


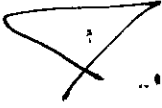
18.05.2023

Learned counsel for the appellant present. Mr. Asif Masood  
Ali Shah, Deputy District Attorney for the respondents present.

Case law relied upon by learned counsel for the appellant  
produced today, which requires time for its perusal, therefore, to  
come up for order on 02.06.2023 before the D.B. Parcha Peshi  
given to the parties.

SCANNED  
KPST  
Peshawar

  
(Muhammad Akbar Khan)  
Member (E)

  
(Salah-ud-Din)  
Member (J)


\*Naeem Amin\*

SA No. 6348/2020

02.02.2023 Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 09.05.2023 before the D.B.

SCANNED  
KPS  
Peshawar

  
(FAREEHA PAUL)  
Member(E)

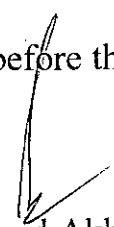
  
(SALAH-UD-DIN)  
Member (J)


09.05.2023

Learned counsel for the appellant present. Mr. Nouman, Senior Clerk alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Arguments heard. To come up for consideration and order on 18.05.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED  
KPS  
Peshawar

  
(Muhammad Akbar Khan)  
Member (E)


  
(Salah-ud-Din)  
Member (J)

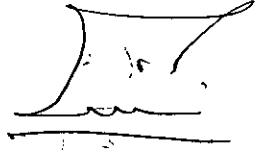
\*Naeem Amin\*

01.11.2022

Appellant alongwith his counsel present. Mr. Asad-ud-Din Asif Ja, Superintendent and Mr. Tariq, Junior Clerk alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.


Partial arguments heard. Representatives of the respondents sought time for production of Notification No. F.D(PRC)1-1 2005 dated 09.07.2022. Adjourned. To come up for production of notification as well as remaining arguments on 04.11.2022 before the D.B.

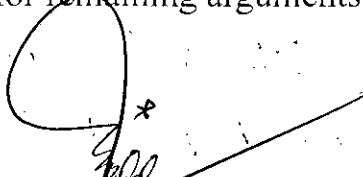
  
(Mian Muhammad)  
Member (E)


  
(Salah-Ud-Din)  
Member (J)

04.11.2022

Clerk of learned counsel for the appellant present. Mr. Waheed Ullah, Assistant alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present and submitted copy of Notification No. F.D (PRC)1-1 2005 dated 09.07.2022 which is placed on file.

 Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for remaining arguments before the D.B on 23.11.2022.

  
(Mian Muhammad)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

23.11.22

*due to strike of work the case is adjourned to 2.2.23.*




22.11.2021

Proper D.B is not available, therefore, case is adjourned to 7.2.2022 for the same.

  
READER

7-02-2022

Due to retirement of the Honorable Chairman the case is adjourned to come up for the same as before on 30-5-2022

  
Reader

30<sup>th</sup> May, 2022

Learned counsel for the appellant present. Mr. Naseerud Din Shah, Asstt. AG alongwith Asadud Din Asif Jah, Superintendent for the respondents present.

Learned counsel for the appellant seeks adjournment in order to properly assist the Court. Adjourned. To come up for arguments on 01.08.2022 before the D.B.




(Mian Muhammad)  
Member(E)



(Kalim Arshad Khan)  
Chairman

1-8-2022

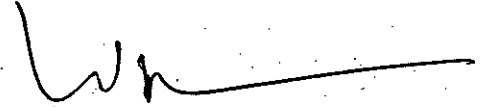
Proper DB not available the case is adjourned to 1-11-2022

  
Reader

29.03.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Addl. AG for respondents present.

Reply/comments on behalf of respondents not submitted. Learned Additional Advocate General is required to contact the respondents and facilitate the submission of reply/comments. To come up for reply/comments on 01.07.2021 before S.B.



(Atiq Ur Rehman Wazir)  
Member (E)

01.07.2021

Junior to counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG alongwith Nauman, Litigation Officer for the respondents present.

Parawise comments on behalf of respondents No. 1, 2 & 3 have been submitted. The appeal is entrusted to D.B for arguments on 22.11.2021.



Chairman

26.10.2020

Appellant present in person.

Lawyers are on general strike, therefore, case is adjourned to 05.01.2021 for preliminary hearing, before S.B.



(Rozina Rehman)  
Member (J)

05.01.2021

Counsel for the appellant present.

Learned counsel referred to judgment of this Tribunal handed down in Appeal No. 1633/2011 (copy available on the file) and contended that relief was granted to the appellant therein having grievance similar to the appellant in the present case.

Apparently, the claim of learned counsel is correct, therefore, on the strength of referred judgment, instant appeal is admitted for regular hearing. The appellant is required to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments on 29.03.2021 before S.B.

Appellant Deposited  
Security & Process Fee

06/1/21



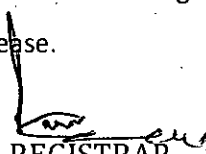

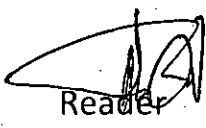
Chairman

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- 6348 /2020


1S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03/07/2020	<p>The appeal of Mr. Muhammad Aslam resubmitted today by Mr. Taimur Ali Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	21.08.2020	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>21/08/2020</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Due to public holiday on account of 1<sup>st</sup> Moharram, the case is adjourned to 26.10.2020 for the same as before.</p> <p style="text-align: right;"> Reader</p>

The appeal of Mr. Muhammad Aslam, Ex-EDO, Peshawar received today i.e. 21.04.2020 by Mr. Taimur Ali Khan, Advocate is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Index of the appeal is not attached with the appeal which may be placed on it.
- 2- Copy of impugned order is not attached with the appeal which may be placed on it.
- 3- Copy of departmental appeal is not attached with the appeal which may be placed on it.
- 4- Copy of rejection order of departmental appeal is not attached with the appeal which may be placed on it.
- 5- Affidavit in r/o appellant is not attached with the appeal which may be placed on it.
- 6- Wakalat Nama is not attached with the appeal which may be placed on it.
- 7- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.
- 8- Memorandum of appeal is unsigned which may be got signed.
- 9- Annexures of the appeal may be flagged.
- 10- Annexures of the appeal may be attested.

No. 1028 /S.T.

Dt. 21-04 /2020

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Taimur Ali Khan Adv. Pesh.

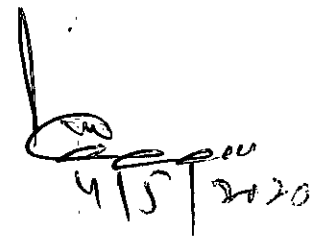
Respected Sir

Please allowed 15 days more for  
resubmission of the case



4/15/2020

⑮ days further extended.

  
4/15/2020

Respected Sir

- 1- removed
2. copy of impugned order is at page-13
- ③ copy of departmental appeal is at page-11  
PTO.



④ copy of rejection order is at page-13

③ removed

⑥ removed

⑦ removed

⑧ removed

⑨ removed

⑩ removed

Resubmitted after  
compliance  
Gaf

11-11-12

10/20/12

Handwritten notes, possibly a list or summary, mostly illegible due to fading.

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Handwritten notes, possibly a signature or initials, mostly illegible.

Handwritten notes, possibly a signature or initials, mostly illegible.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE**

**TRIBUNAL, PESHAWAR**

6348/20

Muhammad Aslam

Versus

Secretary Agriculture and others

**INDEX**

S.No	Description of Documents	Annex	Pages
1.	Memo of Appeal	-----	01-05
2.	Application for condonation of delay	-----	06-07
3.	Copy of the notification dated 18.06.2004	A	08
4.	Copy of the Notification dated 29.04.1984	B	09
5.	Copy of the letter dated 09.07.2005	C	10
6.	Copies of departmental appeal, order dated 18.02.2020, letter dated 25.02.2020 and letter dated 12.03.2020	D, E, F & G	11-15
7.	Copies of Judgment dated 23.01.2017, Judgment dated 13.11.2017 and Notification dated 05.03.2018	H, I & J	16-21
8.	Wakalat Nama	---	22

Appellant

Through

  
Taimur Ali Khan

Advocate High Court

**KHYBER PAKHTUNWA SERVICE TRIBUNAL, PESHAWAR**

Appeal No. 6348/2020

Khyber Pakhtukhwa  
Service Tribunal

Diary No. 2516

1. Muhammad Aslam, Ex-EDO, Peshawar

Dated 21-4-2020

.....APPELLANT

*Versus*

1. The Secretary Agriculture, Livestock and Cooperative Department, KPK Peshawar.
2. The Director General, Agriculture (Extension), KPK Peshawar
3. The Secretary Finance, KPK Peshawar.

.....RESPONDENTS

APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 18.02.2020 COMMUNICATED TO THE APPELLANT ON 12.03.2020, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR GRANT OF ADVANCE/PREMATURE INCREMENT ON PROMOTION FROM THE POST OF AGRICULTURE OFFICER BS-17 (SUPERVISORY) WITH SPECIAL PAY OF RS. 10/- PER MONTH FOR THE PURPOSE OF PENSIONARY BENEFITS WITH EFFECT FROM 01.07.2005 HAS BEEN REJECTED FOR NO GOOD GROUNDS.

PRAYER:

THAT ON THE ACCEPTANCE OF THE APPEAL THE ORDER DATED 18.02.2020 MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY FURTHER BE DIRECTED TO GRANT ADVANCE/PREMATURE INCREMENT ON PROMOTION FROM THE POST OF AGRICULTURE OFFICER B-17 TO THE POST OF AGRICULTURE OFFICER (SUPERVISORY) BS-17 WITH SPECIAL PAY OF RS. 10/MONTH FOR THE PURPOSE OF PENSIONARY BENEFITS WITH EFFECT FROM 01.07.2005 WITH ALL **ARREARS AND** BENEFITS. ANY OTHER REMEDY WHICH THIS TRIBUNAL DEEMS FIT AND PROPER MAY ALSO BE AWARDED IN FAVOUR OF THE APPELLANT. APPROPRIATE, MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

**Filed to-day**

**Registrar**

21/4/2020

Re-submitted to -day  
and No. d.

**Registrar**

3/7/2020

*Respectfully Sheweth:*

**FACTS:**

1. *That the appellant while serving as Agriculture Officer (BPS-17) was considered for promotion by the departmental promotion committee and recommended as such, he was accordingly promoted as Agriculture Officer (Supervisory) BPS-17 with special pay of Rs. 150/- P. M vide Notification dated 18.06.2004. (Copy of the notification dated 18.06.2004 is attached as Annexure "A").*
  
2. *That as per the amendment dated 29.04.1984 made in the NWFP Civil Servant Pay Revision Rules, 1978, if a civil servant is promoted to a post in the same scale in his own line with the only difference that the higher post carries a special pay, he shall be allowed one advance increment in that scale with effect from the date of his promotion. The same was however not allowed to the appellant on the ground that the pay of the appellant is already at the ceiling of BPS-17. (Copy of the Notification dated 29.04.1984 is attached as Annexure "B").*
  
3. *That the appellant agitated for the grant of promotion increment in view of the finance department letter dated 09.07.2005, wherein the mode has been prescribed for the eventuality of grant of advance increment to the officer / official where his salary has already at the ceiling. (Copy of the letter dated 09.07.2005 is attached as Annexure "C").*

4. As the respondents did not grant advance pre-mature increment on promotion to the appellant, therefore, he filed departmental appeal which was rejected on 18.02.2020 which was forwarded to respondent No. 2 through letter dated 25.02.2020 and was further communicated to appellant through letter dated 12.03.2020. (Copies of departmental appeal, order dated 18.02.2020, letter dated 25.02.2020 and letter dated 12.03.2020 are attached as Annexure "D", "E", "F" & "G").

### **GROUND**


- A. That not granting advance / premature increment on promotion from the post of Agriculture Officer BS-17 to the post of Agriculture Officer BS-17 (Supervisory) and rejection order dated 18.02.2020 are against the norms, law, rules, notification, norm of justice and material on record, therefore not tenable.
- B. That the appellant has not been treated in accordance with law and his rights secured and guaranteed under law were badly violated.
- C. That the govt. notifications cover the case of the appellant on all fours, however illegally and unlawfully the advance increments was not allowed or adjusted in personal pay of the appellant.

- D. That the appellant has been discriminated against and has not been treated in accordance with law, similar employees have been allowed this benefits, while the appellant is denied illegally and unlawfully.
- E. That the appellant is entitled to the grant of advance increments from the date of his promotion to the Supervisory post of BPS-17 in terms of the notification dated 29.04.1984 with all arrears and benefits.
- F. That the case of the appellant has not been considered in accordance with the govt. notifications and rules on the subject and illegally discarded by the finance Department in a cursory manner.
- G. That similar nature appeal No. 1633/2020 of Ishtiaq Ahmad has been allowed by this August Tribunal which was also upheld by Apex Court and on the basis of that notification dated 05.03.2018 has been issued wherein arrears and benefits has been granted to Ishtiaq Ahmad and the appellant being similarly placed person is also emitted for same treatment under rule of consistency. (Copies of Judgment dated 23.01.2017, Judgment dated 13.11.2017 and Notification dated 05.03.2018 are attached as Annexure "H", "I" & "J").
- H. That the appellant seeks permission to advance other grounds at the time of arguments with prior permission of this Hon'ble Court.

