


FORM OF ORDER SHEET

Court of _____

Case.No.- 534 /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 _____ . 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. Bilal Khan 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 appellants 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 annexure-H 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. 649 /S.T.

DT. 20/2 /2023


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noor Muhammad Khattak Adv.
High Court Peshawar.

R/Sir,

~~obj No. 1~~

obj No. 01: attached

obj No. 2: Attached

// 3: Attested

// 4: Flagged

// 5: Attached

// 6: Attached

// 7: The appeal of the appellant along with others were rejected with vide consolidated order dt 17/2/2023 available in file as annexure G page 20. The same is appellate order for appellant.

// 8: Attached

P.T.O

Obj no: 9: Attached.

CI No: 10: Better copies
Attached.

CI No: 11: Attached.

CI No: 12: Attached.

CI No: 13: Better copies
attached.

Please Place before the bench.

7/3/2025

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 584 /2023

BILAL KHAN AFRIDI VS PLANNING & DEVELOPMENT DEPTT:

INDEX

| S.NO. | DOCUMENTS | ANNEXURE | PAGE |
|-------|--|------------------|-------|
| 1. | Memo of Service Appeal with Affidavit | | 1-3 |
| 2. | advertisement and Appointment Order | A & B | 4-6 |
| 3. | Charge Report | C | 7-8 |
| 4. | Notification and Act | D | 9-17 |
| 5. | Copies of pay slip and departmental appeal | E & F | 18-19 |
| 6. | Appellate Order Dated 17.01.2023 | G | 20 |
| 7. | Notification/Circular dated 18.03.2021 | H | 21-22 |
| 8. | Vakalatnama | | 23 |

APPELLANT
THROUGH:
NOOR MOHAMMAD KHATTAK,
ADVOCATE SUPREME COURT

-/-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 534 /2023

Khyber Pakhtunkhwa
Service Tribunal

Diry No. 3670

Dated 17/2/2023

Mr. Bilal Khan 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. 15.10.2003 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 15.10.2003 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 15.10.2003. 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

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

- 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 annexureE & 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. 15.10.2003 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. 15.10.2003 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. 15.10.2003 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.

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

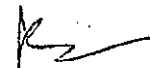


**APPELLANT
BILAL KHAN AFRIDI**

THOROUGH:



**NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT**



KAMRAN KHAN



UMAR FAROOQ



WALED ADNAN



**MUHAMMAD AYUB
ADVOCATES HIGH COURT**

AFFIDAVIT

I, Bilal Khan 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

Real Advertisement

6 August 2003



کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

کراچی کے ایک ایسے ہی ایجنسیوں کی طرف سے جاری کیے گئے ہیں جو ان کے 42 سالہ کے 600 افراد کی طرف سے جاری کیے گئے ہیں۔

ایس ای ٹی اساتذہ کی روزانہ تقریریں پشاور میں جاری

پشاور میں ایس ای ٹی اساتذہ کی روزانہ تقریریں جاری کی گئی ہیں۔ اساتذہ نے اپنے محنت کشی اور تعلیمی اداروں کی بہتری کے لیے اپنی ساری محنتیں ڈالی ہیں۔

ایس ای ٹی اساتذہ کی روزانہ تقریریں پشاور میں جاری

پشاور میں ایس ای ٹی اساتذہ کی روزانہ تقریریں جاری کی گئی ہیں۔ اساتذہ نے اپنے محنت کشی اور تعلیمی اداروں کی بہتری کے لیے اپنی ساری محنتیں ڈالی ہیں۔

پشاور میں ایس ای ٹی اساتذہ کی روزانہ تقریریں جاری کی گئی ہیں۔ اساتذہ نے اپنے محنت کشی اور تعلیمی اداروں کی بہتری کے لیے اپنی ساری محنتیں ڈالی ہیں۔

پشاور میں ایس ای ٹی اساتذہ کی روزانہ تقریریں جاری کی گئی ہیں۔ اساتذہ نے اپنے محنت کشی اور تعلیمی اداروں کی بہتری کے لیے اپنی ساری محنتیں ڈالی ہیں۔

پشاور میں ایس ای ٹی اساتذہ کی روزانہ تقریریں جاری کی گئی ہیں۔ اساتذہ نے اپنے محنت کشی اور تعلیمی اداروں کی بہتری کے لیے اپنی ساری محنتیں ڈالی ہیں۔

