

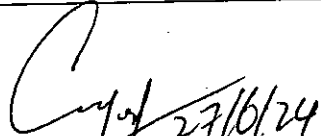
**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**


APPEAL NO	INSTITUTION	ORIGINAL INSTITUTION	DECISION	PAGES
1264/22	-	10.08.2022	16.05.2024	42

**SAMEENA BIBI VS HEALTH**

Sr.No.	No of Pages	Documents	Page No
<b>Part-A</b>			
1	1 - 1	Order	1
2	2 - 6	Order Sheets	5
3	7 - 31	Check list & Memo of Appeal	25
4	32 - 41	Writ Petition	10
5	42 - 42	Wakalatnama	1
6	-		
7	-		
8	-		
9	-		
10	-		
11	-		
12	-		
<b>Part-B</b>			
1	-		
2	-		
3	-		

<b>Total Pages in Part-A</b>	<b>42</b>
<b>Total Pages in Part-B</b>	<b>0</b>

  
Muhannaz Compilation  
27/6/24

  
Incharge Judicial Branch  
27/6/24

28

(ii) In the case of those employees whose pay is fixed in the revised scales at a stage which gives less than Rs. 100/- increase in pay of pay, 1991 a minimum increase of Rs. 100/- in pay over pay, 1991 level would be allowed and that amount shall be added to the pay of the employee concerned. If the employee concerned has been promoted through operation I, II & III in appendix.

(iii) The annual increment shall continue to be admissible subject to the existing conditions on the first of an ordinary day.

(iv) The increases allowed since 1-7-1989 shall be as follows shall come to be admissible from 1-6-1991:-

- a) Indexed pay sanctioned vide Finance Division's O. No. F. 1(31)-I & II/89 dated 1-7-1989.
- b) Adhoc increase of 7% of pay sanctioned vide O. No. F. 1(31)-I & II/89 dated 1-7-1989.
- c) Adhoc increase of 10% sanctioned vide Finance Division C.L. No. F. 1(13)-I & II/89 dated 1-7-1989.
- d) Dearness Allowance of Rs. 20/- sanctioned vide Finance Division's C.L. No. F. 1(22)-I & II/89 dated 15-12-1989.

Promotion of pay on promotion

(1) In case of promotion from a lower to higher post/scale before the introduction of the revised scale the pay of the employees concerned in the revised scale may be fixed and so enhanced that it would not be less than the pay that would have been admissible to him if his promotion to the higher

*[Handwritten signature]*  
Secretary

1

25.04.2024 1. Learned counsel for the appellant present. Mr. Arshad Azam learned Assistant Advocate General alongwith Yousaf Jamal, Focal Person and Niaz Muhammad, S.C for the respondents present.

2. File to come up alongwith connected service appeal No. 1258/2022 titled "Nilofar Vs. Health Department" for arguments on 16.05.2024 before D.B. P.P given to parties.

(Fareeha Paul)  
Member (E)

(Rashida Bano)  
Member (J)

Kaleemullah

ORDER

16<sup>th</sup> May, 2024 **Kalim Arshad Khan, Chairman:** Learned counsel for the appellant present. Mr. Shafiullah, Focal Person and Mr. Niaz Muhammad, Senior Clerk alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Vide our consolidated order of today passed in connected Service Appeal No. 1308/2022 titled "*Musarrat Shahen Vs. The Secretary Health, Khyber Pakhtunkhwa, Peshawar and 04 others*", (copy placed in this file), this service appeal is also disposed of in terms of order passed in the mentioned appeal. Costs shall follow the event. Consign.

3. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 16<sup>th</sup> day of May, 2024.*

(Rashida Bano)  
Member (Judicial)

(Kalim Arshad Khan)  
Chairman

SCANNED  
KPST  
Peshawar

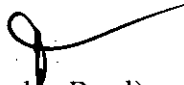
SCANNED  
KPST  
Peshawar

07.09.2023

Learned counsel for the appellant present. Mr. Asad Zahoor, Public Health Coordinator, Safiullah, Focal Person and Mr. Niaz Muhammad Khan, Senior Clerk alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant seeks some time for preparation of arguments. Adjourned. To come up for arguments on 02.01.2024 before the D.B. Parcha Peshi given to the parties.

SCANNED  
KPST  
Peshawar



(Fareeha Paul)  
Member (E)



(Salah-ud-Din)  
Member (J)

\*Naeem Amin\*

2<sup>nd</sup> Jan. 2024

1. Junior to counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.
2. Bench is incomplete. Therefore, case is adjourned. To come up for arguments on 25.04.2024 before D.B. P.P given to the parties.

SCANNED  
KPST  
Peshawar



(Fareeha Paul)  
Member (E)

\*Zia Ul Haq\*

16<sup>th</sup> Mar, 2023

Counsel for the appellant present. Mr. Asad Khan, Assistant Advocate General for the respondents present.

In this case, right to file reply of the respondents has already been struck off vide order dated 04.01.2023. Case of the appellant is that of grant of Conveyance Allowance, which, according to him, was being allowed to the similarly placed persons. When confronted with the situation, learned AAG sought some time to consult the department. Adjourned to 31.05.2023 before D.B. PP given to the parties.

SCANNED  
KPST  
Peshawar

(Salah-Ud-Din)  
Member (J)

(Kalim Arshad Khan)  
Chairman

31<sup>th</sup> May, 2023

1. Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.

SCANNED  
KPST  
Peshawar

2. Learned counsel for the appellant requested for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 07.09.2023 before D.B. P.P given to the parties.

(Muhammad Akbar Khan)  
Member (E)

(Kalim Arshad Khan)  
Chairman

\*Kaleem Ullah

4<sup>th</sup> Jan, 2023

Learned counsel for the appellant present. Syed Naseer Ud Din Shah, Asst: AG for respondents present.

There is nobody present on behalf of the respondents nor did they submit written reply/comments. The time provided in Rule-12 of the Khyber Pakhtunkhwa Service Tribunal Rules, 1974 for filing reply is seven days before the date fixed but despite providing opportunity the respondents have not filed the comments. They are thus placed ex-parte and their right to file reply stands struck off. Therefore, let this appeal be admitted to full hearing subject to all just and legal objections. The appellant is directed to deposit security fee within ten days. To come up for arguments on 31.01.2023 before D.B.

SCANNED  
KPST  
Peshawar

Rs-100/-  
Appellant Deposited  
Security & Process Fee  
A. Arshad Khan  
30/1/23



(Kalim Arshad Khan)  
Chairman

31<sup>st</sup> Jan, 2023

Clerk of learned counsel for appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for respondents present.

Lawyers are on strike, therefore, the case is adjourned. Office is directed to notify the next date on the notice board as well as on the website of the Tribunal. To come up for arguments on 16.03.2023 before D.B.

(Muhammad Akbar Khan)  
Member (E)



(Kalim Arshad Khan)  
Chairman

28.11.2022

Junior to counsel for the appellant present.  
Muhammad Adeel Butt learned Additional Advocate  
General for respondents present.

SCANNED  
KPST  
Peshawar

File to come up alongwith connected Service  
Appeal No. 1258/22 titled "Niloo Far Vs Health  
Department" on 04.01.2023 before S.B.

(Rozina Rehman)  
Member (J)

~~28.11.2022~~ ~~Presented by: [illegible]~~  
~~Learned Additional Advocate General for respondents present.~~  
~~Presented by: [illegible]~~  
~~Presented by: [illegible]~~  
~~Presented by: [illegible]~~  
~~Presented by: [illegible]~~  
~~Presented by: [illegible]~~  
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~~Presented by: [illegible]~~

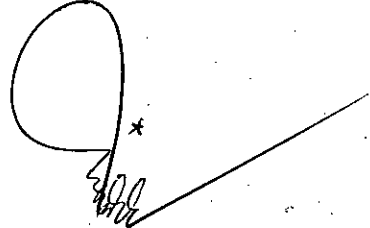
30.09.2022

Mr. Afrasiab Khan Wazir, Advocate for the appellant present.

Preliminary arguments heard.