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

  
*Appellant*

*Through*

  
*Taimur Ali Khan*

*Asad Mehmood*

*Advocates High Court*

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

*Muhammad Aslam*

*Versus*

*Secretary Agriculture and others*

**APPLICATION FOR CONDONATION OF DELAY IN THE**  
**INSTANT APPEAL**

***Respectfully Sheweth:***

1. *That the instant appeal is pending before this Hon'ble Tribunal in which no fixed date so far.*
  
2. *That the departmental appeal of the appellant was rejected on 18.02.2020 which was communicated through letter dated 12.03.2020 and the appellant should file the instant appeal before 12.04.2020 as per KPK Service Tribunal Act. However due to (Covid-19) there was public holidays and after opening the Courts 20.04.2020, the appellant filed the instant appeal on 21.04.2020. moreover, as the monetary benefits is involved in the instant case which is recurring cause of action and as such no limitation runs against such like issues.*
  
3. *That the instant appeal may kindly be decided on merit as the appellant has good cause to decide on merit.*

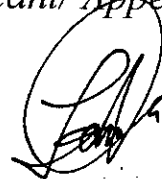


*It is, therefore, most humbly prayed that on the basis of above submission, the instant appeal may be decided on merit by condoning the delay to meet the ends of justice.*



*Applicant/ Appellant*

*Through*



**Taimur Ali Khan**

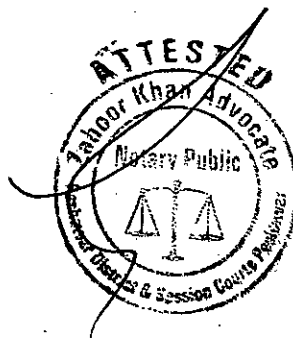
*Advocate High Court*

**AFFIDAVIT:**

*I, do hereby solemnly affirm and declare that the contents of the Appeal are true and correct and nothing has been concealed from this Hon'ble Tribunal.*



*Deponent*



A (B)

C.A. 1000-1

GOVERNMENT OF NWFP  
AGRIL: LIVESTOCK AND COOP: DEPTT:

Dated Peshawar, the June 18, 2004

NOTIFICATION.

NO. SOE(AD)V-8/2003/KC.

In pursuance of the recommendations of the Departmental Promotion Committee, the competent authority is pleased to promote the following Agricultural Officers (BS-17) to the post of Agricultural Officer (Supervisory) BS-17 with Special Pay of Rs. 150/-P.M. with immediate effect:-

1.	Mr. Mehmood Khan, Agril: Officer, Mohmand Agency
2.	Mr. Inayat-ur-Rehman, PHLC Swabi
3.	Mr. Inamullah Khan, Lower Dir
4.	Mr. Majeedullah, AO, Nizampur
5.	Mr. Gul Muhammad, AHO O/O DOA Swat.
6.	Mr. Muhammad Hanif, AHO O/O DOA, D.I. Khan
7.	Mr. Insanullah, AO, O/O DOA, D.I. Khan.
8.	Mr. Shafiq-ur-Rehman, DOA, Upper Dir
9.	Mr. Fazli Rabbi, APPO, O/O DOA, Peshawar
10.	Mr. Shadi Khan, AO O/O DOA, D.I. Khan
11.	Mr. Nizam-ud-Din, DOA, Upper Dir,
12.	Mr. Saadullah Khan, Instructor ATI Peshawar.
13.	Mr. Fazli Rahim, ADA, Orakzai Agency.
14.	Mr. Abbas Khan, EADA, South Waziristan Agency.
15.	Mr. Amir Khan, AO, O/O DOA, Lakki.
16.	Mr. Muhammad Younas, APPO, O/O DOA, Abbottabad.
17.	Mr. Sharifullah Khan, DOA, Buner.
18.	Mr. Abdur Rashid, APPO, Mardan.
19.	Mr. Said Aman, DOA, Charsadda.
20.	Mr. Ghulam Muhammad, AO, O/O DOA, Lakki.
21.	Mr. Sadiq Hussain Shah, DOA, Abbottabad.
22.	Mr. Sanaullah Zar, AO, O/O DOA, Swabi.
23.	Mr. Saleh-ud-din, AO O/O DOA, Tank.
24.	Mr. Muhammad Aslam, AO O/O DOA, Lakki.

Sd-XXX  
SECRETARY AGRICULTURE.

Endst. of even No. and date.

Copy forwarded for information and necessary action to:

1. The DG Agriculture (Extension) NWFP, Peshawar.
2. The Accountant General, NWFP, Peshawar.
3. The Additional Accountant General (PR) Sub-Office, Peshawar.
4. The Principal, Agril. Training Institute, Peshawar.
5. The Director, Agriculture (Extension) FATA, NWFP, Peshawar.
6. The Project Director, PHLC Project, Swabi.
7. The EDO/DOA, Mansehra, Swabi, Lower Dir, Swat, D.I. Khan, Peshawar, Upper Dir, Lakki Marwat, Buner, Abbottabad Mardan, Charsadda Tank, Nowshera...
8. The District Accounts Officers, Mansehra, Swabi, Lower Dir, Swat, D.I. Khan, Peshawar, Upper Dir, Lakki Marwat, Buner, Abbottabad Mardan, Charsadda Tank, Nowshera...
9. The Agency Accounts Officer Mohmand Agency and SW Agency.
10. The EADA, Mohmand Agency and SW Agency.
11. Officers concerned.
12. PS to Secretary Agriculture.
13. PA to Dy: Secretary (Admn).

(AKHTAR ALI SHAH)  
SECTION OFFICER-ESTT:

Notification-PP

ATTESTED

**BETTER COPY OF THE PAGE NO. 8**  
**GOVERNMENT OF NWFP**  
**AGRICULTURE LIVESTOCK & COOPERATIVE DEPARTMENT**  
Dated Peshawar, the June 18, 2004

**NOTIFICATION**

**NO.SOE(AD)V-8/2003/KC.** In pursuance of the recommendations of the Departmental Promotion Committee, the competent authority is pleased to promote the following Agricultural Officers (85-17) to the post of Agricultural Officer (Supervisory) BS-17 with Special Pay of Rs. 150/-P.M. with immediate effect:-

1	Mr. Menmood Khan, Agril:officer, Mohmand Agency
2	Mr. Inayat-ur-Rehman PHLC Swabi
3	Mr. Inamullah Khan Lower Dir
4	Mr. Majeedullah, AO, Nizampur
5	Mr. Gul Muhammad, AHO O/O DOA Swat.
6	Mr. Muhammad Hanif, AHO O/O DOA, D.I.Khan
7	Mr. Ihsanullah, AC, O/O DOA, D.I.Khan,
8	Mr. Shafiq-ur-Rehman, DOA, Upper Dir
9	Mr. Fazli Rabbi, APPO, O/O DOA, Peshawar
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11	Mr. Nizam-ud-Din, DOA, Upper Dir,
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14	Mr. Abbas Khan, EADA, South Waziristan Agency
15	Mr. Amir Khan, AO, O/O DOA, Lakki.
16	Muhammade Younas APPO; O/O DOA, Abbottabad
17	Mr. Sharifullah Khan: DOA, Buner.
18	Mr. Abdur Rashid, APPO, Mardan
19	Mr. Said Aman, DOA, Charsadda.
20	Mr. Ghulam Muhammad, O, O/O DOA, Lakki.
21	Mr. Sadiq Hussain Shah, DOA, Abbottabad.
22	Mr. Sanauallah Zar, AC, O/O DOA, Swabi.
23	Mr. Salahuddin, AO O/O DOA, Tank.
24	Mr. Muhammad Aslam, AO O/O DOA, Lakki.

Sd-XXX  
SECRETARY AGRICULTURE.

Endst. of even No. and date.

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3. The Additional Accountant General(PR)Sub-Office, Peshawar.
4. The Principal, Agril:Training Institute, Peshawar.
5. The Director, Agriculture(Extension)FATANWFP, Peshawar.
6. The Project Director, PHLC Project, Swabi.
7. The EDO/DOA, Mansehra Swabi, Lower Dir, Swat, D.I.Khan, Peshawar, Upper Dir, Lakk Marwat, Buner, Abbottabad Mardan, Charsadda Tank, Nowshera.
8. The District Accounts Officers, Mansehra , Swabi, Lower Dir, Swat, D.I.Khan, Peshawar. Upper Dir, Marwat, Suner, Abbottabad Mardan, Charsadda Tank, Nowshera
9. The Agency Accounts Officer Mohmand Agency and SW Agency,
10. The EADA, Mohmand Agency and SW Agency.
11. Officers concerned.
12. PS to Secretary Agriculture.
13. PA to Dy: Secretary(Admn).

  
**ATTESTED**

(AKHTAR ALI SHAH)  
SECTION OFFICER.ESTT:

COPY NOTIFICATION

Dated Peshawar, the 29th April, 1984.  
No. FD(SR-I)1-8/76-vol: II. In exercise of the power conferred by Section 26 of the N.W.F.P. Civil Servants Act, 1973, the Governor, N.W.F.P. is pleased to make the following amendments in the NWFP Civil Services Pay Revision Rules, 1978 namely:-

AMENDMENT.

In Rule 10, for sub-rule (2), the following shall be substituted:-

- (2) If a Civil Servant-----
  - i. at the time of his promotion to a higher post is already drawing pay, under the provisions of rule 8 in the pay scale of the higher post or in a pay scale above the pay scale of the promotion post; or
  - ii. before his promotion to a higher post from a post for which a lower and a higher pay scale has been prescribed, is already drawing pay in the pay scale of the higher post; or
  - iii. is promoted to a post in the same scale in his own line with the only difference that the higher post carries a special pay; or
  - iv. is promoted to a higher post where higher and lower post carry the same scale.

he shall be allowed one advance increment in that pay scale with effect from the date of his promotion. These orders shall take immediate effect.

Sd/- Secy. to Govt. NWFP,  
Finance Department.

Ends. No. FD(SR)1-8/76-Vol: II Dated Peshawar 29.4.1984.

Copy forwarded for information to:

(4) All Heads of Attached Department in NWFP.

Sd/- Add: Secretary-I  
Finance Department.

Endst. No. FD(SR-I)1-8/76-vol: II Dt. Peshawar 29th April, 1984  
The Accountant General, NWFP, Peshawar

Sd/- Section Officer-SR.I

Ends. No. 7254-79/3/67-E/E/WGA. Peshawar, the 8.5.1984.

- Copy to:
- 1. All Directors of Agri. Res. in N.W.F.P.
  - 2. All Heads of Section. (3) All P.L.S PL-480 Projects, (4) A.A.O.
  - 4. The A.A.Q. II. Tarnab.

Sd/- Administrative Officer,  
for Director General,  
Agricultural Research, NWFP,  
Tarnab, Peshawar.

*File 9/20*  
*[Handwritten signatures and initials]*

*[Handwritten signature]*

ATTESTED

Copy

**NOTIFICATION**

Dated Peshawar, the 29th April, 1984, No. FD(SR-1)1-8/76-vol: II. In exercise of the power conferred by Section 26 of the N.W.F.P Civil Servants Act, 1973, the Governor, N.W.F.P. is pleased to make the following amendments in the NWFP Civil Services Pay Revision Rules, 1978 namely:-

**AMENDMENT**

In rule 10, for sub-rule (2), und following shall be substituted:-

2) If a Civil Servant-----

- i. at the time of his promotion to the higher post is already drawing pay, under the provisions of rule 8 in the pay scale, of the Higher post or in a pay scale above the pay scale for the promotion post; or
- ii. before his promotion to a higher post from a post for which a lower and a higher pay scale has been prescribed, is already drawing pay in the pay scale of the higher post; or
- iii. is promoted to a post in the same scale in his own line with the only difference that the higher post carries a special pay; or
- iv. is promoted to a higher post where higher and lower post carry the same scale.

he shall be allowed one advance increment in that pay scale with effect from the data of his promotion.

These orders shall take immediate effect.

Sd/- Secy. to. Govt. NWFP,  
Finance Department.

Ends. No. 70(SR) 1-6/76-Vol: 11 Dated Peshawar 29.4.1984.

Copy Provided for information to:

(4) All Heads of Attached Department in NWFP.

Sd/- Secy. to. Govt. NWFP,  
Finance Department.

Endst. No. FD(SR-I)1-8/76-Vol: if Dt Peshawar 29<sup>th</sup> April 1984  
The Accountant General, NWFP, Peshawar .

Sd/- Section Officer-SR.I

Ends. No. 7254-79/3/67-B/E/DGA Dated tarnal the 8.5.1984

Copy to

1. All Directors of Agri. Res. In NWFP.
2. All Heads of Section (3) All P.A PL-480 Projects, (4) A.A.O for information and necessary action.
3. The A.A.Q.H Tarnab

Sd/-Administrative Officer,  
For Director General  
Agricultural Research NWFP  
Tarnab, Peshawar

**ATTENDED**

7 NWFP (C) (D) (10)

GOVERNMENT OF N.W.F.P  
FINANCE DEPARTMENT

NO.FD(PRC)1-1/2005

Dated Peshawar the, July 09, 2005.

From :- Secretary to Govt. of NWFP,  
Finance Department.

