

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 9266/2020

BEFORE: **MRS. ROZINA REHMAN** ... **MEMBER (J)**
 MISS FAREEHA PAUL ... **MEMBER(E)**

Mr. Zahid S/O Fida Muhammad, R/o Village Yahya Deheri, Katlang Road, Mardan.

... (*Appellant*)

Versus

1. **Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar.**
2. **Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.**
3. **Director General Commerce Education and Management Sciences Department, Khyber Pakhtunkhwa, Peshawar.**
4. **Section Officer, (SR-1) Finance Department, Government of Khyber Pakhtunkhwa, Peshawar.**
5. **Deputy Director (F/P) Director General Commerce Education and Management Sciences, Rano Garhi, Peshawar.**

... (*Respondents*)

Mr. Saquib Ifikhar
Advocate

... For appellant

Mr. Kabir Ullah Khattak
Addl. Advocate General

... For respondents

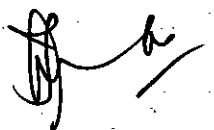
Date of Institution.....11.08.2020

Date of Hearing.....18.07.2022

Date of Decision.....18.07.2022

JUDGMENT

FAREEHA PAUL MEMBER (E): The service appeal in hand has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the impugned letters dated 02.08.2019 and 30.08.2019 with the prayer that they may be set aside and appellant may be allowed qualification

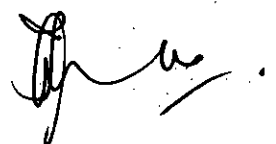


pay/allowance in the light of Revision of Basic Pay Scales & Allowances of Civil Servants of Provincial Government 2016 with arrears till date.

2. Brief facts of the case, as given in the memorandum of appeal, are that the appellant was an employee in (BPS-16) at Directorate General of Audit and Works (Federal) and upon his appointment as Lecturer in (BPS-17) he was relieved vide letter dated 05.11.2018. He joined the Government of Khyber Pakhtunkhwa Higher Education, Archives and Libraries Department in (BPS-17) since then. While working in Directorate General Audit and Works (Federal) he was drawing qualification pay/allowance based on his qualification of ICMA. When he joined provincial government as lecturer he applied for the said allowance to respondent No. 3. His case was processed and he was informed that his application had been turned down on the ground that in the light of pay revision 1983, qualification pay was admissible to specified categories employed on relevant jobs only. Feeling aggrieved from letter of Finance Department dated 02.08.2019 and Directorate General of Commerce Education and Management Science letter dated 30.08.2019, the appellant filed departmental representation on 10.10.2019 which was not responded. He filed a writ petition against the impugned orders which was disposed off by the Hon'ble Peshawar High Court, and the appellant was directed to approach Service Tribunal vide its judgment dated 24.06.2020; hence the service appeal.

3. Respondents were put on notice who submitted written replies/comments on the appeal. We heard the learned counsel for the appellant as well as the Assistant Advocate General and perused the case file with connected documents minutely and thoroughly.

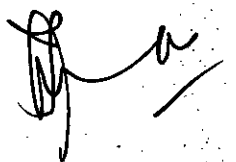
4. Learned counsel for the appellant contended that he had not been treated fairly and denied the qualification pay/allowance which was his right. He



challenged the applicability of Pay Revision Regulation 1983 on the appellant as illegal in the light of the new Regulations of 2016. He invited the attention to employees of various departments who were getting the qualification pay.

5. The learned Additional Advocate General contended that since the appellant was employed on the relevant job in the Directorate General of Audit and Works (Federal) as senior auditor (BPS-16) therefore he was eligible to draw qualification pay/allowance. He further contended that when the appellant was appointed against the post of Lecturer Economics (BPS-17), qualification pay/allowance on the basis of ICMA was not admissible. He invited the attention to pay revision rules 1983, and read out para-17 which clearly mentioned the position on which qualification allowance was allowed and to whom it was not admissible.

6. After hearing arguments from both sides and going through the record available before us it is clear that the appellant while working as Senior Auditor (BPS-16) in Directorate General of Audit and Works (Federal) was in receipt of qualification pay/allowance under the rules. However, on his appointment as Lecturer (BPS-17) in the Provincial Government he stopped getting the said allowance. The Pay Revision Rules 1983 are very clear and as stated in rule No.17 "Qualification Allowance" is allowed to Specialized Accounting Services (SAS) Accountants. The rule clearly mentions that the said allowance is allowed only for those officers/officials who are working on the post relating to accounting and that they shall continue to get the allowance even if they were promoted to higher post. There is no mention that the allowance is admissible to lecturers or any other position. Since the appellant switched his position from Senior Auditor in the Directorate General of Audit & Works (Federal) to Lecturer Economics in the Provincial Government, he under the rules was no more entitled



to get the qualification pay/allowance based on his qualification of ICMA.

7. In light of facts narrated above, the appeal in hand is dismissed. Parties are left to bear their own costs. Consign.

8. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 18th day of July, 2022.*



(ROZINA REHMAN)
Member (J)



(FAREEHA PAUL)
Member (E)

Service Appeal No. 9266/2020

18-7-2022

Mr. Saquib Ifikhar, Advocate for the appellant present. Mr. Kabir Ullah Khattak, Additional Advocate General for the respondents present. Arguments heard and record perused.

2. Vide our detailed judgement of today containing 04 pages, ~~the~~ the appellant while working as Senior Auditor (BPS-16) in Directorate General of Audit and Works (Federal) was in receipt of qualification pay/allowance under the rules. However, on his appointment as Lecturer (BPS-17) in the Provincial Government he stopped getting the said allowance. The Pay Revision Rules 1983 are very clear and as stated in rule No.17 "Qualification Allowance" is allowed to Specialized Accounting Services (SAS) Accountants. The rule clearly mentions that the said allowance is allowed only for those officers/officials who are working on the post relating to accounting and that they shall continue to get the allowance even if they were promoted to higher post. There is no mention that the allowance is admissible to lecturers or any other position. Since the appellant switched his position from Senior Auditor in the Directorate General of Audit & Works (Federal) to Lecturer Economics in the Provincial Government, he under the rules was no more entitled to get the qualification pay/allowance based on his qualification of ICMA.

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(ROZINA REHMAN)
Member (J)

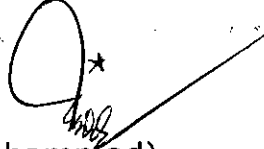

(FAREEHA PAUL)
Member (E)

27.04.2022

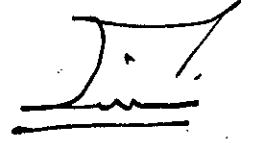
Nemo for the appellant. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Notice for prosecution of the appeal be issued to the appellant as well as his counsel and to come up for arguments on 18.07.2022 before the D.B.

*Noted for
the date
fixed by
Saqib Iftikhar
Counsel*



(Mian Muhammad)
Member (E)

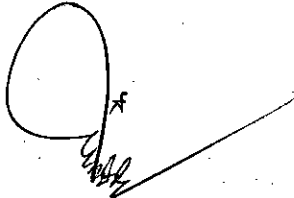


(Salah-ud-Din)
Member (J)

01.04.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

This case was partially heard by a Bench comprising of Mr. Salah-ud-Din learned Member (Judicial) and Mr. Mian Muhammad learned Member (Executive), therefore, this case be fixed on 21.04.2022 before the same Bench.



(Mian Muhammad)
Member (Executive)

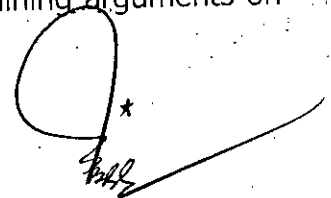


Chairman

21.04.2022

Appellant in person present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Remaining arguments could not be heard as Mr. Salah-Ud-Din, learned Member(Judicial) is on official tour to camp court Abbottabad. Adjourned. To come up for remaining arguments on 27.04.2022 before D.B.



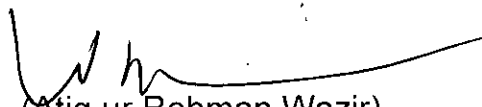
(MIAN MUHAMMAD)
MEMBER(E)

03.12.2021

Appellant in person present.

Muhammad Adeel Butt, learned Additional Advocate General for respondents present.

SSOS
A request for adjournment was made as reportedly learned counsel is indisposed. Last chance is given and this file be put up before the Bench comprising Mr. Salah Ud Din, Member (Judicial) and Mr. Mian Muhammad, Member (Executive) as partial arguments have already been heard by the said Bench. Case is adjourned to 27.01.2022 before the D.B.



(Atiq ur Rehman Wazir)
Member (E)

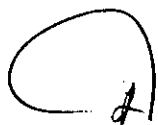


(Rozina Rehman)
Member (J)

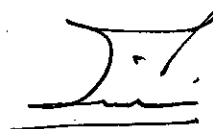
27.01.2022

Learned counsel for the appellant present. Mr. Muhammad Anwar Deputy Director alongwith Mr. Noor Zaman Khan Khattak District Attorney for the respondents present.

Arguments could not be heard due to paucity of time, therefore, case is adjourned. To come up for arguments on 01.04.2022 before D.B.



(Rozina Rehman)
Member (J)

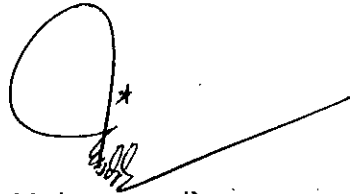


(Salah-Ud-Din)
Member (J)

18.11.2021

Appellant alongwith his counsel present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Salman Khan, Assistant for respondents present.

Partially arguments heard. To come up for remaining arguments on 19.11.2021 before the D.B.



(Mian Muhammad)
Member(E)

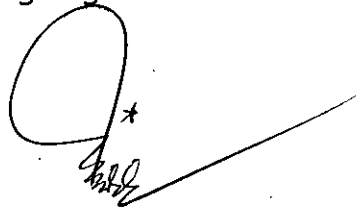


(Salah-Ud-Din)
Member(J)

19.11.2021

Appellant in person present. Mr. Noor Zali Khan, Section Officer (Litigation) and Mr. Anwar Khan, Deputy Director alongwith Mr. Noor Zaman Khattak, District Attorney for the respondents present.

Appellant requested for adjournment on the ground that his counsel is out of station. Adjourned. To come up for remaining arguments before this D.B on 03.12.2021.



(Mian Muhammad)
Member (E)



(Salah-Ud-Din)
Member (J)

26.05.2021

Appellant in person and Mr. Kabirullah Khattak, Addl. AG
alongwith Saleem Assistant for the respondents present.

Respondents No. 1 to 5 have furnished their joint parawise
comments. Placed on file. The appeal is assigned to D.B for
arguments on 15.09.2021.



Chairman

15.09.2021

Appellant with counsel present.

Muhammad Adeel Butt learned Additional A.G for
respondents present.

During the course of on behalf of the respondents, the
learned A.A.G in view of the query about the qualification for
the post, has sought time for placing on record the copy of
advertisement. To come up on 18.11.2021 before D.B.


(Rozina Rehman)
Member (J)


Chairman

30.11.2020

Appellant in present in person. Mr. Kabirullah Khattak, Additional Advocate General for the respondents is also present.

Written reply on behalf of respondents not submitted. Learned Additional Advocate General is directed to ensure presence of representative of the department and submit reply on the next date. Adjourned to 21.01.2021 on which date file to come up for written reply/comments before S.B.

(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

21.01.2021

Appellant with counsel present.

Noor Zaman Khattak learned District Attorney alongwith Salman Assistant for respondents present.

Written reply was not submitted. Representative of respondents made a request for time to furnish reply/comments; granted. To come up for written reply/comments on 17.03.2021 before S.B.

(Rozina Rehman)
Member (J)

17.03.2021

Due to tour of Camp Court Abbottabad and shortage of Members at Principal Bench Peshawar, the case is adjourned to 26.05.2021 before S.B.

Reader

30.09.2020

Counsel for the appellant present.

It is the argument of learned counsel that on 19.07.2016 the Finance Department Government of Khyber Pakhtunkhwa issued a letter/memo. regarding revision of basic pay scales and allowances of civil servants. In Paragraph 9 thereof, the rates of qualification pay were to be revised which also covered ICM/ICWA/CIMA/ACCA. The appellant is ICMA, besides having other qualifications. It is also contended that the respondents denied the revision on the strength of pay revision, 1983 which was superseded by former revision. Speaking about the delay in submission of instant service appeal, learned counsel states that the appellant submitted Writ Petition before the Honourable Peshawar High Court on 04th May, 2020 which was disposed of on 24.06.2020. The appellant was directed to approach this Tribunal for redressal of his grievance, hence the appeal in hand was submitted on 11.08.2020.

Subject to all just exceptions, instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 30.11.2020 before S.B.

Appellant Deposited
Security & Process Fee

21/10/20




Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 9266 /2020 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/08/2020	<p>The appeal of Mr. Zahid presented today by Mr. Saqib Iftikhar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>30/09/2020</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

BEFORE THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL

PESHAWAR

In Re: Service Appeal No. 9266 /2020

Mr. Zahid S/o Fida Muhammad

R/o Village Yahya Dheri, Katlang Road, Mardan

..... *Petitioner*

Versus

Government of Khyber Pakhtunkhwa & Others

..... *Respondents*

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II.	Copy of Relieving letter	15
III.	Copy of last pay slip and certificate	16-17
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V.	Copy of Application and internal communication dated: 07.03.2019	25-27
VI.	Copy of impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019	28-29
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Saqib Iftikhar
AHC

Saqib Iftikhar Law Associates

Advocates, Legal Advisors & Consultants
LG-55, Deans Trade Centre, Peshawar Cantt, Peshawar
Mobile: 0345 4719233, 0333-9279690
Email: saqib.iftikhar@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL

PESHAWAR

In Re: Service Appeal No. 9266 /2020

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 8625

Dated 11/8/2020

Mr. Zahid S/o Fida Muhammad
R/o Village Yahya Dheri, Katlang Road, Mardan

..... *Petitioner*

Versus

1. **Government of Khyber Pakhtunkhwa**
Through its Chief Secretary
Civil Secretariat, Peshawar
2. **Finance Department, Khyber Pakhtunkhwa**
Through its Secretary,
Civil Secretariat, Peshawar
3. **Directorate General of Commerce Education and Management
Sciences, Department, Khyber Pakhtunkhwa**
Through Director General,
Rano Garhi, Near Peshawar toll Plaza, Peshawar
4. **Section Officer, (SR-1)**
Finance Department, Government of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.
5. **Deputy Director (P/F)**
Directorate General of Commerce Education & Management Sciences,
Khyber Pakhtunkhwa, Rano Garhi, Peshawar.

Filed to-day

[Signature]
Registrar
11/8/2020

..... *Respondents*

SERVICE APPEAL UNDER SECTION 4 OF
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
ACT, 1974

(2)


Respectfully Sheweth.

The Appellant humbly submits as under:

1. That the Appellant is a qualified civil servant, having qualifications like M.Sc Economics and ICMA and serving as a lecturer in BPS-17 at Government of Khyber Pakhtunkhwa Higher Education, Archives & Libraries Department since 17.10.2018 having an unblemished career track record at his credit.

Copy of qualifications, Appointment letter & salary slip at Annexure-I

2. That the Respondents are the officials of various government departments where the Appellant is serving and withdrawing his salary from.

3. That the succinct facts leading to this  Petition are that the Appellant was previously an employee in BPS-16 at Directorate General of Audit Works (Federal) and upon appointment as a Lecturer in BPS-17, the Appellant was relieved vide letter dated:05.11.2018 by the said authority and thereafter joined Respondent No. 03 department.

Copy of Relieving letter at Annexure-II

Copy of last pay slip and certificate at Annexure-III

4. That in order to promote the induction of professionals in to the government service, the government in this respect offers to the government servants certain incentives on the basis of their qualifications. These incentives/allowances are revised from time to time.

Copy of Regulations dated: 19.07.2016 at Annexure-IV

- (3)
5. That since the Appellant is a qualified ICMA therefore the Appellant was withdrawing the said qualification pay/allowance while he was working at Directorate General of Audit Works (Federal) which is evident from his last salary slip and last pay certificate at Annexure-III.
 6. That the Appellant after joining the service in BPS-17 at Respondent No. 03 department applied for the said allowance vide Application to Respondent No. 03, the said letter was processed and vide the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019, the Appellant was informed that his application has been turned down on the ground that in light of pay revision 1983, qualification pay is admissible only to the specified categories employed on relevant jobs only.

