


FORM OF ORDER SHEET

Court of _____

Case No. - 527 /2023


| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|---|
| 1 | 2 | 3 |
| 1- | 09/03/2023 | <p>The present appeal resubmitted today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____.</p> <p>Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p> |

The appeal of Mr. Ahmadullah Afridi Assistant P&D Department KP Peshawar received today i.e. on 17.02.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Index of the appeal be prepared according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Check list is not attached with the appeal.
- 3- Affidavit be got attested by the Oath Commissioner.
- 4- Appeal has not been flagged/marked with annexures marks.
- 5- Certificate be given to the effect that the appellant has not filed any service appeal earlier on the subject matter in this Tribunal.
- 6- Copy of departmental appeal is not attached with the appeal which may be placed on it.
- 7- Copy of rejection order of departmental appeal in respect of appellant is not attached with the appeal which may be placed on it
- 8- Copy of impugned order is not attached with the appeal which may be placed on it.
- 9- Copy of Act mentioned in para-3 of the memo of appeal (Annexure-D) is not attached with the appeal.
- 10- Documents attached with the appeal are illegible which may be replaced by legible/better one.
- 11- Copy of Pay Slip is not attached with the appeal.
- 12- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.
- 13- The documents that are to be provided must be illegible/readable.

No. 647 /S.T.

Dt. 20/2 /2023


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv.
High Court Peshawar.

R/sr.

Obj, No: 1, Attached

1/ 2, Attached

1/ 3, Attested.

4/ 4, Flagged.

4/ 5, Attached.

4/ 6, Attached.

4/ 7, The appeal of the appellant along with others was rejected vide consolidated order dt. 17/1/23 available on file on Annex G, Page No 18. The same is appellate order for appeal.

Obj No: 8, Attached.

11 9, Attached.

11 10, Better Copies attached.

11 11, Attached page 16.

11 12, Attached.

11 13, Better Copies attached.

It is therefore requested that the
Case may kindly be placed before the
Honble bench.

M
g 07/3/20

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 527 /2023

AHMADULLAH AFRIDI

VS

PLANNING & DEVELOPMENT DEPTT:

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APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK,
ADVOCATE SUPREME COURT

-1-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 527 /2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 3671

Dated 17/2/2023

Mr. Ahmadullah Afridi, Assistant (BPS-11),
Planning and Development Department, Khyber Pakhtunkhwa, Peshawar.

.....**APPELLANT**

VERSUS

- 1- The Secretary, Planning & Development Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director General, Planning & Development Department, Khyber Pakhtunkhwa, Peshawar.

.....**RESPONDENTS**

APPEAL UNDER SECTION- 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED APPELLATE ORDER DATED 17.01.2023 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR FIXATION OF PAY W.E.F. 20.01.2010 I.E. FROM THE DATE OF INITIAL APPOINTMENT HAS BEEN REJECTED WITHOUT ANY GOOD REASON.

PRAYER:

That on acceptance of this appeal the impugned appellate order dated 17.01.2023 may very kindly be set aside and the appellant may kindly be allowed/granted pay fixation w.e.f 20.01.2010 i.e. from the date of initial appointment with all back benefits. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:

- 1- That the respondent department vide advertisement advertised certain posts and after following the codal formalities the appellant was appointed in the respondent Department as Assistant (BPS-11) vide order dated 20.01.2010. Copies of advertisement and appointment order are attached as Annexure..... **A & B.**
- 2- That in response to the order mentioned above the appellant submitted her arrival report and took over the charge of his post. Copy of the charge report is attached as annexure**C.**
- 3- That while performing his duty the service of the appellant was regularized vide notification dated 30.06.2022 in pursuance of K.P

Filed on day

Registered

17/2/2023

(Regularization of Services of employees of Erstwhile FATA) Act, 2021. Copies of the notification and Act are attached as Annexure**D.**

- 4- That in pursuance to the notification mentioned above the services of the appellant was regularized and his pay was fixed from the date of notification, feeling aggrieved the appellant along with other preferred departmental appeal/ representation before the respondents. Copies of pay slip and departmental appeal are attached as annexure**E & F.**
- 5- That the representation of the appellant was disposed of/dismissed vide order dated 17.01.2023. Copy of the appellate order dated 17.01.2023 is attached as Annexure **G.**
- 6- That feeling aggrieved from the appellate order and having no other remedy the appellant filed the instant appeal on following grounds inter alia.

GROUND:

- A- That the inaction of respondents by not allowing pay fixation to the appellant w.e.f. 20.01.2010 is against the law, facts, norms of natural justice and materials on the record.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondents acted in arbitrary and mala fide manner by not allowing pay fixation to the appellant w.e.f. 20.01.2010 i.e. from the date of appointment and as such the inaction of the respondents is violative of law and rules.
- D- That in such a situations/ similar cases pay protection was granted to the regularize civil servants by the finance department vide notification/ circular dated 18.03.2021. Copy of notification/circular dated 18.03.2021 is attached as Annexure **H.**
- E- That the inaction of the respondents is discriminatory and against the norms of natural justice, therefore not tenable in the eye of law.
- F- That under Article 38 (e) of the Constitution of Pakistan, 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various services of Pakistan, therefore in light of the above mentioned Article the appellant is fully entitle for the grant of pay fixation w.e.f. 20.01.2010 the date of initial appointment.
- G- That as per rule 2.3. of the West Pakistan Pension Rules, 1963 and FR 22 the appellant is fully entitled for the grant of pay fixation w.e.f. initial appointment with all back benefits.


H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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


Dated: 15.02.2023


APPELLANT
AHMADULLAH AFRIDI

THOROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT


KAMRAN KHAN


UMAR FAROOQ


WALED ADNAN


MUHAMMAD AYUB
ADVOCATES HIGH COURT

AFFIDAVIT

I, Ahmadullah Afridi, Assistant (BPS-11), Planning and Development Department, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm and declare on Oath that the contents of this **Service Appeal** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.