To

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

SUBJECT: ~~REVISION OF BASIC PAY SCALES, ALLOWANCES  
AND PENSION OF CIVIL EMPLOYEES (BPS-1-22) OF  
THE NWFP GOVERNMENT, 2005.~~

Dear Sir,

I am directed to state that the Governor NWFP has been pleased to sanction the revision of Basic Pay Scales, Allowances and Pension w.e.f 1<sup>st</sup> July 2005, for the civil employees of the Provincial Government as detailed in the following paragraphs:-

PART-I (BASIC PAY SCALES)

2. REVISED BASIC PAY SCALES

The revised Basic Pay Scales, 2005 shall replace the existing Basic Pay Scales, 2001 as shown in Annexure to this letter.

Dr A. R  
19/7  
M.A.

3. FIXATION OF PAY OF THE EXISTING EMPLOYEES:

(i) The basic pay of an employee in service on 30-6-2005 shall be fixed in the Revised Basic Pay Scale on point to point basis i.e. at the stage corresponding to that occupied by him above the minimum of 2001 Basic Pay Scales.

~~The basic pay of an employee in service on 30-6-2005 shall be fixed in the Revised Basic Pay Scale on point to point basis i.e. at the stage corresponding to that occupied by him above the minimum of 2001 Basic Pay Scales. The amount of his basic pay shall be determined on national extension basis i.e. by treating the amount of his personal pay drawn by him on 30-6-2005 as his basic pay.~~

Handwritten initials/signature on the left margin.

Handwritten notes on the left margin.

PTO

Handwritten signature and initials at the bottom left.

ATTESTED

**BETTER COPY OF THE PAGE NO. 10**

GOVERNMENT OF NW.F.P  
FINANCE DEPARTMENT

No. FD(PRC)1-1/2005  
Dated Peshawar The July 09, 2005.

From:- Secretary Govt. of NWFP  
Finance Department.

To,

1. All Administrative Secretariat of Govt. of NWFP.
2. The Senior Member, Board of Revenue, NWFP.
3. The Secretary to Governor, NWFP.
4. The Secretary to Chief Minister, NWFP.
5. The Secretary, Provincial Assembly NWFP.
6. All Heads of Attached Departments NWFP.
7. All District Nazims/District Coordination Officers/ Political Agents/District & Session Judges NWFP.
8. The Registrar Peshawar High Court, Peshawar.
9. The Chairman NWFP Public Service Commission.
10. The Chairman NWFP Services Tribunal Peshawar.
11. The Secretary, Board of Revenue, NWFP.

Subject: **REVISION OF BASIC PAY SCALES, ALLOWANCES AND PENSION OF CIVIL EMPLOYEES (BPS 1-22) OF THE NWFP GOVERNMENT 2005.**

Dear Sir,

I am directed to state that the Governor NWFP has been pleased to sanction the revision of Basic Pay Scales, Allowances and Pension w.e.f 1<sup>st</sup> July 2005, for the civil employees of the Provincial Government as detailed in the following paragraphs;

**PART-I (BASIC PAY SCALES)**

2. **REVISED BASIC PAY SCALES**

The revised Basic Pay Scales 2005 shall representation Basic Pay Scale, 2001 as shown in Annexure to his letter.

3. **FIXATION OF PAY OF THE EXISTING EMPLOYEES.**

- (i) The basic pay of an employee in service on 30-6-2005 shall be fixed in the Revised Basic Pay Scale on point to point basis i.e at the stage corresponding to that occupied by him above the minimum of 2001 Basic Pay Scale.

(ii)



**ATTESTED.**

To

The Secretary,  
Agriculture, Live Stock & Cooperation Department,  
Khyber Pakhtunkhwa, Peshawar.

D 11

**DEPARTMENTAL APPEAL/THROUGH PROPER CHANNEL.**

Subject: **GRANT OF ADVANCE/PREATURE INCREMENT ON PROMOTION FROM HE POST OF AGRICULTURE OFFICER BS -17 TO THE POST OF AGRICULTURE OFFICER (SUPERVISORY) BS-17 WITH THE SPECIAL PAY OF RS. 150/PER MONTH FOR THE PURPOSE OF PENSIONER BENEFITS w.e.f 01.07.2005**

Esteemed Sir,

This is in continuation of the earlier application of undersigned dated 28.03.2019 addressed to your good-self on the above captioned subject.

To:

2. With due reverence and utmost regards, it is intimated that the undersigned was promoted as Agriculture Officer, (Supervisory) BS-17 on 18.06.2004 vide Notification No. SOE(AD)V-8/2003/KC dated 18.06.2004 (Annex-I).

3. In the terms of Finance Department's letter No. SO(Lit-II)FD/2-1259/2011 dated 16.02.2018, I am entitled for one advance/premature increment with special pay of Rs. 150/- per month for the purpose of Pensionary Benefits to me w.e.f 01.07.2005 (Annex-II).

4. In this connection the Agriculture Department's Notification No. SOE(AD)17-358/2017 dated 05.03.2018 refers wherein the above mentioned benefits has been allowed to one Mr. Ishtiaq Ahmed Ex-District Officer Agriculture Kohat, w.e.f 01.07.2005 in the light of Judgment of Khyber Pakhtunkhwa Service Tribunal dated 23.01.2017 (Annex-III & IV).

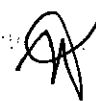
5. The aforesaid Judgment of the Khyber Pakhtunkhwa Service Tribunal has been further strengthened their subsequent judgment dated 05.04.2018 whereby the execution of previous judgment of the Learned Court was executed. (Annex-V).

6. The Hon'ble Supreme Court of Pakistan in its Judgment in 1996 SCMR 1185 has dictated that:

*"we may observe that if the Tribunal or this Court besides appointment of Law relating to the terms of reference of which covers not only the case of Civil Servant who litigated but also of the other Civil Servants, who may have not taken any legal proceeding, in such a case the dictates of Justice and Rule of good governance demands that the benefits of the above Judgment be extended to the other Civil Servants, who may not be parties to the above litigation instead of compelling to approach the Tribunal or any other legal forum." (Annex-VI)*

5. The undersigned is a civil servant of the Government of Khyber Pakhtunkhwa.

I am, Sir, your obedient servant.



**ATTESTED**



7. The above views were reiterated in 2005 PLC CS 368 and followed in 2006 PLS CS 11 as well as in 2009 SCMR 1.

8. In view of the above submission, it is requested that my case for granting one advance/premature increment may kindly be considered or else the undersigned will be left with not other option but to invoke into the Court of Law for implementation of the Judgment given in the case of Mr. Ishtiaq Ahmed, Ex-District Officer Agriculture Kohat as referred to above which was as well upheld/substantiated by the August Supreme Court of Pakistan in Civil Petition No. 334-P of 2017 vide Judgment dated 13.11.2017 (Annex-VII)

Yours faithfully,

(MUHAMMAD ASLAM KHAN)  
S/o Ahmad Din Khan  
R/o SD-124, Street#5, Askari-6,  
Ex-EDO Agriculture Extension,  
Khyber Pakhtunkhwa Peshawar.

Copy for information/necessary action to the:-

1. PSO to Chief Secretary Khyber Pakhtunkhwa w/r to guidelines of the Provincial Government regarding avoidance of unnecessary litigation.
2. Secretary to Govt. of Khyber Pakhtunkhwa Finance Department, Peshawar.
3. Accountant General Khyber Pakhtunkhwa, Peshawar.
4. Director General, Agriculture Extension Khyber Pakhtunkhwa Peshawar.

(MUHAMMAD ASLAM KHAN)  
S/o Ahmad Din Khan  
R/o SD-124, Street#5, Askari-6,  
Ex-EDO Agriculture Extension,  
Khyber Pakhtunkhwa Peshawar.

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

E 13

NO FD(50SR-1)7-123/2019  
Dated Peshawar the: 18-07-2020

To  
The Section Officer (E&C)  
Agriculture Livestock & Co-operation Department  
Peshawar

Subject  
GRANT OF ADVANCE / PREMATURE INCREMENT ON PROMOTION FROM THE POST OF AGRICULTURE OFFICER BS-17 TO THE POST OF AGRICULTURE OFFICER BS-17 (SUPERVISORY) WITH THE SPECIAL PAY OF RS 1500 PER MONTH FOR THE PURPOSE OF PENSIONARY BENEFITS WITH EFFECT W.E.F 01-07-2005 IN RESPECT OF MR. MUHAMMAD ASLAM EX-EDO, PESHAWAR.

I am directed to refer to your letter No SOE(AO)21-73/2012/KC dated 28-12-2019 on the subject noted above and to state that the case is not covered under Pay Revision Rules, 2005 as Personal Pay was not admissible prior to 01-07-2005

(Niamat Khan)  
Section Officer (SR-1)

*Handwritten signature*

*Handwritten signature*

AT: 18-07-20

**BETTER COPY OF THE PAGE NO. 13**

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)**

NO .FD(SOSR-1)2-123/2019  
Dated Peshawar the 18-02-2020

TO,

The Section Officer (Estt)  
Agriculture, Livestock & Cooperative Department  
**Peshawar**

Subject:

**GRANT OF ADVANCE /PREMATURE INCREMENT ON  
PROMOTION FROM THE POST OF AGRICULTURE  
OFFICER BS-17 TO THE POST OF AGRICULTURE  
OFFICER BS-17 (SUPERVISORY) WITH THE SPECIAL PAY  
OF RS/ 150/- PER MONTH FOR THE PURPOSE OF  
PENSIONERY BENEFITS WITH EFFECT W.E.F 01-07-  
2005 IN RESPECT OF MR MUHAMMAD ASLAM EX-EDO,  
PESHAWAR**

I am directed to refer to your letter No. SOE(AD)21-73/2012/KC dated 26-12-2019 on the subject noted above and to state that the cases not covered under Pay Revision Rules, 2005 as Personal Pay was not admissible prior to 01 07-2005.

(Niamat Khan)  
Section Officer (SR-1)



**ATTESTED**

F (14)



GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
AGRICULTURE LIVESTOCK & COOPERATIVE  
DEPARTMENT

NO SUI ADI21-75 2012 AC  
Dated Peshawar, the 23<sup>rd</sup> February, 2020

The Director General,  
Agriculture Extension,  
Khyber Pakhtunkhwa Peshawar

S/O

GRANT OF ADVANCE-PRIMAIRE INCREMENT ON  
PROMOTION FROM THE POST OF AGRICULTURE OFFICER BS-17  
TO THE POST OF AGRICULTURE OFFICER BS-17  
SUPERVISORY WITH THE SPECIAL PAY OF RS. 150 PER  
MONTH FOR THE PURPOSE OF PENSIONERY BENEFITS WITH  
EFFECT W.E.F 01.07.2005 IN RESPECT OF MR. MUHAMMAD  
ANAMUL-HQ. PESHAWAR.

It is directed to refer to your office letter No. Agrn/22741/DGA dated  
4.1.2019 on the subject noted above and to enclose herewith a copy of Government of  
Khyber Pakhtunkhwa, Finance Department letter No. FHSOSR-112-123/2019 dated  
18.02.2020 which is self-explanatory for information & further necessary action, please  
Encl: as above.

SECTION OFFICER-ESTT:

Copy of even No. & Date.

- Copy to
1. P.S to Secretary Agriculture Department Government of Khyber Pakhtunkhwa
  2. PA to Deputy Secretary Agriculture Department
  3. Master File

SECTION OFFICER-ESTT:

A. S. KHAN

**BETTER COPY OF THE PAGE NO. 14**

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)**

NO. SOE/(AD)21-73/2012/KC  
Dated Peshawar the 25<sup>th</sup> February, 2020

TO,

The Director General,  
Agriculture Extension,  
Khyber Pakhtunkhwa, Peshawar

Subject:

**GRANT OF ADVANCE /PREMATURE INCREMENT ON  
PROMOTION FROM THE POST OF AGRICULTURE  
OFFICER BS-17 TO THE POST OF AGRICULTURE  
OFFICER BS-17 (SUPERVISORY) WITH THE SPECIAL PAY  
OF RS/ 150/- PER MONTH FOR THE PURPOSE OF  
PENSIONERY BENEFITS WITH EFFECT W.E.F 01-07-  
2005 IN RESPECT OF MR MUHAMMAD ASLAM EX-EDO,  
PESHAWAR**

I am directed to refer to your office letter NO. Acctt/22741/DGA dated 14.11.2019 on the subject noted above and to enclose herewith a copy of Government of Khyber Pakhtunkhwa Finance Department letter No. FD/SOSR-1)2-123/2019 dated 18.02.2020 which is self-explanatory for information & further necessary action, please.

**Enct: as above**

**SECTION OFFICER-ESTT:**

Endst of even No. & Date.

Copy to

1. P.S to Secretary Agriculture Department Government of Khyber Pakhtunkhwa.
2. P.A to Deputy Secretary Agriculture Department.
3. Master File.

