

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

**Mr. Iqbal Jehan**  
**Service Appeal No. 1318/2022**

**Appellant**

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and  
others.

**Respondents**

**INDEX**

<b>S#.</b>	<b>Subject</b>	<b>Annexure</b>	<b>Page No.</b>
01	Parawise Comments	-----	01-3
02	Affidivit		04
03	Notification 27.03.2012	<b>Annex-I</b>	05-07
04	Supreme Court Judgement dted 07-12-2018	<b>Annex-II</b>	08-12
05	Revision of Basic Pay 11-08-1991	<b>Annex-III</b>	13-15
06	Advance Increment dated 10.08.2022	<b>Annex-IV</b>	16
07	Accountant General letter 24.07.2001	<b>Annex-V</b>	17
8	Authority letter		18

6/6/2023  
Swat

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL CAMP COURT AT SWAT**

Appeal No.1318/2018

*Iqbal Jehan* .....(Appellant).

**V E R S U S**

1. Government of KP through Secretary Finance Peshawar
2. Accountant General Khyber Pakhtunkhwa
3. District Account Officer Swat.....(Respondents).

**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.1 to 03**

**Preliminary objections:**

1. The Appellant has got no cause of action.
2. The Appellant has not come to the court with clean hands.
3. The Appellant has concealed facts from the Court.
4. The instant appeal is badly time barred.
5. The facility of advance increment on the basis of higher qualification has already been discontinued by the act of the Provincial Assembly i.e Cessation of Payment of Arrears on Advance Increments Act-2012 (**Annex-I**).
6. That the identical case of Advance Increment has already been dismissed by the Hon'ble Supreme Court of Pakistan vide its judgment dated 07-12-2018 in C.P No. 172-P & 173-P/2013 (**Annex-II**).

**Facts:**

1. Pertains to record. Hence needs no comments.
2. Pertains to record. Hence needs no comments.
3. Incorrect. The Appellant obtained higher qualification of M.Ed from Karachi University in 1999 and result declared on 22-02-2000.
4. Correct to the extent that two advance increments were awarded to the appellant as personal pay but that was against the prevailing rules and policy as advance increment in shape of personal pay vide para 5 (ii) of Finance Department's circular letter dated 11-08-1991 was not allowed to teachers (**Annex-III**). The same was also clarified

vide F.D's letter dated 23-10-2001 in response to A.G Office's letter dated 24-07-2001 (**Annex-IV & V respectively**). Hence, the facility was retrenched from the appellant in light of the above-mentioned letters.

5. Correct.
6. Incorrect. As explained in para-04 above there is no provision in rules regarding grant of advance increment as personal pay to teaching cadres.
7. Incorrect. As earlier explained advance increment as personal pay was drawn back in light of F.D's letter dated 23-10-2001 (**Annex-IV ibid**).
8. Incorrect. Finance Department has already vide letter dated 23-10-2001 clarified that advance increment as personal pay to teaching cadre was not allowed.
9. Correct.
10. Correct. Rules regarding pay and allowances including increment are issued by Finance Department and not A.G Office.
11. As replied above.
12. Incorrect. At that time teaching cadres were allowed other facilities apart from advance increment hence no discrimination was made vide F.D's circular letter dated 11-08-1991 (**Annex-III**). Moreover, the said letter which has already been made in fructuous vide Cessation of Advance Increments on the basis of Higher Qualification Act-2012 cannot be challenged at this moment being badly time barred.
13. Incorrect. The benefits of Basic Pay Scale 1983 had already been extended to the appellant as he was granted one advance increment by which he reached the maximum of his basic pay scales.
14. Incorrect. As explained in preceding paras the appellant was not entitled to the said increments as per prevailing policy.

**Grounds:**

- A. Incorrect. The reply of DAO Swat mentioned in para-09 of the Service Appeal is correct and according to the rules / regulation because DAO,s are bound to keep the provincial exchequer in a proper manner and no body is allowed to use the public exchequer according to one's own sweet will or in disregard of rules / regulations necessary to avoid the public exchequer from losses.
- B. Incorrect. All the government servants are bound by rules and regulations of provincial government.
- C. Incorrect. As explained in preceding paras.
- D. Incorrect. As explained in preceding paras.
- E. Incorrect. As explained in preceding paras.
- F. That other grounds should be taken during hearing with the permission of Court.