Learned counsel for the appellant contended that the appellant initially appointed on contract basis, her services were regularized vide Notification dated 24.09.2014 w.e.f. 1<sup>st</sup> July, 2012 through Khyber Pakhtunkhwa Regularization of Lady Health Workers Program and Employees (Regularization and Standardization) Act, 2014. The appellant is deprived of conveyance allowance whereas the same is being drawn in monthly salary by similarly placed employees in other districts which is a case of discrimination. Feeling aggrieved of the illegal and unlawful action for not granting the conveyance allowance, the appellant and her other colleagues approached the august Peshawar High Court, Bannu Bench in Writ Petition No. 346/2019 which was dismissed on the ground of jurisdiction under Article-212 of the constitution of Islamic Republic of Pakistan, 1973. The appellant also preferred departmental appeal on 06.04.2022 which was not responded within the statutory period whereafter the service appeal was filed on 10.08.2022.

When the learned counsel for appellant was confronted with the question of limitation he argued that conveyance allowance being a recurring cause and part and parcel of the pay, limitation does not run against such cases. No condonation of delay application has been annexed with the service appeal. At this stage, it deems appropriate to issue pre-admission notice to respondents for submission of reply/comments. Adjourned. To come up for reply/comments as well as preliminary hearing on 28.11.2022 before S.B.

  
(Mian Muhammad)  
Member (E)





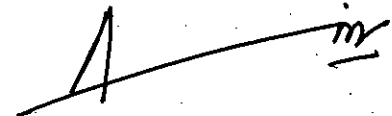
(8)

The appeal submitted today by Mr. Afrasiab Khan Wazir Advocate received today i.e. on 10.08.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1. Appeal has not been flagged/marked with annexure marks.
2. Certificate be given to the effect that appellant has not been filed any service appeal earlier on the subject matter before this Tribunal.
3. Copies of page no. 4, 12, 13, 14 and 15 attached with the appeal are illegible which may be replaced by legible/better one.

No. 2387 /S.T.

Di. 4/08 /2022



ASSISTANT REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Afrasiab Khan Wazir Adv. Pesh.

Note: 1, 2, 3 objection removed.  
Appeal re-submitted today 25/8/2022  
A.D.

9

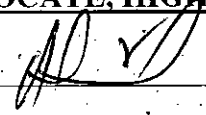
**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**CHECK LIST**

Case Title: SAMEENA BIBI vs HEALTH DEPTT:

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Afrasiab Khan Wazir Advocate</u>	✓	
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cuttings/overwriting?	✓	
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on		
26.	Whether copies of comments/reply/rejoinder submitted? on		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: AFRASIAB KHAN WAZIR  
ADVOCATE, HIGH COURT

Signature: 

Dated:

10

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

**APPEAL NO. 1764 /2022** **SCANNED  
KPST  
Peshawar**

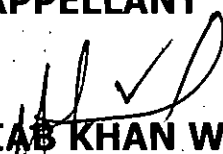
**SAMEENA BIBI VS HEALTH DEPTT:**

**INDEX**

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of appeal	.....	1-3
2.	Notification & Regularization Act-2014	A & B	4 - 9
3.	Notification	C	10
4.	Pay slips	D & E	11 - 16
5.	High Court judgment dated 24.03.2022	F	17 - 24
6.	Departmental appeal	G	25
7.	Vakalat nama	.....	26

**APPELLANT**

THROUGH:

  
**AFRASIAB KHAN WAZIR  
 ADVOCATE, HIGH COURT  
 PESHAWAR**

**OFFICE:**

Room No.6 Ground Floor, Afridi Tower,  
Government College Chowk, Faqir Abad,  
Peshawar City.  
Mobile No: 0312-9888752

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

Khyber Pakhtunkhwa  
Service Tribunal  
961  
10/08/2022

APPEAL NO. 1264 /2022

Mrs. Smeena Bibi, Lady Health Worker (BPS-5),  
BHU G.M Khel, District Karak.

.....**APPELLANT**

**VERSUS**

- 1- The Secretary Health, Khyber Pakhtunkhwa, Peshawar
- 2- The Director General Health, Khyber Pakhtunkhwa, Peshawar.
- 3- The Provincial Coordinator LHW Program Khyber Pakhtunkhwa, Peshawar.
- 4- The District Health Officer, District Karak.
- 5- The District Accounts Officer, District karak.

.....**RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ILLEGAL AND UNLAFUL ACTION OF THE RESPONDENTS BY NOT ALLOWING/GRANTING CONVENACE ALLOWANCE TO THE APPELLANT AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.**

**PRAYER:**

That on acceptance of this instant service appeal the respondents may kindly be directed to allow/grant conveyance allowance at par with colleagues of same & other district of the Lady Health Workers with all back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

10/8/2022

**R/SHEWETH:**

**ON FACTS:**

- 1- That the appellant is serving in the Health Department as Lady Health Worker (BPS-5), regularized under the Khyber Pakhtunkhwa Regulation Of Lady Health workers Program employee (Regularization And Standardization) Act-2014, and are performing her duties up to the entire satisfaction of their superiors. Copy of the Notification dated 24.09.2014 & Regularization Act-2014 are attached as annexure.....**A & B.**
- 2- That the Conveyance Allowance is admissible to all the Civil Servants and to this effect a Notification No. FD (PRC)1-1/2011 dated 14.07.2011 was issued. That later on vide revised Notification dated 20.12.2012 whereby the conveyance allowance for employees working in BPS 1 to 15 were enhance/revised while employees from

Re-submitted to-day and filed.

Registrar  
10/8/2022

2-PS- 16 to 19 has been treated under the previous Notification by not enhancing their conveyance allowance. Copy of the Notification dated 20.12.2012 are attached as annexure.....C.

3- That the appellant's colleagues in same and other districts are receiving the conveyance allowances but the respondents without any valid and justifiable reasons are not allowing/granting the payment of conveyance allowance under the wrong and illegal pretext that the same is not allowed to the appellant. Copies of the Salary Slips are attached as annexure.....D & E.

4- That the appellant and her colleagues approached to Peshawar High Court, Bannu Bench, Peshawar in writ petition No.346/2019 which was dismissed under Article-212 of the Constitution of Islamic republic of Pakistan, 1973, being component of pay, falls in Service Tribunal Jurisdiction vide order dated 24.03.2022. Copy of the writ petition No.346/2019 order dated 24.03.2022 is attached as annexure.....F.

5- That appellant feeling aggrieved also filed Departmental appeal before the appellate authority to redress grievances in light of the principle of consistency but no reply has been received from the quarter concerned. That appellant feeling aggrieved and having no other remedy, filed the instant service appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure.....G.

**GROUND:**

A- That the action and inaction of the respondents regarding not allowing/granting conveyance allowance to the appellant at par with other colleagues is illegal, against the law, facts, norms of natural justice.

B- That the action/inaction of the respondents is against Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.

C- That the action of the respondents is without any legal authority, discriminatory and in clear violation of fundamental rights duly conferred by the Constitution and is liable to be declared as null and void.

D- That as the act of the respondents is illegal, unconstitutional, without any legal authority and not only discriminatory but is also the result of malafide on the part of respondents.

E- That appellant has the vested right of equal treatment before law and the act of the respondents to deprive the petitioners from the conveyance/allowance is unconstitutional and clear violation of fundamental rights.

F- That under the principle of consistency the appellant is fully entitle to the conveyance allowance as are given to the other colleagues of the appellant in various districts.

G- That according to Article 38 (e) of the Constitution of Islamic Republic of Pakistan, 1973 the state is bound to reduce disparity in the income and earning of individuals including persons in the services of the federation, therefore in light of the said Article the appellant fully entitle for the grant of conveyance allowance during vacations.

H- That the petitioners seeks permission of this Honorable Court to raise any other grounds available at the time of arguments.

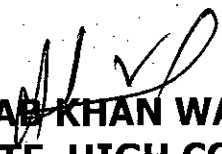
It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 25.07.2022

**APPELLANT**

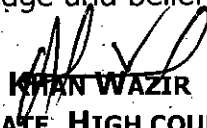
**SAMEENA BIBI**

Through:

  
**AFRASIAB KHAN WAZIR**  
**ADVOCATE, HIGH COURT,**  
**PESHAWAR**

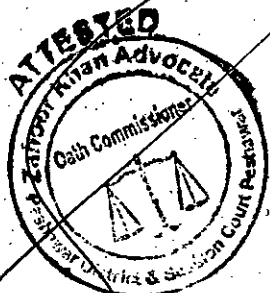
**AFFIDAVIT**

I do hereby solemnly affirm and declare that the contents of this instant service appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

  
**AFRASIAB KHAN WAZIR**  
**ADVOCATE, HIGH COURT,**  
**PESHAWAR**

**CERTIFICATE:**

It is certified that no earlier service appeal has been filed between the parties.



