


A. No. 925/2018
Moeen Gul vs Edu: Deptt.

24.01.2020

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council learned counsel for the appellant is not available today. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Adjourned to 13.03.2020 for arguments/further proceedings before D.B.

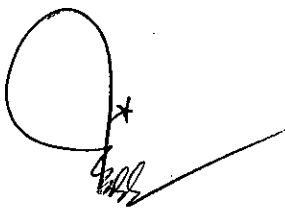

(M. Amin Khan Kundi)
Member

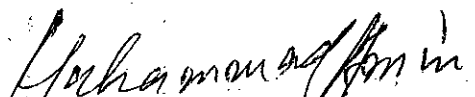

(Hussain Shah)
Member

13.03.2020

Appellant with counsel present. Mr. Muhammad Jan, DDA alongwith Mr. Waheed Gul, ADEO for respondents present. Learned counsel for the appellant stated at the bar that the grievance of the appellant has been redressed by the respondent-department, therefore, as per instruction of his client he wants to withdraw the present service appeal. In this respect his signature also obtained on the margin of the order sheet. As such the instant service appeal in hand is therefore, dismissed, as withdrawn. File be consigned to the record room.

ANNOUNCED:
13.03.2020



(MAIN MUHAMMAD)
MEMBER



(M. AMIN KHAN KUNDI)
MEMBER

*Counsel for appellant
13-3-2020*

03 .09.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 16.10.2019 before D.B


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

16.10.2019

Counsel for the appellant present. Mr. Ziaullah, DDA alongwith Dr. Waheed Gul, ADO for respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 03.12.2019 before D.B.


Member


Member

03.12.2019

~~Jr. to~~ Counsel for the appellant and Mr. Ziaullah, DDA alongwith Waheed Gul, Legal representative for the respondents present.

Instant appeal is adjourned to 24.01.2020 for arguments before the D.B due to non-availability of learned counsel for the appellant.


Member


Chairman

22-4-2019

The Bench is incomplete

Therefore case is adjourned to

23-5-2019


Reader

23.05.2019

Appellant in person and Mr. Kabirullah Khattak learned Addl. AG alongwith Muhammad Jawid Ilyas SDO for the respondents present.

A request for adjournment is made due to indisposition of his learned counsel.

Adjourned to 10.07.2019 before D.B.


Member


Chairman

10.07.2019

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Wahid Gul ADO present and stated that in view of Notification No.FD(SOSR-II) 4-36/2017 Dated. 22.05.2019, the grievance of the appellant has been redressed and as such the present service appeal has become infructuous. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for further proceedings on 03.09.2019 before D.B.


Member


Member

12.12.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Representative of the department is not in attendance therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments for 22.01.2019 before S.B.


Muhammad Amin Khan Kundi
Member

22.01.2019 No one present on behalf of appellant. Mr. Zaki Ullah Senior Auditor present and submitted written reply on behalf of respondents No.1 & 8. No one present on behalf of respondents No.2 to 7, notice be issued to respondents No.2 to 7 with direction to furnish written reply/comments. Adjourn. To come up for written reply on behalf of 2 to 7 on 06.03.2019 before S.B.


Member

06.03.2019

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith M/S Waheed Gul, ADO (Litigation) and Muhammad Sohail, Assistant for the respondents present. Written reply on behalf of respondents No. 1 & 8 already submitted. Written reply on behalf of respondents No. 2 to 7 submitted today. Adjourned to 22.04.2019 for rejoinder and arguments before D.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

29.08.2018

Counsel for the appellant Moon Gul present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was appointed as Chowkidar in Education Department vide order dated 18.08.1998 on contract/fixed pay, however, his services were regularized on 30.08.2008. It was further contended that the appellant was retired from service on 09.04.2014 but the respondent-department are not paying the pension to the appellant on the ground that his service was less than 10 years. It was further contended that according to the judgment of this Tribunal as well as superior court the services rendered by the civil servant on contract basis for more than five years will be counted towards regular service for pensionary benefits therefore, the appellant was entitled for pensionary benefits.

Appellant Deposited
Security & Process Fee

ASV

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days, thereafter notice be issued to the respondents for written reply/comments for 26.10.2018 before S.B.

M N
(Muhammad Amin Khan Kundi)
Member

26-10-18

*Due to retirement of honorable
chairman the Tribunal is non functional
therefore the case is adjourned to come
up for the same on 12-12-2018*

Reader

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 925/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	23/07/2018	<p>The appeal of Mr. Moeen Gul presented today by Mr. Zaffar Ali Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2-	24-7-18	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>29-8-2018</u>.</p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,

PESHAWAR

S.A.No. 925 /2018

Moeen Gul Appellant

Versus

Senior District Accounts Officer, Kohat and others Respondents

I N D E X

S.No.	Description of documents.	Annexure	Pages.
1	Memo of appeal.		1-3
2	Affidavit.		4
3	Addresses of the parties.		5
4	Copy of the appointment order	A	6
5	Copy of service book	B	7 - 21
5	Copy of the order	C	22
6	Copy of departmental appeal.	D	23
7.	Wakalatnama		24

Appellant

Through

ZAFAR ALI KHAN

Advocates High Court Peshawar

Off: 214 Syed Ahmad Ali Building

Near Taj Autos, Sunehri Masjid

Road, Peshawar Cantt.

Office No.091-5279292

Cell: 0306-5965853

0333-9349442

Dated: 21.07.2018

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL

PESHAWAR

S.A.No. 925 /2018

Khyber Pakhtukhwa
Service Tribunal

Diary No. 1194

Dated 23/07/2018

Moeen Gul son of Speen Gul
R/o village Pasta Sanda Tehsil and District Kohat..... *Appellant*

VERSUS

- 1) Senior District Accounts officer Kohat
- 2) Executive District ^{Edo} Officer Kohat
- 3) Sub Divisional Education Officer (Male) District Kohat
- 4) District Education Officer (Male) Primary District Kohat
- 5) Director of Education (Male) near GHSS No.2, G.T. Road, Peshawar
- 6) Govt. of KPK through Secretary Education, Civil Secretariat, Peshawar.
- 7) Govt. of KPK through Secretary Finance, Civil Secretariat, Peshawar.
- 8) Accountant General, Accountant General Office, Govt. of KPK, Peshawar.....*Respondents*

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE RESPONDENT WHEREBY THE DEPARTMENTAL REPRESENTATION OF THE APPELLANT HAS NOT BEEN DECIDED AND THE STIPULATED PERIOD HAS BEEN PASSED.

Filed to-day
Registrar
23/7/18

Prayer:

On acceptance of this appeal, the appellant may kindly be declared entitled for the pension, gratuity and other benefits and direct the respondents to issue pension, gratuity and other benefits immediately.

Respectfully Sheweth;

Appellant humbly submits as under:

- 1) That appellant was appointed as Class-IV Chowkidar on dated 18.08.1998 in Education Department. (Copy of the order is Annexed as Annexure "A").
- 2) That later on the services of the appellant was regularized, as BPS-01 on 30.08.2008. (Copy of service book is Annexure "B").
- 3) That the appellant has been retired from service on 09.04.2014 vide order No.1647-48. (Copy of the order is Annexure "C").
- 4) That appellant moved departmental appeal to the respondent No.6 for the issuance of pension, gratuity and other benefits on dated 16.04.2018 but still has not been decided by the respondents and the stipulated period has been passed. (Copy of departmental appeal is Annexure "D").
- 5) That aggrieved with, appellant has come before this Hon'ble Tribunal in this appeal on the following grounds amongst the others for a direction to the respondents to issue pension along with other benefits to the appellant.

GROUND:

- a. That the respondent is not issuing pension, gratuity and other benefits to the appellant is against the facts and untenable in law.
- b. That the appellant has served in the education department for a period of almost 16/17 years, therefore, according to law and rules of services the appellant is entitled for the pension, gratuity and other benefits.
- c. That the respondents failed to appreciate the real point involved in the case in its perspective. Hence has arrived at an incorrect conclusion.

- d. That by not awarding/ issuing the pension to the appellant, respondents are violating the terms and conditions of service as well as the service laws and rules.
- e. That by not issuing the pension benefits to the appellant, respondents are violating the fundamental rights of the appellant because there is no source of income of appellant except this pension etc.
- f. That the respondents by not issuing the pension to the appellant are exercising the powers not vested to them under the law.
- g. That the non-disposal of departmental appeal by the respondents is perversant and against the settled principle of law and justice.

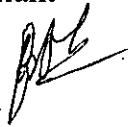
It is, therefore, requested that on acceptance of this appeal, the appellant may kindly be declared entitled for the pension, gratuity and other benefits and direct the respondents to issue pension, gratuity and other benefits immediately.

Any other relief which this Hon'ble Tribunal deems appropriate in the circumstances of the case and not specifically asked for may kindly also be granted.



Appellant

Through




ZAFAR ALI KHAN

Advocate High Court Peshawar

CERTIFICATE:

Certified as per information furnished by my client that no such like appeal has earlier been filed before this Hon'ble Tribunal.


Advocate

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

S.A.No. _____/2018

Moeen Gul Appellant

Versus

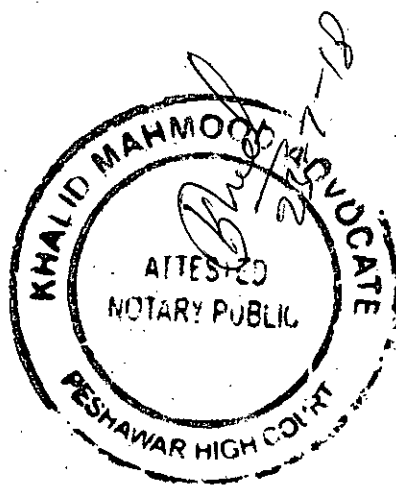
Senior District Accounts Officer, Kohat and others Respondents

AFFIDAVIT

I, Moeen Gul son of Speen Gul R/o village Pasta Sanda Tehsil and District Kohat do hereby affirm and declare on oath that the contents of the accompanying **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this hon'ble court.

Moeen Gul

Deponent



(5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

S.A.No. _____/2018

Moeen Gul Appellant

Versus

Senior District Accounts Officer, Kohat and others Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

Moeen Gul son of Speen Gul
R/o village Pasta Sanda Tehsil and District Kohat

RESPONDENTS:

- 1) Senior District Accounts officer Kohat
- 2) Executive District Officer Kohat
- 3) Sub Divisional Education Officer (Male) District Kohat
- 4) District Education Officer (Male) Primary District Kohat
- 5) Director of Education (Male) near GHSS No.2, G.T. Road, Peshawar
- 6) Govt. of KPK through Secretary Education, Civil Secretariat, Peshawar.
- 7) Govt. of KPK through Secretary Finance, Civil Secretariat, Peshawar.
- 8) Accountant General, Accountant General Office, Govt. of KPK, Peshawar

Appellant

Through



ZAFAR ALI KHAN
Advocates High Court Peshawar

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (MALE) KOHAT.APPOINTMENT.