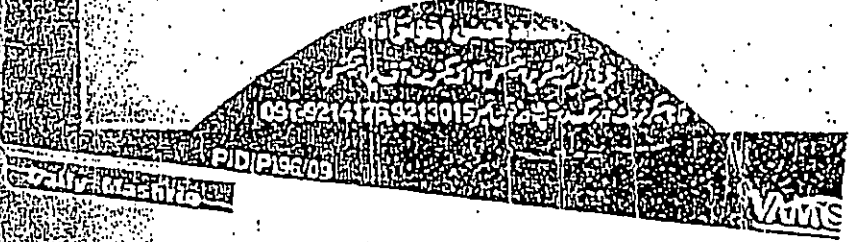

DEPONENT

"A"
4-

تعمیراتی کاموں کے لیے ہفت روزہ کی شہادت کی ضرورت ہے۔ اس سے متعلقہ اداروں کو مطلع کیا جائے گا۔
 تعمیراتی کاموں کے لیے ہفت روزہ کی شہادت کی ضرورت ہے۔ اس سے متعلقہ اداروں کو مطلع کیا جائے گا۔
 تعمیراتی کاموں کے لیے ہفت روزہ کی شہادت کی ضرورت ہے۔ اس سے متعلقہ اداروں کو مطلع کیا جائے گا۔

| نمبر | مذکورہ کام | پیمانہ | تعمیراتی کام | بیمت | نمبر |
|------|--------------------------|--------|-------------------|-------------|-------|
| 1 | بجلی کی لائنیں BPS-16 | 02 | ۱: بجلی کی لائنیں | پناہ | 25-35 |
| 2 | پینٹنگ BPS-11 | 02 | پینٹنگ | پناہ | 20-35 |
| 3 | شینلڈنگ EPS-11 | 01 | شینلڈنگ | FAN DCcm | 20-35 |
| 4 | پینٹنگ BPS-7 | 02 | پینٹنگ | پینٹنگ | 20-35 |
| 5 | ٹائلنگ BPS-1 | 01 | ٹائلنگ | ٹائلنگ | 20-35 |

- سروٹ مارٹ سٹریٹ اور ایچ اے سٹریٹ کے درمیان۔
- گڑھی والے اڑانے کی تعمیر۔
- تعمیراتی کاموں کے لیے ہفت روزہ کی شہادت کی ضرورت ہے۔ اس سے متعلقہ اداروں کو مطلع کیا جائے گا۔
- سورسہ سٹریٹ کے درمیان۔
- بگنڈی سٹریٹ کے درمیان۔
- ہفت روزہ کی شہادت کی ضرورت ہے۔ اس سے متعلقہ اداروں کو مطلع کیا جائے گا۔



04/03/2009

حکومت پاکستان نے فانا میں مختلف پروجیکٹس کے تحت ہونے والے ترقیاتی کاموں میں اضافے مزید بہتری اور کیلئے فانا سیکرٹریٹ پشاور میں ڈائریکٹ آف پروجیکٹس کے نام سے ایک ادارہ قائم کیا ہے اس غرض سے ڈائریکٹریٹ میں مندرجہ ذیل آسامیاں پر کرنا چاہتا ہے ابتدائی طور پر آسامیاں ایک سال کی مدت کیلئے عارضی بنیاد پر کی جائیگی منصوبے میں بہتر کارکردگی کی بنیاد پر توسیع بھی ہو سکتی،۔۔ مارکیٹ کی بنیاد پر قابلیت اور تجربے کے مطابق دی جائیگی۔

| نمبر | آسامی | تعداد آسامی | ڈیوٹی کا مقام | قابلیت | عمر کی حد | تجربہ |
|------|---------------------------|-------------|--|-------------|-----------|---|
| 1 | سیکرٹری / بی اے BPS-16 | 02 | فانا سیکرٹریٹ پشاور | بی اے | 25-35 | متعینہ شعبے میں کسی سرکاری / نیم سرکاری ادارے کے ساتھ کام کرنے کا کم از کم 3 سالہ تجربہ |
| 2 | اسٹنٹ BPS-11 | 02 | فانا سیکرٹری / پی ایم یوخیبر ایریا ڈویپمنٹ پراجیکٹ جمروڈ | بی اے | 20-35 | متعینہ شعبے میں کسی سرکاری / نیم سرکاری ادارے کے ساتھ کام کرنے کا کم از کم 2 سالہ تجربہ |
| 3 | سینئر ٹائپسٹ BPS-11 | 01 | فانا سیکرٹریٹ پشاور | FA/ Dcom | 20-35 | ٹائپنگ ، شارٹ ہینڈ میں سپیڈ 40/80 شعبے میں 2 سال کا تجربہ |
| 4 | جونیئر کلرک BPS-7 | 02 | فانا سیکرٹریٹ پشاور | میٹرک | 20-35 | ٹائپنگ سپیڈ 30 الفاظ فی منٹ نیز کمپیوٹر میں مہارت رکھنے والے کو ترجیح دی جائیگی |
| 5 | خاکروب BPS-1 | 01 | فانا سیکرٹریٹ پشاور | خواندہ | 20-35 | |

1- صرف شارٹ ہینڈ امیدواروں کو ٹیسٹ / انٹرویو کیلئے بلایا جائیگا۔

2- کوئی ٹی اے / ڈی اے نہیں دیا جائیگا۔

3- تعلیمی قابلیت کا۔۔ کیساتھ درخواستیں زیر دستخطی کے دفتر کو اشتہار مہینے کے 7 دن کے اندر اندر پہنچ جانی چاہیے۔

4- صوبہ سرحد ڈویسائل رکھنے والوں کو ترجیح دی جائیگی۔

5- نامکمل درخواست کوائف زیر غور نہیں لائے جائینگے اور مسترد کر دیئے جائینگے۔

6- ڈائریکٹوریٹ آف پراجیکٹس کا سیکرٹریٹ بلا امتیاز وجود آسامیوں میں کی اضافی یا ختم کر سکتی ہے۔

ڈپٹی ڈائریکٹریٹ پراجیکٹس ڈائریکٹریٹ آف پراجیکٹس

فانا سیکرٹریٹ درمسک روڈ پشاور

DIRECTORATE OF PROJECTS

FATA Secretariat

Warsak Road Peshawar

Phone: 091-8509907, 091-9213015 Fax: 091-9212553

OFFICE ORDER

Consequent upon the interviews conducted on 12-01-2010 by the Selection Committee No.3 for recruitment of official cadre staff under Directorate of Projects (DoP) FATA Secretariat. The following candidates have been selected for appointment in DoP FATA Secretariat Warsak Road Peshawar on contract basis initially for a period of one year extendable up to the life of DoP as per approved revised PC-I provision.