**SECTION OFFICER-ESTT:**

  
**ATTESTED.**

G (15)

**DIRECTORATE GENERAL**  
**AGRICULTURE (EXTENSION) KHYBER PAKHTUNKHWA PESHAWAR.**  
Ph. # 091-9224223 Fax # 091-9224225

No. 6111 (D.G. H.), Dated Peshawar, the 12/3/2020  
To,

Mr. Muhammad Aslam,  
Ex-EDO, Peshawar

Subject - Grant of Advance/Premature Increment on Promotion from the Post of Agriculture Officer BS-17 to the Post of Agriculture Officer BS-17 (Supervisory) with the Special Pay of Rs.150/- Per Month for the Purpose of Pensionary Benefits with Effect From 01.07.2005 in respect of Mr. Muhammad Aslam Ex-EDO, Peshawar

I am directed to enclose herewith self-explanatory letter bearing No.SOE(AD)21-73-2012 KC, dated 25/02/2020, received from the Section Officer (Ext.), Agriculture, Livestock & Cooperative Department, Khyber Pakhtunkhwa Peshawar on the subject noted above

The letter and its enclosure are self-explanatory. For favour of information please.

Encl.AA.

*M. Sajid*  
Assistant Accounts Officer

*M*

ATTESTED

**BETTER COPY OF THE PAGE NO. 15**

**DIRECTORATE GENERAL**  
**AGRICULTURE (EXTENSION) KHYBER PAKHTUNKHWA PESHAWAR**

Ph. # 091-9224223 Fax # 091-9224225

No. 6717/DGA(E).

Dated Peshawar, the 12/03/2020

To,

Mr. Muhammad Aslam  
Ex-EDO, Peshawar

Subject: Grant of Advance Premature Increment on Promotion from the Post of Agriculture Officer BS-17 to the Post of Agriculture Officer BS-17 (Supervisory) with the Special Pay of Rs 150/- Per Month for the Purpose of Pensionery Benefits with Effect From 01.07.2005 in respect of Mr Muhammad Aslam LED. Peshawar

I am directed to enclose herewith self-explanatory letter hearing No SOE(AD)21-73/2012 dated 25.02.2020. received from the Section Officer (Estt) Agriculture, Livestock, Cooperative Department, Khyber Pakhtunkhwa Peshawar on the subject noted above.

The letter and its enclosure are self-explanatory. For favour of information please

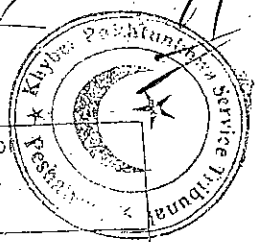
Encl.AA

**Assistant Accounts Officer**



**ATTESTED**

1  
1982-11  
H (16)



Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
2	3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No: 1633/2011

Ishtiaq Ahmad Versus Government of Khyber Pakhtunkhwa through Secretary Finance Department, Peshawar and others.

JUDGMENT

MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:-

23.01.2017

Counsel for the appellant and Mr. Ziaullah, Government Pleader alongwith Zakiullah, Senior Auditor for respondents present.

2. Ishtiaq Ahmad District Officer Agriculture Kohat hereinafter referred to as the appellant has preferred the instant service appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 for the grant of advance increments which was not allowed to him when promoted as Agriculture Officer (Supervisory) BPS-17 for which his departmental appeal/representation was finally regretted vide order dated 27.08.2011 communicated to the appellant on 07.09.2011 and hence the instant service appeal on 03.10.2011.

3. Brief facts of the case of the appellant are that he was serving as Agriculture Officer BPS-17 when promoted as Agriculture Officer (Supervisory) BPS-17 with Special Pay of Rs. 150/- per month vide notification dated 16.02.2005. That the appellant was entitled to one advance increment in view of

**ATTESTED**

*[Signature]*  
Khyber Pakhtunkhwa Service Tribunal, Peshawar

*[Signature]*

**ATTESTED**

**ATTESTED**



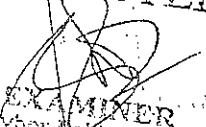
17

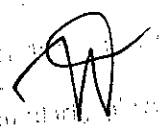
Khyber Pakhtunkhwa Civil Services Pay Revision Rules, 1978

amended on 29.04.1984 which was not allowed to the appellant as he was drawing his salary at the ceiling of BPS-17. That the appellant became entitled to the grant of promotion and increment on the strength of Finance Department notification dated 09.07.2005 but he was not granted the same while similarly placed junior officers, promoted later on in the year 2008, were granted the said increment. That the matter was agitated before the competent authority including departmental appeal which was regretted on 27.08.2011 communicated to the appellant on 07.09.2011 and hence the instant service appeal on 03.10.2011.

4. Learned counsel for the appellant has argued that at the time of the said promotion of the appellant he was drawing maximum pay and was therefore not granted the said increment. That in view of notification dated July 09, 2005 Basic Pay Scales, Allowances and Pension were revised and civil servants drawing pay at the maximum were allowed annual increment in the shape of personal pay. That according to the said notification the said revision was effective from 1st July, 2005 but the appellant was not given benefit of the same and that it was in the year 2008, <sup>when</sup> that similarly placed officers, junior in service to the appellant were promoted and they were granted the benefits of such promotions on the basis of the notification referred to above. That the appellant is entitled to similar treatment as extended to officers who were later on promoted.

5. Learned Government Pleader has argued that at the time

**ATTESTED**  
  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar



**ATTESTED**

government servant and is in fact a routine increase on the basis

of revision in pay rules vide notification dated 09.07.2005.

9. The admitted position before us which requires determination is that the appellant was promoted on 16.02.2005

and as per the rules then in vogue he was not entitled to increase in pay in the shape of one advance increment which became available to all civil servants w.e.f. 01.07.2005 on the strength of notification dated 09.07.2005. The respondents were thus obliged to have re-fixed the pay of the appellant by considering

him entitled to the benefits attached to his promotion w.e.f. 01.07.2005. We therefore hold that the case of the appellant for the purpose of fixation of pay and attached benefits including pensionary benefits shall be considered w.e.f. 01.07.2005. We

therefore hold that the case of the appellant for the purpose of fixation of pay and attached benefits including pensionary benefits shall be considered w.e.f. 01.07.2005 and as if the

appellant was promoted as Agriculture Officer (Supervisory) BPS-17 on the said date for the purpose of pay and pensionary benefits. The appeal is accepted in the above terms. Parties are left to bear their own costs. File be consigned to the record room.

*Announced* *Self M. Azim Khan Afandi,*  
*Chairman*

23.01.2017

*Self M. Amir Nazki,*  
*Member*

Certified to be true copy

Khayal  
Service Tribunal  
Peshawar

ATTESTED

Date of Presentation of Application  
Number of Words  
Copying Fee  
Urgent  
Total  
Name of Counsel  
Name of Certifier  
Name of Delivery of Copy



I (19)

IN THE SUPREME COURT OF PAKISTAN  
(Appellate Jurisdiction)

PRESENT:  
MR. JUSTICE EJAZ AFZAL KHAN  
MR. JUSTICE MAQBOOL BAQAR

CIVIL PETITION NO. 334-P OF 2017

(Against the impugned dated 23.01.2017 of the KPK Service Tribunal, Peshawar, passed in Appeal No. 1433/2011)

Govt. of KPK thr. Secretary Finance KPK Peshawar & Petitioner(s)  
others

VERSUS

Ishfaq Ahmad

Respondent(s)

For the Petitioner(s)

: Mian Arshad Jan, Addl. AG KPK

For the Respondent(s)

: Not Represented

Date of Hearing

13.11.2017

ORDER

EJAZ AFZAL KHAN, J. This petition for leave to appeal has arisen out of the judgment dated 23.01.2017 of the Khyber Pakhtunkhwa Service Tribunal, Peshawar whereby it allowed the appeal filed by the respondent.

2. Learned Additional Advocate General appearing on behalf of the petitioners by referring to the merits of the case contended that the prayer of the respondent being well beyond relevant date could not have been considered for grant of pensionary benefits but when we asked him to leap over the barrier of limitation and explain delay of 112 days in filing the petition, he could not advance any reason much less sufficient justifying condonation of delay of 112 days. We, in the circumstances, do not feel persuaded to interfere with the impugned judgment.

ATTESTED

Court Associate  
Supreme Court of Pakistan  
Islamabad

ATTESTED

3. For the reasons what has been discussed above, we dismiss this petition, together with the CMAs, for condonation of delay and suspension of the impugned judgment.



Sd/-Ejaz Afzal Khan, J  
Sd/-Maqbool Baqar, J

Certified to be True Copy

Court Associate  
Supreme Court of Pakistan  
Islamabad

GR. No: 18649/17 Civil/Criminal  
 Date of Presentation: 23-11-17  
 No of Words: 600  
 No of Folios: 6  
 Requisition Fee Rs: 5.00  
 Copy Fee in: 3.72  
 Court Fee Stamps: 8.72  
 Date of Conveyance of Copy: 24-11-17  
 Date of Delivery of Copy: 26-11-17  
 Prepared by: [Signature]



GR. No: 18649/17  
 Date of Presentation: 23-11-17  
 No of Words: 600  
 No of Folios: 6  
 Requisition Fee Rs: 5.00  
 Copy Fee in: 3.72  
 Court Fee Stamps: 8.72  
 Date of Conveyance of Copy: 24-11-17  
 Date of Delivery of Copy: 26-11-17  
 Prepared by: [Signature]

[Signature]  
ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA  
AGRICULTURE LIVESTOCK & COOPERATIVE  
DEPARTMENT

Dated Peshawar, the March 5, 2018

**NOTIFICATION**

NO.SOE(AD)/17-358/2017:- In pursuance of the judgment of the Khyber Pakhtunkhwa Service Tribunal dated 23.01.2017 in service appeal No.1633/2011 and Finance Department letter No.SO(Lit-II)FD/2-1259/2011 dated 16/02/2018, sanction is hereby accorded to the grant one advance increment on promotion from the post of Agriculture Officer (BS-17) to the post of Agriculture Officer (BS-17 Supervisory) with special pay of Rs.150/PM vide Notification No.SOE(AD)V-2/005/KC dated 16.02.2005 in respect of Mr.Ishtiaq Ahmad, Ex-District Officer Agriculture, Kohat for the purpose of pay and pensioner benefits with effect from 01.07.2005.

Sd/-  
SECRETARY AGRICULTURE.

Ends of even No. & Date.

Copy forwarded for information and necessary action to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The DG, Agricultural Extension, Khyber Pakhtunkhwa, Peshawar w/r to his memo No.21918 dated 18/123.2017 for information and further necessary action.
3. Ex-Officer concerned.
4. Personal file of the Officer.
5. PS to Secretary Agriculture.
6. Master file.

(MANZOOR AHMAD AFRIDI)  
SECTION OFFICER-ESTT:

**DIRECTOR GENERAL**  
**AGRICULTURE (EXTENSION) KHYBER PAKHTUNKHWA PESHAWAR**

Ends, No/Lit/5453-59/DG Dated Peshawar the 09/03/2018

Copy forwarded to:-

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Additional Accountant General (PR) Khyber Pakhtunkhwa Peshawar.
3. Director Agriculture (Extension) FATA Peshawar.
4. District Director Agriculture Kohat.
5. District Account Officer Kohat.
6. Superintendent Establishment HQ Office.
7. Mr. Ishtiaq Ahmad Ex-Director Agriculture FATA.

For information & necessary action.

Accounts OFFICER

**ATTESTED**

**BETTER COPY OF THE PAGE NO.** (21)

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
AGRICULTURE LIVESTOCK & COOPERATIVE  
DEPARTMENT**

Dated Peshawar, the March 5, 2018

**NOTIFICATION**

NO.SOE(AD)/17-358/2017. In pursuance of the judgment of the Khyber Pakhtunkhwa Service Tribunal dated 23.01.2017 in service appeal No 1633/2011 and Finance Department letter No SO(Lit-II)FD-2-1259/2011 dated 16/02/2018, sanction is hereby accorded to the grant one advance increment on promotion from the post of Agriculture Officer (BS-17) to the post of Agriculture Officer (BS-17 Supervisory) with special pay of Rs. 150/PM vide Notification No.SOE(AD)V-2/005/KC dated 16.02.2005 in respect of Mr.Ishtiaq Ahmad, Ex-District Officer Agriculture, Kohat for the purpose of pay and pensioner benefits with effect from 01.07.2005

Sd/-  
SECRETARY AGRICULTURE

**Endst of ever No & Dete,**

Copy forwarded for information and necessary action to:-

1. The Accountant General, hyber Pakhtunkhwa, Peshawar
2. The DG. Apricultural Extension, Khyber Pakhtunkhwa, Peshawar wit to his memo: No. 21918 dated 18/123.3017 for information and further necessary action
3. Ex-Onicer concerned
4. Personal file of the Officer
5. PS to Secretary Agriculture
6. Master file.

(MANZOOR AHMAD AFRIDI)  
SECTION OFFICER-ESTT:

**DIRECTOR GENERAL  
AGRICULTURE (EXTENSION) KRYBER PAKHTUNKHWA PESHAWAR**

Ends, No/Lit/5453-59/DG

Dated Peshawar the 09/03/2018

Copy forwarded to:-

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Additional Accountant General (PR) Khyber Pakhtunkhwa Peshawar
3. Director Agriculture (Extension) FATA Peshawar.
4. District Director Agriculture Kohat
5. District Account Officer Kohat.
6. Superintendent Establishment HQ Office
7. Mr. Ishtiaq Almad Ex-Director Agriculture FATA  
For information & necessary action

  
**ATTESTED**

**VAKALAT NAMA**

NO. \_\_\_\_\_/2019

IN THE COURT OF KP Service Tribunal, Peshawar

Muhammad Aslam (Appellant)  
(Petitioner)  
(Plaintiff)

VERSUS

Secretary Agriculture & Fisheries (Respondent)  
(Defendant)

I/We, Muhammad Aslam

Do hereby appoint and constitute **Taimur Ali Khan, Advocate High Court Peshawar**, 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 costs.