Mr. Moeen Gul S/O Spin Gul Village Pasta Sanda Tehsil and District Kohat is hereby appointed as chowkidar on contract basis @ (Rs. 1500/- P.M) fixed at GPS Pasta Sanda No. 2 against vacant post w.e.f his date of taking over charges subject to the submission of an agreement duly witnessed by two well-known persons as ordered by Finance Deptt: NWFP Notification No. BOV/FD/3-6/97-98/Kohat dated 30-6-98 and Director Primary Education NWFP Peshawar No. 553-58/DPE/M&A/Est: of GPS/GGPS in District Kohat/AD(SNE), dated Peshawar the 15-7-98.

He will produce his health and age certificate furnished to Medical Supdt: DHQ Hospital Kohat.

Charge reports should be sent to all concerned.

Janan
manboob 18/3/98
 (MEHBOOB JANAN KHATTAK)
 SUB DIVISIONAL EDUCATION OFFICER,
 (MALE) PRIMARY KOHAT.

Endst: No. 10133-38 / F.No. 5

Dated Kohat the 24/8/98.

Copy to the:-

1. Candidate concerned.
2. D.A.O. Kohat.
3. DEO(M) Prry: Kohat.
4. Head Teacher GPS Pasta Sanda No. 2.
5. Accountant Local Office.
6. *AOEO local office*

Janan
manboob 18/8/98
 SUB DIVISIONAL EDUCATION OFFICER
 (MALE) PRIMARY KOHAT.

ATTESTED
[Signature]
 Copy Advocate

Anno-B-

(7)

1. Name (نام) MOEEN GILL
2. Nationality and Religion Pakistani / Islamic
(قومیت اور مذہب)
3. Residence Village PASTA CHENDA
(مستقل رہائش)
4. Father's name and residence SPIN GILL Kohat
(والد کا نام اور پتہ) 13-04-1954
5. Date of birth by Christian era as nearly as can be ascertained Thirteenth April N. 19
(تاریخ پیدائش مطابق سن مسوی) 2 fifty four
6. Exact height by measurement 1.70 M
(قد کا ست)
7. Personal mark of identification _____
(نشان شناسیت) D. No. 143-54-560260

8. Left hand/right hand thumb and finger-impressions of (Non-gazetted officer).

(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

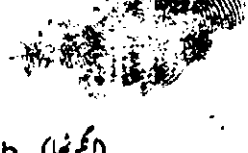
Little Finger (بھنگلیا)



Ring Finger (بھنگلیا کے ساتھ کی انگلی)



Middle Finger (انگلی)



Fore-Finger (انگلی شناسیت)



Thumb (انگڑھا)



9. Signature of Govt. Servant (سرکاری ملازم کے دستخط)

معین گل

10. Signature and designation of the Head of the Office or other Attesting officer

(تصدیق کنندہ افسر کے دستخط اور نام)

[Signature]
Sub Divl: Edu: Officer
(Male), Kohat

Note: The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحہ کے مندرجہ کم از کم پانچ سال بعد تصدیق ہونا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے۔

انگلیوں کے نشانات کے لئے ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں۔

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If offsetting states-- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R (Pb.) Volume II	Pay in substantive pension	Additional pay for officiating	Other emoluments falling under the term "pay" Name of Post	Date of appointment	Signature of Government Servant
درجہ ملازمت	عارضی، مستقل یا قائم مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق پنشن کا مستحق ہے۔	تخواری بطور عارضی ملازمت	زائد تخواری بطور قائم مقام	ماسوائے تخوارہ دیگر الاؤنس	تاریخ تقرری	دستخط سرکاری ملازم
			Rs.	Pk.	Rs.	Pk.	
Chowkidar post						25-8	
4th class post			Rs. 1500/-	PM (Fixed)		16	
						28	
do			Rs 1500/-	PM		12	
						28	
do			Rs. 1500/-	PM		12	
						21	
do			(Fixed)			12	
			Rs. 2000/-	PM		2000	
			Rs. 11	2000/- PM fixed		11	
						201	
			Rs. 11	2500/-		11	
						202	
			Rs 2800/-			12	
						03	
			Rs 2800/-			11	
						07	
			Rs 3100/-			12	
						05	

(8)

11/0

9	10	11	12	13	14	15				
Signature and Designation of the Head of the office or other Attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc).	Signature of the Head of the office of other Attesting Officer.	<p>LEAVE</p> <p>Allocation of periods of leave on average pay up to 4 months (or earned leave not exceeding 120 days) to which leave salary is debited to another Government</p> <p>چار ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین</p> <table border="1" data-bbox="837 624 1069 738"> <tr> <th>Period</th> <th>Govt. to which Debit</th> </tr> <tr> <td> </td> <td> </td> </tr> </table> <p>Nature and duration of leave taken</p> <p>رخصت کی نوعیت و معیار</p>	Period	Govt. to which Debit			Signature of the head of the office or other Attesting office	Reference to any recorded punishment or censure or reward or praised of the Government servant
Period	Govt. to which Debit									
[Signature]	30/11/98	وجہات انقطاع ملازمت تبادلی یا برطرفی	[Signature]	[Blank]	[Signature]	سر یا یا جزایا غیر مناسب کارکردگی کا ریکارڈ				
S. D. B. O. (M) KOHAT	30/11/98	[Blank]	S. D. B. O. (M) KOHAT	[Blank]	[Signature]	Appointed as Chowkidar on contract class @ Rs 150/- PM (Fixed) at 4 PM post chanda No 2 against vacant post with special pay Kohat Endst No 10133-38/ F.No 5 Dyled Kohat No 25/98				
S. D. B. O. (M) KOHAT	30/11/98	[Blank]	Sub Dival Edu Officer (Male), Kohat	[Blank]	[Signature]	[Blank]				
[Signature]	30/11/2000	None	Sub Dival Edu Officer (Male), Kohat	[Blank]	[Signature]	Service verified from 25-8-98 to 30-11-98 from A/Roll & other Office Record.				
[Signature]	30/11/2001	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	30/11/2001	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	30/11/2002	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	[Blank]	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	[Blank]	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	[Blank]	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	[Blank]	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	[Blank]	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	[Blank]	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	[Blank]	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	[Blank]	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				
[Signature]	[Blank]	[Blank]	[Blank]	[Blank]	[Signature]	[Blank]				

Deputy District Officer, (Male) (E) Kohat

Service verified up to 12/11/2001 from office records & Register

Officer,

1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If offsetting states-- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R (Pb.) Volume II	Pay in substantive post	Additional pay for officering	Other emoluments falling under the term "pay" Name of Post	Date of appointment	Signature of Government Servant
			Rs.	Pt.	Rs.	Pt.	
درجہ ملازمت	عارضی، مستقل یا قائم مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق ہیں کا مستحق ہے۔	تخواری بطور	زائد تخواری بطور	ماسوائے تخواری دیگر الائزس	تاریخ تقریری	دستخط سرکاری ملازم
			Fixed				
				4000/-		12/06	
				4000/- (Fixed)		12/07	
-Do-			Revised Enteries in BPS 01 BPS 01 (2450-65-4100)			12/05	
				Rs 2150/-			
-Do-			BPS 01 (2475-75-4725)			12/07	
				Rs 2475/-			
-Do-				Rs 2550/-		12/07	
-Do-			BPS 01 (2970-90-5570)			12/05	
				Rs 3060/-			
			Revised entries in BPS 01 due to regularization of contract employees under P.O. 17/08				
-Do-			BPS 01 (1245-35-1770)			25/08	
				Rs 1245/-			

(10)

9	10	11	12	13		14	15				
Signature and Designation of the Head of the office or other Attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc).	Signature of the Head of the office or other Attesting Officer.	<p>چھٹی</p> <p>LEAVE</p> <p>Allocation of periods of leave on average pay up to 4 months (or earned leave not exceeding 120 days) to which leave salary is debited to another Government</p> <p>چار ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین</p> <p>Nature and duration of leave taken</p> <p>رخصت کی نوعیت و معیار</p> <table border="1" data-bbox="845 611 1069 726"> <tr> <th>Period</th> <th>Govt. to which Debit</th> </tr> <tr> <td></td> <td></td> </tr> </table>		Period	Govt. to which Debit			Signature of the head of the office or other Attesting officer	Reference to any recorded punishment or censure or reward or praise of the Government servant
Period	Govt. to which Debit										
دستخط انسپرجاز	تاریخ انقطاع ملازمت	وجہات انقطاع ملازمت ترقی، تبادلہ یا برطرفی	دستخط انسپرجاز	<p>Service Verified by 1.12.02</p> <p>30.11.03</p> <p>Office Record</p>		دستخط انسپرجاز	سزا یا جزا یا سبب مناسب کارکردگی ریکارڈ				
دستخط انسپرجاز	17/08	Allowed BPS-01	دستخط انسپرجاز	<p>Service Verified by 1.12.04</p> <p>30.11.04</p> <p>Office Record</p>		دستخط انسپرجاز					
Deputy District Officer (Male)	30/06	6 scale 07 Raised	Deputy District Officer, (Male), (A), Kohat	<p>Service Verified by 1.12.05</p> <p>30.11.05</p> <p>Office Record</p>		دستخط انسپرجاز					
Deputy District Officer (Male)	30/07	11 scale 07 Raised	Deputy District Officer, (Male), (E), Kohat	<p>Service Verified by 1.12.05</p> <p>30.11.07</p> <p>Office Record</p>		دستخط انسپرجاز					
Deputy District Officer (Male)	30/08	6 scale 08 Raised	Deputy District Officer, (Male), (D), Kohat	<p>Service Verified by 1.12.05</p> <p>30.11.07</p> <p>Office Record</p>		دستخط انسپرجاز					
دستخط انسپرجاز	30/08	11 scale 08 Raised	Deputy District Officer, (Male), (D), Kohat	<p>Service Verified by 1.12.05</p> <p>30.11.07</p> <p>Office Record</p>		دستخط انسپرجاز					

1	2	3	4		5		6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If offsetting states-- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive pension		Additional pay for officiating		Other emoluments falling under the term "pay" Name of Post	Date of appointment	Signature of Government Servant
			Rs.	Ps.	Rs.	Ps.			
درجہ ملازمت	عارضی، مستقل یا قائم مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق پنشن کا مستحق ہے۔	تخوہ بطور عارضی ملازمت		زائد تخوہ بطور قائم مقام		ماسوائے تخوہ دیگر الانسی	تاریخ تقرری	دستخط سرکاری ملازم
					Rs. 1245/-			1/12/98	
					Rs. 1280/-			1/12/99	
					Rs. 1315/-			1/12/2000	
					Rs. 1350/-			1/12/01	
		BPS 04 (1870 - 2150)			55		3520		
					Rs. 2035/-			1/12/01	
					Rs. 2090/-			1/12/02	
					Rs. 2145/-			1/12/03	
					Rs. 2200/-			1/12/04	

