Relief All 201	3,123.00

3017 GPF Subscription - Rs	3,579.00-
3501 Benevolent Fund	250.00-
4004 R. Benefits & Debt C	900.00-
3509 Income Tax	4,633.00-

GPF:  
INCOME TAX 55,590.36

18,592.00

152,301.00  
37,059.94

PAYMENTS  
Branch Code: 226404  
94,742.00  
University Campus, Peshawar.

DEDUCTIONS  
ARAB BANK LIMITED  
9,352.00-  
University Campus, Peshawar.

NET PAY  
PESHAWAR  
87,390.00 01.10.2016 31.10.2016  
Acct. No: 0494700908005

US406219 ASIB ANNYAN HASSAN  
P A Y M E N T S

CNIC: 1730162746825  
Design: COMPUTER OPERATOR  
AMOUNT DEDUCTIONS AMOUNT

(00442652) Grade: 16 HTS.  
LEARN/FUND

Booklet No.:  
PRINCIPAL  
Gazetted/Non-Gazetted: 1  
REPAID BALANCE

0001 Basic Pay	18,440.00
1710 Convey Allowance 70	5,000.00
1500 Computer Allowance	750.00
1547 Medical Allow 15% (1)	1,500.00
1548 Adhoc Allowance 2010	2,642.00
2145 15% Adhoc Relief All	550.00
2149 Adhoc Relief Allou s	373.00
2211 Adhoc Relief All 201	1,844.00
2211 Adj Conveyance Allow	207.00
2228 Adj Basic Pay	2,692.00
2225 Adj Adhoc Relief All	276.00

4004 R. Benefits & Debt C	650.00-
3016 GPF Subscription - Rs	2,804.00-
3501 Benevolent Fund	250.00-
3520 House Rent Deduction	922.00-

GPF: 406258

126,574.00

PAYMENTS  
Branch Code: 098064  
34,275.00  
PESHAWAR CITY

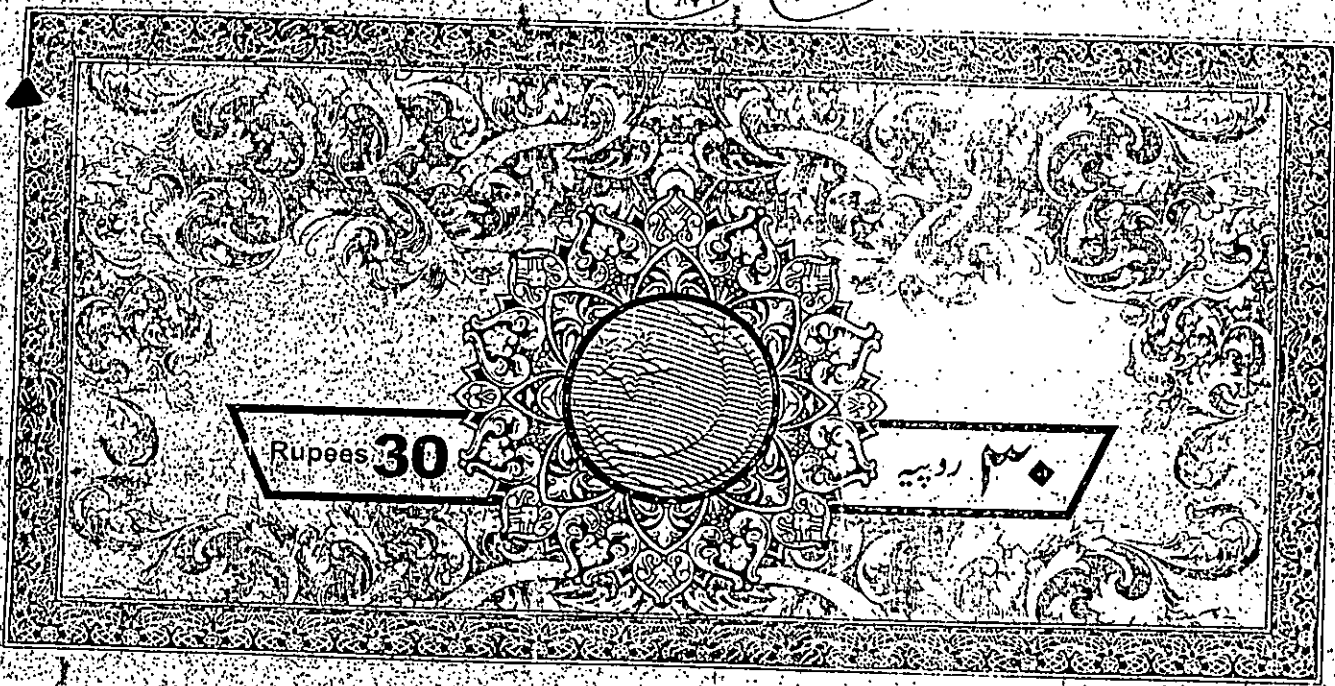
DEDUCTIONS  
PAYMENT THROUGH BANK  
4,628.00-  
PESHAWAR CITY

NET PAY  
PESHAWAR  
29,647.00 01.10.2016 31.10.2016  
Acct. No: 01899039

408667 SHAIKHA NIRMAL PAYMENTS		CHIC: 15-3169911982	Design: INSTRUCTOR	(50448645)	Grade: 17 NTH	Buckle No.:	Gazette/Non-Gazette:
AMOUNT	DEDUCTIONS	AMOUNT	AMOUNT	LOAN/FUND	PRINCIPAL	PAID	BALANCE
81 Basic Pay	46,470.00	3017 GPF Subscription - Rs	2,878.00-			SPF: 5006121877	
18 Convey Allowance 21	5,000.00	3503 Benevolent Fund	250.00-			INCOME TAX 51,902.77	24,587.00
19 House Rent Allow	2,100.00	3000 Income Tax	10,053.00-				
93 House Allowance	6,500.00						
40 Medical Allow 15% (1	2,481.00						
42 Adhoc Allowance 2018	3,485.00						
60 Health Professional	10,000.00						
40 15% Adhoc Relief All	1,280.00						
49 Adhoc Relief Allow 8	304.00						
41 Adhoc Relief All 201	4,537.00						
<b>PAYMENTS</b>	<b>85,929.00</b>	<b>DEDUCTIONS</b>	<b>13,201.00-</b>			<b>NET PAY</b>	<b>72,728.00</b>
Bank Code: 250865	FDA Complex Hayatabad	ALLIED BANK LIMITED	FDA Complex Hayatabad			Peshawar	01.12.2016 31.12.2016 Acct. No: 84149

408667 DR. SHAIKH MALIK PAYMENTS		CHIC: 2130112874214	Design: INSTRUCTOR	(50215492)	Grade: 17 NTH	Buckle No.:	Gazette/Non-Gazette:
AMOUNT	DEDUCTIONS	AMOUNT	AMOUNT	LOAN/FUND	PRINCIPAL	PAID	BALANCE
81 Basic Pay	32,160.00	3017 GPF Subscription - Rs	3,579.00-			SPF:	
101 House Rent Allowance	4,411.00	3501 Benevolent Fund	250.00-			INCOME TAX 57,076.44	16,019.00
210 Convey Allowance 20	5,000.00	4004 R. Benefits & Death C	900.00-				157,699.00
130 Hrs - Practicing All	3,000.00	3009 Income Tax	4,845.00-				29,664.94
447 Medical Allow 15% (1	1,477.00						
448 Adhoc Allowance 2018	4,925.00						
401 Health Professional	42,000.00						
40 15% Adhoc Relief All	920.00						
49 Adhoc Relief Allow 8	434.00						
41 Adhoc Relief All 201	3,316.00						
<b>PAYMENTS</b>	<b>98,865.00</b>	<b>DEDUCTIONS</b>	<b>9,574.00-</b>			<b>NET PAY</b>	<b>89,291.00</b>
Bank Code: 228094	University Campus, Peshawar.	HABIB BANK LIMITED	University Campus, Peshawar.			PESHAWAR	01.12.2016 31.12.2016 Acct. No: 0984700092055

4466259 ABOU AKHTAR HASSAN PAYMENTS		CHIC: 1750182746825	Design: COMPUTER OPERATOR	(00448652)	Grade: 14 NTH	Buckle No.:	Gazette/Non-Gazette:
AMOUNT	DEDUCTIONS	AMOUNT	AMOUNT	LOAN/FUND	PRINCIPAL	PAID	BALANCE
81 Basic Pay	21,000.00	3015 GPF Subscription - Rs	2,863.00-			SPF: 406259	
210 Convey Allowance 20	5,000.00	3501 Benevolent Fund	250.00-				132,186.00
300 Computer Allowance	750.00	3620 House Rent Deduction	1,050.00-				