Copy of Application and internal communication dated: 07.03.2019 at Annexure-V

Copy of impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 at Annexure-VI

7. That feeling aggrieved from the impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019, the Appellant filed an Appeal/Departmental Representation through proper channel to Respondent No. 03 on 10.10.2019, the said appeal is still pending and no response whatsoever has been received till the filing of Writ Petition by the Petitioner.

Copy of appeal along with covering letter of Principal at Annexure-VII

- (4)
8. That the Appellant feeling aggrieved filed a Writ Petition against the Impugned Order but the same was disposed off by the honourable High court and the Appellant was directed to approach this honourable tribunal.

Copy of Writ Petition along with Order dated: 24.06.2020 at Annexure-VIII

9. That as regard to the abovementioned facts, it is humbly submitted that the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 are against the law and is based on *mala fide*, thus, Appellant has no alternate remedy but to invoke the jurisdiction of this Honourable tribunal for enforcement of his grievance, *inter alia*, on the following grounds:

Grounds:

- I. That the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 are erred both in law and facts and are illegal and without jurisdiction hence liable to be set aside.
- II. That the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 are not only biased and unjust but also illegal and contrary to the Revision of Basic Pay scales & Allowances of Civil Servants of the Provincial Government 2016.
- III. That the applicability of Pay Revision Regulations, 1983 on the Appellant is illegal in light of the new Regulations of 2016.

IV. That according to the Schedule mentioned in Clause 9 of the Revision of Basic Pay scales & Allowances of Civil Servants of the Provincial Government 2016, the Appellant Qualification appears on the list and denying the said Qualification Pay to the Appellant is illegal, baseless and without Jurisdiction of the Respondents.

V. That it is pertinent to note that the employees of various departments of Government of Khyber Pakhtunkhwa and even the employees of the honourable Peshawar high court and even given the said qualification pay. For reference the pay slips of the said employees have been annexed.

Copies of pay slips of employees of Government of Khyber Pakhtunkhwa and High Court at Annexure-IX

VI. That the Respondents have not treated the Appellant as per Article 4 and 25 of the Constitution of Islamic Republic of Pakistan.


VII. That the superior courts have held in its multiple judgments that a provision of law cannot be interpreted in a manner which shall make the provision meaningless or redundant.

VIII. That the impugned act of the Respondents-04 & 05 is gross violation of the fundamental rights of the Appellant duly protected by the constitution of Islamic Republic of Pakistan.

IX. That Petitioner, however, reserves the right with due permission to present further arguments verbally or in writing to prove its stance.

Prayer: It is therefore, respectfully prayed that on acceptance of this Writ petition this honourable court may kindly direct the following;

- i. That the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 may be declared illegal, without jurisdiction and without any lawful authority.
- ii. That the Appellant may be allowed Pay Qualification/Allowance in light of Revision of Basic Pay scales & Allowances of Civil Servants of the Provincial Government 2016 along with arrears till date.
- iii. Any other relief deemed appropriate in circumstances, not specifically prayed for may also be granted.


Appellant
Through


Saquib Iftikhar
AHC

Saquib Iftikhar Law Associates
Advocates, Legal Advisors & Consultants
LG-55, Deans Trade Centre, Peshawar Cantt, Peshawar
Mobile: 0345 4719233, 0333-9279690
Email: saqib.iftikhar@gmail.com

(X)

BEFORE THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL

PESHAWAR

In Re: Service Appeal No. _____/2020

Mr. Zahid S/o Fida Muhammad
R/o Village Yahya Dheri, Katlang Road, Mardan

..... *Petitioner*


Versus

Government of Khyber Pakhtunkhwa & Others

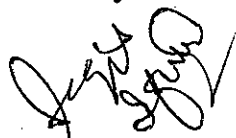
..... *Respondents*

Affidavit

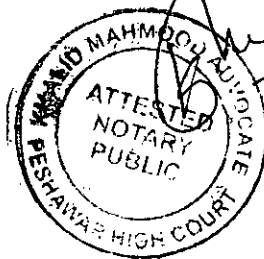
I, Mr. Zahid, Petitioner, solemnly affirm on oath that contents of this Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed intentionally from this honourable tribunal.


Deponent: 16101-1206507-9
0334-9431595

Identified by:



Saquib Iftikhar
Advocate High Court



بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Form C

Institute of Cost and Management Accountants of Pakistan

Established under the Cost and Management Accountants Act No. XIV of 1966



CERTIFICATE OF MEMBERSHIP

This is to certify that

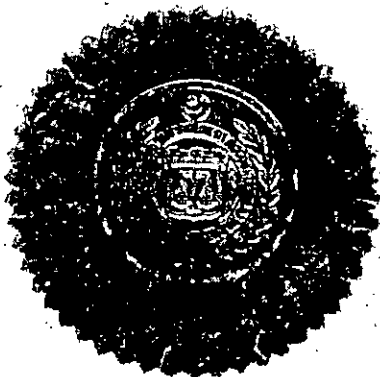
Zahid S/o Fida Muhammad

was admitted as *Associate* of the Institute

on the *17th* day of *September, 2011*

Given under the seal of the Institute at Karachi, this *28th*

day of *September, 2011*



A-4821

Husain Bilgrami

President

[Signature]

Members

of the

Council

[Signature]

Secretary

ATTESTED

To be True Copy

K- 5425



S. No. 2457

9



Institute of Cost and Management Accountants of Pakistan

(Constituted under the Cost & Management Accountants Act 1966-No.XIV of 1966)

FINAL EXAMINATION CERTIFICATE

Certified that ZAHID S/o FIDA MUHAMMAD Registration No. 20010774 Roll No. 7608 has completed the FINAL Examination held in the month of November, 2010. He was examined in the following subjects:

STAGE - 1

*Fundamentals of Financial Accounting
Business Economics
Business Laws
Business English*

STAGE - 2

*Fundamentals of Cost and Management Accounting
Management and Marketing
Business Mathematics & Statistics
Introduction to Information Technology*

STAGE - 3

*Financial Accounting
Business Taxation
Cost and Management Accounting-Performance Appraisal
Presentation & Communication Skills*

STAGE - 4

*Advanced Financial Accounting and Analysis
Integrated Management
Corporate Laws & Secretarial Practices*

STAGE - 5

*Financial Reporting
Management Accounting-Decision Making
Risk Management and Audit*

STAGE - 6

*Strategic Financial Management
Information Systems and I.T. Audit
Management Accounting-Business Strategy*

He has also passed the Comprehensive Examination held in the month of May, 2011 under Roll No. 33



Director Examinations

Honorary Secretary

Chairman
Examination Committee

President

Date: June 15, 2011
Place: Karachi.

ATTESTED

To Be True Copy



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated Peshawar, 17th October 2018.

NOTIFICATION

No.SO(CE&MS)HED/1-35/923(1-90) Consequent upon the recommendations of Khyber Pakhtunkhwa Public Service Commission, the Competent Authority is pleased to appoint the following recommendees as Lecturers in Commerce BPS-17 in Govt. Colleges of Commerce/ Management Sciences, Khyber Pakhtunkhwa with immediate effect against vacant posts in the Colleges as noted against each subject to the terms and conditions mentioned hereunder:

S.#	Name, Father's Name & Address	Posted at
1	Mr. Adil Zaman S/O Feroz Khan, Postal Address: District & Tehsil Mardan P/O Shah Baz Garhi Village Bala Garhi (Barachum).	Govt. College of Commerce No.02, Mardan against the vacant post.
2	Mr. Najeeb Ullah S/O Haider Khan, Postal Address: Village & P/O Khuley (Dosehar) District & Tehsil Charsadda.	Govt. College of Management Sciences, Mardan against the vacant post.
3	Mr. Abrar Ahmad Bhatti S/O Hkhar Ahmad Bhatti, Postal Address: House No.431 Faisal Colony, G.T Road Peshawar.	Govt. College of Management Sciences, Peshawar against the vacant post.
4	Mr. Israr Ahmad S/O Syed Muhammad Amin Shah Postal Address: Mohallah Kaka Khel Village & P/O Ghar Usmani Khel, Dargai Malakand.	Govt. College of Management Sciences, Thana against the vacant post.
5	Mr. Noman Khan S/O Khan Badshah, Postal Address: House No. 245/B Mohallah Rabnawaz Wakeel Bannu.	Govt. College of Commerce No.2, Mardan against the vacant post.
6	Mr. Mohay Ud Din Shah S/O Gul Fajeem Shah Postal Address: Village Mandgoori Patal Shah P/O Chakdadan Tehsil & District Bannu.	Govt. College of Commerce No.02, Bannu against the vacant post.
7	Mr. Yousaf Abbasi S/O Juhangir Abbasi Postal Address: New Abbasi House No.586 Iqbal Road Supply Abbottabad.	Govt. College of Management Sciences, Abbottabad against the vacant post.
8	Mr. Usman Ghani S/O Khyal Zamir Postal Address: Ghazi Ghary, Ashnagher, Bara Road, Sarband, Peshawar.	Govt. College of Management Sciences, Jamrud against the vacant post.
9	Mr. Tuqi Ullah Khan S/O Rehmat Ullah Postal Address: House No. R-511/29 Mohallah Jufarzai, Gulachi District D.I Khan.	Govt. College of Commerce No.02, D.I Khan against the vacant post.
10	Syed Hidayat Ullah Shah S/O Syed Aftab Ud Din Postal Address: Village Hsara Navey Wadana Mandani Tehsil Tangi District Charsadda.	Govt. College of Management Sciences, Charsadda against the vacant post.
11	Mr. Zahoor Rahman S/O Sher Afzal Khan Postal Address: Village Ontkoto, P/O Thana, Tehsil Batkhela District Malakand.	Govt. College of Management Sciences, Thana against the vacant post.
12	Mr. Basit Rehman S/O Abdul Wahid Postal Address: P/O Garden Colony House No. WD-97/2, Kohat.	Govt. College of Management Sciences, Kohat against the vacant post.
13	Mr. Taimur Ashiq S/O Ashiq Hussain Postal Address: House No.04, Mohallah Thundar, Chamba Pir Road, Nothla Jadedd, Peshawar.	Govt. College of Management Sciences, Swabi against the vacant post.

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14	Muhammad Musaddaq S/O Muhammad Nawaz <u>Postal Address:</u> Jagir P/O Garhi Habibullah Tehsil Balakot Distiret Manshra.	Govt: College of Management Sciences, Balakot against the vacant post.
15	Mr. Hassan Sardar S/O Muhammad Sardar <u>Postal Address:</u> Kotka Zerki Domail P/O Domail Tehsil & District Bannu.	Govt: College of Management Sciences: Charsadda against the vacant post.
16	Muhammad Waqas S/O Sikandar Zaman <u>Postal Address:</u> Mohallah Musa Khel City P/O & Teshil Topi District Swabi.	Govt: College of Management Sciences, Swabi against the vacant post.
17	Syed Sulman Ali Shah S/O Syed Hussain Ali Shah <u>Postal Address:</u> Mandori Patal Shah P/O Chakhdadan Tehsil & District Bannu.	Govt: College of Commerce No.02, Bannu against the vacant post.
18	Mr. Dost Muhammad Khan S/O Noor Muhammad Khan <u>Postal Address:</u> Khattak Khel Mandan Bannu P/O Sabo Khel Mandan Bannu.	Govt: College of Management Sciences, Bannu against the vacant post.
19	Mr. Zeeshan Malik S/O Abdul Khaliq <u>Postal Address:</u> Zeeshan General Store, Baidra Road, Mohallah Kohisar, Lohar Banda.Mansehra.	Govt: College of Management Sciences, Balakot against the vacant post.
20	Mr. Asif Ali S/O Akbar Ali <u>Postal Address:</u> Safi Abad, P/O Hathian, Tehsil Takhi Bhai, District Mardan.	Govt: College of Management Sciences, Charsadda against the vacant post.
21	Mr. Sattar Khan S/O Hikmat Khan <u>Postal Address:</u> Kuki Khel, Sher Khan Khel New Abadi, Jamrud, Khyber Agency.	Govt: College of Management Sciences, Jamrud against the vacant post.
22	Mr. Sikandar Rehman S/O Saeed Ur Rehman <u>Postal Address:</u> Dalazak Road Gulabad Stop Mohallah Ghari Rajkol Near Govt: Primary School Peshawar.	Govt: College of Management Sciences, Sangota Swat against the vacant post.
23	Mr. Ifrikhar Ali S/O Muhammad Shamim <u>Postal Address:</u> Mushkoomai P/O Khawaza Khela, Tehsil & District Swat.	Govt: College of Management Sciences, Peshawar against the vacant post.
24	Mr. Tahir Ullah Khan S/O Raqib Ur Rahman <u>Postal Address:</u> Manduri Patal Shah P/O Ismail Khel Tehsil & District Bannu.	Govt: College of Management Sciences, Karak against the vacant post.
25	Mr. Zahid S/O Fida Muhammad <u>Postal Address:</u> District, Tehsil & P/O Mardan Katlang Road Shankar Yahya Dehri.	Govt: College of Commerce No. 2, Mardan against the vacant post.
26	Mr. Jawad Anwar S/O Anwar Ul Haq <u>Postal Address:</u> District Peshawar Village and P/O Chamkani Mohallah Qada Khel.	Govt: College of Management Sciences, Kohat against the vacant post.
27	Mr. Sahib Ur Rehman S/O Hamid Ur Rahman <u>Postal Address:</u> P/O Bibywar District Dir Upper Teshil Dir.	Govt: College of Management Sciences, Wari Dir Upper against the vacant post.
28	Mr. Said Wali S/O Sabz Ali <u>Postal Address:</u> Mohallah Salarzai Budni Tehsil & District Peshawar.	Govt: College of Management Sciences, Kohat against the vacant post.
29	Mr. Sana Ullah S/O Zanjabil Khan <u>Postal Address:</u> House No.25-A, Street No.1, Near Abid General Store, Khwaja Town Pajjagai Road, Peshawar.	Govt: College of Commerce No. 2 Nowshera against the vacant post.
30	Mr. Babar Nawaz S/O Shah Nawaz <u>Postal Address:</u> Village & P/O Kag Tehsil & District Haripur.	Govt: College of Management Sciences, Haripur against the vacant post.
31	Muhammad Irshad S/O Abdul Hakim Khan <u>Postal Address:</u> Village Chargorai P/O Raghagan Tehsil Khar Bajaur Agency.	Govt: College of Management Sciences, Timergara against the vacant post.

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32	Mr. Aurangzeb Khan S/O Bahadraz Khan <u>Postal Address:</u> Village Kafshi Khel, Muzafer Khan, Mandan P/O Faiz Talab Abass District Bannu.	Govt: College of Commerce No. 2, Bannu against the vacant post.
33	Mr. Abdul Wadood S/O Tilmas Khan <u>Postal Address:</u> Muslim Abad, Ram Kushan P/O Bakhshi Pul Tehsil District Peshawar.	Govt: College of Management Sciences, Peshawar against the vacant post.
34	Mr. Sher Alam Khan S/O Mirza Gul <u>Postal Address:</u> Bitel Institute, Near Oxford Press, New Arbab Colony, Arbab Road, University Town, Peshawar.	Govt: College of Management Sciences, Faisal against the vacant post.
35	Mr. Hussain Ahmed S/O Moin Jan <u>Postal Address:</u> House No. 17 Saddique Colony Near Dawoo Bus Terminal G.T Road Peshawar.	Govt: College of Management Sciences, Lakki Marwat against the vacant post.
36	Mr. Ramiz Ahmad S/O Sher Alam Khan <u>Postal Address:</u> Village & P/O Babeni Tehsil and District Mardan.	Govt: College of Management Sciences, Mardan against the vacant post.
37	Mr. Gul e Faris Zaman S/O Muhammad Zaman <u>Postal Address:</u> Khalabat Town Ship, Sector # 04, House # 290, P/O Code 22800, Haripur, KPK, Pakistan.	Govt: College of Management Sciences, Haripur against the vacant post.
38	Mr. Mehboob Ellahi S/O Noor Ellahi <u>Postal Address:</u> Masjid Bera, Garhi Dault Zai, Garhi Kapura, Mardan.	Govt: College of Management Sciences, Sangotn Swat against the vacant post.
39	Mr. Rashid Khan S/O Muhammad Gul <u>Postal Address:</u> Room No.11 Staff House, Agriculture University, Peshawar.	Govt: College of Management Sciences, Mardan against the vacant post.