| S. No | Selected Candidate | Post | BPS | Place of Duty |
|-------|---|--------------|-----|---|
| 1. | Mr. Akhtar Zaman S/O Khyber Zaman | PA/Secretary | 16 | Director General Projects, DoP, FATA Secretariat |
| 2. | Muhammad Akbar Khan S/O Akram Khan | PA/Secretary | 16 | Add: Director Projects, DoP, FATA Secretariat |
| 3. | Wali Khan S/O Abdul Rashid | Assistant | 11 | DoP, FATA Secretariat |
| 4. | Ahmadullah Afridi S/O Rehman Khan Afridi | Assistant | 11 | PMU, KADP |
| 5. | Muhammad Bilal S/O Waqar Hussain | Steno Typist | 11 | DoP, FATA Secretariat |
| 6. | Muhammad Faisal Qureshi S/O Babu Navid Qureshi | Junior Clerk | 07 | DoP, FATA Secretariat |
| 7. | Shaha Nawaz Malik S/O Malik Rehmat Elahi | Junior Clerk | 07 | DoP, FATA Secretariat |

The selected candidates are directed to report for duty to DoP FATA Secretariat Warsak Road Peshawar with in 7 days positively from the date of issuing the office order.

In case of failure the appointment shall automatically stand cancelled & the post will be offered to the next candidate on merit.

The candidates will have to produce a medical fitness certificate from the Authorized Medical Superintendent.

The appointment is purely on contract basis and the selected candidates will have to sign a contract appointment deed with DoP, FATA Secretariat accordingly.

-Sd-

Director General Projects, FATA

Endst: No.FS/DoP/800 (10) Dated: 20th January 2010.

Copy forwarded for information and necessary action to:

1. Secretary Planning & Development, FATA Secretariat
2. Secretary Administration & Coordination, FATA Secretariat
3. Secretary Finance FATA Secretariat
4. Additional Director Projects, FATA Secretariat
5. Additional Accountant General, Pakistan Revenue Sub Office Peshawar
6. Project Manager, Khyber Area Development Project
7. Finance & Admn Officer, DoP FATA Secretariat.
8. PS to ACS, FATA Secretariat
9. Official Concerned
10. Steno/Assistant, DoP FATA for record

(MAZHAR KAMRAN)
Programme Officer

20/01/10

"C"
-6-

To

The Project Manager
Khyber Area Development Project

Subject: Arrival Report

Dear Sir,

In pursuance of Directorate of Projects Office Order Endst: No: FS/DoP/800(10) Dated: 20th January 2010 (copy enclosed). I Mr. Ahmadullah Afridi s/o Rehmat Khan Afridi submit arrival report for the Post of Office Assistant in Khyber Area Development Project at PMU Jamrud w.e.f. 21.01.2010 (FN).

Dated: 21.01.2010

Obediently
Ahmadullah Afridi
21/1/2010
Ahmadullah Afridi
Office Assistant
Khyber Area Development
Project

[Signature]
21/01/2010

M.O
[Signature]
21-01-2010

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o/o



TRAINING & DEVELOPMENT DEPARTMENT

Dated Peshawar, June 30, 2022.

-7-10

NOTIFICATION:

NO. SO(E/P&D/3-1/Reg./Projects/M.As/2022: In compliance of Section-3 of the Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Act, 2021, the Provincial Government is pleased to notify regularization of services of the following (16) employees of the project titled "Khyber Area Development Project" with effect from 13.01.2022, subject to following conditions as provided in Section-4 of the Act ibid:

- (a) the service promotion quota of all service cadres shall not be affected;
- (b) the employees shall possess the same qualification and experience as required for a regular post;
- (c) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (d) the services of such employees shall be deemed to have been regularized only on the publication of their names in the official Gazette.

| S# | Name of Officials | BPS | Designation |
|-----|---------------------|-----|--------------------|
| 1. | Mr. Raj Wali Khan. | 16 | Accountant. |
| 2. | Mr. Bilal Khan. | 16 | Office Assistant. |
| 3. | Mr. Ahmad Ullah. | 16 | Office Assistant. |
| 4. | Mr. Tahir Waseem. | 16 | Computer Operator. |
| 5. | Mr. Ahmfad Faraz. | 11 | Junior Clerk. |
| 6. | Muhammad Haris. | 11 | Junior Clerk. |
| 7. | Mr. Wakeel Khan. | 06 | Driver. |
| 8. | Mr. Sher Zali Khan. | 06. | Driver. |
| 9. | Haji Rehman. | 06. | Driver. |
| 10. | Mr. Mir Azam Khan. | 03 | Naib Qasid. |
| 11. | Mr. Nooran Gul. | 03 | Naib Qasid. |
| 12. | Mr. Naeem Khan. | 03 | Naib Qasid. |
| 13. | Mr. Sadaqat Ullah. | 03 | Naib Qasid. |
| 14. | Hafiz Ameer Hamza. | 03 | Naib Qasid. |
| 15. | Mr. Abdur Rahman. | 03 | Chowkidar. |
| 16. | Muhammad Riaz. | 03 | Chowkidar. |

[Handwritten signature]

PLANNING & DEVELOPMENT DEPARTMENT

Dated Peshawar, June 30, 2022

NOTIFICATION

No.SOEP&D/3-1/Reg:/Projects/M.As/2022: In compliance of Section -3 of the Khyber Pakhtunkhwa (Regularization of Service of Employees of Erstwhile Federally Administered Tribal Areas) Act, 2021, the Provincial Government's Pleased to notify regularization of Service of the following (16) employees of the Project titled "Khyber Area Development Project" with effect from 13.01.2022, subject to following candidates as provided in Section -4 of the Act *ibid*.

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| 2. | Mr. Bilal Khan | 16 | Office Assistant |
| 3. | Mr. Ahmad khan | 16 | Office Assistant |
| 4. | Mr. Tahir Waseem | 16 | Computer Operator |
| 5. | Mr. Ahmad Faraz | 11 | Junior Clerk |
| 6. | Muhammad Haris | 11 | Junior Clerk |
| 7. | Mr. Wakeelhan | 06 | Driver |
| 8. | Mr. Sher Zali Khan | 06 | Driver |
| 9. | Haji Rehman | 06 | Driver |
| 10. | Mr. Mir Azam khan | 03 | Nabi Qasid |
| 11. | Mr. Nooran Gul | 03 | Nabi Qasid |
| 12. | Mr. Nooran Khan | 03 | Nabi Qasid |
| 13. | Mr. Sadaqat Ullah | 03 | Nabi Qasid |
| 14. | Hafiz Ahmeer Hamza | 03 | Nabi Qasid |
| 15. | Mr. Abdur Rehman | 03 | Chowkidar |
| 16. | Muhammad Riaz | 03 | Chowkidar |

8-

As per Section-3 (2) of the Act Ihd, all the above employees shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by them towards the Contributory Provident Fund, alongwith the contributions made by Government to their accounts in the said Fund, in the prescribed manner.