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. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated \_\_\_\_\_/2019

[Signature]  
(CLIENT)

ACCEPTED

[Signature]

**TAIMUR ALI KHAN**  
Advocate High Court  
BC-10-4240  
CNIC: 17101-7395544-5  
Cell No. 0333-9390916

**OFFICE:**  
Room # FR-8, 4<sup>th</sup> Floor,  
Bilour Plaza, Peshawar,  
Cantt: Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 6348/20

Muhammad Aslam, Ex-EDO,  
Peshawar

**VERSUS**

Govt. of Khyber Pakhtunkhw  
Finance Department  
Peshawar & Others

**INDEX**

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**DEPONENT**



①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 6348/20  
Muhammad Aslam, Ex-EDO, Peshawar

APPELLANT

VERSUS

- 1- Secretary to Government of Khyber Pakhtunkhwa,  
Agriculture, Livestock & Cooperative Department Peshawar.
- 2- Secretary to Government of Khyber Pakhtunkhwa  
Finance Department, Peshawar.
- 3- Director General, Agriculture (Extension)  
Khyber Pakhtunkhwa, Peshawar.

RESPONDENTS

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO.1, 2 & 3

PRELIMINARY OBJECTIONS

- 1- That the appellant has got no locus standi to file the instant appeal.
- 2- That the appeal is not maintainable in its present form and liable to be dismissed.
- 3- That the appellant has no cause of action to file the instant appeal.
- 4- That the appellant has deliberately concealed the material fact from this Honorable Services Tribunal.
- 5- That the appellant has not come to this Honorable Service Tribunal with clean hand.
- 6- The appellant has already been retired from service on superannuation.
- 7- This Honorable Tribunal has got no jurisdiction.
- 8- That the appeal of the appellant is time barred.

ON FACT PARA-WISE COMMENTS

- Para-1 Correct to the extent, that on recommendation of Departmental Promotion Committee, the competent authority promoted the appellant along with others from Agricultural Officer (BS-17) to the post of Supervisory Officer (BS-17) with Special Pay of Rs.150/- per month Vide Govt. of Khyber Pakhtunkhwa, Agriculture Livestock and Coop. Department Notification No. SOE(AD) V-8/2003/KC dated 18.06.2004 (Annexure-A).
- Para-2 Correct to the extent, that the appellant received the benefit of promotion to the post of Supervisory Officer (BS-17) with Special Pay of Rs.150/- per month regularly and he is not entitled to receive the benefit of pre-mature increment with effect from 01.07.2005.
- Para-3 Correct to the extent, that the Finance Department regretted the appeal of the appellant on the ground that the case is not covered under pay revision rules 2005, as personal pay was not admissible prior to 01.07.2005 vide letter No.FD(SOSR-1)2-123/2019 dated 18.02.2020 (Annexure-B). It is further submitted that Mr. Deedar Muhammad, Office Assistant filed a service appeal 417/2015 decided on 09.04.2018 wherein the appellant has sought relief of advance increment on promotion but this Honorable Tribunal dismissed the appeal for want of jurisdiction on the basis of judgment reported as 2016 SCMR 1206, copy of judgment dated 09.04.2018 is enclosed as (Annexure-C).

Para-4 As already explain in para-3 above.

GROUNDS

Para-A Incorrect. That the rejection order issued by the Finance Department, Govt. of Khyber Pakhtunkhwa dated 18.02.2020 are not against the norms, Law and Rules.

Para-B Incorrect. That the appellant has been treated in accordance with Law / Rules.

Para-C Incorrect. As already explained in para-3 above.

Para-D Incorrect. That the appellant has been treated in accordance with Law / Rules.

Para-E Incorrect. As explain<sup>ed</sup> in para-2 above.

Para-F Incorrect. Detail<sup>ed</sup> comments given in para-3 above.

Para-G Correct to the extent that Mr. Ishtiaq Ahmad had filed appeal No.1633/2011 during service in the Khyber Pakhtunkhwa Service Tribunal Peshawar and decided the case on 23.01.2017 in favour of the officer, while the appellant filed service appeal in this Honorable Tribunal after a lapse of four years.

Para-H No comments. However, the respondent may kindly be allowed to raise additional grounds at the time of arguments if needed.

It is hereby humbly prayed that on acceptance of the instant comments, the appeal of the appellant may kindly be dismissed.

SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA AGRICULTURE, LIVESTOCK  
& COOPERATIVE DEPARTMENT PESHAWAR

SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA FINANCE  
DEPARTMENT PESHAWAR  
(R. No. 3)

DIRECTOR GENERAL,  
for AGRICULTURE (EXTENSION)  
KHYBER PAKHTUNKHWA, PESHAWAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 6348/20  
Muhammad Aslam, Ex-EDO, Peshawar

APPELLANT

VERSUS

- 1- Secretary to Government of Khyber Pakhtunkhwa,  
Agriculture, Livestock & Cooperative Department Peshawar.
- 2- Secretary to Government of Khyber Pakhtunkhwa  
Finance Department, Peshawar.
- 3- Director General, Agriculture (Extension)  
Khyber Pakhtunkhwa, Peshawar.

RESPONDENTS

COUNTER AFFIDAVIT

We the undersigned hereby solemnly declare / affirm that the contents of the Para-wise reply / comments are true and correct to the best of our knowledge and belief and nothing has been kept secret from this Honorable Tribunal.

SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA AGRICULTURE, LIVESTOCK  
& COOPERATIVE DEPARTMENT PESHAWAR

SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA FINANCE  
DEPARTMENT PESHAWAR

DIRECTOR GENERAL,  
AGRICULTURE (EXTENSION)  
KHYBER PAKHTUNKHWA, PESHAWAR

Annexure - (A)

4

GOVERNMENT OF NWFP  
AGRI: LIVESTOCK AND COOP: DEPTT.

Dated Peshawar, the June 16, 2004

NOTIFICATION  
NO. SOE(AD)V-8/2003/KC.

In pursuance of the recommendations of the Departmental Promotion Committee, the competent authority is pleased to promote the following Agricultural Officers (BS-17) to the post of Agricultural Officer (Supervisory) BS-17 with Special Pay of Rs. 150/-P.M. with immediate effect:-

1.	Mr. Mahmood Khan, Agril. Officer, Mohmand Agency
2.	Mr. Inayat-ur-Rehman, PHLC Swabi
3.	Mr. Inamullah Khan, Lower Dir
4.	Mr. Masjedullah, AO, Nizam-pur
5.	Mr. Gul Muhammad, AHO O/O DOA Swat
6.	Mr. Muhammad Hanif, AHO O/O DOA, D.I. Khan
7.	Mr. Ihsanullah, AO, O/O DOA, D.I. Khan
8.	Mr. Shafiq-ur-Rehman, DOA, Upper Dir
9.	Mr. Fazil Rabbi, APPO, O/O DOA, Peshawar
10.	Mr. Shadi Khan, AO O/O DOA, D.I. Khan
11.	Mr. Nizam-ud-Din, DOA, Upper Dir
12.	Mr. Saadullah Khan, Instructor ATI Peshawar.
13.	Mr. Fazil Rahim, ADA, Orakzai Agency.
14.	Mr. Abbas Khan, EADA, South Waziristan Agency.
15.	Mr. Amir Khan, AO, O/O DOA, Laski.
16.	Mr. Shafiq-ur-Rehman, APPO, O/O DOA, Abbottabad.
17.	Mr. Shan-Allah Khan, DOA, Buner.
18.	Mr. Abdur Rashid, APPO, Mardan.
19.	Mr. Saib Aman, DOA, Charsadda.
20.	Mr. Ghulam Muhammad, AO, O/O DOA, Laski.
21.	Mr. Sadiq Hussain Shah, DOA, Abbottabad.
22.	Mr. Sanaulah Zar, AO, O/O DOA, Swabi.
23.	Mr. Salehuddin, AO O/O DOA, Tank.
24.	Mr. Muhammad Aslam, AO O/O DOA, Laski.

Sd-XXX  
SECRETARY AGRICULTURE.

End of even No. and date.

Copy forwarded for information and necessary action to:

1. The DG Agriculture (Extension) NWFP, Peshawar.
2. The Accountant General, NWFP, Peshawar.
3. The Additional Accountant General (PR) Sub-Office, Peshawar.
4. The Principal, Agril. Training Institute, Peshawar.
5. The Director Agriculture (Extension) FATA, NWFP, Peshawar.
6. The Project Director, PHLC Project, Swabi.
7. The EOO/DOA, Mansehra, Swabi, Lower Dir, Swat, D.I. Khan, Peshawar, Upper Dir, Laski, Marwat, Buner, Abbottabad, Mardan, Charsadda, Tank, Nowshera.
8. The District Accounts Officers, Mansehra, Swabi, Lower Dir, Swat, D.I. Khan, Peshawar, Upper Dir, Laski, Marwat, Buner, Abbottabad, Mardan, Charsadda, Tank, Nowshera.
9. The Agency Accounts Officer Mohmand Agency and SW Agency.
10. The EADA, Mohmand Agency and SW Agency.
11. Officers concerned.
12. PS to Secretary Agriculture.
13. PA to Dy. Secretary (Admin).

(AKHTAR ALI SHAH)  
SECTION OFFICER-ESTT.

BETTER COPY

GOVERNMENT OF N.W.F.P  
AGRI. LIVESTOCK & COOP. DEPTT.

Dated Peshawar, the June 18, 2004

NOTIFICATION

**No. SOE(AD)V-8/2003/KC** In pursuance of the recommendation of the Departmental Promotion Committee, the competent authority is pleased to promote the following Agricultural Officers (BS-17) to the post of Agricultural Officer (Supervisory) BS-17 with Special Pay of Rs.150/- PM with immediate effect:-

S.No.	Name of officer with Designation
1.	Mr. Mehmood Khan, Agri. Officer, Mohmand Agency
2.	Mr. Inayat Ur Rehman, PHLC Swabi
3.	Mr. Inamullah Khan, Lower Dir
4.	Mr. Majeedullah, AO, Nizampur
5.	Mr. Gul Mohammad, AHO o/o DDA Swat
6.	Mr. Muhammad Hanif, AHO o/o DDA, DIKhan
7.	Mr. Ihsanullah, AO o/o DDA, DIKhan
8.	Mr. Shafiq Ur Rehman, DDA, Upper Dir
9.	Mr. Fazli Rabi, APPO, o/o DDA, Peshawar
10.	Mr. Shadi Khan, AO o/o DDA, DIKhan
11.	Mr. Nizam Ud Din, DDA, Upper Dir
12.	Mr. Saadullah, Instructor, ATI, Peshawar
13.	Mr. Fazli Rahim, ADA, Orakazai Agency
14.	Mr. Abbas Kha, EAD, South Waziristan Agency
15.	Mr. Amir Kha, AO o/o DDA, Lakki
16.	Mr. Muhammad Aslam, APPO o/o DDA Abbottabad
17.	Mr. Sharifullah Khan, DDA, Buner
18.	Mr. Abdur Rashid, APPO, Mardan
19.	Mr. Said Aman, DDA, Charsadda
20.	Mr. Ghulam Muhammad, AO o/o DDA, Lakki
21.	Mr. Sadiq Hussain Shah, DDA, Abbottabad
22.	Mr. Sanaullah Zar, AO o/o DDA, Swabi
23.	Mr. Salamud Din, AO o/o DOA, Tank
24.	Muhamamd Aslam, AO o/o DDA, Lakki

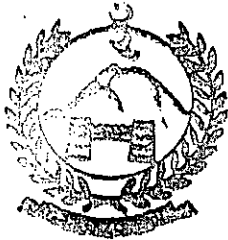
Sd/-XXX  
SECRETARY AGRICULTURE

Endst. of Even No. and date

Copy forwarded for information and necessary action to:-

1. The Director General, Agriculture (Extension), NWFP, Peshawar.
2. The Accountant General, NWFP, Peshawar.
3. The Additional Accountant General (PR) Sub Office Peshawar.
4. The Principal, Agriculture Training Institute, Peshawar
5. The Director Agriculture (Extension) FATA, Peshawar.
6. The Project Director, PHLC Project Swabi
7. The EDO/DDA, Mansehra, Swabi, Lower Dir, Swat, DIKhan, Peshawar, Upper Dir, Lakki Buner, Abbottabad, Mardan, Charsadda, Tank, Nowshera.
8. The District Accounts Officers, Mansehra, Swabi, Lower Dir, Swat, DIKhan, Peshawar, Upper Dir, Lakki Buner, Abbottabad, Mardan, Charsadda, Tank, Nowshera
9. The Agency Account Officer, Mohmand Agency and SW Agency.
10. The EADA, Mohmand Agency and SW Agency.
11. Officer concerned.
12. PS to Secretary Agriculture.
13. PA to Dy. Secretary (Admn.)