TERMS AND CONDITIONS:

- i. They will have all rights/privileges contained in Khyber Pakhtunkhwa Civil Servants Act, 1973 with all amendments made therein including Khyber Pakhtunkhwa Civil Servants (Amendment) Act. 2013 and Rules made there under.
- ii. In case of resignation, they will have to give one month prior notice. In absence of such notice, their one month's pay/allowances shall be forfeited to Government.
- iii. The appointees must join their posts within 30-days of the issuance of this Notification failing which it shall be presumed that they are not interested to join the same. Charge report should be submitted to all concerned. The Director General, Commerce Education and Management Sciences, Khyber Pakhtunkhwa, Peshawar should furnish a certificate to the effect that the appointees have joined their posts or otherwise, after one month of the issuance of this Notification.
- iv. In case of disciplinary matters Khyber Pakhtunkhwa, Civil Servants Act.1973 and Khyber Pakhtunkhwa, Civil Servants (Efficiency & Disciplinary) Rules, 2011 shall be applicable.
- v. They shall remain on probation for a period of one year extendable, if required, for another year with the specific order of the appointing authority, within two months of the expiry of 1st year of probation period in terms of Section-15 (2) of appointment Promotion and Transfers Rules, 1989.
- vi. They will get pay in BPS-17 including usual allowances as admissible under the rules. They will be entitled to annual increment like other Civil Servants.

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT


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Endst: No. & Date Even.

Copy forwarded to the:-

1. The Accountant General Khyber Pakhtunkhwa, Peshawar.
2. The District Accounts Officer Mardan, Thana, Bannu, Abbottabad, Jamrud, D.I Khan, Charsadda, Kohat, Swat, Manshera, Swabi, Kuruk, Dir Upper, Lakki, Haripur, Nowshera and Dir Lower.
3. The Director General, Commerce Education, and Management Sciences, Peshawar. Application forms received from the PSC along with Medical Certificates in original are attached, with the request that the documents/degrees/testimonials be get verified from the concerned Universities/Boards.
4. Director Recruitment, Khyber Pakhtunkhwa Public Service Commission, 2-Fort Road, Peshawar Cantt with reference to letter No.PSC/SR-VII/20016 dated 11-07-2018.
5. Deputy Director (IT), HEMIS Cell Higher Education Department.
6. Principals Govt: Colleges of Commerce/Management Sciences Mardan 1 & 2, Peshawar 1 & 2, Thana, Bannu 1 & 2, Abbottabad, Jamrud, D.I Khan 2, Charsadda, Kohat, Sangota Swat, Balakot, Swabi, Karak, Wari Dir Upper, Haripur, Timergara, Kohat, Lakki Marwat, Talash, Nowshera 2 and Haripur.
7. The Assistant Director TE FATA Development Authority Directorate of Technical Education 46-A, Sector Phase-V Near RMI Hospital, Hayatabad Peshawar.
8. PS to Secretary, HED.


(MUHAMMAD DAUD)
SECTION OFFICER (COMMERCE)

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Government of Khyber Pakhtunkhwa
District Accounts Office Mardan
Monthly Salary Statement (October-2019)



13

Personal Information of Mr ZAHID d/w/s of FIDA MUHAMMAD

Personnel Number: 50386249 CNIC: 1610112065079

NTN:

Date of Birth: 12.12.1980 Entry into Govt. Service: 27.12.2017

Length of Service: 01 Years 10 Months 006 Days

Employment Category: Active Temporary

Designation: LECTURER

80394186-GOVERNMENT OF KHYBER PAKH

DDO Code: MR4732-Principal Govt College of Commerce No. 2 Mardan

Payroll Section: 003

GPF Section: 001

Cash Center:

GPF A/C No:

Interest Applied: Yes

GPF Balance:

92,102.00

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2017

Pay Scale Type: Civil BPS: 17

Pay Stage: 0

Wage type		Amount	Wage type		Amount
0001	Basic Pay	30,370.00	1000	House Rent Allowance	4,433.00
1210	Convey Allowance 2005	5,000.00	1974	Medical Allowance 2011	1,847.00
2211	Adhoc Relief All 2016 10%	2,544.00	2224	Adhoc Relief All 2017 10%	3,037.00
2247	Adhoc Relief All 2018 10%	3,037.00	2265	Adhoc Relief All 2019 05%	1,518.00

Deductions - General

Wage type		Amount	Wage type		Amount
3017	GPF Subscription	-4,270.00	3501	Benevolent Fund	-800.00
3609	Income Tax	-44.00	3990	Emp.Edu. Fund KPK	-250.00
4004	R. Benefits & Death Comp:	-900.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 571.75 Recovered till OCT-2019: 79.00 Exempted: 142.67 Recoverable: 350.08

Gross Pay (Rs.): 51,786.00 Deductions: (Rs.): -6,264.00 Net Pay: (Rs.): 45,522.00

Payee Name: ZAHID

Account Number: 000255045179

Bank Details: UNITED BANK LIMITED, 210992 PARHOTI PARHOTI,

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: mardan

Domicile: F - Federal

Housing Status: No Official

Temp. Address: FLAT NO. 07, 2ND FLOOR MMAKKAH PLAZA NEAR I-10 MARKAZ

City: ISLAMABAD

Email: zahid.cds@gmail.com

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Annex II

15

RELINQUISHING ORDER

Comptroller and Auditor General of Pakistan, Federal Government, Islamabad
Directorate of Khyber Pakhtunkhwa Higher Education, Archives and Library, Peshawar
Director General Audit Work, (Khyber Pakhtunkhwa) Government of Peshawar
Auditor of the Directorate General Audit Work, (Khyber Pakhtunkhwa) Government of Peshawar
Department of the Office of the Comptroller and Auditor General of Pakistan

Author: [Name] Work: [Title] [Date]

[Signature]
Deputy Director (Admin) 05/11/18

Copy to

1. The Directorate, Khyber Pakhtunkhwa Higher Education, Archives and Library Department, Peshawar
2. Director General Committee & Management Sciences, Education, Peshawar
3. The A.G.P.R. Islamabad with the request of L.P.C. of the officer
4. District Accounts Office, Mardan
5. O.O Books
6. Mr. Zehid, Senior Auditor
7. Personal File Concerned

[Signature]

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Department of the Auditor general of Pakistan
DIRECTORATE GENERAL AUDIT WORKS (FEDERAL)
Emigration tower 5th Floor Mauve Area, G-8/1, Islamabad.
Ph#051-9262829 Fax#051-9261405

CA
VSA

No.DGAW(F)Relieving order/PF-222/772

Date: 05-11-2018

RELIEVING ORDER

Consequent upon selection of Mr.Zahid as Lecturer Commerce (BS-17) in the Government of Khyber Pakhtunkhwa Higher Education, Archives and Libraries Department, the Director General Audit Work (Federal), Islamabad has been please to relieve Mr.Zahid Senior Auditor of this Directorate General Audit Work (Federal), Islamabad on 06.11.2018. His date of appointment in this officer is 27.12.2017.

Authority:- Director General Audit Work (Federal), Islamabad at Para 56, page 12/N of personal file concerned.

Deputy Director(Adim)

Copy to:-

1. The Director Khyber Pakhtunkhwa Higher Education, Archives and Libraries Department, Peshawar.
2. Director General commerce & Management Science Education, Peshawar.
3. The A.G.P.R, Islamabad with the request of LPC of the officer.
4. District Accounts Officer, Mardan.
5. O.O Book.
6. Mr.Zahid, Senior Auditor.
7. Personal File Concerned.

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GOVERNMENT OF PAKISTAN
OFFICE OF THE ACCOUNTANT GENERAL
PAKISTAN REVENUES, ISLAMABAD

LAST PAY CERTIFICATE

No.GA-IV/PF/AR-92/2018-19/3934

Dated: 06-11-2018

P No. 50386249

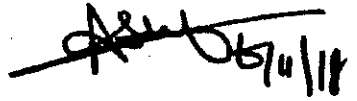
LPC of Mr. Zahid, Senior Auditor, (BPS-16)
Office/ Department Directorate General Audit Works (Federal) Islamabad.

Proceeding on Apointed as Lecturer in Higher Education Archieves & Libraries Department KPK

He has been paid upto 06-11-2018 at the following rates:


Pay & Allowances	Amount (Rs.)	Deduction (Rs)	
Basic Pay	18,910	GPF	3,340
Qualification Pay	3,150	Benevolent Fund	432
House Rent Allowance	4,091	Group Insurance	600
Medical Allowance	1,500	Income Tax	84
Conveyance Allowance	5,000		
Audit & Accounts Allowance	2,000		
Adhoc Relief-2016	1,588		
Adhoc Relief-2017	1,891		
Adhoc Relief-2018	1,891		
Total	40,021	Total	4,456

He relinquished the charge of post on 06-11-2018.
Service w.e.f. 27-12-2017 to 06-11-2018 is verified.


Accounts Officer
GA-IV

Copy to:-

1. DAO, Mardan through AG KPK.
2. DAO, Mardan
- ✓ 3. Officer Concern
4. Officer Copy


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Government of Pakistan
Accountant General Pakistan Revenues (AGPR), Islamabad
Monthly Salary Statement (September-2018)



17

Personal Information of Mr ZAHID d/w/s of FIDA MUHAMMAD

Personnel Number: 50386249 CNIC: 1610112065079 NTN:
 Date of Birth: 12.12.1980 Entry into Govt. Service: 27.12.2017 Length of Service: 00 Years 09 Months 005 Days

Employment Category: Active Temporary

Designation: SENIOR AUDITOR 00000008-Min. Of Finance & Rev.

DDO Code: ID5268-DIRECTOR GENERAL AUDIT WORKS (FEDERAL)- ISLAMABAD.

Payroll Section: 001 GPF Section: 001 Cash Center:

GPF A/C No: Interest Applied: Yes GPF Balance: 31,130.00

Vendor Number: 30276072 - ZAHID 2479000099303 HBL G-8 MARKAZ BR ISB

Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 16 Pay Stage: 0

Wage type		Amount	Wage type		Amount
0001	Basic Pay	18,910.00	0010	Qualification Pay	3,150.00
1001	House Rent Allowance 45%	4,091.00	1210	Convey Allowance 2005	5,000.00
1974	Medical Allowance 2011	1,500.00	2135	Audit/Accts. Allowance	2,000.00
2211	Adhoc Relief All 2016 10%	1,588.00	2224	Adhoc Relief All 2017 10%	1,891.00
2247	Adhoc Relief All 2018 10%	1,891.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3016	GPF Subscription - Rs3340	-3,340.00	3501	Benevolent Fund	-432.00
3604	Group Insurance	-545.00	3609	Income Tax	-84.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 1,000.00 Recovered till September-2018: 252.00 Exempted: 0.80- Recoverable: 748.80

Gross Pay (Rs.): 40,021.00 Deductions: (Rs.): -4,401.00 Net Pay: (Rs.): 35,620.00

Payee Name: ZAHID

Account Number: 0024797000099303

Bank Details: HABIB BANK LIMITED, 222479 G-8 MARKAZ ISLAMABAD G-8 MARKAZ ISLAMABAD, ISLAMABAD

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address:

City: Domicile: F - Federal Housing Status: UNKNOWN
 Temp. Address: FLAT NO. 07, 2ND FLOOR MMAKKAH PLAZA NEAR I-10 MARKAZ
 City: ISLAMABAD Email: zahid.cds@gmail.com

*System generated document in accordance with APPM 4.6.12.9 (SAPCCSUPPORT/26.09.2018/17:15:24/v1.1)
 * All amounts are in Pak Rupees
 * Errors & omissions excepted*

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GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Annex IV
18

NO. FD (PRC) 1-1/2016
Dated Peshawar the 19th July, 2016

To:

1. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
3. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
6. All Heads of Attached Departments in Khyber Pakhtunkhwa.
7. All Deputy Commissioners, in Khyber Pakhtunkhwa.
8. All Political Agents / District & Sessions Judges in Khyber Pakhtunkhwa.
9. The Registrar, Peshawar High Court, Peshawar.
10. The Chairman, Public Service Commission, Khyber Pakhtunkhwa.
11. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.

Subject: REVISION OF BASIC PAY SCALES & ALLOWANCES OF CIVIL SERVANTS OF THE PROVINCIAL GOVERNMENT (2016)

Dear Sir,

The Competent Authority has been pleased to sanction the revision of Basic Pay Scales & Allowances w.e.f 1st July, 2016 for the Civil Servants of the Provincial Government, detailed in the following paragraphs:-

Part-I (Pay)

2. Revision of Basic Pay Scales:

The Basic Pay Scales – 2016 shall replace the Basic Pay Scales – 2015 with effect from 01-07-2016 as contained in the Annexure to this circular letter.

3. Fixation of Pay of the existing employees:

- i) The basic pay of an employee in service on 30-06-2016 shall be fixed in the Basic Pay Scales – 2016 on point to point basis i.e. at the stage corresponding to that occupied by him / her above the minimum of Basic Pay Scales – 2015;
- ii) In case of Personal Pay being drawn by an employee as part of his / her basic pay beyond the maximum of his / her pay scale on

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Signature

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30.06.2016, he / she shall continue to draw such pay in the Basic Pay Scales – 2016 at the revised rates.

4. **Fixation of pay on promotion:**

In cases of promotion from a lower to higher posts / scales before introduction of these scales, the pay of the employees concerned in the revised pay 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 post / scale had taken place after the introduction of these scales.

5. **Annual Increment:**

Annual Increment shall continue to be admissible, subject to the existing conditions, on 1st December each year.

Part-II (Allowances)

6. **Ad-hoc Relief Allowances:**

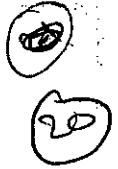
The following Ad-hoc Relief Allowances granted w.e.f 01-07-2013, 01-07-2014 and 01-07-2015 have been merged and shall cease to exist w.e.f 01-07-2016:-

S.#	Name of Ad-hoc Relief Allowances	Sanctioned vide letter No. & Date	Admissible Rate
i.	15% Adhoc Relief Allowance 2013	FD (PRC) 1-1/2013 dated 16 th July, 2013	Out of 15% Adhoc Relief Allowance 2013, 10% shall be merged into the basic pay scales w.e.f 01.07.2016 and remaining 5% of the said allowance shall continue to be admissible as Adhoc Relief Allowance 2013 as admissible/frozen on 30.06.2016.
ii.	10% Adhoc Relief Allowance 2014	FD (PRC) 1-1/2014 dated 9 th July, 2014	Merged into the Basic Pay Scales
iii.	10% Adhoc Relief Allowance, 2015	FD (PRC) 1-1/2015 dated 27 th July, 2015	Out of 10% Adhoc Relief Allowance 2015, 7.5% shall be merged into the basic pay scales w.e.f 01.07.2016 and remaining

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(3)

			2.5% of the said allowance shall continue to be admissible as Adhoc Relief Allowance 2015 as admissible/frozen on 30.06.2016.
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7. **Ad-hoc Allowance 2010 (if admissible):**

- i) The Ad-hoc Allowance – 2010 @ 50% of the basic pay of Basic Pay Scales – 2008 (where admissible to the Civil employees) shall continue to stand frozen at the level of its admissibility / drawn as on 30-06-2016;
- ii) All the new entrants shall be allowed Ad-hoc Allowance-2010 @ 50% of the minimum of relevant Basic Pay Scales-2008 (if admissible in that organization) on notional basis with effect from 01-07-2016, till further orders, and shall stand frozen at the same level;

8. **Ad-hoc Relief Allowance-2016:**

- i) An Ad-hoc Relief Allowance-2016 @ 10% of the running basic pay of Basic Pay Scales – 2016 to the civil employees of the Provincial Government including contingent paid staff and contract employees employed against civil posts in Basic Pay Scales on standard terms and conditions of contract appointment shall be allowed w.e.f 01.07.2016 till further orders;
- ii) The Ad-hoc Relief Allowance will be subject to Income Tax;
- iii) The Ad-hoc Relief Allowance will be admissible during leave and entire period of LPR except during extra ordinary leave;
- iv) The Ad-hoc Relief Allowance will not be treated as part of emoluments for the purpose of calculation of Pension/Gratuity and recovery of House Rent;
- v) The Ad-hoc Relief Allowance will not be admissible to the employees during the tenure of their posting / deputation abroad;

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- (4)
- vi) The Ad-hoc Relief Allowance will be admissible to the employees on their repatriation from posting/deputation abroad at the rate and amount which would have been admissible to them, had they not been posted abroad;
- vii) The Ad-hoc Relief Allowance will be admissible during the period of suspension;
- vii) The term "Basic Pay" will also include the amount of Personal Pay granted on account of annual increment(s) beyond the maximum of the existing pay scales.