ADDITIONAL CHIEF SECRETARY
P&D DEPARTMENT

Endst: No. & date even.

Copy forwarded to the:

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa.
3. PSO Chief Secretary, Khyber Pakhtunkhwa.
4. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
5. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
6. Project Director, Khyber Area Development Project.
7. Assistant Chief (B&A), P&D Department.
8. Manager, Government Printing Press for publication in the official gazette at an early date.
9. PS to Additional Chief Secretary, P&D Department.
10. PS to Secretary, P&D Department.
11. PA to Additional Secretary-II, P&D Department.
12. PA to Deputy Secretary-II, P&D Department.
13. Officials concerned.


(SONIA KHAN) 3-7/1-3-2
Section Officer (Estt.)

As per section-3 (2) of the Act ibid, all the above employees shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by them towards the Contributory Provident Fund, alongwith the contributions made by Government to their accounts in the said Fund, in the prescribed manner.

Sd/-
Additional Chief Secretary
P&D Department

Endst. No & date even.

Copy forwarded to the:-

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar
2. Accountant General, Khyber Pakhtunkhwa
3. PSO Chief Secretary, Khyber Pakhtunkhwa
4. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department
5. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department
6. Project Director, Khyber Area Department, Project
7. Assistant Chief (B&A), P&D Department
8. Manager, Government Printing Press for publication in the official gazette at an early date.
9. PS to Additional Chief Secretary-II, P&D Department.
10. PA to Deputy Secretary-II, P&D Department.
11. Officials concerned.

Sd/-
Sona Khan
Section Officer (Estt:)



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 13th JANUARY, 2022.

PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 13th January, 2022.

No. PA/Khyber Pakhtunkhwa/Bills-182/2022/745.— The Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Bill, 2021 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 31st December, 2021 and assented to by the Governor of the Khyber Pakhtunkhwa on 07th January, 2022 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA (REGULARIZATION OF SERVICES OF EMPLOYEES OF ERSTWHILE FEDERALLY ADMINISTERED TRIBAL AREAS) ACT, 2021.

(KHYBER PAKHTUNKHWA ACT NO. 1 OF 2022)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa, (Extraordinary), dated the 13th January, 2022).

AN ACT

to provide for the appointment and regularization of services of certain employees appointed on contract basis against project posts in the erstwhile Federally Administered Tribal Areas.

WHEREAS it is expedient to provide for the appointment and regularization of services of certain employees appointed on contract basis against project posts in the erstwhile Federally Administered Tribal Areas:

It is hereby enacted by the Provincial Assembly of Khyber Pakhtunkhwa as follows:

1. Short title, application and commencement.—(1) This Act may be called the Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Act, 2021.

(2) It shall apply to all the employees as defined in clause (d) of sub-section (1) of section 2 of this Act.

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(3) It shall come into force at once.

2. **Definitions.**--- (1) In this Act, unless the context otherwise requires,--

- (a) "Commission" means the Khyber Pakhtunkhwa Public Service Commission;
- (b) "Departmental Selection Committee" means a Departmental Selection Committee, constituted for the purpose of making selection for appointment to project post under a Department or office in the erstwhile Federally Administered Tribal Areas;
- (c) "Government" means the Government of Khyber Pakhtunkhwa;
- (d) "employees" means a person, who was appointed on contract basis, as per project policy, to a project post, in the erstwhile Federally Administered Tribal Areas, and such post was duly reflected in PC-1 of that project, and who possess the prescribed qualification, training and experience for the said post at the time of such appointment;
- (e) "Department" means a Government Department, as defined in the Khyber Pakhtunkhwa Government Rules of Business, 1985;
- (f) "law or rules" means the law or rules, for the time being in force, governing the selection and appointment of civil servants;
- (g) "project" means a perpetual nature project in the erstwhile Federally Administered Tribal Areas, the continuation of which and conversion to regular budget is essential for service delivery, duly identified by the Departments and reflected in the Schedule;
- (h) "project post" means a post in the project; and
- (i) "Schedule" means a Schedule appended to this Act.

(2) The expression "contract appointment" shall have the same meaning as respectively assigned to them in the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973).

3. **Appointment and regularization of services of employees.**--- (1) Notwithstanding anything contained in any law or rules, the employees, appointed on contract basis, against project posts, in the erstwhile Federally Administered Tribal Areas, and holding such project posts till the commencement of this Act, shall be deemed to have been validly appointed, on regular basis, from the commencement of this Act, subject to verification of their qualifications and other credentials by the concerned Department.

(2) All such employees, after the commencement of this Act, shall, in lieu of pension and gratuity, be entitled to receive such amount contributed by them towards the Contributory Provident Fund, along with the contributions made by Government to their account in the said Fund, in the prescribed manner.

(3) A Committee, headed by the Secretary of the Department concerned, with the following membership, shall scrutinize all the credentials of the employees, before issuance of the regularization orders:

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- (a) head of the Attached Department concerned;
- (b) representative of the Establishment and Administration Department of Government;
- (c) representative of the Finance Department of Government;
- (d) representative of the Planning and Development Department of Government; and
- (e) Deputy Secretary of the Department concerned.

4. **General conditions for regularization.**— For the purpose of regularization of the employees under this Act, the following general conditions shall be observed:

- (a) the service promotion quota of all service cadres shall not be affected;
- (b) the employees shall possess the same qualification and experience as required for a regular post;
- (c) the employees have not resigned from their services or terminated from service on account of misconduct, inefficiency or any other grounds before the commencement of this Act; and
- (d) the services of such employees shall be deemed to have been regularized only on the publication of their names in the official Gazette.

5. **Determination of seniority.**—(1) All employees, whose services are regularized under this Act, shall rank junior to all civil servants belonging to the same service or cadre, as the case may be, who are in service on regular basis on the commencement of this Act, and shall also rank junior to such other persons, if any, who, in pursuance of the recommendation of the Commission or Departmental Selection Committee, as the case may be, made before the commencement of this Act, are to be appointed to the respective service or cadre, irrespective of their actual date of appointment.

(2) The seniority inter-se of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined as per provisions of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973) and rules made thereunder.

6. **Removal of difficulties.**—If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister of Khyber Pakhtunkhwa may make such order, not inconsistent with the provisions of this Act, as may appear to it to be necessary for the purpose of removing such difficulty.

7. **Overriding effect.**—Notwithstanding anything to the contrary contained in any other law or rules, the provisions of this Act shall have an overriding effect and the provisions of any such law or rules to the extent of inconsistency to this Act shall cease to have effect.

Schedule
[see section 2 (1) (h) (i)]

| | |
|-----|--|
| 1. | Strengthening and Capacity Building of AGRI Extension in FATA. |
| 2. | Promotion of Olive Cultivation - Grafting for Oil Production in Bajaur Agency. |
| 3. | Establishment of Semen Production Unit at Jamrud and Breed/ Veterinary Service Improvement Program. |
| 4. | Capacity Building Directorate of Livestock FATA. |
| 5. | Mobile Veterinary Clinic in FATA (MVC). |
| 6. | Establishment of Model Dairy Farm in FATA. |
| 7. | Strengthening of Artificial Insemination/Veterinary Aid Services and Disease Reporting System L&DD in FATA. |
| 8. | Creation of Disease Free Zone Through Mass Vaccination and Treatment and Feasible Districts on Pilot Basis. |
| 9. | Opening of 5 CVDS 5 CVCS 6 AICS and Up-gradation of 2 CVDS to the level of CVHS Status in Bajaur Agency. |
| 10. | Provision of Medicine and A.I Services in Existing Vet. Institution in Bajaur Agency. |
| 11. | Establishment Vety: Diagnostic Lab in CVH Khar and Construction of Garage For 2 Vehicle in A.I.O Office Bajaur Agency. |
| 12. | Provision of A.I. Facilities/Medicine in Existing Veterinary Institution Construction of Building of Functional Veterinary Centers (In Rented Building). Special Campaign for The Control of Ecto and Endo Parasite in Mohmand Agency. |
| 13. | Opening of 3 CVDS, 23 VCS, 16 AICs and Up-gradation of CVD Lakaro to CVH Status Mohmand Agency. |
| 14. | Provision of Mobile Vety Clinic in Mohmand Agency. |
| 15. | Opening/Establishment of 2 CVDs in Rented Building Ambar Area and Provision of A.I. Services in Existing Institutes of Mohmand Agency. |
| 16. | Opening of 18 Vety Centers and 26 AICS in Khyber Agency. |
| 17. | Opening of 3 CVDs in Rented Building, Bara Khyber Agency. |
| 18. | Establishment of 02 Veterinary Diagnostic Lab in Civil Veterinary Hospitals in Jamrud and Landikotal. |
| 19. | Opening of 3 CVCS, 11 CVDs and 9 AICs and Up-gradation of 3 CVDs to CVH Status in Orakzai Agency. |
| 20. | Small Ruminants (Sheep and Goat) Development Program in Tribal Districts |
| 21. | Provision of Artificial Insemination Services in Existing Veterinary Institution in Orakzai Agency. |
| 22. | Construction of Building for Existing Vety Institution and Provision of Artificial Insemination in Existing Veterinary Facilitation in District Orakzai. |
| 23. | Construction of Building for 3 Rented Veterinary Institutions and Opening of One CVD in Mamozai Area, Orakzai Agency. |

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| 24. | Opening of 5 CVCs, 8 CVDs, 22 AICs and Diagnostic Laboratory in Kurram Agency. |
| 25. | Provision of AI Facilities in Existing 11 Veterinary Institutions in NWA. |
| 26. | Provision of Veterinary Health Facilities in District North Waziristan. |
| 27. | Opening of 41 Veterinary Centres, 22 AICs and Up-gradation of one CVD to CVII Status in SWA. |
| 28. | Opening of 07-Veterinary Dispensaries and 10-A.I. Centers in FR Peshawar. |
| 29. | Provision of Mobile Veterinary Clinic in Sub Division Peshawar. |
| 30. | Opening of 02- CVDs and 04-AICs in FR Kohat. |
| 31. | Establishment of Mobile Veterinary Clinic in Sub Division Kohat. |
| 32. | Opening of 2 CVIDS, 2 CVCS, 6 AICS and Up-gradation of 1 CVD to CVII Status in FR D.I KHAN. |
| 33. | Provision of Mobile Veterinary Clinic in Sub Division D.I. Khan. |
| 34. | Opening of 1 CVII, 02 CVIDS, 04 CVCS and 11 AICS in FR Tank. |
| 35. | Up-gradation of CVC to the Level of CVD, and 2 No. of CVD to the Level of CVII in Sub Division Tank. |
| 36. | Opening of 5 Vety: Dispensaries, 05 Civil Vety: Centers, 10-AICs and Up-gradation of 01 CVC to CVD in FR Bamu. |
| 37. | Opening of 08 Veterinary Centres and 08 AICS in FR LAKKI. |
| 38. | Provision of Mobile Veterinary Clinic in Sub Division Lakki. |
| 39. | Uplifting the Socio-Economic Condition and Gender Mainstreaming of Livestock Farmers Through PPP in FATA. |
| 40. | Strengthening of Fisheries Department in FATA |
| 41. | Control of Zoonotic / Contagious Disease Through Existing Vety Health Facilities and Establishment of Two Mobile Testing Labs on Pilots Basis in Tribal Districts. |
| 42. | Provision of Mobile Vety: Clinic in Bajaur Agency. |
| 43. | Provision of Artificial Insemination Services in Existing Function Vetry: Institutes and Solarization of Major Vaccine Bank in AD Office in FR D.I. Khan. |
| 44. | Program Management Unit for Roads and Infrastructure. |
| 45. | Strengthening of Finance Department Civil Secretariat FATA. |
| 46. | Aids Control Program in FATA. |
| 47. | Health Sector Reforms Unit FATA. |
| 48. | District Health Information System. |
| 49. | Physical Rehabilitation Centres in FATA. |
| 50. | Hepatitis Control Program in FATA (Phase-III). |
| 51. | Integrated Vector Management Program in FATA. |
| 52. | Eye Care Program in FATA (Phase-III). |
| 53. | Thalassemia Control Program in FATA. |
| 54. | Mobile Hospital Program in FATA (Phase-III). |
| 55. | Establishment of Mental Health Clinics in AHQ Hospitals in FATA. |
| 56. | Health Nutrition Program in FATA. |

| | |
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| 57. | TB Control Program in FATA. |
| 58. | Maternal, Newborn, Child Health (MNCH) Program Merged District. |
| 59. | Expanded Programme on Immunization (EPI) in FATA. |
| 60. | Strengthening of EPI Program in FATA. |
| 61. | Facilitation of FR Setup Health Sector in FRs (Tank Jandola). |
| 62. | Facilitation of FR Health Setup in FRs (DI Khan Darazinda). |
| 63. | Facilitation of Health Setup in FRs (Bannu Wazir). |
| 64. | Facilitation of Health Setup in FRs (Lakki Bitani). |
| 65. | Facilitation of Health Setup in FRs (Kohat Dara Adam Khel). |
| 66. | Facilitation of Health Setup in FRs (Peshawar Hassan Khel). |
| 67. | Opening of 07 CHCs in FR Tank. |
| 68. | Opening of 08 CHCs / CHDs in FR DI Khan District. |
| 69. | Opening of 06 CHCs/CHDs in FR Bannu District. |
| 70. | Opening of 08 CHCs / CHDs in FR Lakki. |
| 71. | Opening of 02 CHDs in FR Kohat District. |
| 72. | Opening of 11 CHCs / CHDs in FR Peshawar. |
| 73. | Opening of 41 CHCs / CHDs in Mohmand District. |
| 74. | Opening of 22 CHCs / CHDs Khyber District. |
| 75. | Opening of 07 CHCs / CHDs in Kurram District. |
| 76. | Opening of 15 CHCs/ CHDs in Orakzai District. |
| 77. | Opening of 24 CHCs/CHDs in North Waziristan District. |
| 78. | Opening of 18 CHCs / CHDs in South Waziristan District. |
| 79. | Removal of Staff Deficiencies in Newly opened Areas in Health Facilities FATA. |
| 80. | Establishment of Government College of Management Sciences, SWA. |
| 81. | Strengthening of Crises Management Cell Through FATA Analysis and Strategy Team. |
| 82. | Establishment of Levy Training Center at Shakkass, Jamrud, Khyber Agency. |
| 83. | Establishment of Center of Excellence/Govt. College of Technology, Khar, Bajaur Agency. |
| 84. | Establishment of Vocational Training Centres / Institutes in Bajaur Agency and FR Kohat. |
| 85. | Opening Govt. Polytechnic Institute Parachinar Kurram Agency in rented building. |
| 86. | Establishment of Govt. Technical Institute Wana SWA. |
| 87. | Establishment of Govt. Technical Institute SWA at Chaghmalai. |
| 88. | Introduction of Additional Technologies in Polytechnic Institutes of FATA. |
| 89. | Overcoming of Staff/Equipment Deficiencies in Technical Institutes in FATA. |
| 90. | Operationalization and Provision of Equipment/Machinery to Labs of Existing Technical Institutes in Mohmand Agency GTI Mohmand Agency. |
| 91. | Reformation of Technical Education in all Institutes in FATA. |
| 92. | Introduction of 02 Technologies (Civil & Electrical) at Govt. Tech. Institute Sadda Kurram Agency. |

-15-

| | |
|------|---|
| 93. | Introduction of New Technologies in Existing Technical Institutes of Tribal Districts. |
| 94. | FATA Investment Facilitation Agency (FIFA). |
| 95. | Small and Medium Enterprises Facilitation Unit. |
| 96. | Establishment of PMU for Operationalization of Five FM Radio Stations in Merged Areas. |
| 97. | Creation of Project Support Unit For Pre Construction and Implementation of Small Dams/Power Section. |
| 98. | Strengthening of Local Govt. Directorate FATA. |
| 99. | Directorate of Projects FATA Secretariat. |
| 100. | Directorate of Monitoring and Evaluation in FATA Secretariat. |
| 101. | Establishment of E&I Formation for the Directorate of Monitoring and Evaluation in FATA Secretariat. |
| 102. | Satellite Monitoring of Development Schemes in FATA. |
| 103. | Project Management Unit, Fata Infrastructure Programme. |
| 104. | Khyber Area Development Project. |
| 105. | Mohmand Area Development Project. |
| 106. | Bajaur Area Development Project. |
| 107. | Fata Water Resources Development Project. |
| 108. | Survey Feasibilities Under Various Sector Phase-II. |
| 109. | Urban Policy and Planning Unit FATA. |
| 110. | Project Management Unit for World Food Programme in FATA. |
| 111. | Strengthening of P&D Department. |
| 112. | Establishment of HR/Archival Library in P&DD. |
| 113. | Strengthening of AI&C Department, FATA Secretariat. |
| 114. | Instructional and Physical Training Programme in FATA. |
| 115. | Institutionalization of Boy Scouts Activities in Tribal Districts in FATA. |
| 116. | Strengthening of FATA Olympics Association. |
| 117. | Strengthening of Zakat and Ushr Department, FATA Secretariat. |
| 118. | Strengthening of Minerals Department, PMU for Mineral Sector Projects. |
| 119. | Exploration and Evaluation of Dimension and Decorative Stones in FATA. |
| 120. | Exploration and Evaluation of Occurrences in FATA. |
| 121. | Establishment / Operation of Mines Rescue, Safety and Labour Welfare Centre in FATA. |

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(KIFAYAT ULLAH KHAN AFRIDI)

Secretary

Provincial Assembly of Khyber Pakhtunkhwa

Printed and published by the Manager,
Sury. & P.L. Dept., Khyber Pakhtunkhwa, Peshawar

W/281

"E"
-16-

AG KP Peshawar

S#: 1

P Sec:009 Month:December 2022
PR8243 -Khyber Areas Development P
Khyber Areas Development

Pers #: 01011771 Buckle:
Name: Ahmad Ullah
OFFICE ASSISTANT
CNIC No.2120264690471
GPF Interest Free
16 Active Temporary

NTN:
GPF #:
Old #:

PR8243

PAYS AND ALLOWANCES:

| | |
|--------------------------------|-----------|
| 0001-Basic Pay | 30,330.00 |
| 1004-House Rent Allow 45% KP21 | 9,024.00 |
| 1210-Convey Allowance 2005 | 5,000.00 |
| 1974-Medical Allowance 2011 | 1,500.00 |
| 2315-Special Allowance 2021 | 3,500.00 |
| 2341-Dispr. Red All 15% 2022KP | 2,836.00 |
| 2347-Adhoc Rel Al 15% 22(PS17) | 2,836.00 |

Gross Pay and Allowances

55,026.00

DEDUCTIONS:

| | | | | | |
|--------------------------------|-----------|----------|--------|-------------|----------|
| IT Payable | 961.14 | Deducted | 265.00 | TAX: (3609) | 161.00 |
| GPF Balance | 20,040.00 | | | Subrc: | 3,340.00 |
| 3501-Benevolent Fund | | | | | 1,500.00 |
| 4004-R. Benefits & Death Comp: | | | | | 650.00 |

Total Deductions

5,651.00

49,375.00

D.O.B
20.03.1977
00 Years 11 Months 020 Days

LFP Quota:
HABIB BANK LIMITED POLICE ROAD, PESHAWA
7927742103

To,

The Director General
Sustainable Development Unit (SDU)
Planning & Development Department,
Govt. of Khyber Pakhtunkhwa
SDU Building Peshawar

-17- "F"

Subject: REQUEST FOR PAY PROTECTION / FIXATION UPON
REGULARIZATION OF CONTRACT / PROJECT EMPLOYEES OF
KHYBER AREA DEVELOPMENT PROJECT, P&D DEPARTMENT

Respect Sir,

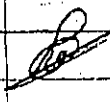
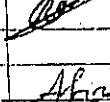
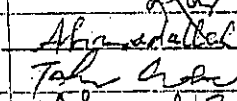
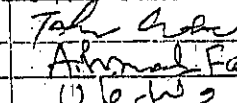
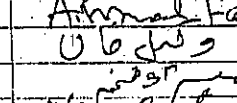
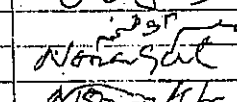
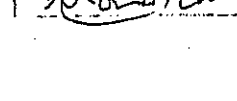


It is kindly stated that the staff of Khyber Area Development Project has been regularized under the Khyber Pakhtunkhwa (regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Act, 2021 w.e.f. 13th January 2022, however, the salaries of the staff has been fixed at initial stage of the appointment.

After regularization the staff is drawing their salaries on initial stage on their respective grades, thus lost their service period without recognition of services rendered in their respective projects. Coupled with the double digit decrease in their salaries thus huge difference in pay has adversely affected the employees and its implications are far reaching on families and performance of the employee adversely effected.

Furthermore, the regularized employees have been notified by the Finance Department Notification No. SOSR-1)12-2/2020(34323) dated 18/03/2021 (Copy enclosed).

In view of the above, it is requested that the pay of the employees of Khyber Area Development Project may be protected from their initial date of appointment. The staff will be highly obliged for your kind attention in the subject matter, please.

Yours Obediently Khyber Area Development Staff

| S.No. | Full Name | Designation | BPS | Date of appointment | Signature |
|-------|-------------------|-------------------|-----|---------------------|---|
| 1 | Raj Wali Khan | Accounts Officer | 16 | 25.03.1991 |  |
| 2 | Bilal Khan Afridi | Office Assistant | 16 | 16.10.2003 |  |
| 3 | Ahmadullah | Office Assistant | 16 | 01.07.2002 |  |
| 4 | Tahir Waseem | Computer Operator | 16 | 14.05.2007 |  |
| 5 | Ahmad Faraz | Junior Clerk | 11 | 04.06.2010 |  |
| 6 | Wakeel Khan | Driver | 6 | 17.02.2003 |  |
| 7 | Mir Azam Khan | Naib Qasid | 3 | 12.09.1984 |  |
| 8 | Nooran Gul | Naib Qasid | 3 | 02.09.2002 |  |
| 9 | Naeem Khan | Naib Qasid | 3 | 02.09.2002 |  |



GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING & DEVELOPMENT DEPARTMENT

NO.SO (B&A)/P&DD/1-ESD/2021-22/100
Dated Peshawar the 17th January, 2023

"9" -18-

To

The Director General, SCU
P&D Department.

Responsible Development
No. 100
Date 17/1/23
Planning & Development

Subject: - PAY PROTECTION OF PAY OF PROJECT/CONTRACT EMPLOYEES
REGULARIZED UNDER THE "KHYBER PAKHTUNKHWA
(REGULARIZATION OF SERVICES OF EMPLOYEES OF ERSTWHILE
FATA) ACT 2021"

Dear Sir

I am directed to refer to a joint appeal submitted by all Employees of Directorate of Projects (DOP) & PMU-World Food Program (WFP) for grant of pay protection dated 07.11.2022 and to enclose herewith a copy of Finance Department letter No.FD(SOSR-1)12-4/2022/ERSTWHILE FATA dated 09.01.2023 along with enclosures, wherein Finance Department has tendered that "all project employees who were appointed on fixed pay basis and in receipt of 5% increment are not entitled to the pay protection". please

Yours Faithfully

Encl. As above

(JAWAD KHAN)
ASSISTANT CHIEF (B&A)

Copy forwarded for information to:

1. The Additional Secretary-II, P&D Department.
2. The Deputy Secretary (Admin), P&D Department.
3. P.S. to Secretary, P&D Department.

ASSISTANT CHIEF (B&A)

Legible Copy

**GOVERNMENT OF KHYBER PAKHTUNKHWA
PLANNING & DEVELOPMENT DEPARTMENT**

No.SO (B&A) /P&DD/1-4/SDU/2021-22/100
Dated Peshawar the 17th January, 2023

To,

The Director General, SDU
P&D Department

Subject:

**PAY PROTECTION OF PAY OF PROJECT/CONTRACT EMPLOYEES
REGULARIZED UNDER THE "KHYBER PAKHTUNKHWA
(REGULARIZATION OF SERVICES OF EMPLOYEES OF ERSTWHILE
FATA) ACT 2021"**

Dear Sir

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Yours faithfully

Sd/-
Jawad Khan
Assistant Chief (B&A)

Copy forwarded for information to

1. The Additional Secretary-II P&D Department.
2. The Deputy Secretary (Admn) P&D Department
3. P.S to Secretary P& Department.