Sd/-  
(AKHTAR ALI SHAH)  
SECTION OFFICER-ESTT



GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
AGRICULTURE LIVESTOCK & COOPERATIVE  
DEPARTMENT

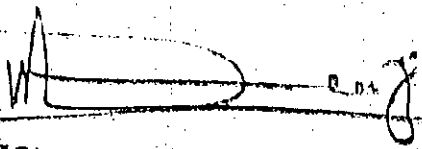
NO.SOR(AD)21-73/2012/KC  
Dated Peshawar, the 25<sup>th</sup> February, 2020

To

The Director General,  
Agriculture Extension,  
Khyber Pakhtunkhwa, Peshawar.

SUBJECT: - GRANT OF ADVANCE/PREMATURE INCREMENT ON PROMOTION FROM THE POST OF AGRICULTURE OFFICER DS-17 TO THE POST OF AGRICULTURE OFFICER DS-17 (SUPERVISORY) WITH THE SPECIAL PAY OF RS. 150/PER MONTH FOR THE PURPOSE OF PENSIONARY BENEFITS WITH EFFECT W.E.F 01.07.2005 IN RESPECT OF MR. MUHAMMAD ASLAM EX-EDO, PESHAWAR.

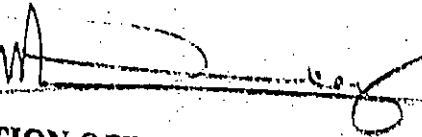
I am directed to refer to your office letter No. Acct/22741/DQA dated 14.11.2019 on the subject noted above and to enclose herewith a copy of Government of Khyber Pakhtunkhwa, Finance Department letter No. FD(SOSR-1)2-123/2019 dated 18.02.2020 which is self-explanatory for information & further necessary action, please.  
Encl: as above.

  
SECTION OFFICER-ESTT:

Endst. of even No. & Date.

Copy to:

1. P.S to Secretary Agriculture Department Government of Khyber Pakhtunkhwa
2. PA to Deputy Secretary Agriculture Department.
3. Master File.

  
SECTION OFFICER-ESTT:



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

6  
Annexure - B

NO.FD(SOSR-1)2-123/2019  
Dated Peshawar the: 18-02-2020

To: The Section Officer (Estt.)  
Agriculture Livestock & Cooperative Department,  
Peshawar.

Subject: GRANT OF ADVANCE / PREMATURE INCREMENT ON PROMOTION FROM THE POST OF AGRICULTURE OFFICER BS-17 TO THE POST OF AGRICULTURE OFFICER BS-17 (SUPERVISORY) WITH THE SPECIAL PAY OF RS.150/- PER MONTH FOR THE PURPOSE OF PENSIONARY BENEFITS WITH EFFECT W.E.F 01-07-2005 IN RESPECT OF MR. MUHAMMAD ASLAM EX-EDO, PESHAWAR.

I am directed to refer to your letter No.SOE(AD)21-73/2012/KC dated 26-12-2019 on the subject noted above and to state that the case is not covered under Pay Revision Rules, 2005 as Personal Pay was not admissible prior to 01-07-2005.

*Niamat Khan*  
(Niamat Khan)  
Section Officer (SR-1)

*M. Aslam*  
21/2

(7)

Annexure C

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR.

SERVICE APPEAL NO. 417/2015

Date of institution ... 24.04.2015  
Date of judgment ... 09.04.2015



Dedar Muhammad, Office Assistant,  
DG, Agriculture (Extension) KPK, Peshawar.

(Appellant)

VERSUS

1. The Secretary to Government of KPK, Agriculture, Live Stock & Cooperative Department, Peshawar.
2. Director General, Agriculture (Extension) KPK, Peshawar
3. The Secretary Finance, KPK, Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 24.06.2014 COMMUNICATED TO THE APPELLANT ON 06.04.2015, WHEREBY THE DEPARTMENTAL APPEAL FOR GRANT OF PREMATURE AND ADVANCE INCREMENTS HAS BEEN DENIED.

Mr. MUHAMMAD AMIN KHAN KUNDI  
MR. MUHAMMAD HAMID MUGHAL

MEMBER (JUDICIAL)  
MEMBER (JUDICIAL)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI MEMBER:

For this judgment shall dispose of aforesaid service appeal as well as service appeal No. 418/2015 filed "Muhammad Ishaq Versus The secretary to Government of KPK, Agriculture, Live Stock & Cooperative Department, Peshawar and others and service appeal No. 419/2015 titled "Muhammad Ashiq The secretary to Government of KPK, Agriculture, Live Stock & Cooperative Department, Peshawar and others as common question of law and facts are involved in all these appeals

ATTESTED



8

2. Learned counsel for the appellants present Mr. Muhammad Iqbal, Deputy District Attorney, alongwith Mr. Jalal-ud-Din, Economist for the respondents also present. Arguments heard and record perused.

3. Brief facts of the appeals are that the appellants were serving as Junior Clerk in Agriculture Department. They were granted selection grade in BPS-7 vide order dated 11/11/1987 thereafter they were regularly promoted as Senior Clerks BPS-7 on regular basis vide order dated 10/01/2007 but they were deprived from the benefits of one premature increment due to their regular promotion in the same pay scale in BPS-7 being already in BPS-7 on the basis of having selection grade thereafter, prayed for premature increment and advance increment from due date with all back and consequential benefits.

4. Respondents were summoned who contested the appeals by filing written reply & comments.

5. At the very end of learned Deputy District Attorney for the respondents, contended that due to final loss of pay provision in the matter of a twice increment therefore, request of the appellants for premature increment is illegal, subject touching the merits of the case.

6. On the other hand, learned counsel for the appellants contended that the matter of seeking increment falls within the ambit of terms and conditions of the service and the appellants have been illegally deprived for increments therefore, this Tribunal has got jurisdiction and requested for acceptance of appeal.

7. Admittedly, this Tribunal has decided service appeal No. 267/2012 titled "Abdul Qayum Versus Government of Khyber Pakhtunkhwa through Secretary Education, Peshawar and 6 others" decided on 14/12/2017 wherein the appellant had sought relief of advance increment on the basis of higher qualification but this Tribunal dismissed the appeals for want of jurisdiction on the basis of precedent reported as 2016 SC MR 1200. Same way, this Tribunal also refused to entertain service appeal No. 667/2012 Noid Fardous Versus Government of Khyber Pakhtunkhwa through

ATTESTED

Secretary, F&SE, Peshawar and 3 others" decided on 20.09.2017 for want of jurisdiction on the ground that the matter of fixation and re-fixation of pay does not fall within the preview of Service Tribunal in view of the judgment reported as 1990 SCMR 1106 and 2016 SCMR 1206. Therefore, keeping in view the aforesaid judgments this Tribunal has got no jurisdiction in the matter of increment. As such without discussing the merit of appeals the present appeals are also returned to the appellants for want of jurisdiction. The appellants may approach to the proper forum subject to all legal objections. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
09.04.2018

*Sd/- M. Amin Khan Kund,*  
Member

*Sd/- M. Hamid Mughal*  
Member

Received by: *[Signature]*  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Preparation of \_\_\_\_\_ 09-04-18  
 Number of \_\_\_\_\_ 1200  
 Copies \_\_\_\_\_ 8  
 Urgent \_\_\_\_\_  
 Total \_\_\_\_\_ 8  
 Name of \_\_\_\_\_  
 Date of \_\_\_\_\_ 07-05-18  
 Date of Delivery \_\_\_\_\_ 07-05-18

GOVERNMENT OF N.W.F.P  
FINANCE DEPARTMENT

NO.FD(PRC)1-1/2005

Dated Peshawar the, July 09, 2005.

From :- Secretary to Govt.of NWFP,  
Finance Department.

To

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

*original*

SUBJECT:- REVISION OF BASIC PAY SCALES, ALLOWANCES  
AND PENSION OF CIVIL EMPLOYEES (BPS 1-22) OF  
THE NWFP GOVERNMENT (2005).

Dear Sir,

*A.C.*

I am directed to state that the Governor NWFP has been pleased to sanction the revision of Basic Pay Scales, Allowances and Pension w.e.f 1<sup>st</sup> July 2005, for the civil employees of the Provincial Government as detailed in the following paragraphs :-

**PART-I (BASIC PAY SCALES)**

**2. REVISED BASIC PAY SCALES**

The revised Basic Pay Scales, 2005 shall replace the exiting Basic Pay Scales, 2001 as shown in Annexure to this letter.

**3. FIXATION OF PAY OF THE EXISTING EMPLOYEES:**

- (i) The basic pay of an employee in service on 30-6-2005 shall be fixed in the Revised Basic Pay Scale on point to point basis i.e at the stage corresponding to that occupied by him above the minimum of 2001 Basic Pay Scales.
- (ii) The corresponding stage for fixation of basic pay in the aforesaid manner in respect of an employee whose pay was fixed beyond the maximum of the relevant scale as a result of discontinuation of move over policy under the 2001 Basic Pay Scales Scheme shall be determined on notional extension basis i.e by treating the amount of personal pay drawn by him on 30<sup>th</sup> June, 2005, as part of his basic pay

scale and the amount beyond the maximum of the prescribed stage in the revised Basic Pay Scales shall be allowed as personal pay.

4. **ANNUAL INCREMENT:**

Annual increment shall continue to be admissible subject to the existing conditions, on 1<sup>st</sup> of December each year.

**PART-II (ALLOWANCES)**

5. **SPECIAL ADDITIONAL ALLOWANCE:** Special Additional Allowance shall continue to be admissible at frozen level on exiting conditions.

6. **SPECIAL RELIEF ALLOWANCE AND ADHOC RELIEF:** Special Relief Allowance and Adhoc Relief sanctioned w.e.f 1.7.2003 and 1.7.2004 respectively shall stand frozen at the level of their admissibility as on 30-6-2005 and the amount shall continue to be admissible to the entitled recipients until further orders but it will cease to be admissible to new entrants joining Government service on or after 1.7.2005 as well as to those employees to whom it was ceased to be admissible under the existing conditions.

7. **HOUSE RENT ALLOWANCE:**

House Rent Allowance shall be admissible with reference to the Revised Basic Pay Scales, 2005 subject to the existing conditions.

8. **MEDICAL ALLOWANCE:**

Medical Allowance shall be admissible @ Rs. 425/- p.m subject to the existing conditions.

9. **CONVEYANCE ALLOWANCE:**

(a) Conveyance Allowance shall be admissible on revised rates as follows :

BPS	RATES (RS. PM)
BPS-1-4	340
BPS 5-10	460
BPS 11-15	680
BPS 16-20	1240

(b) Conveyance Allowance @ Rs. 1240/- per month shall also be admissible to those BPS-21 & 22 officers who are not sanctioned official vehicle.

10. OTHER SPECIAL PAYS/ SPECIAL ALLOWANCES:

The rates of Special Pays and Special Allowances shall be revised as detailed below:-

(i) ENTERTAINMENT ALLOWANCE

	EXISTING	REVISED
BPS-19	Nil	Rs. 500/- PM
BPS-20	Rs. 480/- PM	Rs. 600/- PM
BPS-21	Rs. 525/- PM	Rs. 700/- PM
BPS-22	Rs. 725/- PM	Rs. 975/- PM

(ii) DAILY ALLOWANCE

	EXISTING		REVISED	
	Ordinary	Special	Ordinary	Special
BPS 1-4	80/-	110/-	125/-	200/-
BPS 5-11	100/-	120/-	155/-	220/-
BPS 12-16	180/-	200/-	280/-	365/-
BPS 17-18	320/-	350/-	500/-	640/-
BPS 19-20	400/-	450/-	625/-	825/-
BPS 21-22	450/-	550/-	700/-	1000/-

Presently special rates are allowed at 15 specified stations/cities. The Special rates shall also be allowed at Muzaffarabad & Mirpur AJ&K.

(iii) TRANSPORTATION/MILEAGE ALLOWANCE

	EXISTING	REVISED
<u>Transportation</u>		
i) Motor Car	Rs.1.20/- per k.m	Rs. 2/- per k.m
ii) Motor Cycle/Scooter	Rs.0.40/- per k.m	Rs. 1/- per k.m
<u>Mileage Allowance</u>		
i) Personal Car/Taxi	Rs.3/- per k.m	Rs. 5/- per k.m
ii) Motor Cycle/Scooter	Rs.1/- per k.m	Rs. 2/- per k.m
iii) Bicycle/Animal Back/ Foot.	Rs.0.75/- per k.m	Rs. 1/- per k.m
iv) Public Transport.	Rs. 0.30/- per k.m (BPS-6 & below) Rs.0.50 per k.m (BPS-7 & above)	Rs. 1/- per k.m  Rs.1/- per k.m
<u>Travel by Air</u>	Government servants in BPS-17 and those in receipt of pay of Rs. 5400 and above.	Government Servants in BPS-17 and above.
<u>Carriage of Personal effects on Transfer/ Retirement</u>	Paisa 0.148 per k.m per k.g (or 2.96 paisa per k.m per unit of 20 k.gs).	Rs. 0.008 per k.m per k.g.