9.

Qualification Pay:

The rates of Qualification Pay shall be revised as under:-

S#	Qualification	Existing Rates	Revised Rates
a	SAS/PAF	Rs.800/-	Rs.1,200/-
b	ICMA/ICWA (Part-III)	Rs.800/-	Rs.1,200/-
c	ICMA/ICWA/CIMA/ACCA	Rs.2,100/-	Rs.3,150/-
d	Chartered Accountant	Rs.2,300/-	Rs.3,450/-
e	Staff College/NMC/NDC	Rs.2,000/-	Rs.3,000/-
f	NIPA Advanced Course	Rs.1,000/-	Rs.1,500/-
g	Mid Career Mgt Course	Rs.500/-	Rs.750/-

(Note: CIMA and ACCA qualified employees may henceforth be allowed Qualification Pay at the same rate as admissible for ICMA/ICWA.)

10.

Deputation/Additional Charge Allowance/Special Pay on current charge:-

S#	Item	Existing Rates	Revised Rates
i.	Deputation Allowance	20% of the Basic Pay subject to maximum Rs.6000/- P.M	20% of the Basic Pay subject to maximum Rs.12000/- P.M
ii.	Special Allowance on Addl: Charge of Identical Posts	20% of the Basic Pay subject to maximum Rs.6000/- P.M	20% of the Basic Pay subject to maximum Rs.12000/- P.M

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(5)

iii.	Special Allowance on Addl: Charge of Non-identical posts	10% of the Basic Pay subject to maximum Rs.3,000/-	10% of the Basic Pay subject to maximum Rs.12000/-
iv.	Special Pay on Current Charge	20% of the Basic Pay subject to maximum Rs.6000/- P.M	20% of the Basic Pay subject to maximum Rs.12000/- P.M

22

11. Special Pay & Allowances:

All the Special Pays, Special Allowances or the Allowances admissible as percentage of pay (excluding those which are capped by fixing maximum limit) including House Rent Allowance and the Allowance / Special Allowance equal to one month basic pay, granted to Provincial Government's employees irrespective of his/her posting in all Administrative Departments/Attached Departments/Autonomous Bodies/Offices etc, including civil employees in BPS-1-22 of Judiciary shall stand frozen at the level of its admissibility as on 30.06.2016.

12. Option:

(i) The Department/Office to which an employee belongs, and/or on whose pay roll he/she is borne, shall obtain an option in writing from such employee, within 30 days commencing from the date of issue of this circular letter, either to continue to draw salary in the Scheme of Basic Pay Scales-2015 or in the Scheme of Basic Pay Scale-2016 as specified in this circular letter. Option once exercised shall be considered final, which will then be communicated to the concerned Accounts Office or DDO, as the case may be.

(ii) An existing employee, who does not exercise and communicate his/her option within the specified time limit, shall be deemed to have opted for the Scheme of Basic Pay Scales-2016.

13. All the existing rules/orders on the subject shall be considered to have been modified to the extent indicated above. All the existing rules/orders *not so modified* shall continue to remain in force as such.

14. Anomalies:

An Anomaly Committee shall be constituted in the Finance Department to resolve anomalies, if any, arising out in the implementation of the

ATTACHED

(6)

Basic Pay Scales – 2016 or out of other changes notified through this circular letter.

23

Secretary to Govt. of Khyber Pakhtunkhwa
Finance Department

Endst: No.FD(PRC) 1-1 /2016,

Dated Peshawar the 19th July, 2016

A Copy for information & necessary action is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Secretaries to Government of Punjab, Sindh and Balochistan, Finance Departments.
3. All Heads of Autonomous / Semi Autonomous Bodies in Khyber Pakhtunkhwa.

[Handwritten signature]

[Handwritten signature]
(Razaullah)

Add: Finance Secretary (Reg)

Endst: No & Date even.

A copy for information is forwarded to:-

1. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
2. All the District Comptroller of Accounts in Khyber Pakhtunkhwa.
3. The Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
4. The Director, FMIU, Finance Department, Peshawar.
5. The Treasury Officer, Peshawar.
6. All the District & Agency Accounts Officers in Khyber Pakhtunkhwa / FATA.
7. All the Section Officers / Budget Officers in Finance Department, Khyber Pakhtunkhwa, Peshawar.
8. The Private Secretary to Minister for Finance, Khyber Pakhtunkhwa, Peshawar.
9. The Private Secretary to Secretary / P.As to Special Secretary, Additional Secretaries / Deputy Secretaries in Finance Department, Peshawar.

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(Muhammad Iqbal)
Section Officer (SR-I)

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(7)

24

**ANNEX TO FINANCE DEPARTMENT'S CIRCULAR LETTER
NO.FD (PRC) 1-1/2016 DATED 19th JULY, 2016**

Existing Basic Pay Scales - 2015					Adjusted Basic Pay Scales -2016			
BPS	MIN	INCR	MAX	STG	BPS	MIN	INCR	MAX
1	6,210	195	12,060	30	1	7,640	240	14,840
2	6,335	220	12,935	30	2	7,790	275	16,040
3	6,535	260	14,335	30	3	8,040	325	17,790
4	6,730	300	15,730	30	4	8,280	370	19,380
5	6,985	340	17,185	30	5	8,590	420	21,190
6	7,235	375	18,485	30	6	8,900	470	23,000
7	7,490	415	19,940	30	7	9,220	510	24,520
8	7,750	455	21,400	30	8	9,540	560	26,340
9	8,015	495	22,865	30	9	9,860	610	28,160
10	8,275	544	24,595	30	10	10,180	670	30,280
11	8,540	595	26,390	30	11	10,510	740	32,710
12	9,055	650	28,555	30	12	11,140	800	35,140
13	9,700	715	31,150	30	13	11,930	880	38,330
14	10,340	790	34,040	30	14	12,720	980	42,120
15	10,985	905	38,135	30	15	13,510	1,120	47,110
16	12,910	1,035	43,960	30	16	15,880	1,280	54,280
17	20,680	1,555	51,780	20	17	25,440	1,930	64,040
18	25,940	1,950	64,940	20	18	31,890	2,400	79,890
19	40,155	2,075	81,655	20	19	49,370	2,560	100,570
20	46,705	3,050	89,405	14	20	57,410	3,750	109,910
21	51,885	3,375	99,135	14	21	63,780	4,150	121,880
22	55,755	3,960	111,195	14	22	68,540	4,870	136,720

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5/10

Annex V
25

To

The Director General
Commerce Education & Management Sciences,
Khyber Pakhtunkhwa Peshawar

Subject: QUALIFICATION PAY DUE TO ACMA (PROFESSIONAL QUALIFICATION)

Respected Sir

With due reverence it is submitted that I am ICMA Qualified and eligible for qualification pay of Rs. 4150 as per Govt of Khyber Pakhtunkhwa, Finance Department notification NO.11D.PRC/11/2016 dated 19th July, 2016 Peshawar. The attested copy of the official result for the same examination and notification is attached with application.

It is therefore humbly requested to you to kindly grant me qualification pay w.e.f from my joining date i.e. 01.11.2018. Furthermore, my last pay certificate from the Federal Government in support of my case is also attached with this application.

Thanking you in anticipation

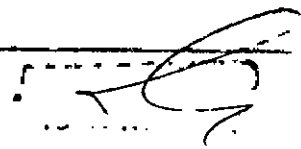
Yours obediently



Zahid

Lecturer Commerce

Govt College of Commerce -II Mardan



Better copy

To..

The Director General
Commerce Education & Management Science
Khyber Pakhtunkhwa Peshawar

Subject: **QUALIFICATION DUE TO ACMA (PROFESSIONAL QUALIFICATION)**

Respected Sir,

With due reverence it is submitted the I am ICMA Qualification and eligible for qualification pay of Rs,3,150 as per Govt of khyber Pakhtunkhwa, Finance Department notification NO.FD.(PRC) 1-1/2016 dated 19th July,2016 Peshawar. The attested copy of the official result for the said examination and notification is attached with application.

It is therefore humbly requested to you to kindly grant me qualification pay w.e.f from my joining date i.e 07-11-2018 Furthermore, my last pay certificate from the Federal Government in support of my case is also attached with this application.

Thanking you in anticipation

Your's obediently

Zahid

Lecturer commerce

Govt College of Commerce-II- Mardan

ATTESTED



DIRECTORATE GENERAL OF COMMERCE EDUCATION
AND MANAGEMENT SCIENCES, DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR.

26

No. DGCE&MS B&A 325

Dated 27/11/2019

To

✓ The Section Officer (B&A),
Higher Education Department,
Peshawar.

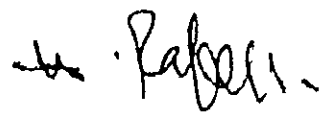
Subject: QUALIFICATION PAY DUE TO ACMA (PROFESSIONAL QUALIFICATION)

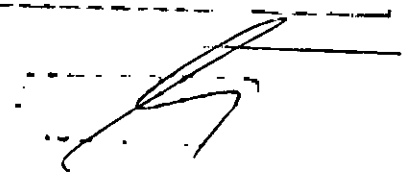
I am directed to refer to the subject noted above and to state that as per self explanatory application (Flag-A) in respect of Mr Zabid, Lecturer Govt College of Commerce No.2 Mardan. The officer concerned has stated that he qualified ICMA According to Finance Department circular letter No. FD (PRC) 1-1 2016, dated 19.7.2016 at para-9 (c) (Flag-B) he is eligible for qualification pay

It is to inform that 1st appointment of the officer concerned in Federal Govt. Accountant Gen Pakistan Revenue (AGPR) Islamabad as per enclose payroll (Flag-C) he has drawn qualification pay in his previous service.

Now he has joined this Department as Lecturer at GCC-II Mardan wef. 07.11.2018. He is requested for the grant of qualification pay from the date of joining of this Department.

You are therefore, requested to kindly guide/advise us in this regard please.


DR. AMJAD RAFIQ
DIRECTOR (P/I)



20/8/19

26A

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**DIRECTORATE GENERALE OF COMMERCE EDUCATION AND
MANAGEMENT SCIENCE, DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR.**

NO.DGCE&MS/B&A/388

Dated: 07/03/2019

To:

The Section officer (B&A),
High Education Department,
Peshawar.

Subject:- QUALIFICATION PAY DUE TO ACMA (PROFESSIONAL QUALIFICATION

I am directed to refer to the subject above and to state that as per self explanatory application (Flag-A) in respect of Mr.Zahid, lecturer Govt. College of Commerce No.2 Mardan. The officer concerned has stated that he qualified ICMA. }
According to finance Department circular letter No.FD (PRC) 1-1/2016, dated 19.07.2016 at para-9 (c) (Flag-B) he is eligible for qualification pay.

It is to inform that 1st appointment of the officer concerned in Federal Govt. Accountant General Pakistan Revenue (AGPR) Islamabad as per enclose payroll (Flag-C) he has drawn qualification pay in the previous service. }

Now the officer concerned has joined this Department as Lecturer at GCC-II Mardan wef. 07-11-2018. he is requested for the grant of qualification pay from the date of joining of this Department.

You are therefore, requested to kindly guide/advice us in this regard please.

**DR. AMJAD RAFIQ
DIRECTOR(P/F)**

ATTESTED
TO BE TRUE COPY
ATTESTED



**Government of Khyber Pakhtunkhwa
Higher Education Department**

NO. SC(B&A)/HE/4-4/Arrear/Vol-I/X/2018-19
Dated Peshawar the, 09.07.2019

To,

The Secretary,
Finance Department,
Khyber Pakhtunkhwa, Peshawar

Subject **QUALIFICATION PAY ON POSSESSION OF ICMA (PROFESSIONAL)**

Dear Sir,

I am directed to refer to the subject noted above and to state that one Mr. Zahid, has been appointed as Lecturer in Commerce in Higher Education Department. Before joining as Lecturer he had acquired ICMA (Professional Qualification) and therefore, requested for qualification pay @ Rs 3150 - PM as admissible under the PRC, 2016 (copy enclosed).


In view of the foregoing position, it is requested that this department may be guided whether the applicant is entitled for the qualification pay on the ICMA being a college teacher or otherwise

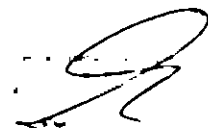
Yours Faithfully,


SECTION OFFICER (B&A)

Copy forwarded for information to the -

1. The Director General, Commerce Education & Management Sciences, Khyber Pakhtunkhwa Peshawar w/r to his letter No.DGCE&MS/B&A/1191 dated 26-06-2019
2. PA to DS (Admn) Higher Education Department.
3. Master File


SECTION OFFICER (B&A)



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**Government of Khyber Pakhtunkhwa
Higher Education Department**

NO.SO(B&A)/HE/4-4Arrear/Vol-I/X/2018-19
Dated Peshawar the, 09,07,2019

~~27-A~~
~~27-A~~
27-A

To

The Secretary,
Finance Department,
Khyber Pakhtunkhwa, Peshawar

Subject: **QUALIFICATION PAY ON PROSESSION OF ICMA (PROFESSIONAL)**

Dear Sir,

I am director to refer to the subject noted above and to state that one Mr. Zahid. has been appointed as Lecturer in Commerce in Higher Education Department, Before joining as Lecturer he had acquired ICMA (Professional Qualification) and therefore, requested for qualification pay @ Rs: 3150/-PM as admissible under the PRC,2016 (Copy enclosed).

In view of the foregoing position, it is requested that this department may be guided whether the applicant is entitled for the qualification pay on the ICMA being a college teacher or otherwise.

Yours Faithfully,

SECTION OFFICER (B&A)

Copy forwarded for information to the:-

1. The Director General, Commerce Education & Management Science, Khyber Pakhtunkhwa Peshawar w/r to his letter No. DGCE&MS/B&A/1191 dated 26-06-2019
2. PA to DS (Admn) Higher Education Department.
3. Master File.

SECTION OFFICER (B&A)

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TO BE TRUE COPY

JAN 2020

ATTESTED



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

Finance Department Civil Secretariat Peshawar

<http://www.finance.gkp.pk>

[facebook.com/GoKFPD](https://www.facebook.com/GoKFPD)

twitter.com/GoKFPD

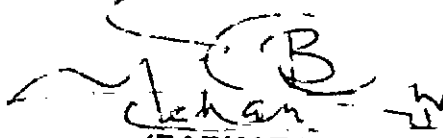
NO. FD (SOSR-1) 1-1/2019(29389)
Dated Peshawar the: 02-08-2019

To:

The Budget Officer (B&A),
Higher Education Department,
Peshawar.

Subject: - QUALIFICATION PAY ON POSSION OF ICMA (PROFESSIONAL)

I am directed to refer to your letter No.SO(B&A)/HE/4-4/Arrear/Vol-IX/2018-19 dated 09-07-2019 on the subject noted above and to advice that in light of Pay Revision 1983, Qualification Pay is admissible only to the specified categories employed on relevant jobs, please.


(BARKAT KHAN)
SECTION OFFICER(SR-1)

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~~28-14~~
28-14

**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

NO. FD (SOSR-1) 1-1/2019 (29389)

Dated Peshawar the: 02-08-2019

To:

The Budget Officer (B&A),
Higher Education Department,
Peshawar.

Subject:

QUALIFICATION PAY ON POSSION OF ICMA (PROFESSIONAL)

I am directed to refer to your letter No SO(B&A)/HE/4-4/Arrear/Vol-IX/2018-19 dated 09-07-2019 on the subject noted above and to advice that in light of Ray Revision 1983, Qualification Pay is admissible only to the specified categories employed on relevant job, please.

(BARKHAT KHAN)
SECTION OFFICER (SR-1)

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TO BE TRUE COPY

20 JAN 2020

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Ph. 091-9331023



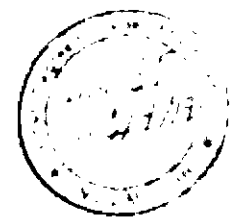
**DIRECTORATE GENERAL OF COMMERCE EDUCATION
& MANAGEMENT SCIENCES, KHYBER PAKHTUNKHWA,
RANO GARHI, PESHAWAR.**

NO DGCE&MS:B&A/B-1/34/1691

Dated 28/11/2019

To

The Principal
Govt. College of Commerce No 2
Mardan



Subject: QUALIFICATION PAY ON POSSESSION OF ICMA PROFESSIONAL

I am directed to refer to your letter No. G.C.P. (M) 18/11/19 dated 07/2/2019 on the subject noted above and to inform you that in view of the explanatory letter of Finance Department vide No. F.1/505R/19 dated 02/8/2019 regarding instructions for the subject matter, you are requested to inform the Principal of your college for further necessary action please.