Keeping in view the aforementioned facts, it is, therefore, most humbly prayed that the instant appeal, having no merits, may, please, be dismissed with cost.



Secretary to Govt. of KPK,  
Finance Department,  
✓ (Respondent No.1)

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

**Mr. Iqbal Jehan  
Service Appeal No. 1318/2022**

Versus

Secretary to Govt. of Khyber Pakhtunkhwa Finance Department and others.

**Reply /Parawise Comments on Behalf of Secretary Finance Govt. of Khyber Pakhtunkhwa Respondent No.01.**

**AFFIDVAIT**

I, Hashmatullah Superintendent, Govt.of Khyber Pakhtunkhwa Finance Department do hereby solemnly affirm and declare on oath that the contents of Para-wise Comments in Service Appeal No.1318/2022 on behalf of Secretary to Govt. of Khyber Pakhtunkhwa Finance Department is true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honourable Tribunal. *Respondents have neither been ex-parte nor is struck off.*

*Hashmatullah*  
Deponent

**ATTESTED**  
Azmatullah  
Notary Public  
Complex Peshawar  
-223

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. PIII  
G A Z E T T E

## KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 27TH MARCH, 2012.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA  
LAW, PARLIAMENTARY AFFAIRS AND  
HUMAN RIGHTS DEPARTMENT

### NOTIFICATION

Dated Peshawar, the 27th March, 2012.

No. Legis:1(11)2011-4867.—The following Ordinance by the Governor of the Khyber Pakhtunkhwa is hereby published for general information:

**THE KHYBER PAKHTUNKHWA CESSATION OF PAYMENT OF  
ARREARS ON ADVANCE INCREMENTS ON HIGHER EDUCATIONAL  
QUALIFICATION ORDINANCE, 2012.**

(KHYBER PAKHTUNKHWA ORDINANCE NO. I OF 2012)


### AN ORDINANCE


*to cease the payment of arrears accrued on account of advance  
increments on higher educational qualification.*

WHEREAS advance increments have been granted to certain Provincial Government employees on the basis of acquiring or possessing higher educational qualification over and above the prescribe educational qualification from time to time;

AND WHEREAS the Provincial Government vide Notification No. (PRC)1-1/2001, dated 27.10.2001, had already discontinued the scheme of advance increments on higher educational qualification;

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Section Officer (Lit-II)  
Finance Department  
Govt. of Khyber Pakhtunkhwa

  
Section Officer Peshawar

AND WHEREAS due to financial constraints, it is not possible for Provincial Government to pay the claimed and unclaimed arrears accrued from the said increments;

AND WHEREAS the Provincial Assembly is not in session and the Governor of the Khyber Pakhtunkhwa Province is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of the Khyber Pakhtunkhwa is pleased to make and promulgate the following Ordinance:-


1. Short title, application and commencement.— (1) This Ordinance may be called the Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Ordinance, 2012.

(2) It shall apply to all the employees of the Provincial Government, who were entitled to received advance increments on higher educational qualification.

(3) It shall come into force at once and shall be deemed to have taken effect on and from 1<sup>st</sup> day of December, 2001.

2. Cessation of payment of arrears on advance increments on higher educational qualification. — (1) Notwithstanding anything contained in any decision, judgment and order of any Tribunal or Court including High Court or Supreme Court of Pakistan, for the purpose of any claim for payment of arrears on account of advance increments on higher educational qualification sanctioned in pursuance of any order, letter, office memoranda, notification, instructions and other instruments issued before 1.12.2001, such orders, letters, office memoranda, notifications, instructions and other instruments shall be deemed to be non-existent, ceased or revoked and no further claim whatsoever on the basis of these instruments shall be entertained and all cases in respect of such claims pending in any Court or Tribunal including High Court and Supreme Court of Pakistan shall stand abated.