**iv) Qualification Pay**

	Existing	Revised
SAC Accountant	Rs.200/- PM	Rs.400/-PM
Part-II(ICMA/ICWA)	Rs.300/-PM	Rs.400/-PM
ICMA/ICWA	Rs.800/-PM	Rs.1200/-PM
Chartered Accountant	Rs.800/-PM	Rs.1300/-PM
Staff College/NDC	Rs.750/- PM	Rs. 1000/- PM
Advanced Course in NIPA	Rs. 200/- PM	Rs. 500/- PM

**(v) SENIOR POST ALLOWANCE**

	Existing	Revised
BPS-20	Rs. 850/- PM	Rs.1100/- PM
BPS-21	Rs. 925/- PM	Rs.1200/- PM
BPS-22	Rs. 1200/- PM	Rs.1600/- PM

**(vi) DEPUTATION/ ADDL. CHARGE ALLOWANCE/SPECIAL ALLOWANCE ON CURRENT CHARGE**

	Existing	Revised
Deputation Allowance/ Special Allowance on Current Charge	@ 20% of the Basic Pay subject to maximum of Rs. 2000/- PM and 1500/- p.m respectively.	@ 20% of the Basic Pay subject to maximum of Rs. 6000/- PM.
Additional Charge Allowance.	@ 20% of Basic Pay	@ 20% of the Basic Pay subject to maximum of Rs. 6000/- PM.

**(vii) UNIFORM ALLOWANCE**

	Existing	Revised
Nurses upto BPS-16	Rs. 150/- PM	Rs. 300/-PM

**(viii) PSP UNIFORM ALLOWANCE**

Existing	Revised
Rs. 250/- p.m	Rs. 1200/- p.m

**(ix) NIGHT DUTY ALLOWANCE**

	Existing	Revised
For Assistants/ Clerks	Rs. 8/- per night	Rs. 10/- per night
Drivers/ DRs	Rs. 4/- per night	Rs. 5/- per night
Naib Qasids.	Rs. 3.50/- per night	Rs. 5/- per night

5

**(x) SPECIAL PAY TO PSs/PAs**

	<b>Existing</b>	<b>Revised</b>
Private Secretary to Minister BPS-18	Rs. 300/- PM	Private Secretary to Minister Rs.500/- PM
Private Secretary to Minister BPS-17	Rs. 375/- PM	
Private Secretary to Minister BPS-16	Rs. 300/- PM	
Private Secretary to Secretaries.	Rs. 225/-PM	Rs.300/-PM
P.A to Minister	Rs. 150/- PM	Rs. 200/- PM
P.A to Chief Secretary/ Addl. Chief Secretary/ Secretaries/ Addl. Secretaries.	Rs. 120/- PM	Rs. 160/- PM

**(xi) INSTRUCTIONAL ALLOWANCE**

<b>Existing</b>	<b>Revised</b>
20% of the Basic Pay subject to maximum of Rs. 2000/- PM.	(i) 20% of the Basic Pay subject to maximum of Rs. 5000/- per month to those Instructors imparting in service training to BPS-17 and above officers.
	(ii) 20% of the Basic Pay subject to maximum of Rs. 3000/- per month to those Instructors imparting in service training to employees up to BPS-16

**(xii) WASHING ALLOWANCE FOR POLICE FORCE**

<b>Existing</b>	<b>Revised</b>
Rs. 50/- PM	Rs. 100/- PM

**(xiii) CONTINGENT ALLOWANCES**

The following two contingent allowances admissible to Naib Qasids/ Qasids/Drivers/ Daftaries/ Farashs/ Chowkidars/ Sweepers/ Sweepress / Ward Orderly/Bishti (Water carrier) and Mali shall stand discontinued and in lieu thereof such entitled categories shall be allowed a new allowance called as **Integrated Allowance** @ Rs. 150/- PM w.e.f 1-7-2005

	<b>Existing</b>	<b>Revised</b>
Washing Allowance	Rs. 30/- PM	Rs. 150/- PM
Dress Allowance	i. Naib Qasids Rs. 40/- PM	
	ii. Farash/Chowkidar/ Sweeper. Rs. 35/- PM	
	iii. Sweepress Rs. 25/-PM	

11. The following two Special Pays in respect of Civil Government employees shall stand abolished under this scheme:

Name of Special Pays	Present Rate	
i. Cash Handling Special Pay.	Above Rs.5000 and upto Rs. 1,00,000/-	Rs. 50/- PM
	Above Rs. 1,00,000/-	Rs. 75/- PM
Special Pay to Photostat Operators of Civil Secretariat	Rs. 30/- PM	

### PART-III (PENSION)

12. Commutation shall be admissible upto a maximum of 35% of Gross Pension, at the option of the pensioner. Admissibility of monthly pension shall be increased from the existing 60% to 65% of Gross Pension.

13. An increase @ 10% Shall be allowed on the amount of Pension being drawn by the existing pensioners as well as to those Government servants who would draw pension under the Revised Basic Pay Scales, 2005.

14. The increase allowed on pension @ 15% and 8% w.e.f 1-7-2003 and 1-7-2004 respectively shall not be admissible to the Government servants who would draw pension under the revised Basic Pay Scales, 2005.

15. OPTION:

- a. The Department/office to which an employees belongs and/or on whose pay roll he is borne shall obtain an option in writing from such employee within 60 days commencing from the date of issue of this letter and communicate it to the concerned Accounts Office/ DDO, as the case may be, either to continue to draw salary in the existing Basic Pay Scales in which he is already drawing or in the Revised Basic Pay Scales and Pension/ Commutation scheme, 2005 as specified in this letter. Option once exercised shall be final.
- b. An existing employee as aforesaid, who does not exercise and communicate such an option within the specified

At:



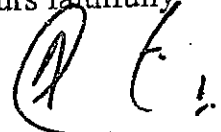
time limit, shall be deemed to have opted for Revised Basic Pay Scales & Pension/Commutation Scheme 2005.

16. All existing rules/orders on the subject shall be deemed to have been modified to the extent indicated above. All existing rules/orders not so modified shall continue to be in force under this scheme.

17. The Autonomous/Semi Autonomous Bodies will have the option to adopt this pay package provided they have adopted in totality the Basic Pay Scale Scheme/Pension scheme and if their resources so permit as no additional grant will be provided by the Provincial Government. It will not be applicable to those employees of Bank of Khyber and Public Sectors Corporations and those employees who are governed by the Industrial Relations Ordinance 1969 and/or whose financial terms of service are settled through Collective Bargaining Agents. In case of Autonomous/Semi Autonomous Bodies where employees are allowed different pay scales/allowances, the revision of the existing pay scales of their employees shall not be made without consultation of the Finance Department.

18. Anomalies: An Anomaly Committee in the Finance Department comprising Additional Finance Secretary (Regulation), Additional Secretary (Regulation) Establishment Department and Deputy Secretary (Regulation), Finance Department shall be set up to resolve the anomalies, if any, arising in the implementation of this letter.

Yours faithfully



(Abdul Latif)

Deputy Secretary (Reg.)

ENDST.NO & DATE EVEN

A copy is forwarded for information to :-

1. The Secretary Finance Department, Government of Punjab, Sindh and Balochistan, Lahore, Karachi and Quetta.

2. All Autonomous/Semi Autonomous Bodies in NWFP.

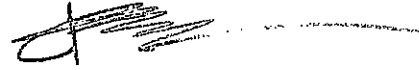


Deputy Secretary (Reg.)

ENDST.NO & DATE EVEN

A copy is forwarded for information to :-

1. The Accountant General, NWFP.
2. All District & Agency Accounts Officers in NWFP.
3. The District Accounts Officer (Treasury Wing) Peshawar.
4. The Private Secretary to Minister Finance, NWFP.
5. The Private Secretary to Secretary/P.As to Addl. Secretaries/  
Deputy Secretaries in Finance Department.
6. The Director, Local Fund Audit, Peshawar.
7. The Director, EDPC, Finance Department.
3. All Section/Budget Officers in Finance Department.



(Aurangzeb Jadoon)  
Section Officer (SR.I)

9

ANNEX. TO FINANCE DEPARTMENT LETTER NO.FD(PRC)1-  
1/2005 Dated July 09, 2005.

Existing Basic Pay Scales,2001					Revised Basic Pay Scales, 2005			
BPS	Min	Incr	Max	Stages	Min	Incr	Max	Stages
1	1870	55	3520	30	2150	65	4100	30
2	1915	65	3865	30	2200	75	4450	30
3	1980	75	4230	30	2275	85	4825	30
4	2040	85	4590	30	2345	100	5345	30
5	2100	100	5100	30	2415	115	5865	30
6	2160	110	5460	30	2485	125	6235	30
7	2220	120	5820	30	2555	140	6755	30
8	2310	130	6210	30	2655	150	7155	30
9	2410	145	6760	30	2770	165	7720	30
10	2490	160	7290	30	2865	185	8415	30
11	2590	175	7840	30	2980	200	8980	30
12	2745	195	8595	30	3155	225	9905	30
13	2925	215	9375	30	3365	245	10715	30
14	3100	240	10300	30	3565	275	11815	30
15	3285	265	11235	30	3780	305	12930	30
16	3805	295	12655	30	4375	340	14575	30
17	6210	465	15510	20	7140	535	17840	20
18	8135	585	19835	20	9355	675	22855	20
19	12400	615	24700	20	14260	705	28360	20
20	14710	950	28010	14	16915	1095	32245	14
21	16305	1070	31285	14	18750	1230	35970	14
22	17440	1250	34940	14	20055	1440	40215	14

GOVERNMENT OF N.W.F.P  
FINANCE DEPARTMENT

NO.FD(PRC)1-1/2005

Dated Peshawar the, July 09, 2005

From :- Secretary to Govt. of NWFP,  
Finance Department.

To

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

PESHAWAR HIGH COURT	
PESHAWAR	
Receipt No.	4991
Date	11/6/7/05
Signature	[Signature]

SUBJECT:- REVISION OF BASIC PAY SCALES, ALLOWANCES  
AND PENSION OF CIVIL EMPLOYEES (BPS 1-22) OF  
THE NWFP GOVERNMENT (2005).

Dear Sir,

I am directed to state that the Governor NWFP has been pleased to sanction the revision of Basic Pay Scales, Allowances and Pension w.e.f 1<sup>st</sup> July 2005, for the civil employees of the Provincial Government as detailed in the following paragraphs :-

PART-I (BASIC PAY SCALES)

2. REVISED BASIC PAY SCALES

The revised Basic Pay Scales, 2005 shall replace the existing Basic Pay Scales, 2001 as shown in Annexure to this letter.

3. FIXATION OF PAY OF THE EXISTING EMPLOYEES:

- (i) The basic pay of an employee in service on 30-6-2005 shall be fixed in the revised Basic Pay Scale on point to point basis i.e. at the stage corresponding to that occupied by him above the minimum of 2001 Basic Pay Scales.
- (ii) The corresponding stage for fixation of basic pay in the aforesaid manner in respect of an employee whose pay was fixed beyond the maximum of the relevant scale as a result of discontinuation of move over policy under the 2001 Basic Pay Scales Scheme shall be determined on notional extension basis i.e. by treating the amount of personal pay drawn by him on 30<sup>th</sup> June, 2005, as part of his basic pay

DIRECTOR AGRICULTURE MARKETING  
DIRECTORATE GENERAL AGRICULTURE (EXTENSION)  
KHYBER PAKHTUNKHA, PESHAWAR

scale and the amount beyond the maximum of the prescribed stage in the revised Basic Pay Scales shall be allowed as personal pay.

4. **ANNUAL INCREMENT:**

Annual increment shall continue to be admissible subject to the existing conditions, on 1<sup>st</sup> of December each year.

**PART-II (ALLOWANCES)**

5. **SPECIAL ADDITIONAL ALLOWANCE:** Special Additional Allowance shall continue to be admissible at frozen level on exiting conditions.

6. **SPECIAL RELIEF ALLOWANCE AND ADHOC RELIEF:** Special Relief Allowance and Adhoc Relief sanctioned w.e.f 1.7.2003 and 1.7.2004 respectively shall stand frozen at the level of their admissibility as on 30-6-2005 and the amount shall continue to be admissible to the entitled recipients until further orders but it will cease to be admissible to new entrants joining Government service on or after 1.7.2005 as well as to those employees to whom it was ceased to be admissible under the existing conditions.

7. **HOUSE RENT ALLOWANCE:**

House Rent Allowance shall be admissible with reference to the Revised Basic Pay Scales, 2005 subject to the existing conditions.

8. **MEDICAL ALLOWANCE:**

Medical Allowance shall be admissible @ Rs. 425/- p.m subject to the existing conditions.

9. **CONVEYANCE ALLOWANCE:**

(a) Conveyance Allowance shall be admissible on revised rates as follows:

	RATES (RS. PM)
BPS	340
BPS-1-4	450
BPS 5-10	680
BPS 11-15	1240
BPS 16-20	

(b) Conveyance Allowance @ Rs. 1240/- per month shall also be admissible to those BPS-21 & 22 officers who are not sanctioned official vehicle.