For: Assistant

**MUNAWAR KHAN
DEPUTY DIRECTOR (P.E.)**

Encl: No. NO DGCE&MS-B&A/B-1/34

Dated: 28/11/2019

Handwritten notes:
Copy forwarded for information to the PA to DGCE&MS
18/11/19
Consent
Back to
for Govt. College No 2
Mardan
with the letter
28/11/19

DEPUTY DIRECTOR (P.E.)

Better copy

**DIRECTORATE GENERALE OF COMMERCE
EDUCATION & MANAGEMENT SCIENCE, KHYBER
PAKHTUNKHWA, RANO GARHI, PESHAWAR.**

(Handwritten initials)
(29-11)

NO.DGCE&MS/B&A/B-1-34/1691

Dated: 30/08/2019

To:

The Principal,
Govt. College of Commerce No.2,
Mardan.

Subject: **QUALIFICATOON PAY ON POSSION OF ICMA (PROFESSIONAL)**

I am directed to refer to your letter No. GCC-II/MRD/PF/7018, dated 07-02-2019 on the subject noted above and to enclose herewith a copy of self explanatory letter of Finance Department vide No.FD(SOSR-1)1-1/2019(29389) dated 02.8.2019 regarding instruction for the subject matter in respect of Mr.Zahid Lecturer of your college for further necessary action please.

Encls: As above)

(MUNAWAR KHAN)
DEPUTY DIRECTOR (P/F)

Encls: No. No DGCE&MS/B&A/B-134/

Dated: / / 2019

Copy forwarded for information to the PA. to DG (CE&MS)

DEPURTY DIRECTIOR (P/F)

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TO BE TRUE COPY
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JAN 2020

ATTESTED
(Handwritten signature)

Handwritten marks: a circled '203', 'Annex VII', and a circled '39'.

OFFICE OF THE PRINCIPAL, GOVT: COLLEGE OF COMMERCE-II, MARDAN.

No. GCC-II/MRD/PF:/ 7209

Dated: 14/10/2019.

To

The Director General,
Commerce Education & Management Sciences,
Khyber Pakhtunkhwa,
Peshawar.

Subject: DEPARTMENTAL APPEAL AGAINST ORDER NO. DGCE&MS/B&A/B-134/1691 DATED 30/08/2019 OF THE DIRECTORATE GENERAL OF COMMERCE EDUCATION & MANAGEMENT SCIENCES, KHYBER PAKHTUNKHWA, AS WELL AS ORDER NO. FD(SOSR-1) 1-1/2019(29389) DATED 02/08/2019 OF THE KHYBER PAKHTUNKHWA FINANCE DEPARTMENT.

Sir.

Enclose please find herewith departmental appeal along with enclosures in respect of Mr Zahid, Lecturer of this College for further necessary action.

DA / As Above.


PRINCIPAL
GOVT: COLLEGE OF COMMERCE NO-II
MARDAN.

Handwritten signature at the bottom right of the page.

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**OFFICE OF THE PRINCIPLE, GOVT: COLLEGE OF
COMMERCE-II, MARDAN.**

30-A

NO. GCC-II/MRD/PF:/7209

Dated: 14-10-2019

To:

The Director General,
Commerce Education & Management Science,
Khyber Pakhtunkhwa,
Peshawar.

Subject:

**DEPATMENTAL APPEAL AGAINDT ORDER NO.
DGCE&MS/B&A/B-134/1691 DATED 30/08/2019 OF THE
DIRECTORATE GENERAL OF COMMERACE EDUCATION &
MANAGEMENT SCIENCE, KHYBER PAKHTUNKHWA, AS
WELL AS ORDER NO. FD(SOSR-1) 1-1/2019(29389) DATED
02/08/2019 OF THE KHYBER PAKHTUNKHWA FINANCE
DEPATMENT.**

Sir,

Enclose please find herewith departmental appeal with enclosures in
respect of Mr. Zahid, Lecturer of this College for further necessary action.

DA / As Above.

PRINCIPAL
GOVT: COLLEGE OF COMMERCE NO-II MARDAN.

ATTESTED
TO BE TRUE COPY

20 JAN 2020

ATTESTED
TO BE TRUE COPY

Dated: 10/10/2019

The Chief Secretary,
Govt. of Khyber Pakhtunkhwa,
Peshawar

Through Proper Channel

Subject DEPARTMENTAL APPEAL AGAINST ORDER NO.DGCE&MS/B&A/B-134/1691 DATED 30/08/2019 OF THE DIRECTORATE GENERAL OF COMMERCE EDUCATION & MANAGEMENT SCIENCES, KHYBER PAKHTUNKHWA, AS WELL AS ORDER NO.FD (SOSR-1) 1-1/2019(29389) DATED 02/08/2019 OF THE KHYBER PAKHTUNKHWA FINANCE DEPARTMENT.

Dear Sir,

With due reverence it is submitted that I am CMA Qualified and eligible for qualification pay of Rs. 3,150/- as per Govt of Khyber Pakhtunkhwa, Finance Department Notification NO.FD.(PRC) 1-1/2016 dated 19th July, 2016. Previously, I worked as a Senior Auditor (BS-16) in the Directorate General Audit Works (Federal), Islamabad (Copy of joining report enclosed). I had applied for qualification pay on the basis of Qualifying Cost & Management Accountant (CMA) examination of the Institute of Cost & Management Accountant of Pakistan (ICMAP) to the Directorate General Audit Works (Federal) Islamabad which was approved through office order O.O NO.DGAW(F) Admn.PF-222 1734 dated 0th May, 2018 (copy enclosed). I applied through proper channel for the post of lecturer in Higher Education Archives & Libraries Department, Khyber Pakhtunkhwa and got selected through Notification NO.SORCE&MS:HED 1-35 283(1-90) dated 1st Oct, 2018 (copy enclosed). Thus, I was relieved vide relieving order NO.DGAW(F) Relieving order PF-222 772 dated 5th Nov, 2018 (copy enclosed) and joined my new assignment as Lecturer in Commerce dated 7th Nov, 2018 (copy enclosed).

I wrote an application to Director General Commerce Education & Management Sciences, Khyber Pakhtunkhwa for grant of qualification pay dated 7th Feb, 2019 (copy enclosed). The department sent a letter to Section officer (B&A) Higher Education Department NO.DGCE&MS:B&A 388 dated 7th March, 2019 (copy enclosed) and to Finance department vide letter NO.SOB&A:HE 4-4 Arrear Vol-IX 2018-19 dated 9th July, 2019 (copy enclosed) for advice or guidance. Finance Department issued letter to Higher Education Department vide Letter NO.FD (SOSR-1) 1-1/2019(29389) dated 2nd Aug, 2019 (copy enclosed) which was communicated to me vide letter NO.DGCE&MS B&A B-1-34/1691 dated 30th Aug, 2019 (copy enclosed) stated that the official concerned is not eligible of qualification pay on the ground that it is inadmissible to specified categories employees under pay revision 1983. However, other provincial

Better Copy

Dated: 10/10/2019

To

The chief Secretary,
Govt,of Khyber Pakhtunkhwa,
Peshawar.

Through: Proper Channel

Subject : DEPARTMENTAL APPEAL AGAINST ORDER NO.DGCE & MS/B&A/B-134/1691 DATED 30/08/2019 OF THE DIRECTORATE GENERAL OF COMMERCE EDUCATION & MANAGEMENT SCINCE, KHYBER PAKHTUN KHWA, AS WELL AS ORDER NO.FD (SOSR-1) 1-1/2019(29389) DATED 02/08/2019 OF THE KHYBER PAKHTUNKHAWA FINANCE DEPARTMENT.

Dear Sir,

With due reverence it is submitted that I am CMA Qualified and eligible for qualification pay of Rs:3.150/ as per Govt of Khyber Pakhtunkhwa, Finance Department Notification NO.FD.(PRC) 1-1/2016 dated 19th July.2016. Previously, I worked as a Senior Auditor (BPS-16) in the Directorate General Audit Works (Federal), Islamabad (Copy of joining report enclosed), I had applied for qualification pay on the basis of Qualifying Cost & Management Accountant (CMA) examination of the Institute of Cost & Management Accountant of Pakistan (ICMAP) to the Directorate General Audit Works (Federal) Islamabad which was approved through office order. O.O.NO.DGAW(F)/Admn/PF-222/1734 dated 07th May, 2018 (Copy enclosed), I applied through proper channel for the post of lecturer in Higher Education Archives & Libraries Department, Khyber Pakhtunkhwa and got selected through Notification No.SO(CE&MS)HED/1-35/283(1-90) dated 17th Oct,2018 (Copy enclosed). Thus, I was relieved vide relieving order NO.DGAW(F)/Relieving order/PF-222/772 dated 5th Nov,2018(Copy enclosed) and joined my new assignment as Lecturer in Commerce dated 7th Nov,2018(Copy enclosed).

I wrote an application to Director General Commerce Education & Management Sciences, Khyber Pakhtunkhwa for grant of qualification pay dated 7th Feb, 2019 (Copy enclosed), The department sent a letter to Section officer (B&A) Higher Education Department NO.DGCE&MS/B&A/388 dated 7th March, 2019 (Copy enclosed) and to Finance department vide letter NO.SO(B&A)/HE/4-4/Arrear/Vol-I/X/2018-19 dated 9th July, 2019 (Copy enclosed)for advice or guidance, Finance Department issued letter to Higher Education Department vide Letter NO FD (SOSR-1) 1-1/2019(29389) dated 2nd Aug 2019 (Copy enclosed) which was communicated to me vide letter NO.DGCE&MS/B&A/B-1-341691 dated 30th Aug, 2019 (Copy enclosed) sated that the official concerned is not eligible of qualification pay on the ground that it is admissible to specified categories employees under pay revision 1983.However, other provincial

ATTESTED
TRUE COPY

20 JAN 2020

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[Signature]

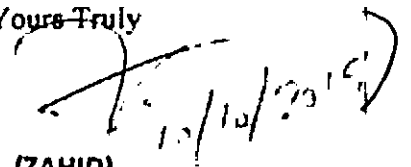
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employees get the same qualification pay (copy enclosed). But, when I was relieved as Senior Auditor (BS-16) the AGPR issued me the Last Pay Certificate (LPC) NO.GA-IV/PI/AR-92/2018-19/1934 dated 6th Nov 2018 (copy enclosed) in which the qualification pay is mentioned as well as in my previous salary slips of that Directorate. The Directorate General of Commerce Education & Management Sciences, Khyber Pakhtunkhwa and Finance Department of Khyber Pakhtunkhwa has deprived me from my legal right i.e qualification pay. As, it is violation of the Article 4 & 25 of the 1973 Constitution of the Islamic Republic of Pakistan which is discrimination.

However, my departmental appeal may kindly be reconsider for qualification pay since my appointment as lecturer in Higher Education Department, So that I may not consider other legal procedures.

Thanking you always for your time and consideration.

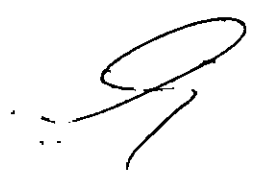
Yours Truly



(ZAHID)

Lecturer Commerce
Govt. College of Commerce-II,
Mardan

CC: The Secretary, Higher Education, Govt. of Khyber Pakhtunkhwa, Peshawar.



Better Copy

Employees get the same qualification pay (copy enclosed). But, when I was relieved as Senior Auditor (BS-16) the AGPR issued me the Last Pay Certificate (LPC) NO.GA-IV/PF/AR-92/2018-19/3934 dated 6th Nov. 2018 (copy enclosed) in which the qualification pay is mentioned as well as in my previous salary slips of that Directorate. The Directorate General of Commerce Education & Management Science, Khyber Pakhtunkhwa and Finance Department of Khyber Pakhtunkhwa has deprived me from my legal right i.e qualification pay. As, it is violation of the Article 4 & 25 of the 1973 Constitution of the Islamic Republic of Pakistan which is discrimination.

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(ZAHID)

Lecturer Commerce
Govt. college of Commerce-II,
Mardan

CC: The Secretary, Higher Education, Govt. of Khyber
Pakhtunkhwa, Peshawar.

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Registrar
25 JAN 2020

Advocate

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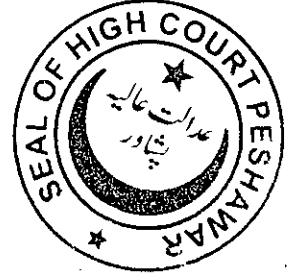
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(33)

**IN THE PESHAWAR HIGH COURT
PESHAWAR**

In Re: Writ Petition No. _____/2020

Mr. Zahid S/o Fida Muhammad
R/o Village Yahya Dheri, Katlang Road, Mardan



..... Petitioner

Versus

1. **Government of Khyber Pakhtunkhwa**
Through its Chief Secretary
Civil Secretariat, Peshawar
2. **Finance Department, Khyber Pakhtunkhwa**
Through its Secretary,
Civil Secretariat, Peshawar
3. **Directorate General of Commerce Education and Management
Sciences, Department, Khyber Pakhtunkhwa**
Through Director General,
Rano Garhi, Near Peshawar toll Plaza, Peshawar
4. **Section Officer, (SR-1)**
Finance Department, Government of Khyber Pakhtunkhwa
Civil Secretariat, Peshawar.
5. **Deputy Director (P/F)**
Directorate General of Commerce Education & Management Sciences,
Khyber Pakhtunkhwa, Rano Garhi, Peshawar.
6. **Directorate General Audit Works (Federal)**
Through its Director General,
Emigration Tower, 5th Floor, Plot No. 10, Mauve Area, G-8/1, Islamabad.
dgauditworks@federal.isda.gov.pk

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Examiner
Peshawar High Court, Peshawar
Under Article 67 of
the Constitution of Peshawar Order 1974

04 AUG 2020

..... Respondents

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

ATTACHED

Respectfully Sheweth.

The Petitioner humbly submits as under:

- 1. That the Petitioner is a qualified civil servant, having qualifications like M.Sc Economics and ICMA and serving as a lecturer in BPS-17 at Government of Khyber Pakhtunkhwa Higher Education, Archives & Libraries Department since 17.10.2018 having an unblemished career track record at his credit.

Copy of qualifications, Appointment letter & salary slip at Annexure-I

- 2. That the Respondents are the officials of various government departments where the Petitioner is serving and withdrawing his salary from.
- 3. That the succinct facts leading to this Writ Petition are that the Petitioner was previously an employee in BPS-16 at Respondent No. 06 department and upon appointment as a Lecturer in BPS-17, the Petitioner was relieved vide letter dated:05.11.2018 by Respondent No. 06 and thereafter joined Respondent No. 03 department.

Copy of Relieving letter at Annexure-II

Copy of last pay slip and certificate at Annexure-III

- 4. That in order to promote the induction of professionals in to the government service, the government in this respect offers to the government servants certain incentives on the basis of their qualifications. These incentives/allowances are revised from time to time.

Copy of Regulations dated: 19.07.2016 at Annexure-IV

ATTESTED
[Signature]

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[Signature]
EXAMINER
Peshawar High Court

5. That since the Petitioner is a qualified ICMA therefore the Petitioner was withdrawing the said qualification pay/allowance while he was working at Respondent No. 06 Department which is evident from his last salary slip and last pay certificate at Annexure-III.

6. That the Petitioner after joining the service in BPS-17 at Respondent No. 03 department applied for the said allowance vide Application dated: 07.02.2019 to Respondent No. 03, the said letter was processed and vide the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019, the Petitioner was informed that his application has been turned down on the ground that in light of pay revision 1983, qualification pay is admissible only to the specified categories employed on relevant jobs only.

Copy of Application dated: 07.02.2019 and internal communication at Annexure-V

Copy of impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 at Annexure-VI

7. That feeling aggrieved from the impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019, the Petitioner filed an Appeal/Departmental Representation through proper channel to Respondent No. 03 on 10.10.2019, the said appeal is still pending and no response whatsoever has been received till the filing of Writ Petition by the Petitioner.