(2) Any order made, instruction issued, decision, judgment or order of any Court or Tribunal including a High Court or the Supreme Court, implemented immediately before the commencement of this Ordinance, shall

  
Section Officer (A-11-15)  
Finance Department  
Govt of Khyber Pakhtunkhwa

be deemed to have been validly made, issued and implemented by the date of commencement of this Ordinance, and any amount already paid there-un on account of advance increments or arrears thereof shall be deemed to have been validly paid and shall not be recoverable from the recipient Government employees.

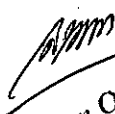
3. Removal of difficulties.—If any difficulty arises, in giving effect to the provisions of this Ordinance, the Provincial Government may make such orders as it may deem just and equitable.

Peshawar,  
Dated 22-03-2012

(BARRISTER SYED MASOOD KAUSAR  
Governor, Khyber Pakhtunkhwa

( MUHAMMAD ARIFEEN )  
Secretary,  
Government of the Khyber Pakhtunkhwa  
Law, Parliamentary Affairs and  
Human Rights Department.

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

  
Section Officer (Lit-11)  
Finance Department  
Govt. of Khyber Pakhtunkhwa



**IN THE SUPREME COURT OF PAKISTAN**  
(Appellate Jurisdiction)

**Present:**

Mr. Justice Qazi Faez Isa  
Mr. Justice Syed Mansoor Ali Shah

**Civil Petition No.172-P & 173-P of 2013.**

(on appeal from the judgment of KPK Service Tribunal, Peshawar dated 06.02.2013, passed in Appeals No. 523 & 524 of 2010)

Manzoor Ahmad (in C.P. 172-P/2013)  
Yasmeen Akhtar (in C.P. 173-P/2013)

....Petitioners

**Versus**

The Secretary Education, Government of KPK, etc. (in both cases)

...Respondents

Petitioners: In person (in both cases)

For the respondents: Mr. Mujahid Ali Khan, Addl. A.G. KPK

Date of hearing: 07.12.2018

**JUDGMENT**

**Syed Mansoor Ali Shah, J.** - The facts of the case are that petitioners in both the petitions were appointed as Primary School Teachers ("PST"). Manzoor Ahmad, petitioner in Civil Petition No.172-P/2013 ("Petitioner No.1"), however, retired from service on 01.02.2016, while Yasmeen Akhtar, petitioner in Civil Petition No.173-P/2013 ("Petitioner No.2") is still in service.

AM

**ATTESTED**

*[Signature]*  
Assistant Registrar  
Supreme Court of Pakistan  
Peshawar.

These petitions pertain to their claim regarding *advance increments* on the basis of acquiring higher educational qualification while in service. Petitioner No.1 was given five *advance increments* under Notification dated 24.08.1983 while petitioner No.2 was given three *advance increments* under the same Notification plus a move-over to BPS-09. Petitioners claim that as per subsequent Notification dated 11.08.1991 issued by the Finance Department, Government of KPK, petitioner No.1 ought to have been given 12 *advance increments* for obtaining higher educational qualification of F.A, B.A and M.A, while petitioner No.2 be given six *advance increments*, as per the same Notification for obtaining the qualification of F.A and B.A. It is submitted


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that the petitioners were appointed as PSTs when the qualification for the said post was matriculation.

3. Arguing the case for himself and for petitioner No.2, Mr. Manzoor Ahmad submitted that they were initially granted *advance increments* vide Notification dated 24.08.1983, however, subsequently through the Notification dated 11.08.1991, the number of *advance increments* were increased, inasmuch as, it was also granted for obtaining higher educational qualification of M.A. He submits that the said notification is applicable to PSTs and placed reliance on an unreported judgment of this Court dated 09.07.2007, passed in Civil Petition No.525/2007, as well as, the subsequent notification issued in the light of the said judgment i.e. Notification dated 13.05.2009, issued by the Elementary and Secondary Education Department, Government of KPK. The above cited judgment extends the benefit of

Notification dated 11.08.1991 to teachers.