(12)

Signature of Government Servant

Handwritten notes in Urdu: "تعمیراتی ملازمت", "پس", "Post No. 2", "Regular"

Handwritten signature or initials

9	10	11	12	13	14	15
Signature and Designation of the Head of the office or other Attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc).	Signature of the Head of the office or other Attesting Officer.	<p>LEAVE</p> <p>Allocation of periods of leave on average pay up to 4 months (or earned leave not exceeding 120 days) to which leave salary is debited to another Government</p> <p>Nature and duration of leave taken</p> <p>Govt. to which Debit</p>	Signature of the head of the office or other Attesting office	Reference to any recorded punishment or censure or reward or praised of the Government servant
دستخط انسرجاز	تاریخ انقطاع ملازمت	وجہات انقطاع ملازمت ترقی، تبادلہ یا برطرفی	دستخط انسرجاز	<p>چھٹی</p> <p>چھ ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین</p> <p>Period</p>	دستخط انسرجاز	سزا یا جزا یا غیر مناسب کارکردگی کا ریکارڈ
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization
_____	30/09	Alama only	Assistant Distt. Officer Education Pky: Kohat	Awarded Bpsal due to regularization		due to regularization

1	2	3	4		5		6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If offsetting states-- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R (Pb.) Volume II	Pay in substantive pension		Additional pay for officiating		Other emoluments falling under the term "pay" Name of Post	Date of appointment	Signature of Government Servant
			Rs.	Ps.	Rs.	Ps.			
درجہ ملازمت	عارضی، مستقل یا تائیم مقام کے لئے	اگر عارضی ہے تو کیا وہ رول کے مطابق پنشن کا مستحق ہے۔	تخوہ بطور عارضی ملازمت		زائد تخوہ بطور تائیم مقام		ماسوائے تخوہ دیگر الائس	تاریخ تقریر	دستخط سرکاری ملازم
			BPS 01 (2150 - 65 - 40.00)		Rs 2540/-			7/05	
					Rs 2605/-			12/05	
					Rs 2670/-			12/06	
			BPS 01 (2475 - 75 - 47.25)		Rs 3075/-			7/07	
					Rs 3150/-			12/07	
			BPS 01 (2970 - 90 - 51.70)		Rs 3780/-			7/08	
					Rs 3870			12/08	
					Rs 3960			12/09	
					Rs 4050			12/10	

Ch...
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No. 2

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9	10	11	12	13	14	15
Signature and Designation of the Head of the office or other Attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the Head of the office or other Attesting Officer.	LEAVE Allocation of periods of leave on average pay up to 4 months (or earned leave not exceeding 120 days) to which leave salary is debited to another Government Nature and duration of leave taken Govt. to which Deb.t Period	Signature of the head of the office or other Attesting officer.	Reference to any recorded punishment or censure or reward or praise of the Government servant
دستخط انسرجاز	تاریخ انقطاع ملازمت	وجہات انقطاع ملازمت ترقی، تبادلہ یا برطرفی	دستخط انسرجاز	چھٹی چار ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین رخصت کی نوعیت و معیار	دستخط انسرجاز	سزایا جزایا غیر مناسب کارکردگی کا ریکارڈ
Deputy District Officer, Kohat	30/11/08	30/11/08	Deputy District Officer, Kohat	Deputy District Officer, Kohat	30/11/08	1/12/07
Deputy District Officer, Kohat	30/11/06	30/11/06	Deputy District Officer, Kohat	Deputy District Officer, Kohat	Service Verified 30/11/09	1/12/08
Deputy District Officer, Kohat	30/11/07	30/11/07	Deputy District Officer, Kohat	Deputy District Officer, Kohat	Service Verified 30/11/09	1/12/09
Deputy District Officer, Kohat	30/11/07	30/11/07	Deputy District Officer, Kohat	Deputy District Officer, Kohat		
Deputy District Officer, Kohat	30/11/08	30/11/08	Deputy District Officer, Kohat	Deputy District Officer, Kohat		
Deputy District Officer, Kohat	30/11/08	30/11/08	Deputy District Officer, Kohat	Deputy District Officer, Kohat		5-11/11/2008
Deputy District Officer, Kohat	30/11/08	30/11/08	Deputy District Officer, Kohat	Deputy District Officer, Kohat		Provision 10684/2008 Award of pay scale of grade of P.S.I of 12 to 20
Deputy District Officer, Kohat	30/11/09	30/11/09	Deputy District Officer, Kohat	Deputy District Officer, Kohat		9/11
Deputy District Officer, Kohat	30/11/06	30/11/06	Deputy District Officer, Kohat	Deputy District Officer, Kohat		

21/11

1	2	3	4		5		6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If offsetting states-- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R (Pb.) Volume II اگر عارضی ہے تو کیا وہ رول کے مطابق پینشن کا مستحق ہے۔	Pay in substantive pension تنخواہ بطور عارضی ملازمت		Additional pay for officiating زائد تنخواہ بطور قائم مقام		Other emoluments falling under the term "pay" Name of Post ماسوائے تنخواہ دیگر الاؤنس	Date of appointment تاریخ تقرری	Signature of Government Servant دستخط سرکاری ملازم
	عارضی، مستقل یا قائم مقام		Rs.	Ps.	Rs.	Ps.			(16)
BPS No 2 Pasta Sonda			Basic Pay Revised w-e-f 1-7-2011						
			RS		6600	17/2011			
					6770	12/2011			
		Awarded BPS 2 w-e-f = 1-7-2007 Arrear w-e-f = 1-7-2008 Payon w-e-f = 1-7-2007 = Rs 3075. BPS 2 (2530-25-5080)							
			RS		3125	12/2007			
			RS		3210	12/2007			
			RS		3295	12/2007			
		Scale Revised w-e-f = 1-7-2008 BPS 2 (3035-100-6035)							
			RS		3935	12/2008			

9	10	11	12	13	14	15
Signature and Designation of the Head of the office or other Attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer dismissal etc).	Signature of the Head of the office of other Attesting Officer.	<p>چھٹی</p> <p>LEAVE</p> <p>Allocation of periods of leave on average pay up to 4 months (or earned leave not exceeding 120 days) to which leave salary is debited to another Government</p> <p>چار ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین</p> <p>Govt. to which Debit</p> <p>Period</p> <p>طبی</p> <p>Nature and duration of leave token</p> <p>رخصت کی نوعیت و معیار</p>	Signature of the head of the office or other Attesting officer	Reference to any recorded punishment or censure or reward or praised of the Government servant
<p>دستخط انسپرجاز</p>	<p>تاریخ انقطاع ملازمت</p>	<p>وجہات انقطاع ملازمت ترقی، تبادلہ یا برطرفی</p>	<p>دستخط انسپرجاز</p>	<p>Period</p> <p>Govt. to which Debit</p>	<p>دستخط انسپرجاز</p>	<p>سزایا جزایا غیر مناسب کارکردگی کاریکارڈ</p>
<p>DO EDO: (M) Kohat 2/11</p>	<p>30/11/2011</p>	<p>Deputy District Officer (Male) E & SE Kohat</p>	<p>2/11</p>	<p>2/11</p>	<p>Office Record.</p>	<p>Service File No: 1.1.2.2011 30/11/2011 From 1st Division Office Record.</p>
<p>Deputy District Officer (Male) E & SE Kohat 2/11</p>	<p>30/11/2007</p>	<p>Awazdar PPS 2 of 5130/2007</p>	<p>DO EDO: (M) Kohat 2/11</p>	<p>2/11</p>		
<p>DO EDO: (M) Kohat 2/11</p>	<p>31/12/2007</p>	<p>Spl A/gov</p>	<p>DO EDO: (M) Kohat 2/11</p>	<p>2/11</p>		
<p>DO EDO: (M) Kohat 2/11</p>	<p>30/11/2007</p>	<p>A/gov</p>	<p>DO EDO: (M) Kohat 2/11</p>	<p>2/11</p>		
<p>DO EDO: (M) Kohat 2/11</p>	<p>30/11/2008</p>	<p>of scale revised</p>	<p>DO EDO: (M) Kohat 2/11</p>	<p>2/11</p>		
<p>DO EDO: (M) Kohat 2/11</p>	<p>30/11/2008</p>	<p>A/gov</p>	<p>DO EDO: (M) Kohat 2/11</p>	<p>2/11</p>		

1	2	3	4		5		6	7	8	
Name of Post	Whether substantive or officiating and whether permanent or temporary	If offsetting states-- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R (Pb.) Volume II	Pay in substantive pension		Additional pay for officiating		Other emoluments falling under the term "pay" Name of Post.	Date of appointment	Signature of Government Servant	
			Rs.	Ps.	Rs.	Ps.				
درجہ ملازمت	عارضی، مستقل یا قائم مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق پنشن کا مستحق ہے۔					تذوقہ بطور قائم مقام	تذوقہ بطور قائم مقام	تاریخ ترقی	دستخط سرکاری ملازم
GPS No 2 Pasta Sando			Rs.		Rs.			12-1-2008		
			Rs.		Rs.			12-1-2009		
			Rs.		Rs.			12-1-2010		
Scale Revised w.e.f 1-7-2011										
BPS 2 (4900-170-10000)										
			Rs.		Rs.			7-1-2011		
			Rs.		Rs.			12-1-2011		
			Rs.		Rs.			12-1-2011		

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Office of the Accountant General
Khyber Pakhtunkhwa Peshawar
'Pay Fixed in the Revised Basic Pay Scale'
R.B.P.S. _____ B.
Pay Fixed @ Rs. _____ w.e.f 01-07-2011
Ad. B.P.S. 393708-100 6940-21
Pay Fixed @ Rs. 393708 w.e.f 01-07-2011
R.B.P.S. 4900-170-10000
Pay Fixed @ Rs. 6940 w.e.f 01-07-2011
Date of Next increment is on _____