Copy of appeal along with covering letter of Principal at Annexure-VII

ATTESTED
wp1314 2020 Mr. Zahid vs Govt CF USB 44 PG

ATTESTED
EXAMINER
Peshawar High Court

(A) (36)

8. That as regard to the abovementioned facts, it is humbly submitted that the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 are against the law and is based on *mala fide*, thus, Petitioner has no alternate remedy but to invoke the constitutional jurisdiction of this Honourable Court for enforcement of his fundamental rights, *inter alia*, on the following grounds:

Grounds:

- I. That the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 are erred both in law and facts and are illegal and without jurisdiction hence liable to be set aside.
- II. That the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 are not only biased and unjust but also illegal and contrary to the Revision of Basic Pay scales & Allowances of Civil Servants of the Provincial Government 2016.
- III. That the applicability of Pay Revision Regulations, 1983 on the Petitioner is illegal in light of the new Regulations of 2016.
- IV. That according to the Schedule mentioned in Clause 9 of the Revision of Basic Pay scales & Allowances of Civil Servants of the Provincial Government 2016, the Petitioner Qualification appears on the list and denying the said Qualification Pay to the Petitioner is illegal, baseless and without Jurisdiction of the Respondents.

ATTESTED
wp13142020 Mr Zahid vs Govt CF USB 44 PG
to B. H. C. P. 1

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EXAMINER
Peshawar High Court

V. That it is pertinent to note that the employees of various departments of Government of Khyber Pakhtunkhwa and even the employees of the honourable Peshawar high court and even given the said qualification pay. For reference the pay slips of the said employees have been annexed.

Copies of pay slips of employees of Government of Khyber Pakhtunkhwa and High Court at Annexure-VIII

VI. That the Respondents have not treated the Petitioner as per Article 4 and 25 of the Constitution of Islamic Republic of Pakistan.

VII. That the superior courts have held in its multiple judgments that a provision of law cannot be interpreted in a manner which shall make the provision meaningless or redundant.

VIII. That the impugned act of the Respondents-04 & 05 is gross violation of the fundamental rights of the petitioner duly protected by the constitution of Islamic Republic of Pakistan.

IX. That Petitioner, however, reserves the right with due permission to present further arguments verbally or in writing to prove its stance.

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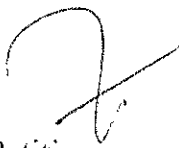
**EXAMINER
Peshawar High Court**


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(38)

Prayer: It is therefore, respectfully prayed that on acceptance of this Writ petition this honourable court may kindly direct the following;

- i. That the Impugned letters No. FD(SOSR-1) 1-1/2019(29389) dated: 02.08.2019 and Letter No. DGCE&MS/B&A/B-1-34/691 dated: 30.08.2019 may be declared illegal, without jurisdiction and without any lawful authority.
- ii. That the Petitioner may be allowed Pay Qualification/Allowance in light of Revision of Basic Pay scales & Allowances of Civil Servants of the Provincial Government 2016 along with arrears till date.
- iii. Any other relief deemed appropriate in circumstances, not specifically prayed for may also be granted.


Petitioner
Through


Saquib Ifkhar
AHC
LG-55, Deans Trade Centre, Peshawar Cantt, Peshawar
Mobile: 0345 4719233
Email: saqib.ifkhar@gmail.com

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EXAMINER
Peshawar High Court

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Certificate

It is certified that no other Writ Petition has been filed on the subject before this honourable Court except this Writ Petition.



Advocate

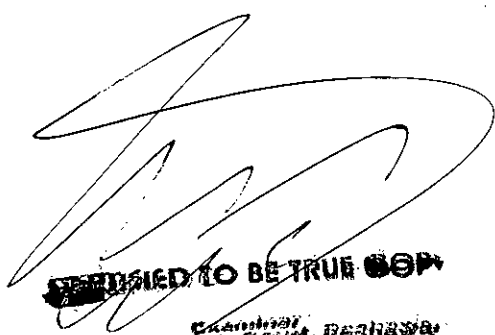
References:

1. The Constitution of the Islamic Republic of Pakistan, 1973.
2. Revision of Basic Pay scales & Allowances of Civil Servants of the Provincial Government 2016 etc.


Advocate

Note: Along with original, 3 separate copies are submitted in separate file cover.


Advocate


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 Chamber
 Peshawar High Court, Peshawar
 Authorized Under Article 175-B
 04 / AUG 2020


ATTESTED

PESHAWAR HIGH COURT, PESHAWAR
ORDER SHEET

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge(s)
1	2
24.06.2020	<p align="center"><u>Writ Petition No.1314-P/2020</u></p> <p>Present: Mr. Saqib Iftikhar, Advocate, for the petitioner.</p> <p align="center">*****</p> <p><u>IJAZ ANWAR, J.</u> Zahid, petitioner herein, through the instant Constitutional petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, is seeking grant of Qualification Pay/Allowance in the light of Revision of Basic Pay Scales & Allowances of Civil Servants of the Provincial Government, 2016.</p> <p>2. At the very outset of hearing, we called upon the learned counsel representing the petitioner to satisfy this Court regarding its jurisdiction in view of the bar contained in Article 212 of the Constitution of Islamic Republic of Pakistan, 1973. He has, however, got no convincing answer except that "allowances are not the terms and conditions of service and that only pay is held to be a term and condition of service". We are afraid; the interpretation given by the learned counsel for the petitioner is not the correct law.</p>



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EXAMINER
Peshawar High Court.

3. Section 2(e) of the Khyber Pakhtunkhwa Civil Servants Act, 1973 defined "pay" as under:

"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 pay."

4. Similarly, Section 3 of this Act provides that 'The terms and conditions of service of a civil servant shall be as provided in this Act and the rules' and under Section 17 of the Act *ibid*, 'pay' is declared as term and condition of service.

5. The Division Bench of this Court in the case reported as 2018 PLC (CS) Note 40 dismissed the writ petition filed by the civil servant for grant of risk allowance on the ground of jurisdiction. In the case reported as 2017 PLC(CS) 304, a Single Bench of the Honorable Lahore High Court dismissed the writ petition in limine pertaining to the claim of a civil servant regarding project program allowance on the ground that it being terms and conditions of service and can better be adjudicated by the Services Tribunal. Similarly, in the case reported as 2015 PLC (CS) 1442, it was observed that terms and conditions obviously include pay, promotion, allowances, pension, seniority etc. The Honorable Supreme Court of Pakistan in the case of

ATTESTED


EXAMINER
Peshawar High Court

ATTESTED
10/05/2018 (Spt)

42

"Secretary Establishment, Government of Khyber Pakhtunkhwa and others Vs. Syed Shamsher Khan and 3 others (2013 SCMR 559)" held the over time allowance a terms and conditions of service and maintained the order of Services Tribunal. Similarly, deputation allowance, judicial allowance and conveyance allowance were also declared as terms and conditions of service in the cases reported as "2013 PLC (CS) 391, 2011 PLC (CS) 231 and 2008 PLC (CS) 79".

6. Admittedly, the Qualification Pay/Allowance, being part of pay, is, thus, terms and conditions of a civil servant and it can adequately be claimed through appeal by adopting the procedure as prescribed under Section 5 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. Under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, the jurisdiction of this Court is barred to entertain such matters. Similarly, the august Supreme Court of Pakistan in its various pronouncements has held in unequivocal and clear terms that the bar of jurisdiction in such matters is absolute. Reference can be made to the case of "Ali Azhar Khan Baloch and others Vs. Province of Sindh and others' (2015 SCMR 456)", "National Assembly Secretariat Vs. Manzoor Ahmad and another' (2015 SCMR 253)",



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10/11/2015

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EXAMINER
Peshawar High Court

"Peer Muhammad Vs. Government of Baluchistan through Chief Secretary and others' (2007 SCMR 54)", "Asadullah Rashid Vs. Haji Muhammad Muneer and others' (1998 SCMR 2129)" and "Khalid Mahmood Wattoo Vs. Government of Punjab and others' (1998 SCMR 2280)".

7. Besides, the jurisdiction of this Court can be invoked only in cases where there is no other efficacious alternate remedy available to the litigant. While, in the instant case, a statutory forum is provided and on this score alone, the jurisdiction of this Court under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 cannot be invoked. Reliance can be placed on "Indus Trading and Contracting Company Vs. Collector of Customs (Preventive Karachi and others (2016 SCMR 842)", "Dr. Sher Afgan Khan Niazi Vs. Ali S. Habib and others (2011 SCMR 1813)" and "Muhammad Abbasi Vs. S.H.O Bhara Kahu and 7 others'(PLD 2010 SC 969)".

8. In view of the above, since, the matter agitated before this Court squarely relates to terms and conditions of service, as such, the writ, asked for, cannot be issued in such circumstances. Accordingly, this writ petition, being not maintainable, stands dismissed in limine.

ATTESTED
10/06/2023

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EXAMINER
Deshawar High Court

However, petitioner is at liberty to approach the proper forum i.e. Khyber Pakhtunkhwa Services Tribunal, Peshawar for the redressal of his grievance, if he so desires.

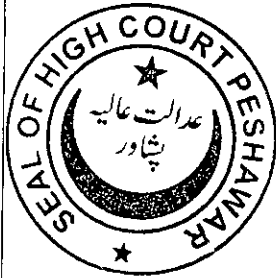
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Dt:24.06.2020

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JUDGE

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JUDGE



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Examiner
Peshawar High Court, Peshawar
Authorized under Article 87 of
the Constitution of Pakistan Order 1985

04 AUG 2020

No. 39824

Date of Presentation of Application 24/6/2020

No of Pages 2

Copying fee 40

Total 40

Date of Preparation of Copy 24/6/2020

Date of Delivery of Copy 24/6/2020

Received By [Signature]

(Muhammadullah)* (SB) Hon'ble Mr. Justice Ikramullah Khan and Hon'ble Mr. Justice Ijaz Anwar

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**GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD SAFETY & HALAL FOOD AUTHORITY**



SALARY SLIP

Employee Name: **ZAHIR MAHMOOD**
 Designation : **Director Finance**
 NIC **17301-1242328-1**
 Account Number **PK19MEZN0007010100708857**

Month
Year

June
2019

Amir Ix
BS

EMOLUMENTS	AMOUNT Rs.	DEDUCTIONS	AMOUNT Rs.
	51200	Income Tax	5600
House Rent Allowance	13284	General Provident Fund	
Conveyance Allowance		RB & DC	
Special Pay		House Rent Deduction	
Qualification Pay		Benelovent Fund	
Audit/Accounts Allowance		Hajj Deduction	1000
Medical Allowance	3690	Professional Tax	
Ar13	1550		
AR15	1004		
AR16	4937		
AR17	5921		
Ar18	5921		
ICMA	3150		
PhD			
Deputation Allowance Authority/Executive Allowance	62260	Total Deductions	6600
Gross Pay	163977	Net Pay	157377

Checked By

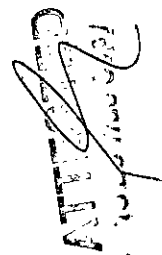
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96

00082798 SAYYED SADIQ SHAH		CNIC: 1730165752319		Desig: DIRECTOR (BUDGET AND)(60307930)		Grade: 19 NTN: 4203521-0		Buckle No.:		Gazetted/Non-Gazetted:	
PAYMENTS	AMOUNT	DEDUCTIONS	AMOUNT	LOAN/FUND	PRINCIPAL	REPAID	BALANCE				
0001 Basic Pay	74,460.00	3019 GPF Subscription	7,180.00-		GPF# AJ 02673		840,240.00				
0010 Qualification Pay	3,150.00	3501 Benevolent Fund	800.00-		INCOME TAX 286,473.00	47,746.00	238,727.30				
1001 House Rent Allowance	13,284.00	4004 R. Benefits & Death C	1,600.00-								
1518 Entertainment Allowa	500.00	3609 Income Tax	23,873.00-								
1874 Utility Allowance20	12,000.00										
1886 Transport Allowance	6,000.00										
1947 Medical Allow 154 (1	2,401.00										
1251 Spl Judicial Allow 1	59,210.00										
1952 Spl Judicial Allow 5	37,230.00										
2109 Judicial Allowance 1	21,000.00										
2148 151 Adhoc Relief All	1,375.00										
2189 Adhoc Relief Allow 8	941.00										
2211 Adhoc Relief All 201	5,449.00										
2224 Adhoc Relief All 201	7,446.00										
2247 Adhoc Relief All 201	7,446.00										
PAYMENTS	251,892.00	DEDUCTIONS	33,453.00-		NET PAY	218,439.00	01.08.2019	31.08.2			
Branch Code:096048 ,	PESHAWAR HIGH COURT BRANCH.	KHYBER BANK LIMITED	PESHAWAR HIGH COURT BRANCH.	PESHAWAR	Accnt.No: 00142-005						



POWER OF ATTORNEY
BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL

PESHAWAR

In Re: Service Appeal No. _____/2020

Mr. Zahid S/o Fida Muhammad
R/o Village Yahya Dheri, Katlang Road, Mardan

..... *Petitioner*

Versus

Government of Khyber Pakhtunkhwa & Others

..... *Respondents*

By this, power-of-attorney I/we, the **Mr. Zahid, Appellant**, undersigned, do hereby nominate and appoint **Mr. Saqib Iftikhar, Advocate High Court** to be counsel/s in the above matter for me/us and on my/our behalf as agree to appear plead act and answer in the above Court/Authority/Tribunal or any appellate court or any other court to which the business in transferred in the above matter as and is agreed to sign the file Petitions, Appeals, Statement, Accounts, Exhibits, Compromises or other documents whatsoever, in connection with the said matter or any matter arising therefore and also to apply for receive all documents or copies of documents, depositions etc. and to apply for and issue summons and other writes or sub poena and to apply for and get issued any arrest attachments or other execution, warrants or order and to conduct any proceedings that may arise there out; and reply for and receive payment of any or all sums or submit for the above matter arbitration, and to employ and other legal practitioner, authorizing him to exercise the power and authorities hereby conferred on the Advocate whenever he may think fit to do so, any other lawyer may be appointed by may said counsel to conduct the case who shall have the same persons.

And to do all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may by proper and expedient.

And I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of these powers or as is the usual practice in such matters.

Provide always, that I/we under that at the time of calling case by the court if the case may be dismissed in default, if it be proceeded *ex-parte* the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right IN WITNESS WHEREOF I/WE has hereto signed at **Peshawar 9th day of August** in the year **2020**.



Signature

(Executant / Executants)

Accepted subject to the terms regarding fee.


Saqib Iftikhar
AHC

Saqib Iftikhar Law Associates

Advocates, Legal Advisors & Consultants
LG-55, Deans Trade Centre, Peshawar Cantt, Peshawar
Mobile: 0345 4719233, 0333-9279690
Email: saqib.iftikhar@gmail.com

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 9266/2020

Mr. Zahid S/o Fida Muhammad
R/o Village Yahya Dheri, Katlang Road, Mardan.

..... *Petitioner.*

VERSUS

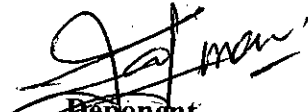
Government of Khyber Pakhtunkhwa
Through its Chief Secretary, Civil Secretariat, Peshawar and Others

..... *Respondents.*

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENT No.01 ¹⁰ & 05.

I N D E X

Sr. No.	Description of Documents	Annexure	Page No.
1)	Written Reply/Comments along with affidavit		1-3
2)	Pay Revision Rules, 1983	A	4-6
3)	Copy of Letter No. DGCE&MS/B&A/B-1-34/1691 dated 30-08-2019	B	7
4)	Copy of Finance Department Letter No. FD(SOSR-1) 1-1/2019(29389) dated: 02-08-2019	C	8
5)	Pay revision Rules 2016	D	9-15
6)	Authority Letter		16


Deponent

1

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Service Appeal No. 1407/2020

BEFORE: **MRS. ROZINA REHMAN** ... **MEMBER (J)**
 MISS FAREEHA PAUL ... **MEMBER (E)**

Misal Khan S/O Toor Khan, Ex- Driver/Constable C.T.D,
Peshawar.

....(Appellant)

Versus

1. **Senior Superintendent of Police, Hqr; Peshawar.**
2. **Deputy Inspector General, C.T.D, Peshawar.**
3. **Inspector General of Police, C.P.O, Khyber Pakhtunkhwa Peshawar.**

....(Respondents)

Mr. Muhammad Masoom Shah ,
Advocate

For appellant.

Mr. Muhammad Adeel Butt,
Addl. Advocate General

For respondents.

Date of Institution.....10.03.2020
Date of Hearing.....19.07.2022
Date of Decision.....19.07.2022

JUDGEMENT

FAREEHA PAUL MEMBER (E): The service appeal has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the impugned order of respondent No. 1 dated 03.09.2015 whereby appellant was dismissed from service or O.B NO. 75/GD dated 10.02.2020 of respondent No. 2 whereby his representation was filed, with the ^{prayer}~~appeal~~ that the orders may be set aside and the appellant may be reinstated in service with all back benefits.