10. OTHER SPECIAL PAYS/ SPECIAL ALLOWANCES:

The rates of Special Pays and Special Allowances shall be revised as detailed below:-

(i) ENTERTAINMENT ALLOWANCE

	EXISTING	REVISED
BPS-19	Nil	Rs. 500/- PM
BPS-20	Rs. 480/- PM	Rs. 600/- PM
BPS-21	Rs. 525/- PM	Rs. 700/- PM
BPS-22	Rs. 725/- PM	Rs. 975/- PM

(ii) DAILY ALLOWANCE

	EXISTING		REVISED	
	Ordinary	Special	Ordinary	Special
BPS 1-4	80/-	110/-	125/-	200/-
BPS 5-11	100/-	120/-	155/-	220/-
BPS 12-16	180/-	200/-	280/-	365/-
BPS 17-18	320/-	350/-	500/-	640/-
BPS 19-20	400/-	450/-	625/-	825/-
BPS 21-22	450/-	550/-	700/-	1000/-

Presently special rates are allowed at 15 specified stations/cities. The Special rates shall also be allowed at Muzaffarabad & Mirpur AJ&K.

(iii) TRANSPORTATION/MILEAGE ALLOWANCE

	EXISTING	REVISED
<u>Transportation</u>		
i) Motor Car	Rs.1.20/- per k.m	Rs. 2/- per k.m
ii) Motor Cycle/Scooter	Rs.0.40/- per k.m	Rs. 1/- per k.m
<u>Mileage Allowance</u>		
i) Personal Car/Taxi	Rs.3/- per k.m	Rs. 5/- per k.m
ii) Motor Cycle/Scooter	Rs.1/- per k.m	Rs. 2/- per k.m
iii) Bicycle/Animal Back/ Foot.	Rs.0.75/- per k.m	Rs. 1/- per k.m
iv) Public Transport.	Rs. 0.30/- per k.m (BPS-6 & below) Rs.0.50 per k.m (BPS-7 & above)	Rs. 1/- per k.m  Rs.1/- per k.m
<u>Travel by Air</u>	Government servants in BPS-17 and those in receipt of pay of Rs. 5400 and above.	Government Servants in BPS-17 and above.
<u>Carriage of Personal effects on Transfer/ Retirement</u>	Paisa 0.148 per k.m per k.g (or 2.96 paisa per k.m per unit of 20 k.gs).	Rs. 0.008 per k.m per k.g.

iv) Qualification Pay

	Existing	Revised
SAC Accountant	Rs.200/- PM	Rs.400/-PM
PartIII(ICMA/ICWA)	Rs.300/-PM	Rs.400/-PM
ICMA/ICWA	Rs.800/-PM	Rs.1200/-PM
Chartered Accountant	Rs.800/-PM	Rs.1300/-PM
Staff College/NDC	Rs.750/- PM	Rs. 1000/- PM
Advanced Course in NIPA	Rs. 200/- PM	Rs. 500/- PM

(v) SENIOR POST ALLOWANCE

	Existing	Revised
BPS-20	Rs. 850/- PM	Rs.1100/- PM
BPS-21	Rs. 925/- PM	Rs.1200/- PM
BPS-22	Rs. 1200/- PM	Rs.1600/- PM

(vi) DEPUTATION/ ADDL. CHARGE ALLOWANCE/SPECIAL ALLOWANCE ON CURRENT CHARGE

27

	Existing	Revised
Deputation Allowance/ Special Allowance on Current Charge	@ 20% of the Basic Pay subject to maximum of Rs. 2000/- PM and 1500/- p.m respectively.	@ 20% of the Basic Pay subject to maximum of Rs. 6000/- PM.
Additional Charge Allowance.	@ 20% of Basic Pay	@ 20% of the Basic Pay subject to maximum of Rs. 6000/- PM.

(vii) UNIFORM ALLOWANCE

	Existing	Revised
Nurses upto BPS-16	Rs. 150/- PM	Rs. 300/-PM

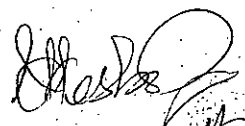
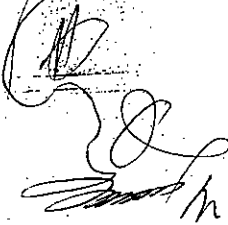
(viii) PSP UNIFORM ALLOWANCE

Existing	Revised
Rs. 250/- p.m	Rs. 1200/- p.m

(ix) NIGHT DUTY ALLOWANCE

	Existing	Revised
For Assistants/ Clerks	Rs. 8/- per night	Rs. 10/- per night
Drivers/ DRs	Rs. 4/- per night	Rs. 5/- per night
Naib Qasids.	Rs. 3. 0/- per night	Rs. 5/- per night

4

  
  
DIRECTOR AGRICULTURE MARKETING  
DIRECTORATE GENERAL AGRICULTURE (EXTENSION)  
KHYBER PAKHTUNKHWA, PESHAWAR

(x) SPECIAL PAY TO PSs/PAs

	Existing	Revised
Private Secretary to Minister BPS-18	Rs. 300/- PM	Private Secretary to Minister Rs.500/- PM
Private Secretary to Minister BPS-17	Rs. 375/- PM	
Private Secretary to Minister BPS-16	Rs. 300/- PM	
Private Secretary to Secretaries.	Rs. 225/-PM	Rs.300/-PM
P.A to Minister	Rs. 150/- PM	Rs. 200/- PM
P.A to Chief Secretary/ Addl. Chief Secretary/ Secretaries/ Addl. Secretaries.	Rs. 120/- PM	Rs. 160/- PM

(xi) INSTRUCTIONAL ALLOWANCE

Existing	Revised
20% of the Basic Pay subject to maximum of Rs. 2000/- PM.	(i) 20% of the Basic Pay subject to maximum of Rs. 5000/- per month to those Instructors imparting in service training to BPS-17 and above officers. (ii) 20% of the Basic Pay subject to maximum of Rs. 3000/- per month to those Instructors imparting in service training to employees up to BPS-16

(xii) WASHING ALLOWANCE FOR POLICE FORCE

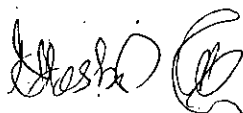

Existing	Revised
Rs. 50/- PM	Rs. 100/- PM

(xiii) CONTINGENT ALLOWANCES

The following two contingent allowances admissible to Naib Qasids/ Qasids/Drivers/ Daftaries/ Farashis/ Chowkidars/ Sweepers/ Sweepress / Ward Orderly/Bishti (Water carrier) and Maii shall stand discontinued and in lieu thereof such entitled categories shall be allowed a new allowance called as Integrated Allowance @ Rs. 150/- PM w.e.f 1-7-2005

	Existing	Revised
Washing Allowance	Rs. 30/- PM	Rs. 150/- PM
Dress Allowance	i. Naib Qasids Rs. 40/- PM	
	ii. Farash/Chowkidar/ Sweeper. Rs. 35/- PM	
	iii. Sweepress Rs. 25/-PM	

11. The following two Special Pays in respect of Civil Government employees shall stand abolished under this scheme:

  
  
DIRECTOR AGRICULTURE MARKETING  
DIRECTORATE GENERAL AGRICULTURE (EXTENSION)  
KHYBER PAKHTUNKHWA, PESHAWAR



Name of Special Pays	Present Rate	
i. Cash Handling Special Pay.	Above Rs. 5000 and upto Rs. 1,00,000/-	Rs. 50/- PM
	Above Rs. 1,00,000/-	Rs. 75/- PM
Special Pay to Photostat Operators of Civil Secretariat	Rs. 30/- PM	

**PART-III (PENSION)**

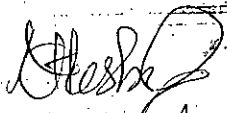
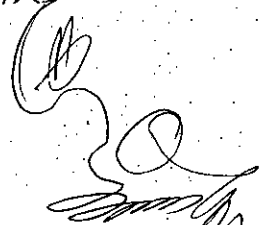
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14. The increase allowed on pension @ 15% and 8% w.e.f 1-7-2003 and 1-7-2004 respectively shall not be admissible to the Government servants who would draw pension under the revised Basic Pay Scales, 2005.

15. **OPTION:**

- a. The Department/office to which an employees belongs and/or on whose pay roll he is borne shall obtain an option in writing from such employee within **60 days** commencing from the date of issue of this letter and communicate it to the concerned Accounts Office/ DDO, as the case may be, either to continue to draw salary in the existing Basic Pay Scales in which he is already drawing or in the Revised Basic Pay Scales and Pension/ Commutation scheme, 2005 as specified in this letter. Option once exercised shall be final.
- b. An existing employee as aforesaid, who does not exercise and communicate such an option within the specified

  
  
**DIRECTOR AGRICULTURE MARKETING**  
**DIRECTORATE GENERAL AGRICULTURE (EXTENSION)**  
**KHYBER PAKHTUNKHWA, PESHAWAR**

time limit, shall be deemed to have opted for Revised Basic Pay Scales & Pension/Commutation Scheme 2005.

16. All existing rules/orders on the subject shall be deemed to have been modified to the extent indicated above. All existing rules/orders not so modified shall continue to be in force under this scheme.

17. The Autonomous/Semi Autonomous Bodies will have the option to adopt this pay package provided they have adopted in totality the Basic Pay Scale Scheme/Pension scheme and if their resources so permit as no additional grant will be provided by the Provincial Government. It will not be applicable to those employees of Bank of Khyber and Public Sectors Corporations and those employees who are governed by the Industrial Relations Ordinance 1969 and/or whose financial terms of service are settled through Collective Bargaining Agents. In case of Autonomous/Semi Autonomous Bodies where employees are allowed different pay scales/allowances, the revision of the existing pay scales of their employees shall not be made without consultation of the Finance Department.

18. Anomalies: An Anomaly Committee in the Finance Department comprising Additional Finance Secretary (Regulation), Additional Secretary (Regulation) Establishment Department and Deputy Secretary (Regulation), Finance Department shall be set up to resolve the anomalies, if any, arising in the implementation of this letter.

Yours faithfully

(Abdul Latif)

Deputy Secretary (Reg.)

ENDST.NO & DATE EVEN

A copy is forwarded for information to :-

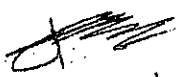
1. The Secretary Finance Department, Government of Punjab, Sindh and Balochistan, Lahore, Karachi and Quetta.
2. All Autonomous/Semi Autonomous Bodies in NWFP

Deputy Secretary (Reg.)

ENDST.NO & DATE EVEN

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3. The District Accounts Officer (Treasury Wing) Peshawar.
4. The Private Secretary to Minister Finance, NWFP.
5. The Private Secretary to Secretary/P.As to Addl. Secretaries/Deputy Secretaries in Finance Department.
6. The Director, Local Fund Audit, Peshawar.
7. The Director, EDPC, Finance Department.
3. All Section/Budget Officers in Finance Department.

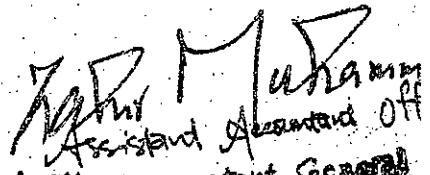
  
(Aurangzeb Jadoon)  
Section Officer (SR.I)


Office of the Accountant General NWFP Peshawar

No. H. 24 (113) RBPS - 2001 / Master / Cor / 6024 Dated 7/15/05

Copy to :-

1. All DAOs/AAs in NWFP.
2. APF pay Roll Section in Main office.
3. Principal officer National Bank of Pakistan, Peshawar Cantt, with request to intimate the instruction to all National Bank in NWFP.
- 4.

  
Asstt. Accountant General  
NWFP, Peshawar.

  
DIRECTOR AGRICULTURE MARKETING  
DIRECTORATE GENERAL AGRICULTURE (EXTENSION)  
KHYBER PAKHTUNKHWA, PESHAWAR

ANNEX. TO FINANCE DEPARTMENT LETTER NO.FD(PRC)1-  
1/2005 Dated July 09, 2005.

Existing Basic Pay Scales, 2001					Revised Basic Pay Scales, 2005			
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1	1870	55	3520	30	2150	65	4100	30
2	1915	65	3865	30	2200	75	4450	30
3	1980	75	4230	30	2275	85	4825	30
4	2040	85	4590	30	2345	100	5345	30
5	2100	100	5100	30	2415	115	5865	30
6	2160	110	5460	30	2485	125	6235	30
7	2220	120	5820	30	2555	140	6755	30
8	2310	130	6210	30	2655	150	7155	30
9	2410	145	6760	30	2770	165	7720	30
10	2490	160	7290	30	2865	185	8415	30
11	2590	175	7840	30	2980	200	8980	30
12	2745	195	8595	30	3155	225	9905	30
13	2925	215	9375	30	3365	245	10715	30
14	3100	240	10300	30	3565	275	11815	30
15	3285	265	11235	30	3780	305	12930	30
16	3805	295	12655	30	4375	340	14575	30
17	6210	465	15510	20	7140	535	17840	20
18	8135	585	19835	20	9355	675	22855	20
19	12400	615	24700	20	14260	705	28360	20
20	14710	950	28010	14	16915	1095	32245	14
21	16305	1070	31285	14	18750	1230	35970	14
22	17440	1250	34940	14	20055	1440	40215	14

*Handwritten initials*

*Handwritten signature*

**DIRECTOR AGRICULTURE MARKETING  
DIRECTORATE GENERAL AGRICULTURE (EXTENSION)  
KHYBER PAKHTUNKHWA ESTABWAR**