Accounts Officer
Pay Fixation

9	10	11	12	13	14	15		
Signature and Designation of the Head of the office or other Attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc).	Signature of the Head of the office of other Attesting Officer.	<p>LEAVE</p> <p>Allocation of periods of leave on average pay up to 4 months (or earned leave not exceeding 120 days) to which leave salary is debited to another Government</p> <p>طرحہ کی مدت کی رخصت کے لئے اوسط تنخواہ کا تعین</p> <table border="1" data-bbox="877 617 1109 730"> <tr> <th>Period</th> <th>Govt. to which Debit</th> </tr> </table>	Period	Govt. to which Debit	Signature of the head of the office or other Attesting office	Reference to any recorded punishment or censure or reward or praised of the Government servant
Period	Govt. to which Debit							
<p>دستخط افسر مجاز</p> <p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>تاریخ انتقال ملازمت</p> <p>11/1/2009</p>	<p>وجہات انتقال ملازمت ترقی، تبادلہ یا برطرفی</p>	<p>دستخط افسر مجاز</p> <p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>رخصت کی نوعیت و معیار</p> <p>چار ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین</p> <p>Govt. to which Debit</p>	<p>دستخط افسر مجاز</p> <p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>سرمایہ اجزایا غیر مناسب کارکردگی کا ریکارڈ</p>		
<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>11/1/2010</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>دستاویز 19044/0 due to reward and BPS we f 01-07-2002 FD 28/02/2013</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>1.12.2011</p> <p>From A Roll and other</p>		
<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>11/1/2011</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>1.12.2011</p> <p>From A Roll and other</p>		
<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>11/1/2011</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>1.12.2011</p> <p>From A Roll and other</p>		
<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>11/1/2012</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>1.12.2011</p> <p>From A Roll and other</p>		
<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>11/1/2012</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>1.12.2011</p> <p>From A Roll and other</p>		
<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>11/1/2012</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p><i>[Signature]</i></p> <p>DO EDD (M)</p> <p>Kahat</p> <p>2/11</p>	<p>1.12.2011</p> <p>From A Roll and other</p>		

(Sub Divisional Officer) Kahat

1	2	3	4		5		6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary	If offsetting states— (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R (Pb.) Volume II	Pay in substantive pension	Rs.	Additional pay for officiating	Rs.	Other emoluments falling under the term "pay" Name of Post	Date of appointment	Signature of Government Servant
درجہ ملازمت	عارضی، مستقل یا قائم مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق پنشن کا مستحق ہے۔	تختواہ بطور عارضی ملازمت	7250/-	زائد تختواہ بطور قائم مقام		ماسوائے تختواہ دیگر الائس	تاریخ تقرری	دستخط سرکاری ملازم
								12/12	
								12/13	

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9	10	11	12	13		14	15					
Signature and Designation of the Head of the office or other Attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal etc).	Signature of the Head of the office or other Attesting Officer.	Nature and duration of leave taken	LEAVE Allocation of periods of leave on average pay up to 4 months (or earned leave not exceeding 120 days) to which leave salary is debited to another Government		Signature of the head of the office or other Attesting office	Reference to any recorded punishment or censure or reward or raised of the Government servant				
<p>Sub Divisional Officer (Male) Primary Kohat</p> <p>30/11/23 A/M</p> <p>12/11/24 (A.M.)</p> <p>Dr. G. N. Khan</p> <p>Joint Engineer</p> <p>of L.P.A. (276) days</p> <p>12/11/24</p> <p>12/5/24</p>	<p>تاریخ انقطاع ملازمت</p> <p>وجبات انقطاع ملازمت ترقی، تبادلہ یا برطرفی</p>	<p>دستخط افسر مجاز</p>	<p>دستخط افسر مجاز</p>	<p>رخصت کی نوعیت و معیار</p>	<p>چار ماہ تک کی رخصت کے لئے اوسط تنخواہ کا تعین</p> <table border="1"> <tr> <th>Period</th> <th>Govt. to which Debit</th> </tr> <tr> <td></td> <td></td> </tr> </table>		Period	Govt. to which Debit			<p>دستخط افسر مجاز</p>	<p>سر یا اجزا یا غیر مناسب کارکردگی کا ریکارڈ</p> <p>Sanction of Retirement w.e.f. 22.04.2014 (A.M.)</p> <p>and Encashment of L.P.A. w.e.f. 11/07/2013 to 12/04/2014 (276) days on full pay vide DEO (M) office Kohat No. 1647-98 dt. 9/4/2014.</p> <p>4/12/2012 SDO (Male) Primary Kohat</p> <p>Service V-13 dt. 12-13 From A/Roll and other Office Record. M. S. Khan</p> <p>Service V-12 dt. 12-13 From A/Roll and other Office Record. M. S. Khan</p>
Period	Govt. to which Debit											

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(22)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT

RETIREMENT SANCTION

Sanction is hereby accorded to the grant of retirement in respect of following PST teachers as due and admissible to them under the rules.

S/#	Name & designation	Period of LPR encashment	Date of Retirement
1	Moeen Gul Chowkider GPS No.2 Pasta Chanda	11/07/2013 to 12/04/2014(276) days on full pay.	12-04-2014(AN)

Necessary entry to this effect should be made in his service book accordingly

(GHULAM QASIM KHAN)
DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Endst.No. 1697-48 dated 5 / 4 /2014

Copy to the:-

1. District Accounts Officer Kohat
2. SDEO (M) Kohat with ref; to his mem; No.301 dated 31/03/2014

ATTENDED
to be true copy
Advocate

[Signature]
DY DISTRICT EDUCATION OFFICER
(MALE) KOHAT

محکمہ تعلیم حکمہ سترری بہار

Annex D

دیباہ کمنٹس اپیل

23

من ایبلانٹ محکمہ تعلیم کوہاٹ میں بطور جوڈیس، مورف - 18⁰⁸
1998

کو ڈیپارٹ ہو تھا اور محکمہ تعلیم سے مورف - 09⁰⁴ کو ساٹھ سالہ پر
2014

ریٹائرڈ ہوا ہوں۔ من ایبلانٹ کے حکمہ مذکورہ میں تقریباً

16/17 سال ملازمت کی ہے۔ اور اپنی ڈیوٹی اسٹریٹ سے

کی ہے۔ لہذا من ایبلانٹ مطابق 16/17 سال ملازمت اور سروس

رولز پنشن وغیرہ کا حقدار ہوں۔ لہذا من ایبلانٹ کو پنشن وغیرہ

جاری کرنا کا حکم صادر فرمایا جائے۔

کیونکہ من ایبلانٹ اب اس عمر میں کوئی کام کاغذ کا نہیں ہوں۔

چونکہ پنشن وغیرہ من ایبلانٹ کا قانونی حق ہے۔

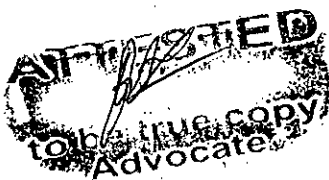
اسد علی کریانہ ہوں کہ من ایبلانٹ کو پنشن وغیرہ جاری کرنا کا حکم صادر

فرمایا جائے۔

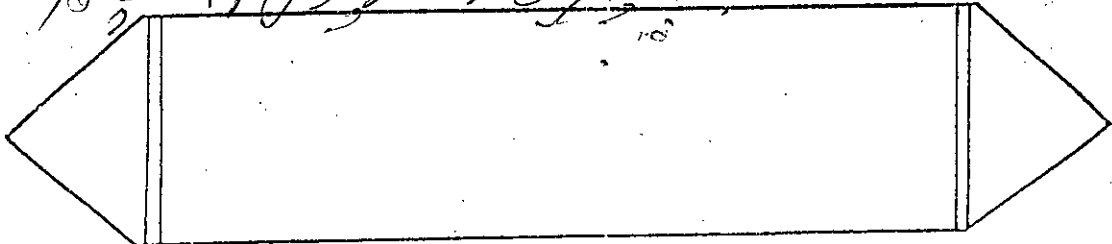
1430107161470-1

عین گل ولد اسد علی سکنہ - پتہ جتوہ ڈالخانہ شادی پور، تحصیل منگ پور، مورف - 16⁰⁴
2018

(مصدقہ)



بعد التذلل من سركه لبريدك 49



2018 منجانب

مہینہ گل بنام خصوصیت

موزخه	_____
مقدمه	_____
دعوی	_____
جرم	_____

باعث تحریر آنکہ

آن مقام رہا کیلئے طہر علی خان کا روائی متعلقہ مقرر کر کے اقرار کیا جاتا ہے۔

کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثبالت فیصلہ برحلف دیئے جواب دہی اور اقبال دعوی اور بصورت ڈگری کرنے اجراء اور صولی چیک دروپیہ عرضی دعوی اور درخواست ہر قسم کی تصدیق

زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی براندگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور

کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ

پرداخت منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ یہ

مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

ACCEPTED
ATTEST
ESTUENCO
Scafe

الرقوم _____ ماہ _____ 20

العبد _____ واد العبد _____

کے لئے منظور ہے۔

بمقام

(رہین گل)

Before the Khyber Pakhtunkhwa Peshawar

Appeal No. 925/2018

Mr. Moeen Gul.....Petitioner

V/S

Senior Distt. Accounts Officer Kohat and others.....Respondents

(Reply on Behalf of Respondent No. 1 & 8)

INDEX

S.NO.	PARTICULAR.	ANNEXURE.	PAGE.
1.	Para Wise Reply	-----	1-2
2.	Peshawar High Court Judgment in Writ Petition No.1224 of Mr. Habib ur Rehman.	A	3-6
3.	Finance Deptt. Letter Dated.30.07.2008	B	7 & 8

10

**Before the Khyber Pakhtunkhwa Service Tribunal
Peshawar**

Appeal No. 925/2018

Mr. Moeen Gul.....Appellant.

V/S

Senior Distt:Accounts Officer Kohat and
Other:.....Respondents.

(Para wise reply on behalf of Respondent No.1&8)

Preliminary Objections.

- 1). That the appellant has no cause of action.
- 2). That the appellant has no locus standi.
- 3). That the appeal in hand is not maintainable.
- 4). That the instant appeal is time barred.
- 5). That the identical case Writ Petition No. 1224-P/2015 Habib-Ur-Rehman V/S Provincial Government of KPK, has already been dismissed by the Peshawar High Court Peshawar (Annex-A).

Respectfully Sheweth:-

Para 1:- Proved by record, however liable to be proved by the Appellant.

Para 2 & 3:- Correct, That the Appellant was regularized with effect from 1st July, 2008 (but not from the date of his appointment) in light of Finance Department Peshawar notification No.BOI/FD/1-22/2008-09, dated 30.07.2008 (Annex-B).

Para 4:- Relates to respondent No.6 and they are in better position to satisfy the grievances of the petitioner.

Para 5:- Incorrect, to the extent that the Appellant was regularized with effect from 1st July, 2008 (but not from the date of his appointment) in light of Finance Department Peshawar notification No.BOI/FD/1-22/2008-09, dated 30.07.2008. Hence he had not completed the qualifying Service for pension that is 10 years (Annex-C).