2. Brief facts, as per memorandum of appeal, are that the appellant was appointed as constable/driver on 01.07.1988 in the Police Department and was posted in Special Branch Peshawar. He was implicated in FIR No. 112 dated 18.04.2015, Police Station Alpuri, under Section 9-C, CNSA 1997 and was arrested on spot. He informed the department about lodging of said FIR ~~and~~^{a ✓} his arrest. Departmental proceedings were initiated against him in his absence when he was in custody of District Jail Daggar (District Buner). On 03.09.2015 he was dismissed from service on account of absence. During period of his custody he was kept in different jails including Central Jail Haripur and District Jail Mardan. During that period the Trial Court initiated criminal proceedings against the appellant in the court of District Judge/Zilla Qazi/Judge Special Court Shangla Camp Court at Swat and after completion of the trial appellant was convicted to life imprisonment alongwith fine of Rupees one lac vide order dated 24.11.2016. Benefit of Section 382 CrPC was also extended to him meaning thereby that he was behind the bar since the date of his arrest i.e 18.04.2015. Feeling aggrieved from judgment dated 24.11.2016, appellant filed Criminal Appeal No. 277-M/2016, which came up for hearing on 03.12.2019. Hon'able Peshawar High Court, Mingora Bench allowed the appeal and set aside impugned judgment with further direction to release him from Jail. It took 10 to 14 days for completion of due process of law and formalities after which he made arrival to his duty but he was handed over the impugned order dated 03.09.2015 of dismissal from service. On 08.01.2020 he submitted departmental appeal before respondent

No. 2 which was rejected on 10.02.2020. Feeling aggrieved he submitted the service appeal.

3. Respondents were put on notice who submitted written replies/comments on the appeal. We heard the learned counsel for the appellant as well as the Assistant Advocate General and perused the case file with connected documents minutely and thoroughly.

4. The learned counsel for the appellant contended that the appellant was behind the bar since 18.04.2015 and he had informed his office, ~~and then he was absent from duty.~~ He further contended that due process was not followed before his dismissal from service; ~~that~~ neither charge sheet and statement of allegations ~~were served~~ nor any show cause notice was served upon him through the jail administration. He invited the attention to the impugned order dated 03.09.2015 through which the appellant was dismissed from service and stated that the same ^{was neither} endorsed to the appellant nor served upon him, rater it was kept in office. He further stated that appellant was acquitted from the baseless charges levelled against him, ^{and matches ~~that~~ the} he ~~would~~ ^{should} be reinstated in service.

5. The learned Additional Advocate General on the other hand contended that the appellant was dismissed from service after ^{all the} fulfilling requirements, ^A and proper departmental inquiry was carried out and all the charges levelled against him were proved. He further contended that conviction ^{from the} ~~while~~ trial court and willful absence from duty was sufficient proof for initiating departmental proceedings and awarding major punishment. He drew the attention to the statement

of the appellant in which he himself confessed about ^{committing} admitting the crime.

presented before us

6. Record indicates that departmental proceedings were initiated against the appellant in his absence. As regards the confessional statement of the appellant, the trial court did not consider it worth, how could this Tribunal ~~may~~ consider it now? It is evident from the given record that the Hon'able Peshawar High Court, Mingora Bench was convinced that the conviction ^{and} sentence of the appellant was not sustainable in the ^{circumstances} constitution where prosecution ~~appear~~ failed to prove ^{the} his guilt of the appellant/convict and hence acquitted him of the charges leveled against him. This Tribunal feels that the major punishment given by the respondents to the appellant based on FIR lodge ^d against him is not maintainable as he was acquitted of those charges. ^{to hold the} the appellant has been acquitted there is no reason ~~for~~

punishment of

~~his~~ dismissal ^{and} hence the impugned orders dated 03.09.2015 and 10.02.2020 are set aside and the appellant is reinstated into service. The period for which he remained in jail may be treated as ~~leave of the kind leave due~~ *under suspension.*

7. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 19th day of July, 2022.

(ROZINA REHMAN)
Member (J)

(FAREEHA PAUL)
Member (E)

(=) The appellant had informed his high ups about his arrest and a better course of action would have been to put him under suspension till the final decision of the court of law. Now as

(1)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

SERVICE APPEAL NO. 9266/2020

Mr. Zahid S/o Fida Muhammad
R/o Village Yahya Dheri, Katlang Road, Mardan.

..... *Petitioner.*

VERSUS

1. **Government of Khyber Pakhtunkhwa**
Through its Chief Secretary,
Civil Secretariat, Peshawar
2. **Finance Department, Khyber Pakhtunkhwa**
Through its Secretary
Civil Secretariat, Peshawar.
3. **Directorate General of Commerce Education and Management Sciences, Khyber Pakhtunkhwa.**
Through Director General,
Rano Garhi, Near Peshawar Toll Plaza, Peshawar.
4. **Section Officer, (SR-I)**
Finance Department, Government of Khyber Pakhtunkhw,
Civil Secretariat, Peshawar.
5. **Deputy Director (P/F)**
Directorate General of Commerce Education
And Management Sciences, Peshawar.

..... *Respondents.*

JOINT PARA-WISE COMMENTS ON BEHALF OF RESPONDENT NO. 1 To 5.

Respectfully Sheweth: -

Preliminary Objections: -

1. That the Appellant does not fall within the definition of an aggrieved person and has no locus standi to file the appeal in hand.
2. That the Appellant has got no cause of action to file the instant case.
3. That the Appellant is estopped by his own conduct to file the instant appeal.
4. That filing of this appeal is futile exercise and wastage of precious time of this Honorable Service Tribunal, liable to be dismissed forthwith.
5. That in light of Pay Revision Rules 1983, qualification pay is admissible only to the specified categories employed on relevant jobs only.

- 6. That the instant appeal is not maintainable.
- 7. That the appeal in hand is barred by limitation.

On Facts: -

- 1. Pertains to record.
- 2. Subject to proof.
- 3. Pertains to record.
- 4. Pertains to record.
- 5. Incorrect and Irrelevant. Since the appellant was employed on relevant job in Directorate of Audit Works (Federal) as Senior Auditor (BPS-16), therefore, he was eligible to draw qualification pay/allowance. Now as the Appellant is working against the post of Lecturer Economics (BPS-17) to which qualification pay/allowance on basis of ICMA (Institute of Cost and Management Accounts) is not admissible.
- 6. Qualification Pay/Allowance is admissible only to the specified categories employed on relevant job vide para-17 of Pay Revision Rules, 1983 (**Annex-A**).
- 7. Incorrect. The appellant was already communicated Satisfactory answer vide letter No. DGCE&MS/B&A/B-1-34/691 dated: 30-08-2019 and Finance letter No. FD(SOSR-1) 1-1/2019(29389) dated: 02-08-2019 (**Annexure-B & C**).
- 8. No comments.
- 9. Incorrect. Appellant has got no cause of action to file the instant appeal.

On Grounds: -

- I. Incorrect. The impugned letters are according to law and rules.
- II. Incorrect on ground as explained in para-6 above.
- III. Terms and condition for qualification Pay/Allowance were made under Pay Revision Rules, 1983 whereas Pay Revision 2016 pertains to revision of Qualification Pay rates (**Annex-D**).
- IV. As explained in Para-6 above.
- V. Subject to proof.
- VI. Incorrect. The Appellant is treated in accordance with laws and regulations.

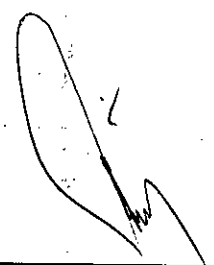
VII. Pertains to record.

VIII. Incorrect. No fundamental right of the Appellant is violated.

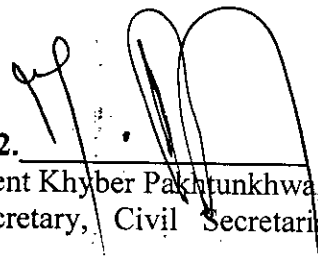
IX. The Respondents also seek the permission of this Hon'ble Tribunal to advance additional arguments and raise additional grounds at the time of arguments.

Prayer: -

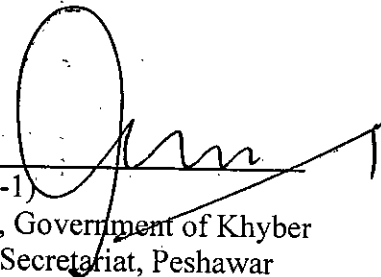
In view of the above submissions, it is humbly prayed that the Service Appeal in hand may graciously be dismissed with costs.



Respondent No. 1.
Government of Khyber Pakhtunkhwa,
Through its Chief Secretary, Civil
Secretariat, Peshawar.



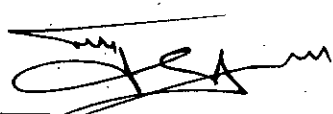
Respondent No. 2.
Finance Department Khyber Pakhtunkhwa,
Through its Secretary, Civil Secretariat,
Peshawar.



Respondent No. 4.
Section Officer. (SR-1)
Finance Department, Government of Khyber
Pakhtunkhwa, Civil Secretariat, Peshawar



Respondent No. 3.
Director General, Commerce Education &
Management Sciences, Peshawar.



Respondent No. 5.
Deputy Director (P/F), Directorate General
of Commerce Education and Management
Sciences, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 9266/2020

Mr. Zahid S/o Fida Muhammad
R/o Village Yahya Dheri, Katlang Road, Mardan.

..... *Petitioner.*

VERSUS

Government of Khyber Pakhtunkhwa
Through its Chief Secretary, Civil Secretariat, Peshawar and Others

..... *Respondents.*

AFFIDAVIT

I, Salman Khan Assistant (Litigation Section) Directorate General of Commerce Education and Management Sciences, Peshawar, do hereby solemnly affirm and declare on oath that the contents of the parawise comments on behalf of Respondents No. 03 and 05, are true & correct to the best of my knowledge & belief and nothing has been concealed from this Hon'able Court.

Dated: 17 / 03 / 2020.


Deponent

post of Time Scale Clerk, he would have been entitled, under Clause (i) of Part I of the Scheme of National Scales, to initial pay of Rs. 3951 (RNPS No. 8).

2. It has been decided that, in case of the category prescribed in the preceding para, the initial pay of the Government servant on promotion to the higher post as fixed under the ordinary rules will, where necessary, be enhanced by a stage so that it will not be lower than the initial pay that would have been admissible to him if he had been promoted to the above higher post from the maximum of the National Pay Scales of the lower post in question without having first been transferred to the next higher National Pay Scales under this Division. Office Memorandum dated 27-12-1972 referred to in para 1 above. This decision will take effect from 1st March, 1972.

[Authority.—Finance Division O.M. No. 435/75/F. 2(33)/75-RI, dated 11th July 1975.]

✓
Scheme of Basic Pay Scales and Fringe Benefits of Civil Employees of the Federal Government (1983)

Sl. No. 4:

The President has been pleased to sanction, with effect from 1st July, 1983, a Scheme, as detailed below, of the Basic Pay Scales, Allowances and other Fringe Benefits, 1983, for the civil employees of the Federal Government, paid directly from the Civil Estimates or from the Defence Estimates.

PART I.—BASIC SCALES AND ALLIED MATTERS

2. **Basic Scales of Pay.**—The Basic Scales of Pay, 1983, as shown in the Schedule Annexed to this O.M. shall replace the existing Revised National Scales of Pay (RNPS). The Basic Scales shall not be regarded as "grades" and shall not be referred to as grades in official communications. Officials shall henceforth be appointed/promoted to posts and not in grades.

3. **Initial Fixation of Pay.**—(i) The initial pay of an existing employee, i.e. an employee who has been in Government service since before the 1st of July, 1983, shall be fixed at the stage in the relevant Basic Pay Scale which is as many stages above the minimum as the stage occupied by him above the minimum of the existing Revised National Pay

Scale provided that where the employee concerned a minimum pay plus Dearness Allowance or gratuity; his pay shall be fixed so that he gets that advantage, provided that the relevant Basic Scale shall not be below the formula "Emoluments" would include Dearness Allowance and Local Compensation.

(ii) Annual increment shall be fixed on the existing conditions on the 1st of July, 1983. However, the first annual increment shall accrue on the 1st of July, 1983.

4. **Fixation of Pay on Promotion.**—The fixation of pay in case of promotion to a higher post shall continue to be governed by the existing rules.

5. **Move-over.**—The existing concession of move-over without promotion to employees in RNPS-1 (B-1) to F-1 shall be applicable in this Scheme.

6. The existing concession of move-over from RNPS-16 to RNPS-17 (B-17) and shall be extended upto B-20 and F-20.

(a) The existing condition of move-over to the maximum of pay scale for technical and non-technical employees shall be applicable.

(b) No move-over beyond the maximum of pay scale for employees mentioned in (a) shall be applicable.

(c) The move-over in the case of employees in categories e.g. Doctors, Management Scientists, Geologists, Metallurgists, Animal Husbandry and Fisheries shall be upto B-20, without the concession of three years.

teacher who possesses or acquires Master's degree in Education (M.Ed) and also a Master's degree in any academic subject shall be allowed six advance increments.

Provided that a teacher who has already drawn increments for possessing higher educational qualification under the existing scales shall be allowed increments equal to shortfall in the number of increments, if any, between the increments obtained by him and the increments which have now been prescribed.

15. Advance Increments to Technical and Professional Categories on Possessing/Acquiring Higher Qualifications: — Doctors, Engineers, Educationists, Economists, Management Accountant, Scientistics, Geologists, Meteorologists, Archaeologists, Experts in Agriculture, Animal Husbandry and Forestry working in Universities, Colleges, Research institutions or technical departments shall be allowed advance increments on possessing/acquiring higher qualifications as under:—

- (i) In case a technical/professional employee of the above category possesses D.Sc., Ph.D. degree from a Foreign University, he shall be allowed six advance increments on entry into service in B-17.
- (ii) Those of the above categories of officers who possess M.A./M.Sc./M.S. or equivalent from a foreign university or Ph.D. or M.Phil. from a university in Pakistan will receive four advance increments on induction in service in B-17.
- (iii) Those of the above categories of employees who while in service obtain a degree shall be allowed four advance increments in case of (i) above and two advance increments in case of (ii) above.

16. Design Allowance. — Engineers holding University degree in engineering and working full time in the Design Offices shall be allowed a Design Allowance at the following rates:

Engineers drawing pay in B-17.....	Rs. 400 p.m.
Engineers drawing pay in B-18.....	Rs. 500 p.m.
Engineers drawing pay in B-19.....	Rs. 600 p.m.
Engineers drawing pay in B-20.....	Rs. 700 p.m.

17. Qualification Allowance. — (a) S.A.S. Accountants shall be allowed a Qualification Allowance of Rs. *[150 p.m.] on qualifying

*Revised vide Finance Division O.M. No. F.1 (12) Imp.II/91, dated 19-8-1991

Specialized Accounting Services

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the S.A.S. or equivalent examination shall be admissible as a separate entry for posts. 1] This allowance shall be allowed to Accountants or Emergency Casualties who may be promoted as Accountants.

2] (b) Qualification pay for

- (i) Part-III (ICMA/ICWA)
- (ii) Part-V (ICMA/ICWA)
- (iii) Chartered Accountants

3] (c) Qualifications Pay for shall be allowed from 1-7-1992 for the following courses shown a

- (a) PASC National I
- (b) National Defence
- (c) Advanced Course in NIPA:

Note: — One Qualification pay

18. Performance Evaluation Allowance for employees working in the Performance Evaluation Allowance

- B-17 and B-18
- B-19 and B-20

19. Research Allowance 20% of the pay subject to a maximum of Rs. 1000 p.m. shall be allowed to the employees in B-17 and B-18 on research work, both field and laboratory, for the research organization.

Added vide Finance Division O.M. No. F.1 (12) Imp.II/91, dated 19-8-1991
Subs. vide Finance Division O.M. No. F.1 (12) Imp.II/91, dated 19-8-1991
Subs. vide Finance Division O.M. No. F.1 (12) Imp.II/91, dated 19-8-1991
Revised vide Finance Division O.M. No. F.1 (12) Imp.II/91, dated 19-8-1991

 (6)

1. G.A.S. or equivalent examination. This allowance shall continue to be admissible as a separate entity even after their promotion to high posts. [This allowance shall, however, not be admissible to Accountants or Emergency Cadre or to Audit Assistants who have been promoted as Accountant against the exempted quota].