ایس ای ٹی اساتذہ کی روزانہ تقریریں پشاور میں جاری

پشاور میں ایس ای ٹی اساتذہ کی روزانہ تقریریں جاری کی گئی ہیں۔ اساتذہ نے اپنے محنت کشی اور تعلیمی اداروں کی بہتری کے لیے اپنی ساری محنتیں ڈالی ہیں۔

پشاور میں ایس ای ٹی اساتذہ کی روزانہ تقریریں جاری کی گئی ہیں۔ اساتذہ نے اپنے محنت کشی اور تعلیمی اداروں کی بہتری کے لیے اپنی ساری محنتیں ڈالی ہیں۔

پشاور میں ایس ای ٹی اساتذہ کی روزانہ تقریریں جاری کی گئی ہیں۔ اساتذہ نے اپنے محنت کشی اور تعلیمی اداروں کی بہتری کے لیے اپنی ساری محنتیں ڈالی ہیں۔

پشاور میں ایس ای ٹی اساتذہ کی روزانہ تقریریں جاری کی گئی ہیں۔ اساتذہ نے اپنے محنت کشی اور تعلیمی اداروں کی بہتری کے لیے اپنی ساری محنتیں ڈالی ہیں۔

Advertisement for Abbottabad Public School, Abbottabad. It invites applications for the post of Master (English) in BPS-17. The school offers an excellent academic career and teaching experience up to A Level. Applicants must have at least THREE IAI Divisions (including IAI) and must have revealed as regular student throughout. Applications must be handwritten, covering complete information about the candidates academic experience etc. Latest photocopy and attested copies of all the testimonials, diploma, etc. must be attached with the application.

Advertisement for a school or institution. It includes a table with columns for 'Name', 'Address', and 'Phone Number'. The text describes the institution's facilities and contact information.

آسامی خالی ہے

ایریا ڈویلپمنٹ پراجیکٹ جمروڈ خیر ایجنسی کو کنٹریکٹ کی بنیاد پر مندرجہ ذیل آسامی پر کرنے کیلئے اول تعلیمی قابلیت اور مطلوبہ ڈومیسائل رکھنے والے افراد سے درخواستیں مطلوب ہیں آسامی طور پر ایک سال کیلئے پر کی جائے گی تسلی بخش کارکردگی کی صورت میں اس میں پراجیکٹ کی..... تک توسیع کی جائیگی ہر لحاظ سے مکمل درخواستیں زیر دستخطی کوڈ اک خانے کے ذریعے مورخہ 20-6-31 تک پہنچ جانی چاہیں درخواستوں کے ہمراہ بائیو ڈیٹا اسٹاک کی نقول ڈگری..... اور شناختی کارڈ کی..... جائیگی..... بعد وصول شدہ درخواستوں پر غور نہیں کیا جائیگا شارٹ لسٹ امیدواروں کو ٹیسٹ و انٹرویو..... جائیگا۔ انٹرویو کیلئے آنے والے امیدواروں کو کوئی ٹی اے ڈی اے نہیں دیا جائیگا۔

| نمبر شمار | آسامی کا نام | عمر کی حد | تعلیم و تجربہ |
|-----------|---------------------------|-----------|--|
| 1 | آفس اسٹنٹ بی بی ایس 11 | 30 سال | تسلیم شدہ ادارے سے بی اے یا بی ایس سی بمعہ کمپیوٹر سٹیفیکٹ بمعہ 40 الفاظ فی منٹ ٹائپنگ رفقہ تجربہ کار اشخاص کو ترجیح دی جائیگی |

نوٹ۔ سرکاری ملازمین محکمانہ..... کے مطابق درخواستیں ارسال کریں خیر ایجنسی سے تعلق رکھنے والے اشخاص کو ترجیح دی جائیگی درخواستیں پراجیکٹ منیجر خیر ایریا پراجیکٹ جمروڈ کے کی جائیگی

پراجیکٹ منیجر



1B¹¹ -5-

KHYBER AREA DEVELOPMENT PROJECT, JAMRUD, KHYBER AGENCY
PHONE (091) 8270186-7, FAX (091) 8270186
E-mail: Khyber_Project@yahoo@hotmail.com

No: KADP/ACCTS/RECTY/
Dated: 15.10.2003.