GROUNDS:-

a:- That respondents No.1&8 are bound to follow the rules and instructions issued by Provincial Govt of KPK, from time to time.

b:- Incorrect, as mentioned in Para "5" above the appellant is not entitled for pension.

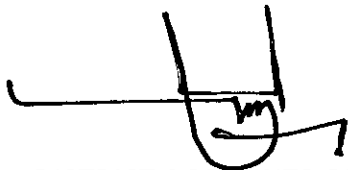
c:- As mentioned in Para "a" above.

d&e:- As mentioned in Para "a" above, Respondent No.1&8 have not violated any rule or law.

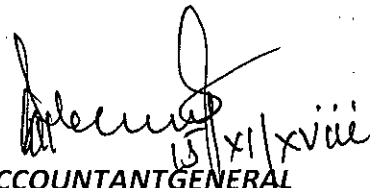
f:- As mentioned in Para "a" above.

g:- As mentioned in Para "a" above.

Keeping in view the above mentioned facts, it is humbly prayed that the appeal in hand, having no merits may be dismissed with cost.



**DISTRICT ACCOUNTS OFFICER
KOHAT**



**ACCOUNTANT GENERAL
KHYBER PAKHTUNKHWA**

(24)

185
(Annex-A) (3)

Judgment Sheet

**PESHAWAR HIGH COURT,
PESHAWAR**

(Judicial Department)

Writ Petition No. 1224-P/2015

Habib ur Rehman

Versus

Chief Secretary to Govt: of KPK and others.



Date of hearing. 10.01.2018

Petitioner By *Shahid Khan Advocate*

Respondents. By *Officer addn Govt of Balochistan*

JUDGMENT

MUSARR AT HILALI:- The instant writ petition has been filed by the petitioner under Article 199 of the Islamic Republic of Pakistan, 1973 praying that a writ may be issued to respondents to release the pension and pensionary benefits to the petitioner without any further delay.

main

2. Brief facts, as per averments of the writ petition are that the petitioner worked as Chowkidar in the Education Department from 1.09.1998 to 11.5.2012

ATTESTED
EXAMINER
Peshawar High Court

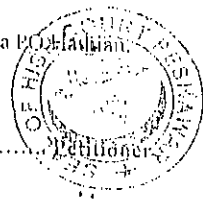
4

BEFORE THE HON'BLE PESHAWAR HIGH COURT, PESHAWAR

W.P. No. 1224-P /2015

Habib ur Rahman S/O Mahabat Khan R/O Libas Khan Koroonia P.O. Mardan

Lehit Takht Bhai, District Mardan



VERSUS

Handwritten notes:
1. Chief Secretary
2. Secy Education
3. Divisional Education Officer
4. Executive District Education Officer
5. Accountant General
6. Secy Finance
7. District Accounts Officer

1. Chief Secretary to Govt. of Khyber Pakhtunkhwa, Peshawar.

2. The Secretary Education Department, Govt. of Khyber Pakhtunkhwa Peshawar.

3. Divisional Education Officer Mardan.

4. Executive District Education Officer, Mardan

5. Accountant General, Khyber Pakhtunkhwa, Peshawar.

6. *Secretary Finance Govt. of K.P.K. Peshawar* Respondents.

7. *District Accounts Officer Mardan*

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

PRAYER IN WRIT.

ON ACCEPTANCE OF THIS PETITION, THE AN APPROPRIATE DIRECTION BE ISSUED TO RESPONDENTS TO issue/ RELEASE THE PENSION AND PENSIONERY BENEFITS TO THE PETITIONER WITHOUT ANY FURTHER DELAY.

FILED TODAY
Deputy Registrar
15 JAN 2015

ATTESTED
EXAMINER
Peshawar High Court
23 JAN 2018

3

and at the age of 60, a sanction letter regarding his retirement from Executive District Office (E&S) Education Mardan was issued on 01.05.2012. That despite of fulfillment of all the codal formalities, the respondents are reluctant to release the pension and pensionary benefits to the petitioner. Feeling aggrieved with the actions of respondents; the instant writ petition has been filed.

Arguments of learned counsel for the parties heard and record perused.

The case of petitioner is that he served the respondent department from 01.09.1998 till 11.5.2012, however, on his retirement, he was not paid pension till date. Comments were called from the respondents which were accordingly submitted wherein they have submitted that since the petitioner was a fix pay employee, therefore, he is not entitled to the pension/pensionary benefits as per the relevant rules/policy. The same has been clarified by the letter of Government of NWFP Finance Department No. BO

Draw

ATTESTED
EXAMINER
Peshawar High Court
23 JAN 2010

6

FPD/1-22/2008-09 dated 30.07.2008 addressed to the Accountant General, NWFP, Peshawar in the following terms:-

"all the Class-II fixed Pay Employees have been regularized in BPS-I giving them the status of Civil Servant, with effect from 1st July, 2008 (but not from the date of their appointments) as per provision of Section 10 of the Civil Servant Act, 1973 (read with Civil Servants (Amendment) Act, 2005). Under the Act *ibid*, these employees are entitled for Contributory Provident Fund (C.P Fund) instead of Pension/Gratuity and G.P Fund."

In view of the above, the petitioner being a fixed pay employee is not entitled to the relief prayed for i.e. release of pension and pensionary benefits. In the circumstances, the instant writ petition being devoid of merit stands dismissed.

(Signature)

JUDGE

(Signature)

JUDGE

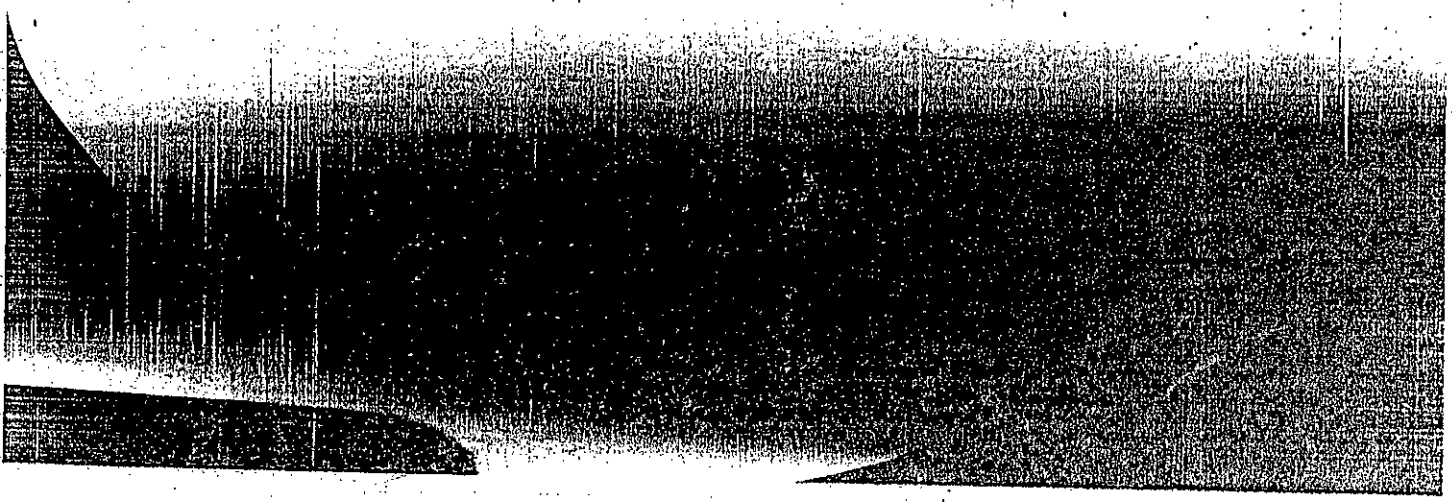
Announced on;
Dated, 10.01.2018



D.P Hon'ble Jh, Justice Waqar Ahmad Seth and Hon'ble Justice Iftusamat Hiteji

Date of Presentation of Application 11/1/18
Total Pages 4
Fees Paid 1000/-
Fees Received 1000/-
Date of Filing 11/1/18
Date of Disposal 11/1/18

CERTIFIED TO BE TRUE COPY
23 JAN 2018



GOVERNMENT OF PESHAWAR
FINANCE DEPARTMENT

No. B.O. 11/2009-08
Dated Peshawar, the 30.7.2009

To

The Accountant General
NWFP, Peshawar

Subject:

BUDGET SPEECH 2008-09: CONVERSION OF FIXED PAY CLASS-IV
INTO REGULAR BPS CP FUND SCHEME

Dear Sir,

I am directed to refer to your letter No. 11/28(05)/Kohistan/Vol. II/851 dated 18/6/2008 on the subject headed above and to clarify that all the Class-IV Fixed Pay Employees have been regularized in BPS-1 giving them the status of Civil Servants with effect from 1st July, 2008 (but not from the date of their appointments) as per provision of Section 19 of the Civil Servant Act, 1973 (read with Civil Servants (Amendment) Act, 2005). Under the Act 1973, these employees are entitled for Contributory Provident Fund (C.P. Fund) instead of Pension/Gratuity and G.P. Fund. Since length of service of the employees was at variance, therefore in order to meet the demand of natural justice, fixation of pay has been allowed to them with effect from the dates of appointment bringing their salaries of pay with the respective length of service. However, they shall not be entitled for benefit of pay and allowances as clarified in the instructions. It is confirmed that they are entitled for CP Fund instead of Pension/Gratuity and GP Fund unless otherwise provided in the relevant Rules/Regulations.

Yours faithfully,

(Jida Muhammad)
Budget Officer-I

Encls. No. & Date given:

Copy is forwarded w/c to Finance Dept's circular letter No. B.O. 11/2009-08 dated 29/7/2008, for information & necessary action to:

- 1) All Administrative Secretaries to Government of NWFP
- 2) Secretary to Governor, NWFP, Peshawar
- 3) Principal Secretary to Chief Minister, NWFP, Peshawar
- 4) All District Coordination Officers in NWFP
- 5) All Heads of Attached Departments in NWFP
- 6) The Registrar, Peshawar High Court, Peshawar
- 7) The Registrar, NWFP Service Tribunal, Peshawar
- 8) The Secretary, Provincial Assembly, NWFP, Peshawar
- 9) The Secretary, Board of Revenue, NWFP, Peshawar
- 10) All District Accounts Officers in NWFP
- 11) All Budget Section Officers in Finance Department, Peshawar

ASSTT. ACCOUNTS OFFICER
O/o A.G. Khyber Pakhtunkhwa

BETTER COPY

GOVERNMENT OF NWFP
FINANCE DEPARTMENT
No. BO1/FD/1-2/2008-09
Dated Peshawar, the 30/07/2008

To,

The Accountant General,
NWFP, Peshawar.