2. (b) Qualification pay for:—

- | | |
|-----------------------------|--|
| (i) Part-III
(ICMA/ICWA) | Rs. 300/- p.m. |
| (ii) Part-V
(ICMA/ICWA) | Rs. 800/- p.m. (where it is not minimum qualification prescribed for the post). |
| (iii) Chartered Accountants | Rs. 800/- p.m. where FCA/ACA is not the minimum qualification prescribed for the post. |

3. (c) Qualifications Pay for Senior Officers. — Qualifications pay shall be allowed from 1-7-1995 to those officers who have qualified in the following courses shown against each:—

- | | |
|--|----------------|
| (a) PASC National Management Course: | Rs. 750/- p.m. |
| (b) National Defence College Course: | Rs. 750/- p.m. |
| (c) Advanced Course in Management in NIPA: | Rs. 200/- p.m. |

Note: — One Qualification pay will be admissible at a time].

4. 18. Performance Evaluation Allowance. — Audit Officers working in the Performance Evaluation Cell will be allowed Performance Evaluation Allowance at the following rates:—

- | | |
|---------------|-----------------|
| B-17 and B-18 | Rs. 400/- p.m. |
| B-19 and B-20 | Rs. 500/- p.m.] |

5. 19. Research Allowance. — Research Allowance at the rate of 20% of the pay subject to a maximum of Rs. 800/- p.m. will be allowed to the employees in BPS-16 and above, deployed exclusively on research work, both field officers and those employed exclusively for the research organizations. This allowance would be

1. Added vide Finance Division O.M. No. F.1 (12) Imp/83 (V), dated 21-9-1983.

2. Subs. vide Finance Division O.M. No. F.1 (12) Imp.11/91, dated 19-8-1991.

3. Subs. vide Finance Division O.M. No. F.7(44)Imp/95, dated 13-7-1995.

4. Revised vide Finance Division O.M. No. F.1(12)-Imp-11/91, dated 19-8-1991.

2019-9331028



Annexure (B) 17
DIRECTORATE GENERAL OF COMMERCE EDUCATION
& MANAGEMENT SCIENCES, KHYBER PAKHTUNKHWA,
RANO GARHI, PESHAWAR.

NO. DGCE&MS/B&A/B-1-34/1691

Dated 30/08/2019

To

The Principal,
Govt. College of Commerce No.2,
Mardan.

Subject: - QUALIFICATION PAY ON POSSESSION OF ICMA (PROFESSIONAL).

I am directed to refer to your letter No. GCC-II/MRD/PF/7018, dated 07.2.2019 on the subject noted above and to enclose herewith a copy of self explanatory letter of Finance Department vide No.FD(SOSR-1)1-1/2019(29389), dated 02.8.2019 regarding instruction for the subject matter in respect of Mr.Zahid, Lecturer of your college for further necessary action please.

Encls. As above)


(MUNAWAR KHAN)
DEPUTY DIRECTOR (P/F) %

28/8/19

Encls No. NO.DGCE&MS/B&A/B-1-34/1691 (2)

Dated 30/08/2019.

Copy forwarded for information to the PA. to DG (CE&MS).


DEPUTY DIRECTOR (P/F) %

28/8/19



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

Annex (C)

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Finance Department Civil Secretariat Peshawar
<http://www.finance.gov.pk>
[facebook.com/GOFPK](https://www.facebook.com/GOFPK)
[twitter.com/GOFPK](https://www.twitter.com/GOFPK)

NO. FD (SOSR-1) 1-1/2019(29389)
Dated Peshawar the: 02-08-2019

To
The Budget Officer (B&A)
Higher Education Department,
Peshawar.

Subject:- QUALIFICATION PAY ON POSSESSION OF ICMA (PROFESSIONAL)

I am directed to refer to your letter No:SO(B&A)/HE/4/A/rear/No-IX/2018-19 dated 09-07-2019 on the subject noted above and to advise that in light of Pay Revision 1983, Qualification Pay is admissible only to the specified categories employed on relevant jobs, please.


(BARKAT KHAN)
SECTION OFFICER (SR-1)



(1) Annex(D) ~~FB~~ 2
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GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

NO. FD (PRC) 1-1/2016
Dated Peshawar the 19th July, 2016

To:

1. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
3. The Principal Secretary to Governor, Khyber Pakhtunkhwa
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa
6. All Heads of Attached Departments in Khyber Pakhtunkhwa.
7. All Deputy Commissioners, in Khyber Pakhtunkhwa.
8. All Political Agents / District & Sessions Judges in Khyber Pakhtunkhwa
9. The Registrar, Peshawar High Court, Peshawar.
10. The Chairman, Public Service Commission, Khyber Pakhtunkhwa.
11. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.

Subject REVISION OF BASIC PAY SCALES & ALLOWANCES OF CIVIL SERVANTS OF THE PROVINCIAL GOVERNMENT (2016)

Dear Sir,

The Competent Authority has been pleased to sanction the revision of Basic Pay Scales & Allowances w.e.f 1st July, 2016 for the Civil Servants of the Provincial Government, detailed in the following paragraphs:-

Part-I (Pay)

2. Revision of Basic Pay Scales:

The Basic Pay Scales – 2016 shall replace the Basic Pay Scales – 2015 with effect from 01-07-2016 as contained in the Annexure to this circular letter

3. Fixation of Pay of the existing employees:

- i) The basic pay of an employee in service on 30-06-2015 shall be fixed in the Basic Pay Scales – 2016 on point to point basis i.e. at the stage corresponding to that occupied by him / her above the minimum of Basic Pay Scales – 2015;
- ii) In case of Personal Pay being drawn by an employee as part of his / her basic pay beyond the maximum of his / her pay scale on

(2)

30.06.2016, he / she shall continue to draw such pay in the Basic Pay Scales – 2016 at the revised rates.

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4. Fixation of pay on promotion:

In cases of promotion from a lower to higher posts / scales before introduction of these scales, the pay of the employees concerned in the revised pay 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 post / scale had taken place after the introduction of these scales.

5. Annual Increment:

Annual Increment shall continue to be admissible, subject to the existing conditions, on 1st December each year.

Part-II (Allowances)

6. Ad-hoc Relief Allowances:

The following Ad-hoc Relief Allowances granted w.e.f 01-07-2013, 01-07-2014 and 01-07-2015 have been merged and shall cease to exist w.e.f 01-07-2016:-

S.#	Name of Ad-hoc Relief Allowances	Sanctioned vide letter No. & Date	Admissible Rate
i.	15% Adhoc Relief Allowance 2013	FD (PRC) 1-1/2013 dated 16 th July, 2013	Out of 15% Adhoc Relief Allowance 2013, 10% shall be merged into the basic pay scales w.e.f 01.07.2016 and remaining 5% of the said allowance shall continue to be admissible as Adhoc Relief Allowance 2013 as admissible/frozen on 30.06.2016.
ii.	10% Adhoc Relief Allowance 2014	FD (PRC) 1-1/2014 dated 9 th July, 2014	Merged into the Basic Pay Scales
iii.	10% Adhoc Relief Allowance, 2015	FD (PRC) 1-1/2015 dated 27 th July, 2015	Out of 10% Adhoc Relief Allowance 2015, 7.5% shall be merged into the basic pay scales w.e.f 01.07.2016 and remaining

		2.5% of the said allowance shall continue to be admissible as Adhoc Relief Allowance 2015 as admissible/frozen on 30.06.2016.
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7.

Ad-hoc Allowance 2010 (if admissible):

- i) The Ad-hoc Allowance – 2010 @ 50% of the basic pay of Basic Pay Scales – 2008 (where admissible to the Civil employees) shall continue to stand frozen at the level of its admissibility // drawn as on 30-06-2016;
- ii) All the new entrants shall be allowed Ad-hoc Allowance-2010 @ 50% of the minimum of relevant Basic Pay Scales-2008 (if admissible in that organization) on notional basis with effect from 01-07-2016, till further orders, and shall stand frozen at the same level;

8.

Ad-hoc Relief Allowance-2016:

- i) An Ad-hoc Relief Allowance-2016 @ 10% of the running basic pay of Basic Pay Scales – 2016 to the civil employees of the Provincial Government including contingent paid staff and contract employees employed against civil posts in Basic Pay Scales on standard terms and conditions of contract appointment shall be allowed w.e.f 01.07.2016 till further orders;
- ii) The Ad-hoc Relief Allowance will be subject to Income Tax;
- iii) The Ad-hoc Relief Allowance will be admissible during leave and entire period of LPR except during extra ordinary leave;
- iv) The Ad-hoc Relief Allowance will not be treated as part of emoluments for the purpose of calculation of Pension/Gratuity and recovery of House Rent;
- v) The Ad-hoc Relief Allowance will not be admissible to the employees during the tenure of their posting / deputation abroad;

Signature



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- vi) The Ad-hoc Relief Allowance will be admissible to the employees on their repatriation from posting/deputation abroad at the rate and amount which would have been admissible to them, had they not been posted abroad.
- vii) The Ad-hoc Relief Allowance will be admissible during the period of suspension;
- viii) The term "Basic Pay" will also include the amount of Personal Pay granted on account of annual increment(s) beyond the maximum of the existing pay scales.

9. **Qualification Pay:**

The rates of Qualification Pay shall be revised as under:-

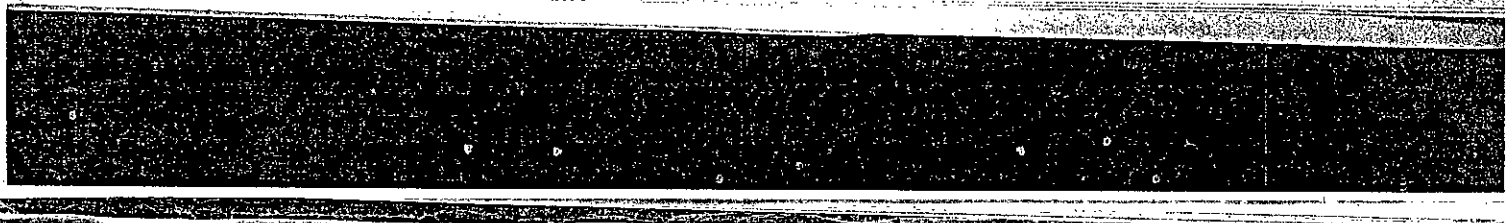
S#	Qualification	Existing Rates	Revised Rates
a	SAS/PAF	Rs.800/-	Rs.1,200/-
b	ICMA/ICWA (Part-III)	Rs.800/-	Rs.1,200/-
c	ICMA/ICWA/CIMA/ACCA	Rs.2,100/-	Rs.3,150/-
d	Chartered Accountant	Rs.2,300/-	Rs.3,450/-
e	Staff College/NMC/NDC	Rs.2,000/-	Rs.3,000/-
f	NIPA Advanced Course	Rs.1,900/-	Rs.1,500/-
g	Mid Career Mgt Course	Rs.500/-	Rs.750/-

(Note: CIMA and ACCA qualified employees may henceforth be allowed Qualification Pay at the same rate as admissible for ICMA/ICWA.)

10. **Deputation/Additional Charge Allowance/Special Pay on current charge:-**

S#	Item	Existing Rates	Revised Rates
i.	Deputation Allowance	20% of the Basic Pay subject to maximum Rs.6000/- P.M	20% of the Basic Pay subject to maximum Rs.12000/- P.M
ii.	Special Allowance on Addl. Charge of Identical Posts	20% of the Basic Pay subject to maximum Rs.6000/- P.M	20% of the Basic Pay subject to maximum Rs.12000/- P.M

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(5)

iii.	Special Allowance on Addl: Charge of Non-identical posts	10% of the Basic Pay subject to maximum Rs.3,000/-	10% of the Basic Pay subject to maximum Rs.12000/-
iv.	Special Pay on Current Charge	20% of the Basic Pay subject to maximum Rs.6000/- P.M	20% of the Basic Pay subject to maximum Rs.12000/- P.M

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11. Special Pay & Allowances:

All the Special Pays, Special Allowances or the Allowances admissible as percentage of pay (excluding those which are capped by fixing maximum limit) including House Rent Allowance and the Allowance / Special Allowance equal to one month basic pay, granted to Provincial Government's employees irrespective of his/her posting in all Administrative Departments/Attached Departments/Autonomous Bodies/Offices etc, including civil employees in BPS-1-22 of Judiciary shall stand frozen at the level of its admissibility as on 30.06.2016.

12. Option:

- (i) The Department/Office to which an employee belongs, and/or on whose pay roll he/she is borne, shall obtain an option in writing from such employee, within 30 days commencing from the date of issue of this circular letter, either to continue to draw salary in the Scheme of Basic Pay Scales-2015 or in the Scheme of Basic Pay Scale-2016 as specified in this circular letter. Option once exercised shall be considered final, which will then be communicated to the concerned Accounts Office or DDO, as the case may be.
- (ii) An existing employee, who does not exercise and communicate his/her option within the specified time limit, shall be deemed to have opted for the Scheme of Basic Pay Scales-2016.

13. All the existing rules/orders on the subject shall be considered to have been modified to the extent indicated above. All the existing rules/orders not so modified shall continue to remain in force as such.

14. Anomalies:

An Anomaly Committee shall be constituted in the Finance Department to resolve anomalies, if any, arising out in the implementation of the

(6)

Basic Pay Scales -- 2016 or out of other changes notified through this circular letter.

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Secretary to Govt. of Khyber Pakhtunkhwa
Finance Department

Endst: No.FD(PRC) 1-1 /2016,

Dated Peshawar the 19th July, 2016

A Copy for information & necessary action is forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Secretaries to Government of Punjab, Sindh and Balochistan, Finance Departments.
3. All Heads of Autonomous / Semi Autonomous Bodies in Khyber Pakhtunkhwa.

[Handwritten signature]

[Handwritten signature]
(Razaullah)

Add: Finance Secretary (Reg)

Endst: No & Date even.

A copy for information is forwarded to:-

1. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
2. All the District Comptroller of Accounts in Khyber Pakhtunkhwa.
3. The Director, Local Fund/Audit, Khyber Pakhtunkhwa, Peshawar.
4. The Director, FMIU, Finance Department, Peshawar.
5. The Treasury Officer, Peshawar.
6. All the District & Agency Accounts Officers in Khyber Pakhtunkhwa / FATA.
7. All the Section Officers / Budget Officers in Finance Department, Khyber Pakhtunkhwa, Peshawar.
8. The Private Secretary to Minister for Finance, Khyber Pakhtunkhwa, Peshawar.
9. The Private Secretary to Secretary / P.As to Special Secretary, Additional Secretaries / Deputy Secretaries in Finance Department, Peshawar.

[Handwritten signature]

(Muhammad Iqbal)
Section Officer (SR-I)

(7)

**ANNEX TO FINANCE DEPARTMENT'S CIRCULAR LETTER
NO. FD (PRC) 1-1/2016 DATED 19th JULY, 2016**

Existing Basic Pay Scales - 2015					Adjusted Basic Pay Scales -2016			
BPS	MIN	INCR	MAX	STG	BPS	MIN	INCR	MAX
1	6,210	195	12,060	30	1	7,640	240	14,840
2	6,335	220	12,935	30	2	7,790	275	16,040
3	6,535	260	14,335	30	3	8,040	325	17,790
4	6,760	300	15,760	30	4	8,280	370	19,380
5	6,985	340	17,185	30	5	8,590	420	21,190
6	7,235	375	18,485	30	6	8,900	470	23,000
7	7,490	415	19,940	30	7	9,220	510	24,520
8	7,750	455	21,400	30	8	9,540	560	26,340
9	8,015	495	22,865	30	9	9,860	610	28,160
10	8,275	544	24,595	30	10	10,180	670	30,280
11	8,540	595	26,390	30	11	10,510	740	32,710
12	9,055	650	28,555	30	12	11,140	800	35,140
13	9,700	715	31,150	30	13	11,930	880	38,330
14	10,340	790	34,040	30	14	12,720	980	42,120
15	10,985	905	38,135	30	15	13,510	1,120	47,110
16	12,910	1,035	43,960	30	16	15,880	1,280	54,280
17	20,680	1,555	51,780	20	17	25,440	1,930	64,040
18	25,940	1,950	64,940	20	18	31,890	2,400	79,890
19	40,155	2,075	81,655	20	19	49,370	2,560	100,570
20	46,705	3,050	89,405	14	20	57,410	3,750	109,910
21	51,885	3,375	99,135	14	21	63,750	4,150	121,880
22	55,755	3,960	111,195	14	22	68,540	4,870	136,720

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2016-2017