21578-60

FROM: PROJECT MANAGER
KHYBER AREA DEVELOPMENT PROJECT
JAMRUD KHYBER AGENCY

TO: Mr. Bilal Khan Afridi s/o Sulaman Khan
Aiampodar Dara Khyber Agency.

SUBJECT: OFFER FOR EMPLOYMENT ON CONTRACT BASIS IN KHYBER AREA DEVELOPMENT PROJECT AS OFFICE ASSISTANT (BPS-11) AT SDU PESHAWAR.

I am pleased to inform you that the competent authority has approved your selection for appointment on contract basis as OFFICE ASSISTANT BPS-11 under the federal Government purely on contract basis on the following terms and conditions:-

- Post:** Office Assistant (BPS-11)
- Place of Posting:** Special Development Unit Peshawar or anywhere within or outside Pakistan as the competent authority may decide.
- Period of contract:** One year from the date of assumption of charge with 12 months probation period, on satisfactory performance contract will be extended annually on the recommendation of Project Manager up to Project life.
- Pay:** Pay would be fixed in initial of BPS (11) i.e. 2590-175-7840. As regard fixation of Pay rules/orders applicable to Federal Govt. Servants will apply.
- Allowance:** Allowances admissible to government servants from time to time + hard area allowance 30% of Basic Pay and Computer Allowance admissible to Computer Operators from time to time.
- Travelling:** As admissible to the civil servants of the corresponding pay scale under the rules.
- Seniority:** This contract appointment does not confer any right for being placed in the gradation /seniority list of the cadre/group to which the subject post belongs.
- Leave:** As admissible under the Revised Leave Rules, 1980. However, provision contained in ruled 5 (c) 13, 14, 16, 17, 18, 18-A, 19, 27, 33, 34, 35, 36, and 39 of Rules bid shall not apply.

Accounts Officer
Khyber Area Dev. Programme, P&T
Department PATA Secretariat

Scanned with CamScanner

KHYBER AREA DEVELOPMENT PROJECT, JAMRUD KHYBER AGENCY

No.KADP/ACCTS/RECTT/ 2158-60
Dated 15.10.2003

From

PROJECT MANAGER
KHYBER AREA DEVELOPMENT PROJECT
JAMRUD KHYBER AGENCY

To

Mr. Bilal Khan Afridi S/o Suleman Khan
Alamgodar Bara Khyber Agency

Subject:

**OFFICER FOR EMPLOYMENT ON CONTRACT BASIS IN KHYBER
AREA DEVELOPMENT PROJECT AS OFFICE ASSISTANT (BPS-11)
AT SDU PESHAWAR**

I am pleased to inform you that the competent authority has approved your selection for appointment on contract basis as Office Assistant BPS-11 under the Federal Government purely on contract basis on the following terms and conditions.

Post

Office Assistant (BPS-11)

Place of posting

Special Development Unit Peshawar or anywhere within or outside Pakistan as the competent authority may decide.

Period of contract

One year from the date of assumption of charge within months' probation period, on satisfactory performance contract will be extended annually on the recommendation of project Manager upto project life.

Pay

Pay would be fixed in initial of BPS (11) i.e. 2590-175-7840. As regard fixation of pay rules/orders applicable to Federal Govt. Servants will apply.

Allowance

Allowances Admissible To Government Servants From Time And Time + Hard Area Allowance 30% Of Basic Pay and Computer Allowance admissible to Computer Operators from time to time.

Travelling

As admissible to the civil servants of the corresponding pay scale under the rules.

Seniority

This contract appointment does not confer any right for being placed in the gradation /seniority list of the cadre/group to which the subject post belongs.

Leave

As admissible under the Revised Leave Rules, 1980. However, provision contained in ruled 5 (c) 18, 11, 14, 16, 17, 18, 18-A, 19, 27, 33, 34, 35, 36 and 39 of Rules bid shall not apply.

Medical Facilities:

As administrative officials of the Federal Government under the rules.

Pension:

Service rendered under this contract shall not qualify for a pension or gratuity. Pensions in receipt of previous service, if any, shall continue to be drawn in addition to pay.

General Provident Fund:

No contribution towards G.P. Fund shall be required.

Conduct and Discipline:

Rules made and instructions issued by the Government Authority as for civil servants under Section 15, 16 of the Civil Servants Act, 1973 as amended from time to time shall apply.

Appeal:

Civil Servants (Appeal) Rules, 1977 with amendments if any shall apply.

Termination of contract:

The appointment during the period of contract shall be liable to termination on thirty days notice on either side or payment of basic pay in lieu thereof without assigning any reason.

Whole time employment
Posting and transfer:

Whole time of the contract appointee would be at the disposal of the Government. He may be employed in any manner required by appropriate Authority without claim for additional remuneration. He shall at all time obey the rules prescribed for the time being for the regulation of the service or cadre to which the post in which he has been employed belongs.

Other Matters:

In respect of other matters not specified in these contract rules, regulations as applicable to Federal Civil Servants shall apply.

If the above terms and conditions of appointment are acceptable to you, please join duty before 25-10-2003 positively, failing which this offer will stand automatically cancelled.

Accounts Officer
Khyber Area Dev. Programme, P&D
Department, FATA Secretariat

[Signature]
Project Manager
Khyber Area Development Project
Jamrud, Khyber Agency 15/x

Copy forwarded for information to:

1) Director General Special Development Unit, Peshawar

2) Project Director Khyber Area Development Project at Peshawar

[Signature]
Project Manager
Khyber Area Development Project
Jamrud, Khyber Agency 15/x

| | |
|---|--|
| <u>Medical Facility</u> | As admissible to officials of the federal Government under the rules. |
| <u>Pension</u> | Service rendered under this contract shall not qualify for a pension or gratuity pension in receipt of previous service, if any, shall continue to be drawn in addition to pay. |
| <u>General Provident Fund</u> | No contribution towards G.P Fund shall be required |
| <u>Conduct & Discipline</u> | Rules made and instructions issued by the Government Authority as for civil servants under section 15, 16 of the Civil Servants, Act, 1973 as amended from time to time shall apply. |
| <u>Appeal</u> | Civil Servants (Appeal) Rules, 1977 with amendments if any shall apply |
| <u>Termination of contract</u> | The appointment during the period of contract shall be liable to termination on thirty days' notice on either side or payment of basic pay in lieu thereof, without assigning any reason. |
| <u>whole time employment posting and transfer</u> | Whole time of the contract appointee would be at the disposal of the Government. He may be employed in any manner required by Appropriate Authority without claim for additional remuneration. He shall at all-time obey the rules prescribed for the time being for the regulation of the service or cadre to which the post in which he has been employed belongs. |
| <u>Other matters:</u> | In respect of other matters not specified in these contract rules, regulations as applicable to Federal Civil Servants shall apply. |

If the above terms and conditions of appointment are acceptable to you, please join duty before 25.10.2003 positively, failing which this officer will stand automatically cancelled.

Sd/-
Project Manager
Khyber Area Development Project
Jamrud, Khyber Agency

Copy forwarded for information to

- 1) Director General Special Development unit Peshawar
- 2) PA/Project Director Khyber Area Development Project at Peshawar

Sd/-
Project Manager
Khyber Area Development Project
Jamrud, Khyber Agency

To

The Director General,
SDU, P&D Department.

-7- "C"

Subject: ARRIVAL REPORT

Sir,

Most respectfully, in compliance of Project Manager, KADP appointment order No. KADP/ACCTS/RECTT/2158-60 dated 15.10.2003 (copy attached), I, Bilal Khan Afridi hereby assume the charge of Office Assistant KADP at SDU w.e.f 16.10.2003 (F.N).

Sir, I have been posted at SDU therefore, your kind attention is invited to my physical disability (by Polio). I belong to Adangudar (R.A.A), Khiber Agency and the Project Management Unit based at Jamrud is nearer to my native village. If possible I may be posted at PMU Office at Jamrud.

I shall be very thankful to you for your this kindness.

Dated: October 16, 2003

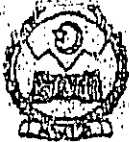
Yours Obediently,


Bilal Khan Afridi

MO

PO SDU


17/10/03



Special Development Unit

P & D Department Government of NWFP

SDU Building, Khyber Road, Peshawar Cantt.

Phone # 091-9210193, 9210257 Fax # 091-9210308

E-mail: sdupedd@ps.comcast.net.pk

8-

No. P&D (SDU) KADP/Rectt/
Monday, October 20, 2003 5/12-13

To

The Project Manger,
KADP at Jamrud, Khyber Agency.