ATTESTED  
  
Assistant Registrar  
Supreme Court of Pakistan  
Peshawar.

Learned Additional Advocate General, KPK representing the Government, submits that the case of the petitioners is governed by Notification dated 24.08.1983, issued by the Finance Department, Government of KPK and as per clause 9 of the said notification, petitioner No.1 is entitled to five advance increments for obtaining F.A. and B.A., whereas, petitioner No.2 is entitled to three advance increments as she has already been granted the benefit of move-over to higher pay scale as per Notification dated 07.08.1991, issued by the Finance Department, Government of KPK. Learned law officer has placed reliance on an unreported judgment of this Court dated 08.9.2011, passed in Civil Petition No.1425/2011, which discusses the mode of calculation of *advance increment* granted for higher educational qualification. In this case, it was held that *advance increment* can only be granted for the highest educational qualification obtained, as *advance increments* for the degrees leading up to the final degree stand merged into *advance increment* prescribed for the highest qualification. In other words, *advance increments* for obtaining F.A (two advance increments) and B.A (four advance increments including two




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advance increments granted for F.A) stand merged into *advance increments* granted for obtaining M.A (six advance increments), therefore, providing two *advance increment* for each higher educational qualification.

5. He further submits that at this stage the claim of the petitioners cannot be entertained in the light of section 2 of the Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Act, 2012 ("Act of 2012"), by virtue of which the instant petitions cannot proceed and stand abated. He placed reliance on an unreported judgment of this Court dated 29.8.2013, passed in Civil Petition No.360/2013.

6. We have heard the parties at some length and have gone through the record of the case. While the argument of the petitioners might have some merit with regard to grant of one advance increment in the case of petitioner No.1 and four advance increments in case of petitioner No.2 in the light of Notification dated 11.08.1991, read with the unreported judgments of this Court dated 09.7.2007, passed in Civil Petition No.525/2007 and dated 08.9.2011 passed in Civil Petition No.1425/2011. However, before going into the merits of the case, we need to first examine the justiciability of the claims in the light of Act of 2012. The preamble of Act of 2012 provides as under:-

**ATTESTED**

  
Assistant Registrar  
Supreme Court of Pakistan

"The Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Bill 2012 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 8th May, 2012 and assented to by the Governor of the Khyber Pakhtunkhwa on 11th May, 2012 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

Whereas advance increments have been granted to certain Provincial Government employees on the basis of acquiring or possessing higher educational qualification over and above the prescribed educational qualification from time to time;

And whereas the Provincial Government vide Notification No.(PRC)1-1/2001, dated 27-10-2001, had already discontinued the scheme of advance increments on higher educational qualification;

And whereas due to financial constraints, it is not possible for Provincial Government to pay the claimed and unclaimed arrears accrued from the said increments;


It is hereby enacted as follows:--" (emphasis supplied)

While section-2 reads as under:-

"2. Cessation of payment of arrears on advance increments on higher educational qualification.---(1) Notwithstanding anything contained in any decision, judgment and order of any Tribunal or court including High Court or Supreme Court of Pakistan, for the purpose of any claim for payment of arrears on account of advance increments on higher educational qualification sanctioned in pursuance of any order, letter, office memoranda, notification, instructions and other instruments issued before 1-12-2001, such orders, letters, office memoranda, notifications, instructions and other instruments shall be deemed to be non-existent, ceased or revoked and no further claim whatsoever on the basis of these instruments shall be entertained and all cases in respect of such claims pending in any court or Tribunal including High Court and Supreme Court of Pakistan shall stand abated.

(2) Any order made, instruction issued, decision, judgment or order of any court or Tribunal including a High Court or the Supreme Court, implemented immediately before the commencement of this Act, shall be deemed to have been validly made, issued and implemented by the date of commencement of this Act, and any amount already paid there-under on account of advance increments or arrears thereof shall be deemed to have been validly paid and shall not be recoverable from the recipient Government employees."