(14)

OFFICE OF THE  
DISTRICT HEALTH OFFICER  
KARAK

Phone and Fax 0927210837  
No. 8878-82  
Dated 24/09/2014

NOTIFICATION

\*In term of section 4 (1) read with Proviso, there under, of the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program (Regularization) Act, 2014, services of Lady Health Workers Programme Employees of District Karak Khyber Pakhtunkhwa are hereby regularized with effect from 1<sup>st</sup> July 2012 terms and conditions of service will be governed under the Khyber Pakhtunkhwa regulation of Lady Health Programme and Employees (regularization and Standardization) Act, 2014 and rules to be made there under.

S. No	Name of Community Embedded employee	Father/Husband Name	FLCF	Name of catchment area
-------	-------------------------------------	---------------------	------	------------------------

FLCF BHU Jehangari

S. No	Name of Community Embedded employee	Father/Husband Name	Date of Birth	FLCF	Name of catchment area	
1.	Shabnum begum	F	Mohanumad Ayub	06/12/2001	Bhu Gm K Khel	LHS
2.	Sabir Bano	H	Muhammad Shahid	20/12/1997	BHU G M K Khel	Sarai Khel
3.	Farhat Bano	H	Muhammad Arif	20/12/1997	BHU G M K Khel	Ali Khel
4.	Abas Bano	H	Rafi Ullah	20/12/1997	BHU G M K Khel	Baga Khel
5.	Mahala Begum	H	Muhammad Khan	20/12/1997	BHU G M K Khel	Sarai Khel
6.	Nilofer	H	Muhammad Israr	20/12/1997	BHU G M K Khel	Jandha Khel
7.	Yasmin Sultana	H	Sana Ullah	20/12/1997	BHU G M K Khel	Malok Khel
8.	Noor Taj	F	Gul Dar Shah	20/12/1997	BHU G M K Khel	Malok Khel
9.	Nasreen Begum	H	Muhammad Ayaz	12/02/2002	RHC Sabir Abad	Tarki Khel
10.	Abbas Begum	F	Yaqeen Zada	29/06/2004	Bhu GM Khel	Tarki Khel
11.	Bibi Yasma	F	Dilawar Shah	29/06/2004	Bhu GM Khel	Umarabad
12.	Qudrat Bibi	F	Mushraf Khel	26/06/2004	Bhu Gm Khel	Pedad Khel
13.	Samina Bibi	F	Nazar Khan	29/06/2004	Bhu Gm Khel	Khel
14.	Mehnaz Gul	H	Muhammad Saeed	01/07/2004	Bhu Gm Khel	Khel
15.	Abbass Nazara	F	Gul War Jan	11/07/2005	Bhu Gm Khel	Shah Khel
16.	Akhtar Shamim	F	Noor Wali	11/07/2005	Bhu Gm Khel	Azad Khel
17.	Farzana Begum	H	Saeed Ur Rehman	11/07/2005	Bhu Gm Khel	Zarguran
18.	Amna Bibi	H	Farzand Ali	11/07/2005	Bhu Gm Khel	Darya Khel
19.	Nassar Bibi	F	Zahir Jan	11/07/2005	Bhu Gm Khel	Khel
20.	Shazia Parveen	F	Muhammad Nawaz	01/03/2005	Bhu Sabir Abad	Badar Khel
21.	Bibi Nowreen	F	Mir Alam Khan	01/03/2005	Bhu Sabir Abad	Badar Khel
22.	Zulfan Bano	F	Abdul Rehman	20/02/2005	Bhu Sabir Abad	Khel
23.	Nusrat Bibi	H	29/06/2006	29/06/2005	Bhu Gm Khel	Kamali zara-Khel
24.	Bibi Tahira	H	Arshad Nawaz	15/06/2005	Bhu Sabir Abad	Kamali Zara Khel
25.	Hussan Bano	H		15/06/2005	Bhu Sabir Abad	Kamali zara Khel

In exercise of power conferred under subsection (2) of the Section ibid, the above community embedded employees are placed in the following pay scales as mentioned against their designations.

Name of Post  
Lady Health Supervisor  
Lady Health Worker  
Driver

Basic Pay Scale  
BPS 07  
BPS 05  
BPS 04

District Health Officer  
Karak

CC

1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
2. Provincial Coordinator LHW Program Khyber Pakhtunkhwa Peshawar.
3. District Account Officer Karak for information.
4. Incharge FLCF concerned for information
5. Officials concerned.

District Health Officer  
Karak



15

OFFICE OFF THE  
DISTRICT HEALTH OFFICER  
KARAK

Phone & Fax: 0927210337

No. 2878-82

Date: 21/09/2014.

A - (W)

NOTIFICATION

In term of section 4(1) read with 1<sup>st</sup> Proviso there under, of the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program Employees (Regularization and Standardization) Act, 2014, services of Lady Health Workers Program Employees of District Karak Khyber Pakhtunkhwa are here by regularized with effect from 1<sup>st</sup> July 2012. Their term and conditions of service will be governed under the Khyber Pakhtunkhwa regulation of Lady Health program and Employees (Regularization and Standardization) Act, 2014 and rules to be made there under.

S.N	Name of community embedded employee	Father/ Husband Name	Date of appointment	FLCF	Name of settlement area
	FLCF BHU G.M Kbel				
X	Shabana Begum	H: Muhammad Ayub	06/12/2001	BHU G.M Kbel	LHS
X	Salir Bano	H: Muhammad Shahid	20/12/1997	BHU G.M K Kbel	Sara Kbel
X	Fahim Bano	H: Muhammad Anif	20/12/1997	BHU G.M Kbel	Ab Kbel
X	Abas Bano	H: Rafi Ullah	20/12/1997	BHU G.M K Kbel	Baqi Kbel
X	Malala Begum	H: Muhammad Khan	20/12/1997	BHU G.M K Kbel	Sara Kbel
X	Nilou Far	H: Muhammad Israr	20/12/1997	BHU G.M K Kbel	Sara Kbel
X	Yasmin Sultan	H: Sana Ullah	20/12/1997	BHU G.M K Kbel	Jandia Kbel
X	Noor Taj Meen	H: Gul Dar Shah	20/12/1997	BHU G.M K Kbel	Mahak Kbel
X	Nasreen Begum	H: Muhammad Ayaz	13/02/2002	Rac Sabu Afsad	Tarki Kbel
X	Abbas Begum	F: Yaqeen Zada	29/06/2004	Bhu G.M Kbel	Tarki Kbel
X	Nasreen Bibi	F: Ramil Khan	29/06/2004	Bhu G.M Kbel	Ah Kbel
X	Hubi Yasmin	F: Dilawar Shah	29/06/2004	Bhu G.M Kbel	Ah Kbel
X	Qudrat Hiba	F: Musharaf Kbel	26/06/2004	Bhu G.M Kbel	Ganarabid
X	Sameena Bibi	F: Nuzar Khan	29/06/2004	Bhu G.M Kbel	Pogal Kbel
X	Meluz G. P. bi	H: Muhammad Saeed	01/07/2004	Bhu G.M Kbel	Tarki Kbel
X	Abbas Nazam	F: Gul War Jan	11/07/2005	Bhu G.M Kbel	Cham Kbel
X	Akhtar Shamim	F: Noor Wali	11/07/2005	Bhu G.M Kbel	God Shah Kbel
X	Farzana Begum	H: Saeed ur Rehman	11/07/2005	Bhu G.M Kbel	Azad Kbel
X	Aama Bibi	H: Farzand Ali	11/07/2005	Bhu G.M Kbel	Zangon
X	Nassar Bano	F: Zubir Jan	11/07/2005	Bhu G.M Kbel	Darya Kbel
X	Shazia Perveen	F: Muhammad Nawaz	01/03/2006	Rac Sabu Afsad	Shagan Kbel
X	Hubi Noor Begum	F: Mir Alam Khan	01/03/2006	Rac Sabu Afsad	Baqi Kbel
X	Zulfan Bano	F: Aduir Rehman	20/12/2006	Rac Sabu Afsad	Tarki Kbel
X	Nusrat Bibi	H: Mustafa	29/06/2006	Bhu G.M Kbel	Kamrah zara Kbel
X	Hibi Tahira	H: Arshad Nawaz	15/06/2009	Rac Sabu Afsad	Kamrah zara Kbel
X	Hussan Bano	H: Noor Shah Din	15/06/2009	Rac Sabu Afsad	Kamrah zara Kbel

BHU G.M Kbel  
District Karak

In exercise of power conferred under subsection (2) of the Section 4(b), the above community embedded employees are placed in the following pay scales as mentioned against their respective designations.