Subject:- **BUDGET SPEECH 2007-08 CONVERSION OF FIXED PAY CLASS-IV INTO REGULAR
BPS-1 CP FUND SCHEME.**

Dear sir,

I am directed to refer to your letter No. H.24(85)/ Kohistan /Vol-II/851 dated 18.06.2008, on the subject noted above and to clarify that all the class-IV Fixed Pay Employees have been regularized in BPS-1 giving them the status of Civil Servant, with effect from 1st July, 2008 (but not from the date of their appointments) as per Provision of Section 19 of the Civil Servant Act, 1973 (read with Civil Servants (Amendment) Act, 2005): Under the Act ibid, these employees are entitled for Contributory Provident Fund (CP Fund) instead of Pension / Gratuity and GP Fund. Since length of service of the employee was at variance, therefore, in order to meet the demand of natural justice, fixation of pay has been allowed to them with effect from the dates of appointment bringing their salaries at par with the respective length of service. However, they shall not be entitled for arrears of pay and allowances as clarified in the instructions. So, it is confirmed that they are entitled for CP Fund instead of Pension / Gratuity and GP Fund, unless otherwise provided in the relevant Rules / Regulations.

Yours faithfully,

(Fida Muhammad)
Budget Officer-1

Endst:No. & Date even:

Copy is forwarded w/r to Finance Department Circular letter No. BO1/1-22/2007-08/FD dated 29.01.2008, for information & necessary action to:-

- 1). All Administrative Secretaries to Government of NWFP.
- 2). Secretary to Governor, NWFP Peshawar.
- 3). Principal Secretary to Chief Minister, NWFP Peshawar.
- 4). All District Coordination Officers in NWFP.
- 5). All Heads of Attached Department in NWFP.
- 6). The Registrar, Peshawar High Court, Peshawar.
- 7). The Registrar, NWFP Service Tribunal, Peshawar.
- 8). The Secretary Provincial Assembly NWFP, Peshawar.
- 9). The Secretary, Board of Revenue NWFP Peshawar.
- 10). All District Accounts Officers in NWFP.
- 11). All Budget / Section Officer in Finance Department Peshawar.

SECTION OFFICER-1

BEFORE THE HON'ABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR
SERVICE APPEAL NO; 925/2018

Moeen Gul **Appellant**

V E R S U S

1. District Education Officer (Male) Kohat & Others..... **Respondents**

Parawise Comments on behalf of respondent no: 2,3,4,5 & 6

Preliminary Objections:-

1. That the appellant has got no locus standi.
2. That the appellant has concealed material facts from the Honourable Tribunal
3. That the appellant has not come to this Tribunal with clean hands
4. That the instant appeal is not maintainable in the eyes of law.
5. That the instant appeal is badly barred by time.

Respectfully sheweth

Facts

1. No comments Pertains to record.
2. Incorrect, That the services of the appellant were regularized on 01-07-2008 through Finance Deptt Notification No. BO-1/11-22/2011-08 dated: 29-01-2008 and the Govt. of KP Finance Department further clarified vide his office notification No. SO(SR)-III/FD/12-1/2005 dated: 27-02-2013, the K.P Civil servants (amendments) act 2013 that all civil servants appointed to a service or post on or after 1st July 2001 should be deemed to have been appointed on regular basis and will be eligible for pension and appellant was appointed before 01-07-2001, as illustrated in the said act in concluded Para that those employees who are not Civil Servants as defined in Section 2(b) of the KP Civil servant Act 1973. (Copy attached as **annexure "A"**)

Moreover in response to AG KP Peshawar queries, the FD once again notified vide notification BO1/FD/1-2/2008 dated: 30-07-2008 that all the class-IV fixed pay employees have been regularized in BPS-1, given the status of civil servant w.e.f. 01-07-2008 (copy of FD notification alongwith AG KP Peshawar letter attached as annexure "**B & C**" respectively, the services of appellant was mandatory to be reckoned ~~for~~ pension from the date of regularization i.e. 01-07-2008. His total regular service is less then 10 years, hence no pension benefit can be granted to him accordingly under the rules.


3. The appellant has ~~been~~ attained the age of 60 years on 09.04.2014 and rendered regular service for 05 years 07 months and 08 days from the date of regularization i.e. 01.07.2008 and not entitled for pension benefits vide para 4.4 of the Civil Servant Pension rules 1963(**Pension rules 4.4 is Annexure D**)

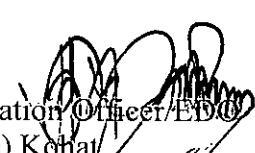
4. Incorrect, The departmental appeal was absolutely time barred irrespective of the fact that there is no provision in the rules to be awarded pension benefits, rather quite contrary to rules as enunciated vide para 3 above.
5. Incorrect, the appellant neither has locus standi ~~and~~ nor locus poenitentiae to file instant appeal.

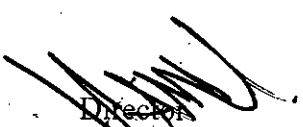
GROUNDS:-

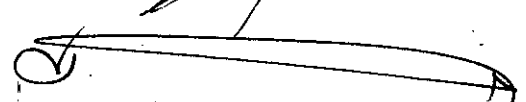
- a) Incorrect, the appellant has been treated quite in accordance with rules and regulations.
- b) Incorrect, prior to regularization i.e. 01.07.2008 the appellant services do not falls within the purview of civil servant act 1973 para 2(b) of the KP Civil servant Act 1973 and not entitled any pension benefits.
- c) Incorrect, the respondent Department has bound to follow strictly the rules in vogue and can not pass any order on his own discretion in violation of rules.
- d) Incorrect, the appellant misconceived the terms and condition and law as well, there is a no provision in law to extend any pension benefits for services rendered as contract/contingent employees.
- e) Incorrect, the appellant on his own request join the contract job, willfully aware to the fact that there would be no pension for contract period.
- f) Incorrect, the respondent Department have no any malafide against any one.
- g) As replied in Para No 4 of facts.

It is therefore humbly prayed to dismiss the instant service appeal with cost


S.D.E.O
Sub Divisional Education Officer
(Male) Kohat
Respondent # 3


District Education Officer/EDO
(Male) Kohat
Respondent # 2 & 4


Director
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar
Respondent # 5


Secretary
Govt. of Khyber Pakhtunkhwa Peshawar
Elem: & Secy Edu: Deptt Peshawar
Respondent # 6

BEFORE THE HONOURABLE SERVICE TRIBUNAL
PESHAWAR
SERVICE APPEAL NO. 925/2018

Moeen Gul APPELLANT

V/S

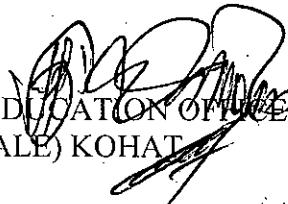
DISTT EDUCATION OFFICER (MALE) KOHAT & OTHER..... RESPONDENTS

Parawise comments on behalf of Respondent No: 2 to 6

Affidavit

I, District Education Officer (Male) Kohat do hereby solemnly affirm and declare on oath that the contents of the accompanying Parawise comments are true and correct to the best of my knowledge and belief and nothing has been concealed withheld from this Honourable court.

Deponent


DISTRICT EDUCATION OFFICER
(MALE) KOHAT

GOVERNMENT OF NWFP
FINANCE DEPARTMENT

No. BO1/FD/1-22/2008-007
Dated Peshawar, the 30/7/2008

To

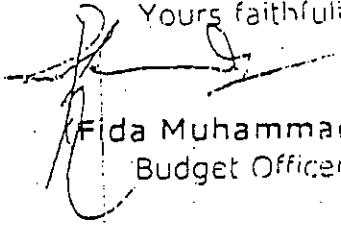
The Accountant General,
NWFP, Peshawar.

Subject: BUDGET SREECH 2007-08 CONVERSION OF FIXED PAY CLASS-IV
INTO REGULAR BPS-1 CP.FUND SCHEME.

Dear Sir,

I am directed to refer to your letter No.H.24(85)/Kohistan/Vol-II/851 dated 18/6/2008 on the subject noted above and to clarify that all the Class-IV Fixed Pay Employees have been regularized in BPS-1 giving them the status of Civil Servant, with effect from 1st July, 2008 (but not from the date of their appointments) as per provision of Section 19 of the Civil Servant Act 1973 (read with Civil Servants(Amendment) Act, 2005). Under the Act ibid, these employees are entitled for Contributory Provident Fund (C.P. Fund) instead of Pension/Gratuity and G.P. Fund. Since length of service of the employees was at variance, therefore, in order to meet the demand of natural justice, fixation of pay has been allowed to them with effect from the dates of appointment bringing their salaries at par with the respective length of service. However, they shall not be entitled for arrears of pay and allowances as clarified in the instructions. So, it is confirmed that they are entitled for CP Fund instead of Pension/Gratuity and GP Fund, unless otherwise provided in the relevant Rules/Regulations.

Yours faithfully,


(Fida Muhammad)
Budget Officer-I

Endst No. & Date even:

Copy is forwarded w/r to Finance Dept's circular letter No. BO1/1-22/2007-08/FD dated 29/1/2008, for information & necessary action to:-

- 1) All Administrative Secretaries to Government of NWFP
- 2) Secretary to Governor, NWFP, Peshawar
- 3) Principal Secretary to Chief Minister, NWFP, Peshawar
- 4) All District Coordination Officers in NWFP
- 5) All Heads of Attached Departments in NWFP
- 6) The Registrar, Peshawar High Court, Peshawar
- 7) The Registrar, NWFP Service Tribunal, Peshawar
- 8) The Secretary Provincial Assembly, NWFP, Peshawar
- 9) The Secretary, Board of Revenue, NWFP, Peshawar
- 10) All District Accounts Officers in NWFP
- 11) All Budget/Section Officers in Finance Department, Peshawar



S.D.E.O
(M) KOHAT

مراسلہ نمبر پی۔ او۔ ارا۔ ۲۲/۰۸۔ ۲۰۰۷۔ ۲۰۰۷ ایف۔ ڈی
مورخہ ۲۹ جنوری، ۲۰۰۸ء

بنیاد

- ۱۔ تمام انتظامی معتمدین حکومت صوبہ سرحد۔
- ۲۔ معتمد برائے گورنر صوبہ سرحد، پشاور۔
- ۳۔ پرنسپل سٹاف آفیسر برائے اذریائی صوبہ سرحد۔
- ۴۔ تمام سربراہان ماتحت محکمہ جات صوبہ سرحد۔
- ۵۔ تمام ضلعی رابطہ انسٹان صوبہ سرحد۔
- ۶۔ رجسٹرار پشاور ہائی کورٹ، پشاور۔
- ۷۔ رجسٹرار، سرسبز ٹریبونل، صوبہ سرحد، پشاور۔
- ۸۔ سیکرٹری صوبائی پبلک سرسبز کیشن، صوبہ سرحد، پشاور۔
- ۹۔ سیکرٹری بورڈ آف ریویو، صوبہ سرحد۔

عنوان :- بجٹ تقریر ۰۸۔ ۲۰۰۷ میں درجہ چہارم کے مقررہ تنخواہ ہانے والے (Fixed pay) ملازمین کے لئے سی۔ پی۔ فنڈ کا اعلان۔

جناب عالی!