**BEFORE THE ACCOUNTANT GENERAL KPK PESHAWAR**  
**AFFIDAVIT**

I Bibi Sulatania W/o Mehbub Ali Khan R/o Street-3/ C-1 House No.178 Phase 5 Hayatabad Peshawar Do hereby solemnly affirm and declare on oath that I was transferred on dated 31/07/2016 from PHSA Duran Pur Peshawar to public health School Phase 5 Hayatabad by the competent authority on the newly created seat of Instructor BPS-17

On the bases of said order I submitted my arrival report hence assume the charge to the principal concerned however due to personal grudge and ill will, the principal of the public health school phase 5 Hayatabad has not signed my arrival report and for the said reason this office has not released my salary since Nov 2015 till date for which I am legally entitled because I am attending my duty regularly and have made no concealment of fact and in case I found incorrect or not entitled for the said salary this office is empowered for the recovery of my above salary.

Therefore I submit this affidavit to this office which is correct and correctly bears my signature.

**ATTESTED**  
**DAWOOD KHAN ADVOCATE**  
**NOTARY PUBLIC**  
Date \_\_\_\_\_  
High Court Peshawar  
06 OCT 2016

DEPONENT   
BIBI SULTANIA

Dated: 06/10/2016

(21)



GOVT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar the 06<sup>th</sup> May, 2016

**NOTIFICATION**

**No. SOH-III/8-89/2015.** Mst. Bibi Sultania, Head Nurse (BS-17) working against the post of Instructor (BS-17), Public Health School, Hayatabad Peshawar is hereby transferred to Police Services Hospital, Peshawar against the vacant post of Head Nurse (BS-17) with immediate effect in the public interest.

2. The transfer of the above named Head Nurse is made on account of the fact that she does not possess the relevant qualification to be adjusted/posted against the post of Sister Tutor/Instructor as per Pakistan Nursing Council Rules (PNC), i.e. Diploma in Ward Administration and Teaching Administration which is mandatory for the post of Sister Tutor/Instructor.

**SECRETARY HEALTH**

**Endst even No & date.**

Copy forward to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director, Provincial Health Services Academy, Peshawar.
3. The Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
4. Medical Superintendent, Police Services Hospital, Peshawar.
5. Principal, Public Health School, Hayatabad Peshawar.
6. PS to Secretary Health, Khyber Pakhtunkhwa.
7. Master File.
8. Head Nurse concerned.

*Seen  
filed  
11/5/2016*

(MUHAMMAD TARIQ)  
SECTION OFFICER-III

22

# Office of the Principal PHS Hayatabad Peshawar

No.16/PHS-H/Admission/2016-17/

Dated: 08/12/2016

Phone No. 091-9217353

Fax No. 091-9217342

E-mail: [phshayatabad98@yahoo.com](mailto:phshayatabad98@yahoo.com)

L.No. 22878  
Date 26/12/16  
Secretary Health

To

The Secretary  
Health Department  
Government of Khyber Pakhtunkhwa  
Peshawar.


Subject: ADVICE

Reference notification No. SO(H)E-II/4-1/2016 dated 2<sup>nd</sup> June 2016 as regard the posting orders of Mst. Sultania, Head Nurse (BS-17) (under transfer to Services Hospital Peshawar) I would like to request for your advice on the following grounds

- 1- Reference Notification No. SOH-III/8-89/2015 dated 6<sup>th</sup> May 2015 (Copy attached at Flag-A) in which it is clearly mentioned that Mst. Sultania does not fulfill the criteria for being an Instructor in Public health School Hayatabad as per PNC criteria
- 2- In the notification dated 2<sup>nd</sup> June 2016 it is mentioned that "in pursuance of judgment passed by Hon'able Khyber Pakhtunkhwa Service Tribunal in appeal No. 579/2016" while it is not so, the case is still sub judiced in Service Tribunal and only stay has been given but no judgment (Copy attached at Flag-B)
- 3- Sultana has unofficially joined North West Institute for postgraduate studies i-e; Post RN without prior permission from the government.


Taking into consideration it is requested to kindly give me advice as regard acceptance of her **Arrival Report** and moreover about her permission for continuation of post graduate studies

Dated: 26-12-2016

  
Dr Obaid Ur Rahman  
Principal Public Health School  
Hayat Abad

*sent  
re discuss.  
Def*

*See comments  
from DG PHS A.*

*S.O E/111  
steno  
  
27/12*