Name of Post	Basic Pay Scale
Lady Health Supervisor	BPS 07
Lady Health Worker	BPS 05
Driver	BPS 04

*[Signature]*  
DISTRICT HEALTH OFFICER  
KARAK

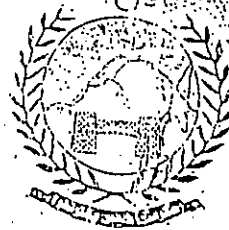
1. Director General Health services Khyber Pakhtunkhwa Peshawar.
2. Provincial Coordinator LHW Program Khyber Pakhtunkhwa Peshawar.
3. District Account Officer Karak for information.
4. In Charge FLCF concerned for information.
5. Officials concerned.

DISTRICT HEALTH OFFICER  
KARAK

*[Signature]*  
A. S. D.

*[Signature]*  
Nasir Ahmad  
District Karak

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. PIII  
GAZETTE

**KHYBER PAKHTUNKHWA**

Published by Authority

PESHAWAR, WEDNESDAY, 2ND JULY, 2014.

PROVINCIAL ASSEMBLY SECRETARIAT,  
KHYBER PAKHTUNKHWA

**NOTIFICATION**

Dated Peshawar, the 2nd July, 2014.

No. PA/Khyber Pakhtunkhwa/Bills/2014/35 L.—The Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization and Standardization) Bill, 2014 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 24<sup>th</sup> June, 2014 and assented to by the Governor of the Khyber Pakhtunkhwa on 29<sup>th</sup> June, 2014 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**THE KHYBER PAKHTUNKHWA REGULATION OF LADY HEALTH WORKERS PROGRAM  
AND EMPLOYEES (REGULARIZATION AND STANDARDIZATION) ACT, 2014**

(KHYBER PAKHTUNKHWA ACT NO. XXVI OF 2014)

*(First published after having received the assent of the Governor of the  
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa,  
(Extraordinary), dated the 2<sup>nd</sup> July, 2014).*

AN  
ACT

*to regulate the status of Lady Health Workers Program in the Province of the Khyber  
Pakhtunkhwa and to regularize and standardize the services of employees  
of the said program*

WHEREAS in pursuance of the Constitution (Eighteenth Amendment) Act, 2010, the subject of Health has been devolved to the Provinces and as such Lady Health Workers Program run by Federal Government for supporting the family planning and primary health care was devolved to the Provinces accordingly;

AND WHEREAS in the Lady Health Workers Program, the community based workers have a special nature of job, for the execution of which they have to remain continuously embedded with their local catchment population.

*Attested  
H. D.*

*Attested  
F. S.*

(17)

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18 KHYBER PAKHTUNKHWA GOVERNMENT, EXTRAORDINARY, 2nd JULY, 2014

AND WHEREAS it is obligatory to maintain the original concept and design of the Lady Health Workers Program, to ensure the presence of community embedded employees for effective service delivery to the people of the area;

AND WHEREAS it is expedient to regulate the status of Lady Health Workers Program in the Province of the Khyber Pakhtunkhwa and to regularize and standardize the services of the employees of the said program.

It is hereby enacted as follows:-

1. Short title, application and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees. (Regularization and Standardization) Act, 2014.

(2) It shall apply to all persons employed or to be employed in Lady Health Workers Program, in the Province of the Khyber Pakhtunkhwa.

(3) It shall come into force at once except section 4, which shall come in to force on 1<sup>st</sup> July, 2012.

2. Definitions.---In this Act, unless there is anything repugnant in the subject or context,-

- (a) "catchment population" means the local population for which a Community Embedded Employee of the Program is appointed or posted and regularly resides therein;
- (b) "Community Embedded Employee" means a Program employee residing and working within his defined catchment population for which he was appointed or posted;
- (c) "District Program Implementation Unit" means the Management Unit of the Program at District level;
- (d) "Government" means the Government of the Khyber Pakhtunkhwa;
- (e) "prescribed" means prescribed by rules;
- (f) "Program" means the Lady Health Workers Program devolved to the Province and which was previously run by the Federal Government under the name of the National Program for Family Planning and Primary Health Care;
- (g) "Program employee" means an employee of the Program, whose service is regularized under this Act and includes persons to be appointed after the commencement of this Act;
- (h) "Province" means the Province of the Khyber Pakhtunkhwa;
- (i) "Provincial Program Implementation Unit" means the Management Unit of the Program at Provincial level; and
- (j) "rules" mean rules made under this Act.

Attended  
A.D.

Attended  
S. M. J.

3. Status of Program.---(1) On commencement of this Act, the National Program for Family Planning and Primary Health Care, shall be deemed to be a Program of Government to be known as the Lady Health Workers Program.

(2) The purpose of the Program shall be to provide preventive, curative, rehabilitative and promotive health care services to the catchment population in the Province.

(3) The Program shall continue for such a period as Government may determine.

(4) After coming into force of this Act, Government may appoint persons to various posts in the Program on contract basis and there shall be no regular appointment in the Program.

(5) The appointment under sub-section (4) shall be made in accordance with the criteria and manner as may be prescribed.

4. Regularization.---(1) On commencement of this Act, all the Program employees, who were appointed in the Program on contract or fixed monthly stipend basis before 1<sup>st</sup> July 2012, and holding the said post till the commencement of this Act, shall stand regularized with effect from 1<sup>st</sup> July, 2012:

Provided that the services of such Program employees shall be deemed to have been regularized under this Act only on the publication of their names in the official Gazette:

Provided further that the posts of the Program fallen vacant on account of death, retirement, resignation, dismissal, termination or otherwise shall be filled-in on contract basis.

(2) The Program employees regularized under this Act shall be placed in the relevant Pay Scales corresponding to the civil servants or as may be determined by Government.

(3) The seniority of the Program employees regularized under this Act shall be determined in a manner as may be prescribed.

(4) A Program employee, whose services are regularized under this Act, shall retire from service, on the option of the Program employee and on such date as requested by the Program employee, after completion of twenty five years of qualifying service or on the completion of sixtieth year of age.

(5) A Program employee, whose service is regularized under this Act, shall be entitled to such pensionary and retirement benefits as may be determined by Government.

5. Mechanism of recruitment for Community Embedded Employees.---(1) For filling a post of Community Embedded Employee, the appointing authority shall cause to verify and ensure in the prescribed manner that person, who is to be appointed against such post, shall be a regular resident of his catchment population.

(2) The Provincial Program Implementation Unit shall oversee and monitor the process and finding of the verification, carried out by the appointing authority under sub-section (1), before a person is appointed against post of Community Embedded Employee.

*Approved*  
*AD*

*Approved*  
*AD*

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20 KHYBER PAKHTUNKHWA GOVERNMENT, EXTRAORDINARY, 2nd JULY, 2014

(3) The Community Embedded Employee shall perform his duties within the catchment population of his residence; provided that Government may adjust a Community Embedded Employee in another area in certain circumstances to be prescribed.

(4) Notwithstanding anything contained in other provisions of this Act, the services of the Community Embedded Employees, whose services are regularized under this Act, or other Community Embedded Employees to be appointed after the commencement of this Act, shall be liable to termination, if the employee-

- (a) has unlawfully ceased to be a regular resident within or has become a non-resident for his catchment population; or
- (b) is involved in any other engagement or a practice which is not in accordance with the laid down and approved policy of the Program; or
- (c) has ceased to be efficient in the performance of official duties; or
- (d) has proved guilty of gross misconduct.

(5) A Community Embedded Employee, whose service is terminated under sub-clause (a) or (b) of sub-section (4) of this Act may be reinstated into service in a manner as may be prescribed:

Provided that this opportunity of reinstatement shall not be given more than once throughout the tenure of a Community Embedded Employee's service:

Provided further that-

- (a) no salary or allowances shall be paid to the re-instated employee for the period spent under termination; and
- (b) payment made, if any, to the terminated employee being re-instated, which was not allowed during or for the period spent under termination, is recovered from the employee.