Sd/-
Assistant Chief (B&A)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

"H"

219-

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

NO. FD (SOSR-1) 12-2/2020(34323)
Dated Peshawar the: 18th March, 2021

To:

1. The Addl. Chief Secretary, P&D Department, Khyber Pakhtunkhwa.
2. The Addl. Chief Secretary, Merged Areas Sectt: Khyber Pakhtunkhwa.
3. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
4. All Administrative Secretaries to Govt: of Khyber Pakhtunkhwa.
5. The Principle Secretary to Governor, Khyber Pakhtunkhwa.
6. The Principle Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
9. The Registrar, Peshawar High Court, Peshawar.
10. All District & Sessions Judges in Khyber Pakhtunkhwa.
11. The Chairman, Public Service Commission, Khyber Pakhtunkhwa.
12. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.
13. All Deputy Commissioners, in Khyber Pakhtunkhwa.

Subject:

**PROTECTION OF PAY OF CONTRACT EMPLOYEES ON
REGULARIZATION / APPOINTMENT ON REGULAR
BASIS.**

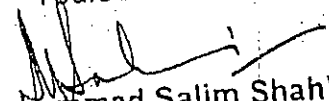
Dear Sir,

In pursuance to the Finance Division's Office Memorandum No.4(2)R-2/2014-237 dated 7th April, 2015, the Competent Authority (Provincial Cabinet) is pleased to allow the pay protection to gazetted contract employees on their regularization / appointment on regular basis subject to the following conditions:-

- i) That the contract appointment has been made in BPS on standard terms and conditions, circulated by this Provincial Government as amended from time to time.
- ii) That the contract employee has applied through proper channel and has been properly relieved by the appointing authority. This condition shall not apply in case of regularization on the same post.
- iii) That regularization / regular appointment has been made with the approval of competent authority.
- iv) That there is no break / interruption between contract service and regular service.

- vii) That in case of regular appointment in lower grade, pay shall not be protected.
- vii) That the pay protection / fixation of pay will be admissible with immediate effect with regard to old / new cases which are fulfilling the pay protection criteria mentioned above.

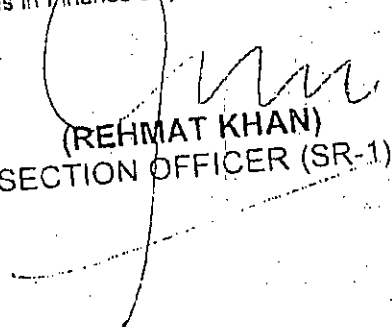
2. In addition to the above, the Accountant General Khyber Pakhtunkhwa may make fixation of pay in terms of above guidelines and only those cases may please be referred to Finance Department where some clarification or advice is required.

Yours faithfully,

 (Muhammad Salim Shah)
 Deputy Secretary (Reg-I & II)

Endst: No & Date even.

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

1. Secretaries to Government of Punjab, Sindh, Balochistan, Finance Departments.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. All Heads of Autonomous / Semi Autonomous Bodies in Khyber Pakhtunkhwa.
4. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
5. All the District Comptroller of Accounts in Khyber Pakhtunkhwa.
6. The Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
7. The Director, FMIU, Finance Deptt: with the request to upload the same on FD's Website.
8. The Manager, Govt. Printing Press, Printing & Press Department, Peshawar.
9. All the District Accounts Officers in Khyber Pakhtunkhwa.
10. The Section Officer (Cabinet) Estt: Deptt., Khyber Pakhtunkhwa with reference to his letter No.SOC(E&A)9-51/2021 dated 08-03-2021.
11. The Section Officer (Eatab), C&W Deptt: with reference to his letter No.SOE/C&WD/1-61/2010 dated 26-10-2020 in respect of Eng. Syed Nasir Jehan, Asstt: Engineer / SDO (BS-17) of C&W Deptt: KP.
12. The Private Secretary to Chief Secretary, Khyber Pakhtunkhwa.
13. The Private Secretary to Minister for Finance, Khyber Pakhtunkhwa.
14. The Private Secretary to Secretary, Finance Deptt: Khyber Pakhtunkhwa.
15. PA to Special Secretary, Finance Department, Khyber Pakhtunkhwa.
16. PAs to Additional Secretaries / Deputy Secretaries in Finance Department, Peshawar.


 (REHMAT KHAN)
 SECTION OFFICER (SR-1)

- vi) That in case of regular appointment in lower grade, pay shall not be protected.
- vii) That the pay protection / fixation of pay will be admissible with immediate effect with regard to old new cases which are fulfilling the pay protection criteria mentioned above.

2 In addition to the above, the Accountant General Khyber Pakhtunkhwa may make fixation of pay in terms of above guidelines and only those cases may please be referred to Finance Department where some clarification or advice is required.

Yours faithfully,
Sd/-
(Muhammad Salim Shah)
Deputy Secretary (Reg-I & II)

Endst: No & Date even.

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

1. Secretaries to Government of Punjab, Sindh, Balochistan, Finance Departments
2. Accountant General, Khyber Pakhtunkhwa, Peshawar
3. All Heads of Autonomous / Semi-Autonomous Bodies in Khyber Pakhtunkhwa.
4. The Director, Treasuries & Accounts, Khyber Pakhtunkhwa.
5. All the District Comptroller of Accounts in Khyber Pakhtunkhwa.
6. The Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
7. The Director, FMIU, Finance Deptt: with the request to upload the same on FD's Website.
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11. The Section Officer (Estab), C&W Deptt: with reference to his letter No SOE/C&WD/1-61/2010 dated 26-10-2020 In respect of Eng. Syed Nasir Johan, Asstt: Engineer / SDO (BS-17) of C&W Deptt. KP.
12. The Private Secretary to Chief Secretary, Khyber Pakhtunkhwa
13. The Private Secretary to Minister for Finance, Khyber Pakhtunkhwa.
14. The Private Secretary to Secretary, Finance Deptt. Khyber Pakhtunkhwa,
15. PA to Special Secretary, Finance Department, Khyber Pakhtunkhwa,
16. PAs to Additional Secretaries / Deputy Secretaries in Finance Department, Peshawar.

Sd/-
(Rehmat Khan)
SECTION OFFICER (SR-I)

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO: _____ OF 2023

Ahmadullah Afzali

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

P & D Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Appellant

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

Dated. 15 / 2 / 2023

[Signature]
CLIENT

ACCEPTED

**NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT**

(BC-10-0853)

(15401-0705985-5)

[Signature]

KAMRAN KHAN

UMAR FAROOQ MOHMAND

[Signature]

WALEED ADNAN

&

[Signature]

**MUHAMMAD AYUB
ADVOCATES**

OFFICE:

Flat No. (TF) 291-292 3rd Floor,
Deans Trade Centre, Peshawar Cantt.
(0311-9314232)