ATTESTED

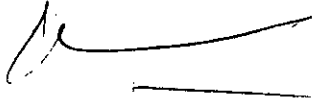
  
Assistant Registrar  
Supreme Court of Pakistan  
Peshawar. (emphasis supplied)

7. Plain reading of the above provisions show that the claim of advance increments on obtaining higher educational qualification was discontinued by the Provincial Government on 27.10.2001. Section-2 of the Act of 2012 provides that claim for payment of arrears of advance increments shall be deemed non-existent and no further claim whatsoever on the basis of these instruments shall be entertained and all cases in respect of such claims pending in any Court or Tribunal including High Court and Supreme Court shall stand abated. Sub-section 2 provides that any amount of advance increment or arrears thereof already paid before the commencement of the Act of 2012 shall be deemed to have been validly paid and shall not be recoverable from the recipient government employees.

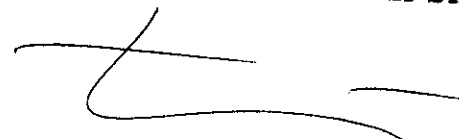
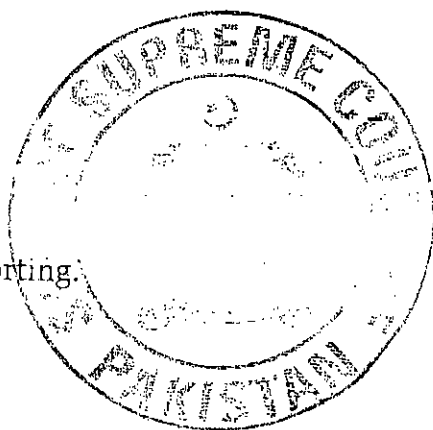
8. The scope of Act of 2012 is that after the promulgation of the Act i.e. w.e.f. 11.05.2012, no government employee can claim arrears on account of advance increments for higher educational qualification and advance

increments and arrears already paid shall not be recoverable from the recipient government employee. "Arrears" includes payment of a debt or the discharge of an obligation<sup>1</sup>. In this case, claim of the petitioners for *advance increment* under Notification dated 11.8.1991 is an outstanding arrear. Reference to the deeming commencement date under section-1(3) of the Act is simply to identify the cutoff date for the purposes of tabulating arrears as mentioned in section-2, which, if outstanding on 11.5.2012, will not be payable and no claim relating to the same can be entertained.

9. In the instant case petitioners are seeking arrears on the basis of Notification dated 11.08.1991 and in the light of section-2 of the Act of 2012, their claim cannot be entertained and is not justiciable. Reliance is placed on unreported judgment of this Court dated 29.08.2013 passed in Civil Petition No.360/2013. The petitioners have not challenged the *vires* of the Act, therefore, these petitions stand abated under Act of 2012, as a result leave to appeal is declined and these petitions are dismissed.

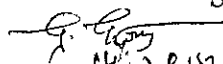


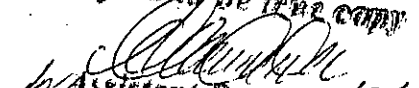
Sd/- Qazi Faez Isa, J.  
Sd/- Syed Mansoor Ali Sha

Peshawar,  
07<sup>th</sup> December, 2018.  
Not approved for reporting.  
Sadaqat



  
14/2/18

Certified to be true copy  
  
Assistant Registrar  
Supreme Court of Pakistan  
Peshawar.

<sup>1</sup> Black's Law Dictionary 9<sup>th</sup> Edition, page-124.

GOVERNMENT OF NWFP,  
FINANCE DEPARTMENT.

(PAY REVISION CELL).  
NO. FD(PRC)1-1/892

Dated Peshawar, the 11th August 1991.

From: The Secretary to Government of NWFP,  
Finance Department, Peshawar.