6. Posting, transfer and adjustment of Program employees.---Notwithstanding anything contained in other provisions of this Act, the Program employees, except the Community Embedded Employees, may be transferred to perform duty anywhere in the Province.

7. Disciplinary action.---Disciplinary cases against the Program employees shall be dealt with in a manner as may be prescribed.

8. Application of Government rules.---The Program employees shall be dealt in accordance with the provisions of this Act and rules; provided that if no specific rules are available on any matter, the Government rules shall be applicable to such Program employees.

9. Public servants.---All Program employees shall be deemed to be public servants within the meaning of section 21 of the Pakistan Penal Code, 1860 (Act No. XLV of 1860).

10. Power to make rules.---Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

Attended  
APD

Attended  
Name

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KHYBER PAKHTUNKHWA GOVERNMENT, EXTRAORDINARY, 3rd JULY, 2014. 21

- 11. Saving.--- Any rules, orders or instructions in respect of any terms and conditions of services of Program employees duly made or issued by an authority competent to make them and in force immediately before the commencement of this Act shall, in so far as such rules, orders or instructions are not inconsistent with the provisions of this Act, be deemed to be rules made under this Act.
- 12. Removal of difficulties.---If any difficulty arises in giving effect to any of the provisions of this Act, Government may make such order, not inconsistent with the provisions of this Act, as may appear to be necessary for the purpose of removing the difficulty.  

Provided that no such power shall be exercised after the expiry of one year from the commencement of this Act.
- 13. Repeal.--- The Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization and Standardization) Ordinance, 2014 (Khyber Pakhtunkhwa Ord. No. VI of 2014) is hereby repealed.

BY ORDER OF MR. SPEAKER  
PROVINCIAL ASSEMBLY OF KHYBER PAKHTUNKHWA

(AMANULLAH)  
Secretary  
Provincial Assembly of Khyber Pakhtunkhwa

Printed and published by the Manager,  
Staty. & Ptg. Dept., Khyber Pakhtunkhwa, Peshawar

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A-4



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

NO. FC/SC (SR) 1128-52/2012  
Dated: Peshawar, the 20-12-2011

From:

The Secretary to Govt of Khyber Pakhtunkhwa  
Finance Department  
Peshawar.

To:

- All Administrative Secretaries to Govt of Khyber Pakhtunkhwa
- The Senior Member Board of Revenue Peshawar District
- The Secretary Government of Khyber Pakhtunkhwa
- The Secretary to Chief Minister, Khyber Pakhtunkhwa
- The Secretary Finance Department Peshawar
- All Heads of Attached Departments in Khyber Pakhtunkhwa
- All District Commissioners of Khyber Pakhtunkhwa
- All Political Agents, District & Swat Districts in Khyber Pakhtunkhwa
- The Registrar, Peshawar High Court District
- The Chairman, Public Service Commission, Khyber Pakhtunkhwa
- The Chairman, General Tribunal, Khyber Pakhtunkhwa

Subject:

REVISION IN THE RATE OF CONVEYANCE ALLOWANCE OF THE CIVIL EMPLOYEES OF THE KHYBER PAKHTUNKHWA GOVERNMENT PERSONNEL

Dear Sir,

The Government of Khyber Pakhtunkhwa has been pleased to approve the rate of Conveyance Allowance admissible to all the holders of Civil posts in Govt of Khyber Pakhtunkhwa (working in Districts-15) w.e.f. from 1st September 2011 at the following rates. However, the conveyance allowances for employees in BPS-10 to BPS-19 will remain unchanged.

S.NO	BPS	EXISTING RATE (PKR)	REVISED RATE (PKR)
1	1-4	RS.500/-	RS.1,700/-
2	5-10	RS.1,000/-	RS.1,840/-
3	11-15	RS.2,600/-	RS.2,720/-
4	16-19	RS.5,000/-	RS.5,000/-

Conveyance Allowance at the above rates per month shall be admissible to those BPS-17, 18 and 19 officers who have not been sanctioned official vehicles.

Yours Faithfully,

(Signature of Secretary Finance)  
Secretary Finance

Encl: NO. FC/SC (SR) 1128-52/2012

A copy is forwarded for information of the

Accountant General, Khyber Pakhtunkhwa  
Secretary to Government Punjab, Government of Punjab  
Secretary to Government Sindh, Government of Sindh  
Secretary to Government Balochistan, Government of Balochistan

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

NO.FD/SO(SR-II)/52/2012  
Dated Peshawar the: 20.12.2012

From

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

To:

1. All administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
3. The Secretary to Governor, Khyber Pakhtunkhwa.
4. The Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
6. All Heads of attached Departments in Khyber Pakhtunkhwa.
7. All District Coordination Officers of Khyber Pakhtunkhwa.
8. All Political Agents/District & Session Judge in Khyber Pakhtunkhwa.
9. The Registrar Peshawar High Court, Peshawar.
10. The Chairman Public Service Commission, Khyber Pakhtunkhwa.
11. The Chairman, Service Tribunal, Khyber Pakhtunkhwa.

Subject: REVISION IN THE RATE OF CONVEYANCE ALLOWANCE FOR THE CIVIL EMPLOYEES OF THE KHYBER PAKHTUNKHWA PROVINCIAL GOVERNMENT BPS-1-19

Dear Sir,

The Government of Khyber Pakhtunkhwa has been pleased to enhance/revise the rate of Conveyance Allowance admissible to all the Provincial Civil Servants Govt. of Khyber Pakhtunkhwa (working in BPS-1 to BPS-15) w.e.f. from 1<sup>st</sup> September, 2012 at the following rates. However, the conveyance allowance for employees in BPS-16 to BPS-19 will remain unchanged.

S.No.	BPS	Existing Rate.(PM)	Revised Rate.(PM)
1.	1-4	Rs. 1,500/-	Rs. 1,700/-
2.	5-10	Rs. 1,500/-	Rs. 1,840/-
3.	11-15	Rs. 2,000/-	Rs. 2,720/-
4.	16-19	Rs. 5,000/-	Rs. 5,000/-

2. Conveyance Allowance at the above rates per month shall be admissible to those BPS-17, 18 and 19 officers who have not been sanctioned official vehicle.

Your Faithfully

(Sahibzada Saeed Ahmad)  
Secretary Finance

Enclst No. FD/SO(SR-II)8-52/2012 Dated Peshawar the 20<sup>th</sup> December, 2012



(24)

(11)

دفعہ نمبر 11

Lakki

SH: 4

Pers #: 00787733 Buckle:  
Name: RUQIA BIBI  
LADY HEALTH WORKER  
CNIC No. 1120156461732  
GPF Interest Free  
05 Active Permanent

P Sec: 001 Month: June 2017  
LK6066 - District Health Officer, La  
DISTRICT HEALTH OFFICER L  
NTN:  
GPF #:  
Old #:

PAYS AND ALLOWANCES:

0001-Basic Pay  
1000-House Rent Allowance  
1210-Convey Allowance 2005 ✓  
1300-Medical Allowance  
1973-Adhoc Allowance 2010@ 50%  
2148-15% Adhoc Relief All-2013  
2174-Adhoc Relief Allow-2014  
2211-Adhoc Relief All 2016 10%

LK6066  
10,270.00  
1,002.00  
1,932.00  
1,500.00  
1,670.00  
296.00  
148.00  
1,027.00  
17,845.00

Gross Pay and Allowances  
DEDUCTIONS:

GPF Balance 7,450.00  
3501-Benevolent Fund  
4004-R. Benefits & Death Comp:

Subrc: 745.00  
600.00  
450.00

Total Deductions

1,795.00  
16,050.00

D.O.B  
20.05.1985  
05 Years 00 Months 001 Days

LFP Quota:  
THE BANK OF KHYBER IBB, LAKKI MARWA  
00217-00-2

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KTH

CNIC No. \_\_\_\_\_

Desig: Lady Health Worker (80573100) Grade 5

LOAN/FUND

	Amount	Deductions	Amount
Basic Pay	14,760.00	3005 GHF Subscription Amount:	890.00- Deductions
0001 Basic Pay	14,760.00	2003 GP subscription	890.00
1004 House Rent Allow	3,610.00	3501 Benevolent Fund	1,200.00
1210 Conveyance Allowance 20	1,932.00	4004 R. Benefits & Death C	450.00
1300 Medical Allowance	1,500.00		
2148 Adhoc Relief All	296.00		
2188 Adhoc Relief Allow 2010	200		
2211 Adhoc Relief All 201	1,027.00		

Accounts Officer Charsadda  
PAYROLL REGISTER  
For the month of January, 2022

Page 360

Dated 01.02.2022

DDO CA6112 EXECUTIVE DISTRICT HEALTH OFFICER Payroll Section 001 Payroll I

2224 Adhoc Relief All 201	1,476.00
2247 Adhoc Relief All 201	1,476.00
2248 Adhoc Relief All 201	1,476.00
2309 Adhoc Relief All 202	1,476.00
2311 Dress Allowance	
20	1,000.00
2312 Disabled Allowance 20	1,000.00
2313 Integrate Allowance	600
2332 Lady health Worker	2,200.00

PAYMENT

DEDUCTIONS 2,510.00

32,674

Net Pay 30,136.00

01.01.2022

31.01.2022

Branch No. 220217 TEHSIL BAZAR CHARSADEA HABIB BANK LIMITED TEHSIL BAZAR CHARSADEA

CHARSADEA

0002170019050801

20

CHIEF, HEALTH SERVICES  
AMOUNT EDUCATION AMOUNT  
AMOUNT

2188 Adhoc Relief All	2003 CYP SUPERGRANT	14,760.00	890.00
2189 Adhoc Relief Allow	2301 Bannockburn Fund	2,286.00	1,700.00
2211 Adhoc Relief All 201	4026 B. Banetla & Dealu C	1,937.00	450.00
2300 Medical Allowance		1,000.00	
2312 Washing Allowance 20		1,000.00	
2313 Integrated Allowance		600.00	
2312 Lady Health Worker A		2,200.00	
2311 Dress Allowance - 20		1,000.00	
2309 Adhoc Relief All 202		1,476.00	
2366 Adhoc Relief All 201		1,476.00	
2226 Adhoc Relief All 201		1,476.00	
2247 Adhoc Relief All 201		1,476.00	

Page 1 360  
Date 1 01.02.2022

For the month of January, 2022

DDO: CAGG12 EXECUTIVE DISTRICT HEALTH OFFICER Payroll Section 1 001 Payroll 1

Accounts Office Charsadda  
PAYROLL REGISTER

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District Charsadda

NET PAY 32,674.00  
TOTAL SALARY GRABADDA 17,001,905,080.1

DEDUCTIONS 30,134.00  
01.01.2022 31.01.2022  
MADE MARK EMPLOYED

2,540.00

TOTAL SALARY GRABADDA

CHASSADA

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For  
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23  
24  
25  
26  
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29  
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(25)

CNIC No: 1730161877174 Desig: Lady Health Worker (80573100) Grade 5

KTH

LOAN/FUND

	Amount	Deductions	Amount
Basic Pay	14,760.00	3005 GHF Subscription Amount	890.00
0001 Basic Pay	14,760.00	2003 GP subscription	890.00
1004 House Rent Allow	3,610.00	3501 Benevolent Fund	1,200.00
1210 Conveyance Allowance 20	1,932.00	4004 R. Benefits & Death C	450.00
1300 Medical Allowance	1,500.00		
2148 Adhoc Relief All	296.00		
2188 Adhoc Relief Allow 201	200		
2211 Adhoc Relief All 201	1,027.00		
2224 Adhoc Relief All 201	1,476.00		
2247 Adhoc Relief All 201	1,476.00		
2248 Adhoc Relief All 201	1,476.00		
2309 Adhoc Relief All 202	1,476.00		
2311 Dress Allowance 20	1,000.00		
2312 Disabled Allowance 20	1,000.00		
2313 Integrate Allowance	600		

PAYMENT 31,829.00

DEDUCTIONS 2,540.00

Branch No. \_\_\_\_\_ BANK SQUARE, PESHAWAR HABIB BANK LIMITED BANK SQUARE PESHAWAR

(3)

LHW  
Account office Peshawar

DES 16211 DEPT 222  
PART 1

CHIC: 1730161877174

Desig: LADY HEALTH WORKER (80573100)

Grade: 05 MTN  
LOAN/FUND

AMOUNT

DEDUCTIONS

AMOUNT

0001 Basic Pay  
1007 House Rent Allow 450  
1310 Conveyance Allowance 20  
1500 Medical Allowance  
2145 15% Adhoc Relief All  
2198 Adhoc Relief Allow 2  
2211 Adhoc Relief All 201  
2224 Adhoc Relief All 201  
2247 Adhoc Relief All 201  
2264 Adhoc Relief All 201  
2309 Adhoc Relief All 202  
2311 Dress Allowance 20  
2312 Utilities Allowance 20  
2313 Integrated Allowance

14,760.00  
3,610.00  
1,932.00  
1,500.00  
296.00  
200.00  
1,027.00  
1,476.00  
1,476.00  
1,476.00  
1,476.00  
1,000.00  
1,000.00  
600.00

3005 GNF Subscription  
3501 Benevolent Fund  
4004 R. Benefits & Death C

890.00-  
1,200.00-  
450.00-

(26)

PAYMENT  
Branch Code 2061

31,829.00  
BANK SQUARE, PESHAWAR.

DEDUCTIONS  
HABIB BANK LIMITED

2,540.00-  
BANK SQUARE, PESHAWAR.

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(27)

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Account Payroll  
For the month of \_\_\_\_\_

District Health Officer Kohat

CNIC NO: 1430119526958

PAYMENTS	AMOUNTS	DEDUCTIONS	AMOUNT
Basic Pay	12,260	3005 GP subscription	69
House Rent Allow	3,610	3501 Benevolent Fund	60
Allowance 2005	1,932.00	4004 R. Benefits & Death C	69
Medical Allowance	1,500.00		
Adhoc Relief All 201	1,027.00		
Adhoc Relief Allow 201	1,276.00		
Adhoc Relief Allow 201	1,276.00		
<b>PAYMENT</b>	<b>21,274</b>		

DEDUCTIONS  
Branch code: 220341  
BANK LIMITED

SHAKARDARA KOHAT HABIB

SULTANA WORKER  
PAYMENTS AMOUNTS  
CNIC 1430195390826. DESIG LADY HEALTH  
DEDUCTION

Basic Pay 8	12,760.00	3005 Subscription Rs	
House Rent Allowance	1,503.00	3501 Benevolent Fund	6
Allowance 20	1,932.00	4004 R. Benefits & Death C	6
Medical Allowance	1,500.00		
Adhoc Relief All 201	1,027.00		
Adhoc Relief Allow 201	1,276.00		
Adhoc Relief Allow 201	1,276.00		
	21,674.65		

Branch Code \_\_\_\_\_  
DEDUCTIONS

HANGU ROAD KOHAT

HABIB BANK LIMITED

(26)

(9)

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118305 District Health Officer Kohat  
SHARIFA HABIB JAMEER  
118305  
AMOUNT

02 Basic Pay	17,760.00
03 House Rent Allowance	2,503.00
10 Convey Allowance 20	1,276.00
00 Medical Allowance	2,503.00
17 Sickness Relief All 201	1,276.00
24 Sickness Relief All 201	1,276.00
27 Sickness Relief All 201	1,276.00

DEDUCTIONS

3005 EPF Subscription - Rs	68
3501 Benevolent Fund	68
4004 R. Benefits & Death C	68

PAYMENTS  
21,276.00  
SHARADARA, KOHAT.

DEDUCTIONS  
HABIB BANK LIMITED

SHARIFA HABIB SULTANA  
118305  
AMOUNT

02 Basic Pay	12,760.00
03 House Rent Allowance	1,503.00
10 Convey Allowance 20	1,276.00
00 Medical Allowance	2,503.00
17 Sickness Relief All 201	1,276.00
24 Sickness Relief All 201	1,276.00
27 Sickness Relief All 201	1,276.00

DEDUCTIONS

3005 EPF Subscription - Rs	0
3501 Benevolent Fund	6
4004 R. Benefits & Death C	6

PAYMENTS  
21,276.00  
HAKSU ROAD, KOHAT.

DEDUCTIONS  
HABIB BANK LIMITED

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Better Copy.

Sec: 001 Month February 2019  
6103 EDO Health (Admn) Karak  
District Health Officer

00786593 Buckle  
Name Fareed Nisa  
Daily Health Worker  
CNIC No. 1420254270766  
OPF Interest Applied Permanent  
Pays an Allowance

Basic Pay	13,260.00
House Rent Allowance	1,503.00
Allowance 20 DS	1,932.00
Medical Allowance	1,500.00
Adhoc Relief All 201	1,296.00
Adhoc Relief Allow 201	1,326.00
Adhoc Relief Allow 201	1,326.00
	22,370.00

Pay and Allowance  
Dedicate Code

Balance	26,414	899
Benevolent Fund	Subtract	6000
		6900

Total Deduction 2,180  
20,190

DOB  
08.02.1985

HABIB BANK LIMITED KARAK

[ ]

[ ]

[ ]



Name: FAREED NISA  
 LADY HEALTH WORKER  
 CNIC No: 420254270766  
 EPF Interest Applied  
 05 Active Permanent

NTN #  
 GPF #  
 Old #

KK6103

Basic Pay	13,260.00
100 House Rent Allowance	1,500.00
120 Convey Allowance 2005	1,730.00
100 Medical Allowance	1,500.00
118 15% Adhoc Relief All-2013	294.00
119 7% Adhoc Relief Allow @10%	200.00
121 11% Adhoc Relief All-2016 10%	1,027.00
122 11% Adhoc Relief All-2017 10%	1,326.00
123 7% Adhoc Relief All-2018 10%	1,326.00
Gratuity and Allowances	22,070.00

DEDUCTIONS

EPF Balance	25,414.00
100 Pension Fund	600.00
100 Life Insurance Death Comp	690.00

Total Deductions	27,704.00
Net Pay	20,190.00

RELATIONSHIP: Spouse  
 D O B: 08.02.1985  
 OFFICE: KARAK  
 BANK: HABIB BANK LIMITED KARAK  
 A/c No: 08 mbhns 001 Days: 1891473

Net Pay	20,190.00
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Net Pay	20,190.00
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DEBIT CODE  
 100 Pension Fund  
 100 Life Insurance Death Comp

DEBIT CODE  
 100 Pension Fund  
 100 Life Insurance Death Comp

DEBIT CODE  
 100 Pension Fund  
 100 Life Insurance Death Comp

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Accounts Office Karak  
PAYROLL REGISTER  
For The Month Of December 2021

00786644 SAMINA BIBI	CNIC: 1420221612822	Desig: LADY HEALTH WORKER (80563160)	Grade: 05 NTN:	Buckle No.:	Gazetted/Non-Gazetted: N
PAYMENTS	A M O U N T	D E D U C T I O N S	A M O U N T	LOAN/FUND	PRINCIPAL REPAID BALANCE
				GPF#:	64,973.00
0001 Basic Pay	14,760.00	3005 GPF Subscription	890.00-		
1001 House Rent Allowance	2,255.00	3501 Benevolent Fund	1,200.00-		
1300 Medical Allowance	1,500.00	4004 R. Benefits & Death C	450.00-		
2148 15% Adhoc Relief All	296.00				
2199 Adhoc Relief Allow @	200.00				
2211 Adhoc Relief All 201	1,027.00				
2224 Adhoc Relief All 201	1,476.00				
2247 Adhoc Relief All 201	1,476.00				
2264 Adhoc Relief All 201	1,476.00				
2309 Adhoc Relief All 202	1,476.00				
2311 Dress Allowance - 20	1,000.00				
2312 Washing Allowance 20	1,000.00				
2313 Integrated Allowance	600.00				

31

PAYMENTS	28,542.00	DEDUCTIONS	2,540.00-	NET PAY	26,002.00	01.12.2021	31.12.2021
Branch Code:220985	Habib Bank Ltd Palosa Sar, Karak	HABIB BANK LIMITED		Habib Bank Ltd Palosa Sar, Karak	KARAK	Accnt. No: 1594-8	

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32

17

**BEFORE THE PESHAWAR HIGH COURT,  
BANNU BENCH**

Writ Petition No: 346 /2019.

Farzana Begum etc. .... Petitioners

Versus

Government of Khyber Pakhtunkhwa through Secretary Health,  
Peshawar etc. .... Respondents

**I N D E X**

S.#	Description of Documents	Annex	Page
1.	Writ Petition		1-6
2.	Affidavit		7
3.	Addresses of the Parties		8
4.	Copy of the notification/Act. Dated 2 <sup>nd</sup> July, 2014	"A"	9-13
5.	Copy of the notification No.1340 Dated 22.9.2014, with better copy	"B"	14-15
6.	Copies of the notifications No.8782-86, 8787-91 and 8793-97 Dated 24.9.2014	"C", "D" & "E"	16-21
7.	Copies of pay slips of some of the petitioners and those employees who are receiving the conveyance allowance	"F" & "G"	22-40
8.	Copy of the Notices and receipts		41-46
9.	Court Fee		47
10.	Wakalatnama		48-49

Filed today:  
26 MAR 2019  
Additional Registrar

Re-Filed Today  
03 APR 2019  
Additional Registrar

Petitioners  
Through

SCANNED  
03 APR 2019

Dated: 25.3.2019

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Malik Samiullah Khan  
Advocate, Karak  
0333-9717844

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2 - 1000

Mamana Lady Health Workers posted at various BHUs (Lady Health Workers Program Employees at District Karak, Khyber Pakhtunkhwa.

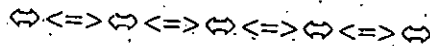
Petitioners

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Health, Peshawar.
2. Director General, Health Services Khyber Pakhtunkhwa Peshawar.
3. Provincial Coordinator L.H.W Program Khyber Pakhtunkhwa, Peshawar.
4. District Health Officer, District Karak.
5. District Accounts Officer, District Karak.

Respondents

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



Respectfully Sheweth:

This Writ Petition rising up from the following facts:

1. That all the petitioners are bonafide residents of District Karak.
2. That the petitioners are serving as Lady Health Workers (LHWs) at various BHUs (Lady Health Workers Program Employees) at District Karak.

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3. That vide notification No.PA/Khyber Pakhtunkhwa/Bills/2014/351 Dated 2<sup>nd</sup> July, 2014, the respondent No.1 by order of the Speaker, Provincial Assembly Khyber Pakhtunkhwa issued an Act "The Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization) and Standardization), Act 2014" and regularized the services of the petitioners. Copy of the notification/Act is attached as Annexure "A"

4. That vide notification No.1340 Dated 22.9.2014 of the respondent No.3 vide which the District Health Officers were directed to issue individual notification to the employees of LHW Program. Copy of notification is attached as Annexure "B"

5. That in the light of above referred directions/notification, vide notifications No.8782-86, 8787-91 and 8793-97 Dated 24.9.2014, the District Health Officer, Karak regularized the services of the petitioners etc with effect from 1<sup>st</sup> July 2012. Copies of notifications are attached as Annexure "C", "D" & "E" respectively.

6. That the petitioners are entitled to receive conveyance allowance according to law since their regularization w.e.f. 01.7.2012 but the respondents No.4 & 5 are discriminately denying to pay the conveyance allowance to the petitioners

Filed Today  
 14 MAR 2013  
 Additional Registrar

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rather they (respondent No.4 & 5) are paying the same allowance to their blue eyed employees of the same category (LHWS) at District Karak. Copies of some of the pay slips of the petitioners are attached as Annexure "F" and of those employees who received the conveyance allowance are attached as "G".

7. That being aggrieved, the petitioners approaches this Honourable Court, inter alia, on the following grounds;

GROUND S:

- A. That according to service Rules, the petitioners as a matter of routine duties, visit 1-10 families/houses daily for their medical assistance, also participate in anti-polio campaigns for 05 days in the month approximately and also taking the infants of community to EPI Center/BHUs/RHCs etc.
- B. That the petitioners perform their duties in hilly and rural areas which are impossible without having a conveyance and in such a circumstances denial of conveyance allowance to the petitioners is against the law and rules.
- C. That the impugned action of the respondents No.4 & 5 is void-ab-initio, illegal and is discriminatory in contravention of the provisions of the constitution of Pakistan.