SUBJECT: Arrival Report/ Office Assistant

I am directed to refer to your memo no. No.KADP/ACCTT/RECTT/2158-60 dated 15.10.2003 and to enclose herewith Arrival Report submitted by Mr. Bilal Khan Afridi Office Assistant, w.e.f 16.10.2003 (copy attached), which has been accepted. The request of Mr. Bilal Khan for posting at the Project Management Unit at Jamrud, Khyber Agency has also been accepted by the Director General, SDU P&D Department.

I am further directed to state that the services of Mr. Tanvir Ahmad Afridi S/O Razim Ali Computer Operator, KADP may be placed at the disposal of Special Development Unit till further orders. He may therefore, be relieved to take his new assignment immediately.

M. Muhammad

(MUHAMMAD ILYAS)
Programme Officer, SDU

CC:
PA to DG, SDU.

9
70/1
MO
/



Dated Peshawar, June 30, 2022

NOTIFICATION:

NO. SC, E/P&D/3-1/Req./Projec(s)/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:

- the service promotion quota of all service cadres shall not be affected;
- the employees shall possess the same qualification and experience as required for a regular post;
- 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
- 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 Wassem | 16 | Computer Operator |
| 5 | Mr. Ahmad Faraz | 11 | Junior Clerk |
| 6 | Muhammad Hans | 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 |

PLANNING & DEVELOPMENT DEPARTMENT

Dated Peshawar, June 30, 2022

NOTIFICATION

No.SO&P&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*.

- (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 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 Hainza | 03 | Nabi Qasid |
| 15. | Mr. Abdur Rehman | 03 | Chowkidar |
| 16. | Muhammad Riaz | 03 | Chowkidar |

- 10 -

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.

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.


(SONAKHAN) 3-7-77
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

Enclst. 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:)



-11-

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.

(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:

- (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.

-14-

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 I.&DD in FATA. |
| 8. | Creation of Disease Free Zone Through Mass Vaccination and Treatment and Feasible Districts on Pilot Basis. |
| 9. | Opening of 5 CVIDS 5 CVCS 6 AICS and Up-gradation of 2 CVIDS 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 AIO 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 CVIDS, 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 CVIDs 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 CVIDs 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 CVIDs and 9 AICs and Up-gradation of 3 CVIDs 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 CVID in Mamozai Area, Orakzai Agency. |

| | |
|-----|--|
| 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 CVDS, 2 CVCs, 6 AICs and Up-gradation of 1 CVD to CVII Status in FR DI KHAN. |
| 33. | Provision of Mobile Veterinary Clinic in Sub Division D.I. Khan. |
| 34. | Opening of 1 CVII, 02 CVDS, 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 Bannu. |
| 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 Vety: 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 AIHQ Hospitals in FATA. |
| 56. | Health Nutrition Program in FATA. |

-15-

| | |
|-----|--|
| 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 Bittani). |
| 65. | Facilitation of Health Setup in FRs (Kohat Dara Adam Khel). |
| 66. | Facilitation of Health Setup in FRs (Peshawar Hussan Khel). |
| 67. | Opening of 07 CDs in FR Tank. |
| 68. | Opening of 08 CHCs / CDs in FR D.I Khan District. |
| 69. | Opening of 06 CHCs/CDs in FR Bannu District. |
| 70. | Opening of 08 CHCs / CDs in FR Lakki. |
| 71. | Opening of 02 CDs in FR Kohat District. |
| 72. | Opening of 11 CHCs / CDs in FR Peshawar. |
| 73. | Opening of 41 CHCs / CDs in Mohmand District. |
| 74. | Opening of 22 CHCs / CDs in Khyber District. |
| 75. | Opening of 07 CHCs / CDs in Kurram District. |
| 76. | Opening of 15 CHCs/ CDs in Orakzai District. |
| 77. | Opening of 24 CHCs/CDs in North Waziristan District. |
| 78. | Opening of 18 CHCs / CDs 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 Shahkass, 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. |

-16-

| | |
|------|---|
| 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 I&E 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 IIR/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. |

-17-

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,
Stary. & Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar

Government of Khyber Pakhtunkhwa
Accountant General Khyber Pakhtunkhwa, Peshawar
Monthly Salary Statement (December-2022)

"E"
-18-



Personal Information of Mr Bilal Khan d/w/s of Sulaiman Khan

Personnel Number: 01011770 CNIC: 2120304409055 NTN:
Date of Birth: 13.04.1979 Entry into Govt. Service: 13.01.2022 Length of Service: 00 Years 11 Months 020 Days

Employment Category: Active Temporary

Designation: OFFICE ASSISTANT 81200987-GOVERNMENT OF KHYBER PAKH
DDO Code: PR8243-Khyber Areas Development Programme (Reg Act Ex FATA) Peshawar
Payroll Section: 009 GPF Section: 002 Cash Center:
GPF A/C No: GPF Interest Free GPF Balance: 20,040.00 (provisional)
Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 16 Pay Stage: 1

| Wage type | | Amount | Wage type | | Amount |
|-----------|---------------------------|-----------|-----------|---------------------------|----------|
| 0001 | Basic Pay | 30,330.00 | 1004 | House Rent Allow 45% KP21 | 9,024.00 |
| 1210 | Convey Allowance 2005 | 5,000.00 | 1551 | Spl Conveyance to Disable | 3,000.00 |
| 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 Ref Al 15% 22(PS17) | 2,836.00 |

Deductions - General

| Wage type | | Amount | Wage type | | Amount |
|-----------|------------------|-----------|-----------|---------------------------|-----------|
| 3016 | GPF Subscription | -3,340.00 | 3501 | Benevolent Fund | -1,500.00 |
| 3609 | Income Tax | -236.00 | 4004 | R. Benefits & Death Comp: | -650.00 |

Deductions - Loans and Advances

| Loan | Description | Principal amount | Deduction | Balance |
|------|-------------|------------------|-----------|---------|
|------|-------------|------------------|-----------|---------|

Deductions - Income Tax

Payable: 1,825.28 Recovered till DEC-2022: 415.00 Exempted: 0.86- Recoverable: 1,411.14

Gross Pay (Rs.): 58,026.00 Deductions: (Rs.): -5,726.00 Net Pay: (Rs.): 52,300.00

Payee Name: Bilal Khan
Account Number: 7927742203
Bank Details: HABIB BANK LIMITED, 220898 POLICE ROAD, PESHAWAR. POLICE ROAD, PESHAWAR., PESHAWAR

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: Peshawar Domicile: - Housing Status: No Official
Temp. Address: Email: bitalkhanafridipk@gmail.com
City:

To,

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

"F"
-19-

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

Respect Sir,


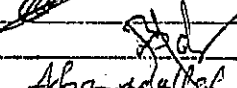
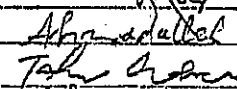
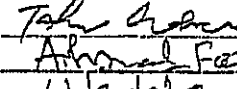
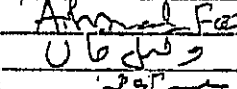
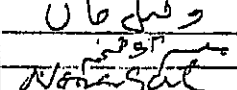
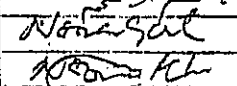
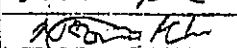

It is kindly stated that the staff of Khyber Area Development Project has been regularized under the Khyber Pakhtunkhwa (regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Act, 2021 w.e.f. 13th January 2022, however, the salaries of the staff has been fixed at initial 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/1-1/SDU/2021-22/100
Dated Peshawar the 17th January, 2023

116 - 20 -

To
The Director General, SDU
P&D Department

Administrative Development
17-1-23
Planning & Development C

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,

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

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

Copy forwarded for information to

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

Sd/-
Assistant Chief (B&A)

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

"H" -21-

Finance Department Civil Secretariat Peshawar

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

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.

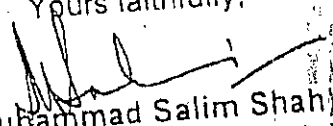
Dear Sir,

In pursuance to the Finance Division's Office Memorandum No. 412)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.

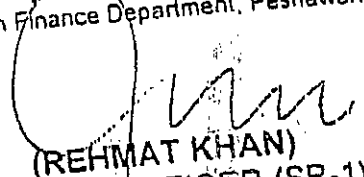
- vii) That the pay protection / fixation of pay will be admissible with immediate effect with regard to old / new cases which are fulfilling the pay protection criteria mentioned above.

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 (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 Jahan, 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.
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(ESA)9-51/2021 dated 08-03-2021.
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

Bilal Khan 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

[Signature]
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)