To:

1. All Administrative Secretaries,  
Government of N.W.F.P.
2. The Senior Member Board of Revenue,  
N.W.F.P., Peshawar.
3. The Secretary to Governor, NWFP, Peshawar.
4. The Secretary to Chief Minister, NWFP, Peshawar.
5. The Secretary, Provincial Assembly, NWFP, Peshawar.
6. All Heads of Attached Departments in NWFP.
7. All Commissioners/Dy: Commissioners/  
Political Agents/District & Sessions Judges  
in N.W.F.P.
8. The Registrar, Peshawar High Court, Peshawar.
9. The Secretary, Public Service Commission,  
NWFP, Peshawar.
10. The Registrar, Services Tribunal, NWFP, Peshawar.
11. The Secretary, Board of Revenue, NWFP, Peshawar.

Subject:-

REVISION OF BASIC PAY SCALES AND FRINGE BENEFITS  
OF CIVIL EMPLOYEES (BPS-1 - 15) OF THE PROVINCIAL  
GOVERNMENT (1991).

Sir,

I am directed to refer to the subject noted above  
and to say that the Governor, N.W.F.P., has been pleased to sanction  
Revision of the Basic Pay Scales for the Provincial Civil Servants  
(BPS-1 - 15) as detailed in the following paragraphs :-

2. BASIC PAY SCALES :-

The existing, modified and revised pay scales are  
detailed in the annexure to this letter. The revised pay scales shall  
replace the Basic Pay Scales, 1987 and shall be effective from the  
1st of June, 1991.

(21) 14 23/1

R

GRANT OF ADVANCE INCREMENTS TO OFFICIALS FOR POSSESSING/  
ATTAINING HIGHER EDUCATIONAL QUALIFICATION.

From 1-6-1991 onwards advance increments shall be allowed without the condition of the second Division to the officials in BPS 1-15 for possessing or acquiring higher educational qualifications over and above prescribed qualifications in the relevant Recruitment Rules to the extent given below

No. of Advance increments for obtaining

Matric	F.A./F.Sc	B.S./B.Sc	M.A./M.Sc
--------	-----------	-----------	-----------

a) Where the prescribed qualification is Non-Matric.	2	4	6	8
b) Where the prescribed qualification is Matric.	Nil	2	4	6
c) Where the prescribed qualification is F.A./F.Sc.	Nil	Nil	2	4
d) Where the prescribed qualification is B.A./B.Sc	Nil	Nil	Nil	2

The advance increment already allowed in terms of para-6(a) of Finance Department's letter No. FD(PRC)1-1/87-Vol-VIII dated 22-7-1987 would be doubled from 1.6.1991.

13) The advance increments shall be allowed at the time of recruitment or acquisition of higher qualification whichever is later. In cases where the employee is already at the maximum of the scale, he may be allowed the number of advance increments beyond the maximum of the scale as personal pay to be absorbed at the time of his move-over/promotion. Those employees who had acquired higher qualification in 3rd Division prior to 1-6-1991 and were not granted advance increments earlier would henceforth be allowed advance increments with effect from 1-6-1991.

6.

MOVE-OVER

The concession of Move-over shall be available from 1-6-1991 onwards to those who are enjoying selection grade.

AM

15/8/91

(22)

Dated the 11-8-1991

NO. FD(PCR)1-1/89

Copy forwarded for information to

F

1. The Accountant General, NWFP, Peshawar.
2. All District/Agency Accounts Officers in NWFP.
3. The Treasury Officer, Peshawar.
4. The Private Secretary to Finance Minister, NWFP.
5. The PS to Secretary, PAs to Additional Secretaries/Deputy Secretaries in Finance Department.
6. All Section/Budget Officers in Finance Department, NWFP.
7. The Director, Local Fund Audit, NWFP, Peshawar.

*Abdul Rashid*  
 ( ABDUL RASHID )  
 SECTION OFFICER (PCR) 11/8/91  
 FINANCE DEPARTMENT

*AM*



Annex IV

16/10/11

23/10/11

GOVERNMENT OF NWFP.  
FINANCE DEPARTMENT.  
Date: Pesh: the Oct: 23, 2001.

(B2)

NO. FD(SR.V)2-123)2001.

To,  
The Accountant General,  
NWFP, Peshawar.

Sub: ADVANCE INCREMENTS TO SCHOOL TEACHERS ON ATTAINING HIGHER QUALIFICATION AS PERSONAL PAY.