6 MAR 2019  
WFS

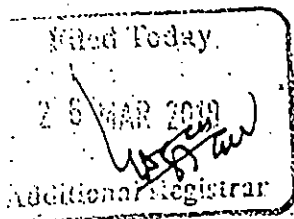
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- 21
- D. That the impugned action of the respondents No.4 & 5 be declared against the norms of justice in the light of directives/notifications of respondents.No.1 to,3.
- E. That the impugned action is based on colourful exercise of powers, vested in the functionaries of the Government through Constitution of Pakistan, which is against the basic principles of the equality of citizens before the state.
- F. That the impugned action is illegal, void-ab-initio and not sustainable in the eye of law being not giving the fruit of conveyance allowance to the petitioners which is not admissible to prudent mind and against the principle of natural justice.
- G. That the impugned action of the respondents No.4 & 5 is devoid of any logic and against the guarantee and security provided to the Civil Servants.

It is, therefore, humbly prayed that on acceptance of this Writ Petition, the impugned action of the respondents may please be declared to be illegal, void-ab-initio and unsustainable and the respondent No.4 & 5 may please be directed to give the benefit of conveyance allowance to the petitioners w.e.f 1<sup>st</sup> July 2012 in accordance with law.



Petitioner

Through

Malik Samiullah Khan  
Advocate, Karak

Dated: 25.3.2019

Attorney  
H. V.

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CERTIFICATE:

As per instructions of my clients, certified that no such like Writ Petition has earlier been filed by the petitioners before this Honourable Court.

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LIST OF BOOKS:

- 1. Constitution of Islamic Republic of Pakistan, 1973.
- 2. Case Law According to Need.

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Advocate

KX  
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25 MAR 2019  
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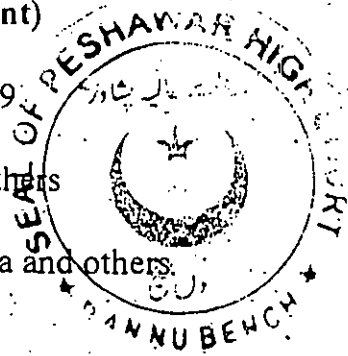
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23

JUDGMENT SHEET  
IN THE PESHAWAR HIGH COURT,  
BANNU BENCH.  
(Judicial Department)

W.P No.346-B/2019

Farzana Gul and 65 others  
Vs  
Govt. of Khyber Pakhtunkhwa and others.



JUDGMENT

Date of hearing: 24.03.2022  
For petitioners: Mr. Shakirullah Khan, Advocates.  
For respondents: Sardar Muhammad Asif, Asstt: AG.

MUHAMMAD FAHEEM WALI, J.--- Farzana Begum and 65 others who are working as Lady Health Workers at various BHUs have invoked the constitutional jurisdiction of this Court, praying that:-

"It is, therefore, humbly prayed that on acceptance of this writ petition, the impugned action of the respondents may please be declared to be illegal, void-ab-initio and unsustainable and the respondents No.4 and 5 may please be directed to give the benefit of conveyance allowance to the petitioner w.e.f 1<sup>st</sup> July 2012 in accordance with law."

2. It is alleged in the petition that initially the present petitioners were appointed on contract basis, however, later on through the Khyber Pakhtunkhwa Regulation of Lady Health

ATTESTED  
CLERK,  
Peshawar High Court  
Bannu Bench

39

24

Workers Program and Employees (Regularization) and Standardization), Act, 2014, the services of the present petitioners were regularized. On regularization they have attained the status of civil servants, therefore, they are also entitled to conveyance allowance, similar to the other civil servants. On the other hand it is the contention of the respondents that the said conveyance allowance is not admissible to the petitioners in a limit of street village or within the LHVs local jurisdiction, they are performing their duties in the close vicinity of their places of residence.

3: Be that as it may, once the present petitioners have acquired the status of civil servants, their claim for allowance cannot be entertained by this Court in view of jurisdictional contour as envisaged by Article 212 of Constitution of Islamic Republic of Paksitan, 1973 being one of the terms and conditions of service of a civil servant. Needless to mention that allowance constitute an essential component of pay. In view of the clear bar stated above, this petition is not maintainable which is accordingly dismissed.

**Announced.**  
24.03.2022

Ihsan

CERTIFIED TO BE TRUE COPY

*[Handwritten signature]*  
3/3/22

The Constitutional Ordinance 1934

D.B  
Hon'ble Mr. Justice Syed Arshad Ali &  
Hon'ble Mr. Justice Muhammad Faheem Wali.

*[Handwritten signature]*  
H. Ihsan

*[Handwritten signature]*  
26 MAR 2022  
*[Handwritten signature]*

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To,

The Director General, Health Services  
Khyber Pakhtunkhwa, Peshawar.

**Subject: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ILLEGAL AND UNLAWFUL ACTION OF THE CONCERNED AUTHORITY BY NOT ALLOWING/GRANTING CONVEYANCE ALLOWANCE TO THE LADY HEALTH WORKERS.**

Respected Sir,

With due respect it is stated that the appellant is the employee of your Department and is serving as Lady Health Worker (BPS-05) and performing duties quite efficiently and up to the entire satisfaction of the superiors. It is stated for kind information that Conveyance Allowance is admissible to all the civil servants and to this effect a Notification No. FD (PRC) 1-1/2011 dated 14.07.2011 was issued. Later on vide revised Notification dated 20.12.2012 the conveyance allowance for employees working in BPS 1 to 15 were enhanced/revise while employees from BPS-16 to 19 have been treated under the previous notification by not enhancing their conveyance allowance and for all civil servants/government servants conveyance allowance is allowed (except those allowed monetized value of transport or avail transport facility) irrespective of place or station of duty. Respected Sir, appellant's other colleagues of the same department in same as well other districts are receiving conveyance allowance as admissible under the law and rules but the concerned authority without any valid and justifiable reasons are not granting/allowing the payment of conveyance allowance under the wrong and illegal pretext that the same is not allowed for the reason that they are working in the limit of street, village or even with the LHW local jurisdiction which is illogical and against law and discriminatory. Conveyance is granted to other departments whether it is vocational or non vocational even if they work in local areas and near home but they are allowed. Vocational Department employee in Islamabad regarding the same issue filed service appeal No.1888 (R) CS/2016 before the Federal Service Tribunal, Islamabad for conveyance allowance which was accepted by the Honorable Service Tribunal vide its judgment dated 03.12.2018 and same allowance is extended through Khyber Pakhtunkhwa Service Tribunal vide multiple judgments, which manifests that conveyance allowance is part and parcel of the salary and is allowed/admissible to all the civil or government servants throughout the Khyber Pakhtunkhwa province who are not provided transport facilities meaning thereby objectifying issue with the reason that the lady health workers are working in their local areas that's why they are not entitled to receive conveyance allowance is unprecedented approach of the department. As a matter of routine, on daily basis they visit families for their medical assistance and participate in anti-polio campaigns for five days in a month so much so they take infants of the community to EPI Centre/BHUs/RHC through their own arrangements or by foot and do many other tasks despite non provision of the vehicle or transport facilities etc. That appellant is also entitled to conveyance allowance as are allowed/granted to the lady health workers of same and other districts but the concerned authority is not willing to allow/grant the same conveyance allowance which is granted to other employees in the province as well. Appellant is feeling aggrieved from the inaction of the concerned authority by not allowing/granting conveyance allowance to the lady health workers, the appellant prefer this Departmental appeal before your good self to redress their legit grievances.

It is therefore, humbly prayed that on acceptance of this departmental appeal the concerned authority may very kindly be directed that the conveyance allowance may very kindly be allowed/granted and the appellant be treated at par with colleagues of same and other districts employees as conveyance allowance is admissible to all the government/civil servants in other quarter concerned.

Dated: 06.04.2022

*Altered*  
*A.P.V.D.*

You're obediently  
*Sameena Bibi*  
Sameena Bibi, LHW (BPS-5)  
BHU G M Khel,  
District Karak

47

**VAKALATNAMA**

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

\_\_\_\_\_ OF 2022

SAMEENA BIBI

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

HEALTH DEPTT:

(RESPONDENT)  
(DEFENDANT)

I/We SAMEENA BIBI

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

Dated. \_\_\_\_/\_\_\_\_/2022

*Sameena*  
CLIENT(S)

*[Signature]*  
**ACCEPTED**  
**AFRASIAB KHAN WAZIR**  
**&**  
**NAZUREHMAN MEHSOOD**  
ADVOCATES

**OFFICE:**  
**Room No.6 Ground Floor, Afridi Tower,**  
**Government College Chowk, Faqir Abad,**  
**Peshawar City.**  
**Mobile No: 0312-9888752**