مجھے ہدایت کی گئی ہے کہ عنوان بالا کا حوالہ دیتے ہوئے عرض کروں کہ صوبائی حکومت نے تمام درجہ چہارم (مقررہ تنخواہ Fixed pay) پاسداری ملازمین کو یکم جولائی ۲۰۰۸ء سے این۔ ڈبلیو۔ ایف۔ پی سول ملازمین ایکٹ ۱۹۷۳ء کے تحت سول ملازمین کا درجہ دیکر بنیادی سکالر (BPS-1) دینے کی منظوری دی ہے۔

۱۔ مذکورہ ملازمین کی تنخواہوں کا تعین (Fixation of pay) ان کی بھرتی کے تاریخ (Date of Appointment) سے کیا جائے گا۔ تاہم یہ ملازمین تنخواہوں اور ایڈوانسز دیکر کی مد میں کسی قسم کی بقایا جات (arrears) کے حقدار نہیں ہوں گے۔

۲۔ اس فیصلے سے متعلق جاری شدہ تمام مائٹنگ رپورٹیں امداداً تم جولائی ۲۰۰۸ء سے منسوخ تصور ہوں گے۔

آپ کا مخلص

مسٹر (شرافت خان ربانی)
نائب معتمد (سول سروس)

S.D.E.O
(SOL) KOHAT

تظہیر نمبر و تاریخ الضام:

نقل برائے اطلاع:

- (۱) اکاؤنٹس جنرل، صوبہ سرحد بمعدہ گزارش، کہ مندرجہ بالا اقدامات کی نافذ العمل کو یقینی بنایا جائے۔
- (۲) جملہ ایگزیکٹو ڈسٹرکٹ آفیسرز، فنانس اینڈ پلاننگ، صوبہ سرحد۔
- (۳) جملہ ضلعی آفیسران حساب داری، صوبہ سرحد۔

محمد علی
میزانیہ انسٹر (۱) محکمہ خزانہ

تظہیر نمبر و تاریخ الضام:

نقل برائے اطلاع:

- (۱) نجی مستند برائے چیف سیکرٹری صوبہ سرحد۔
- (۲) جملہ اضافی مستدین و نائب مستدین محکمہ خزانہ، صوبہ سرحد۔
- (۳) جملہ بچٹ ایگزیکٹو ڈسٹرکٹ آفیسرز، فنانس اینڈ پلاننگ، صوبہ سرحد۔
- (۴) ڈائریکٹر، FMIU محکمہ خزانہ، صوبہ سرحد۔
- (۵) نجی مستند برائے فنانس سیکرٹری صوبہ سرحد۔

محمد علی
میزانیہ انسٹر (۱) محکمہ خزانہ



Office of the
Accountant General
Khyber Pakhtunkhwa Peshawar
Phone: 091 9211 50-53

No.H-24/Fixed Employee/2013-14/2011-12 Dated: 06.09.2013

To,

All Distt:Accounts Officers / *HAOS*
in Khyber Pakhtunkhwa,

Subject: FAMILY PENSION CASE OF DATE MI HAMMAD JAMIL
CHOWKIDAR GGPS KASHMIRI BANDA KARAK.

Please refer to the Distt:Accounts Officer Karak memo
No.DAO/KK/Pen-audit/2012-13/620-21 dated 06.06.2013 on the above
subject.

2. In light of Finance Deptt: letter No.L.O-1/ D/1-22/2008-09/
dated 30.7.2008, all the class-IV fixed pay. employees have been
regularized giving them the status of civil servant w.e.f. 1.7.2008 (but not
from the date of appointment), therefore their pension cases may be
decided w.e.f. the date of their regularization.

[Signature]
ACCOUNT OFFICER (HAD) *[Signature]*

Copy to:-

1. The Distt:Accounts Officer Karak, with reference his memo
mentioned above.
2. The Budget Officer-1 Govt: of Khyber Pakhtunkhwa, Finance
Deptt: Peshawar with reference to your letter mentioned
above, for information.
3. The Accounts Officer (Pay Fixation party) for information.

[Signature]
ACCOUNT OFFICER (HAD)

[Signature]
S.D.E.O
(M) KOHAT

law, in the whole or part of the North-West Frontier province now Khyber Pakhtunkhwa, shall be amended in the manner as appeared hereinafter, namely:

- (a) In the Acts and Ordinances:-
- (i) for the words and hyphen "North West Frontier Province" and for the letters, dots and hyphen "N.-W.F.P" appearing before the words "AN ACT" or "AN ORDINANCE", as the case may be, the words "Khyber Pakhtunkhwa" shall be substituted.
 - (ii) in the long title and preamble, for the words and hyphen "North-West Frontier Province", "Sarhad", "Frontier" and for letters, dots and hyphen, "N.-W.F.P", as the case may be, wherever occurring, the words, "Khyber Pakhtunkhwa", shall be substituted.
 - (iii) in section 1, in sub-section (1) and in sub-section (2), for the words and hyphen, "North-West Frontier Province", "Sarhad", "Frontier" and for letters, dots and hyphen, "N.-W.F.P", wherever occurring, the words "Khyber Pakhtunkhwa" or the words "Province of the Khyber Pakhtunkhwa", as the case may be, shall be substituted; and
 - (iv) in any other section, for the words and hyphen, "North-West Frontier Province", "Sarhad", "Frontier" and for letters, dots and hyphen, "N.-W.F.P", as the case may be, wherever occurring, the words, "Khyber Pakhtunkhwa", shall be substituted; and
- (b) In the rules, regulations, notifications, orders, bye-laws, issued or framed under the provinces of any Act or Ordinance or any other legal instrument of the works and hyphen, "North-West Frontier Province", "Sarhad", "Frontier" and for letters, dots and hyphen, "N.-W.F.P", as the case may be, where ever occurring, the words "Khyber Pakhtunkhwa", shall be substituted.

Khyber Pakhtunkhwa Civil Servants Acts, 1973

(Khyber Pakhtunkhwa Act No. XVIII of 1973)

An Act to regulate the appointment of persons to, and the terms and conditions of service of persons in, the service of the Khyber Pakhtunkhwa

[Gazette of Khyber Pakhtunkhwa, Extraordinary, Page No. 267N-267V, 12th
November, 1973]

Preamble.--WHEREAS it is expedient to regulate by law, the appointment of persons to, and the terms and conditions of service of persons in, the service of the Khyber Pakhtunkhwa, and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:--

1. Short title, application and commencement---(1) This Act may be called the Khyber Pakhtunkhwa Civil Servants Act, 1973.

(2) This section and section 25, shall apply to persons employed on contract, or on work charged basis, or who are paid from contingencies, and the remaining provisions of this Act including this section, shall apply to all civil servants wherever they may be.

(3) It shall come into force at once.

CHAPTER-I PRELIMINARY

2. Definitions.--(1) In this Act, unless the context otherwise requires the following expressions shall have the meanings hereby respectively assigned to them, that is to say:-

(a) "ad hoc appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment, pending recruitment in accordance with such method,

(b) "civil servant" means a person who is a member of a civil service of the Province, or who holds a civil post in connection with the affairs of the Province, but does not include--

(i) a person who is on deputation to the Province from the Federation or any other Province or other authority;

(ii) a person who is employed on contract, or on work charged basis, or who is paid from contingencies; or

(iii) a person who is a "worker" or "workman" as defined in the Factories Act, 1934 (Act XXV of 1934), or the Workman's Compensation Act, 1923 (Act VIII of 1923);

"Government" means the Government of the Khyber Pakhtunkhwa.

(c) "initial appointment" means appointment made otherwise than by promotion or transfer;

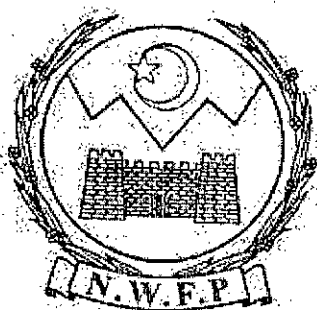
(e) "pay" means the amount drawn monthly by a civil servant as pay, and includes special pay, personal pay and any other emoluments declared by the prescribed authority to be paid;

(f) "permanent post" means a post sanctioned without limit of times;

S.D.E.O.
(14) KOCAT

GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE

FINANCE DEPARTMENT



NORTH-WEST FRONTIER PROVINCE

CIVIL SERVANTS PENSION

RULES AND ORDERS

(Corrected and amended up to 15th July 2006)

www.nwfpfinance.gov.pk

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CHAPTER-IV

AMOUNT OF ORDINARY PENSIONS.

SECTION-1 GENERAL.

4.1. (1) The amount of pension that may be granted is determined by length of completed years of qualifying service of a Government servant as set forth in rule 4.4.

(2) Pension is fixed in rupee and should be calculated to the nearest paisa.

4.2. (1) If the service of a Government servant has not been thoroughly satisfactory, the authority sanctioning the pension may make such reduction as it may think proper in the amount of pension.

(2) The special additional pension admissible under rule 4.5 is not given as a matter of course, but only where the service rendered is approved as satisfying the standard of work and conduct required in the special conditions of the post held for which special additional pension is admissible.

4.3 If a Government servant has held more than one post in respect of each of which, if he had held it separately and alone, pension would have been admissible to him, the pension admissible to him is the sum of the several pensions which would have been admissible to him if he had held each post separately and alone. The consolidated pension shall, however, be subject to the maximum limit prescribed in rule 4.4.

SECTION-II-Amount of full Pension

4.4 **Amount of full pension:-**(1) After a qualifying service of not less than 10 years, full Superannuation, retiring, invalid or compensation pension may be granted not exceeding the maximum limits prescribed below:-

Completed years of qualifying service	Scale of pension expressed as fraction of average emoluments	Maximum limit of pension Per annum
10	10/50	2500
11	11/50	2800
12	12/50	3100
13	13/50	3400
14	14/50	3700
15	15/50	4000
16	16/50	4300

S/D.E.O
(M) KOHAT

17	17/50	4600
18	18/50	4900
19	19/50	5200
20	20/50	5500
21	21/50	5800
22	22/50	6100
23	23/50	6400
24	24/50	6700
25 and over	25/50	7000

Note- For Government servants who opted or were deemed to have opted for pensionary benefits admissible under the Government of West Pakistan Circular No. S.O. (SR) V-257/67, dated 27th April, 1967 para 4 Annexure-I (Appendix-I).

REVISED PENSION TABLE.

Completed years of qualifying service	Scale of pension expressed as fraction of average emoluments
10	70/300
11	77/300
12	84/300
13	91/300
14	98/300
15	105/300
16	112/300
17	119/300
18	126/300
19	133/300
20	140/300
21	147/300
22	154/300
23	161/300
24	168/300
25	175/300
26	182/300
27	189/300
28	196/300
29	203/300
30 and above	210/300

Note:- Any amount in excess of Rs.1000/- PM calculated in accordance with the scale shown in column-(2) of this table shall be reduced by 50%.

Annexure-I of Govt. of NWFP Finance Department letter No.SO(SR-III)FD/4-199/77 dated 10-2-77 (Appendix-VI).

S.D.E.O
(A) KOHAT

Note.- The figures in the Note raised to Rs. 2,000 P.M with effect from 1-7-1980 Vide Government of N.W.F.P Finance Department Letter No.SO (SR-III) F.D. 4-199/80, dated 9-8-1980 (Appendix-XXX)

According to the existing rules/instructions, pension is calculated at the rate of 70% of average emoluments on completion of 30 years qualifying service. Where qualifying service is less than 30 years but not less than 10 years, the pension is calculated at the percentage applicable according to length of service. Any amount of pension in excess of Rs. 2500/- is reduced by 50%. The provincial Government have been pleased to direct that with effect from the 1st July, 1985; the reduction by 50% of the pension in excess of 2500/- shall not be applied in the case of those Government Servants who retire on or after 1.7.1985. In all such cases the pension shall be calculated at the rate of 70% of average emoluments or other percentage rate applicable according to length of qualifying service without applying any reduction.

ANNEXURE-I
FD, NWFP.

No. S.O. (SR-III) FD-4-199/77,
Dated 10th February, 1977 (Appendix-VI).

- (2) The term average emoluments of Government servant means the average of the pay that he drew or would have drawn had he not been on leave with leave salary or on joining time or under suspension which is not adjudged as a penalty, during the last 3 years immediately before his retirement. If during the last 3 years of his service, a Government servant has been absent from duty on leave without pay or has been under suspension as a form of penalty, the periods so passed should be disregarded in the calculation of the average emoluments and an equal period before the three years should be included.

GOVERNMENT INSTRUCTIONS.

The term "average emoluments", i.e. Pensionable pay, shall include dearness allowance sanctioned from time to time.

[Para 2 (c) of the Government of N.W.F.P, Finance Department Letter No. S. O. (Sr-III) FD-4-199/77, dated 10th February, 1977 (Appendix-VI)]

Senior Post Allowance shall be reckoned as "Emolument's" under rule 4.4.(2) of the West Pakistan Civil Services Pension. Rules for the purpose of pension and gratuity Letter No. SO(SR III) FD-4-23\70 of 26.5.1970.

S.O.E.O
(M) KOHAT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 925/2018
Mr. Moeen Gul

...

Appellant

VERSUS

1. Senior District Accounts officer Kohat
2. Executive District Officer Kohat
3. Sub division Education Officer (Male) District Kohat
4. District Education Officer (Male) Primary District Kohat
5. Director of Education (Male) near GHSS No.2, G.T. Road, Peshawar
6. Govt. of KPK through Secretary Education, Civil Secretariat, Peshawar
7. Govt. of KPK through Secretary Finance, Civil Secretariat, Peshawar
8. Accountant General, Khyber Pakhtunkhwa Peshawar.


...

Respondents

REPLY ON BEHALF OF SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA, FINANCE DEPARTMENT (RESPONDENT No.07).

Respectfully Sheweth.

Secretary to Government of Khyber Pakhtunkhwa, Finance Department (Respondent No.07) do hereby relies on the Parawise Comments already filed in the Honourable Service Tribunal by Respondent No. 2, 3, 4, 5 & 6. The Parawise Comments of Respondents No. 2, 3, 4, 5 & 6 may be considered as reply of Respondent No.07 (Secretary Finance) also.



**SECRETARY TO GOVERNMENT OF
KHYBER PAKHTUNKHWA, FINANCE DEPARTMENT
(RESPONDENT NO.7)**

**Govt: of Khyber Pakhtunkhwa
Finance Deptt:**

8/18

NT-13381

Issue : 27.08.2019
 Type : FRESH
 PPO Number : 00153467-01
 File No:
 Pension Register No:
 Pensioner's Name : MOOEN GUL
 Father / Husband name : SPIN GUL
 Designation : CHOWKIDAR
 NIC No.: 1430171614701
 Grade / Scale : 02
 Department.Min: Education Schools
 Pensioner's Type: SELF
 Pension Type: SUPERANNUATION
 Date of Birth : 13.04.1954
 Date of appointment: 25.08.1998
 Date of retirement: 12.04.2014
 Date of Death:
 Date of commencement : 13.04.2014
 Date of Restoration : 23.08.2026
 Accounts office ID : KT
 Accounts office Name : Kohat
 Federal Province : Khyber Pakhtunkhwa
 Length of Qualifying Service : 15 years, 7 months, 18 days
 Old PPO Number :
 No. and Date of sanction of pension / Letter No. and the date of the other Audit and Accounts officer authorising the Pension/Gratuity/Commutation
 Permanent Address: VII.E, SHAHI PURE KOHAT

Note: RS 18016.-MAY PLEASE BE RECOVERED ON ACCOUNT OF PAY AND ALLOWANCE WFF:13.04.2014 T 31.05.2014 FROM HIS PEN COMMITT:

Age : 61 years
 Last Drawn pay/Emoluments(Rs.): 7450.00
 Gross Pension(Rs.) : 2781.33
 1/4th Surrendered Portion (Rs.) :
 Commuted Portion (Rs.) : 973.47
 Net Pension (Rs.) : 1807.86
 Net Family Pension (Rs.) : 0.00
 Amount of Commutation(Rs.) : 144524.00
 With Held Amount (Rs.) : 0.00
 Life Time Arrears (Rs.) : 0.00
 Arrears Of Pension (Rs.) : 0.00
 Special Additional Pension (Rs.) : 0.00
 Commutation Percentage : 75.00
 Commutation Table value : 12.77
 Recovery on A/C of :
 Debitable to Govt : Khyber Pakhtunkhwa
 Total Net Share
 Federal : 0.00 Punjab : 0.00
 Sindh : 0.00 NWFP : 0.00
 Balochistan : 0.00 Military : 0.00
 AJK : 0.00 Autonomous : 0.00

Payment Mode : HABIB BANK LIMITED
 Bank Branch : HANGU ROAD, KOHAT,
 HANGU ROAD, KOHAT.
 Bank Account Number : 02187900085903
 Employee Station : Govt. Primary School (Male) Kohat

He/She is also entitled to the following increases

Sl. No.	Period	Increase % or amount	Increase Amount	W.E.F.
1	u.	Rs. 0.00	0.00	
2		7/14	6000-w	
3		7/15	600-w	
4		7/16	660-w	
5		7/17	726-w	
6		7/18	799-w	
7		Enr	1215-w	
		7/19	1000-w	
			11000-w	
		7/10 MA	750-w	
		7/15 MA	187-w	
			11937	



A sum of Rs. 144524.00 (Rupees ONE HUNDRED FORTY-FOUR THOUSAND FIVE HUNDRED TWENTY-FOUR) on account of commuted value of pension is also payable

The Payment value is debitale to the head.

- Major Object A04 Transfer Payments.
- Minor Object A044 Superannuation Allowance and Pens
- Detailed Object A04101 Pension
- A04102 Commuted value Pension.
- A04103 Gratuity Civil
- A04104 Other Pension
- A04105 Gratuity Pension (Where Pension is nature)
- A04170 Others

(Signature) _____
 District Controller of Accounts,
 Kohat
 (Designation) _____

To The

hunkhiva

P&T-2

4102
Provincias

VOUCHER NUMBER
MONTH OF 12019

Received this Day of

Rs. 126508 Rupees one hundred twenty six thousand five hundred being the amount due to me on account of Commutation Gratuity and eight only -

G-144524

R-18016

Net 126508

Claimant's signature: [Signature]
Name of Pensioner: MOEN QUR
Father's Name: SAYU QUR
CNIC No.

CENTRAL/PROVINCIAL

PPONUM 13386 DATED RESIDENT

Passed For Rs. one hundred twenty six thousand thousand
Rupees one hundred twenty six thousand five hundred and eight only
PPONUM 13380 Retired from Government Service vide

No

Date

A.T.O./A.C.

S.A.C.

Auditor

Signature of DCO

DCM KOHAT

Witnesses

1. Mr. Muhammad waleed
S/O Muhabbat Khan
CNIC No. 14301-9190078-9
Residence Babai Banda Kohat
2. Mr. K. Fayat Ullah
S/O Sajdar Ali
CNIC No. 14301-2799884-9
Residence: Razgi Banda Kohat

DAO KOHAT

OFFICE OF THE DISTRICT COMPTROLLER OF ACCOUNTS KOHAT

No /DCA/KT/Pen Audit

Dated

To,

The Manager,

M.C.B

KOHAT

Subject OPENING OF BANK ACCOUNT FOR PENSION.

Memo:

The pension case in respect of Sultan Beed Shih,

is under process in this office. Enabling this office to convert his pension into Direct Credit System to kindly open Bank Account in her name please.

FOR PENSION PURPOSE ONLY ✓


DISTRICT COMPTROLLER OF ACCOUNTS
KOHAT

Pr 600	uf	$13\frac{4}{16}$	to	$30\frac{4}{17}$	= 21 days.	4200 —
Pr 6000	uf	$15\frac{5}{14}$	to	$31\frac{8}{19}$	= 64 Mths.	384000 —
600	uf	$17\frac{7}{15}$	to	$31\frac{8}{19}$	= 52 M	31200 —
660	uf	$17\frac{7}{16}$	to	$31\frac{8}{19}$	= 40 M	26400 —
726	uf	$17\frac{7}{17}$	to	$31\frac{8}{19}$	= 28 M	20328 —
2014	uf	$17\frac{7}{18}$	to	$31\frac{8}{19}$	= 16 M	32224 —
1000	uf	$17\frac{7}{19}$	to	$31\frac{8}{19}$	= 2	2000 —
750	uf	$13\frac{4}{14}$	to	$30\frac{4}{14}$	=	520 —
Meal 950	uf	$15\frac{14}{14}$	to	$31\frac{8}{19}$	= 642	48000 —
R ₅ 187	uf	$17\frac{7}{15}$	to	$31\frac{8}{19}$	= 502	9350 —

558227 —

11937 —

9/19

570164

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8 —
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