Sir,  
I am directed to refer to your letter No. H-24(SWA-TANK/  
Vol: I/135 dated 24.7.2001 on the subject noted above and to state that  
facility/concession of advance increments as personal pay is sanctioned  
in respect of Government officials vide para 5(ii) of circular letter  
No. FD(PRO)1-1/89 dated August, 11, 1991 is exclusively meant for the  
afore-mentioned cadres and the said benefit is not admissible as a  
general principle in case of basic pay scale rules, 1983. Finance Deptt.  
regrets its inability to accede to the view-point of Accountant General  
office.

Yours Obeliently,  
S/-  
(ABDUL LATIF)  
SECTION OFFICER(SR-I).

OFFICE OF THE ACCOUNTANT GENERAL NWFP, PESHAWAR.  
NO. NO. H-24(SWA)/Tank/vol: I/259 dt:-

Copy of the above is forwarded to:-

1. All DAOs/A4Os in NWFP.
2. All Pay Roll Section in Main Office.

*[Signature]*  
ACCOUNTS OFFICER (HAD)  
NWFP, PESHAWAR.  
c. - 11 - 2001

*[Signature]*

Annex VI

17

(E 1)

(15)

OFFICE OF THE ACCOUNTANT GENERAL NWFP, PESHAWAR.  
NO.H-24/SWA-TANK/VOL.I/135 Dated 24/7/2001.  
To

The Secretary to Govt. of NWFP,  
Finance Department,  
Peshawar.

Subject:- ~~ADVANCE INCREMENTS TO SCHOOL TEACHERS ON~~  
ATTAINING HIGHER QUALIFICATION AS PERSONAL PAY.

Memo:

Kindly refer to your office Memo: No.FD(SR-V)2-123/2001 dated 23/5/2001 and No.FD(SR.I)15-2/98 dated 30/5/2001, on the subject noted above.

2. It is correct that the letter of Finance Department No.FD(PRC)1-1/89 dated 7/8/91 is very much clear on the subject. But the Government of NWFP, Finance Department has allowed advance increments to teaching staff of Education Department on acquiring/Possessing higher qualification over and above the prescribed qualification vide letter No.FD.SG(SR-V)2-123/91 dated 24/9/95 and No.FD(SR-V)2-123/98 dated 22/3/99.

3. A question has been raised by various DAOs/AAOs regarding admissibility of advance increments in shape of personal pay beyond the maximum of their pay scale. A large number of teachers in different categories were drawing pay at the maximum of their pay scales. Such teachers would be deprived of the benefit of advance increments even if they possess higher qualification for which advance increments have been allowed and could not get full benefit of advance increment due to drawing salary/pay at the maximum of their respective pay scales.

4. This office is of the view that advance increments are admissible in shape of personal pay over and above the maximum of the scale, is a general principle to be followed in case of Basic Pay Scale Rule, 1983 also.

5. ~~The presumption of this office, if correct, may please be confirmed on~~  
correct course. be intimated for future guidance.

DEPUTY ACCOUNTANT GENERAL (AD) NWFP, PESHAWAR.

*[Handwritten signature]*

*[Handwritten signature: D. A. G. G. G.]*



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT**

**MOST IMMEDIATE  
COURT MATTER**

**NO.SO (LIT-II)/FD/Misc/2022.  
Dated Peshawar the,03/02/2023.**

**AUTHORITY LETTER.**

The Secretary to Govt. of Khyber Pakhtunkhwa Finance Department has been pleased to authorized and nominated Mr. Hashmat Ullah, Superintendent (Litigation-II) Section Finance Department to attend the Service Tribunal Khyber Pakhtunkhwa Peshawar in Service Appeal No 1318/2022 titled Iqbal Jehan versus Government of Khybe Pakhtunkhwa through Chief Secretary and others on behalf of Secretary Finance Government of Khybe Pakhtunkhwa.

Secretary Finance Department  
SECRETARY  
Govt: of Khyber Pakhtunkhwa  
Finance Deptt: