


## FORM OF ORDERSHEET

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

Case No. 693/2023


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	29.03.2023	<p>As per direction of the Worthy Chairman the present appeal is fixed for preliminary hearing and decision on office objections before Single Bench at Peshawar on _____. Counsel for the appellant be informed accordingly.</p> <p style="text-align: right;"> REGISTRAR</p>

The appeal of Mr. Sami Ullah Driver office of D.G Projects Peshawar received today i.e. on 16.02.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of appellant is incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Check list is not attached with the appeal.
- 3- Affidavit be got attested by the Oath Commissioner.
- 4- Appeal has not been flagged/marked with annexures marks.
- 5- Certificate be given to the effect that the appellant has not filed any service appeal earlier on the subject matter in this Tribunal.
- 6- Copy of departmental appeal is not attached with the appeal which may be placed on it.
- 7- Copy of rejection order of departmental appeal in respect of appellant is not attached with the appeal which may be placed on it
- 8- Copy of impugned order is not attached with the appeal which may be placed on it.
- 9- Annexures-A to H referred to in the memo of appeal are not attached with the appeal.
- 10- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.
- 11- The documents that are to be provided must be illegible/readable.

No. 625 /S.T.

Dt. 17/2 /2023


  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Noor Muhammad Khattak Adv.  
High Court Peshawar.

R/Sir,

In response to objection 1 to 6, 8, 9, 10 & 11, objections has been removed, whereas in response to objection 7 it is stated that the appeal of the appellant were rejected vide consolidated order dt: 17/1/23 available on file Annex 9 page 23, the same as appellate order for the appellant.

- Resubmitted.

  
21/3/23

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

APPEAL NO. 623 /2023

**SAMI ULLAH VS PLANNING & DEVELOPMENT DEPTT:**

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**APPELLANT**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK,**  
**ADVOCATE SUPREME COURT**

1-

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

APPEAL NO. 623 /2023

Khyber Pakhtunkhwa  
Service Tribunal

Case No. 3635

Dated 16/2/2023

Mr. Sami Ullah, Driver (BPS-05),  
Directorate of Projects, Khyber Pakhtunkhwa, Peshawar.

.....APPELLANT

**VERSUS**

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

.....RESPONDENTS

**APPEAL UNDER SECTION- 4 OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED  
APPELLATE ORDER DATED 17.01.2023 WHEREBY THE  
DEPARTMENTAL APPEAL OF THE APPELLANT FOR FIXATION OF  
PAY W.E.F. 20.08.2018 I.E. FROM THE DATE OF INITIAL  
APPOINTMENT HAS BEEN REJECTED WITHOUT ANY GOOD  
REASON.**

**PRAYER:**

That on acceptance of this appeal the impugned appellate order dated 17.01.2023 may very kindly be set aside and the appellant may kindly be allowed/granted pay fixation w.e.f. 20.08.2018 i.e. from the date of initial appointment with all back benefits. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favor of the appellant.


**R/SHEWETH:**

**ON FACTS:**

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

- 1- That the respondent department vide advertisement advertised certain posts and after following the codal formalities the appellant was appointed in the respondent Department as Driver (BPS-05) vide order dated 20.08.2018. Copies of advertisement and appointment order are attached as Annexure..... **A & B.**
- 2- That in response to the order mentioned above the appellant submitted her arrival report and took over the charge of her post. Copy of the charge report is attached as annexure ..... **C.**
- 3- That while performing her duty the service of the appellant was regularized vide notification dated 30.06.2022 in pursuance of K.P (Regularization of Services of employees of Erstwhile FATA) Act, 2021.

Filed to-day

  
Registrar

16/2/23

Copies of the notification and Act are attached as Annexure .....**D & E.**

- 4- That in pursuance to the notification mentioned above the services of the appellant was regularized and his pay was fixed from the date of notification, feeling aggrieved the appellant along with other preferred departmental appeal/ representation before the respondents, and the same was take-up with the respondent No. 2. Copies of the correspondence are attached as Annexure .....**F.**
- 5- That the representation of the appellant was disposed of/dismissed vide order dated 17.01.2023. Copy of the appellate order dated 17.01.2023 is attached as Annexure ..... **G.**
- 6- That feeling aggrieved from the appellate order and having no other remedy the appellant filed the instant appeal on following grounds inter alia.

**GROUND:**

- A- That the inaction of respondents by not allowing pay fixation to the appellant w.e.f. 20.08.2018 is against the law, facts, norms of natural justice and materials on the record.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondents acted in arbitrary and mala fide manner by not allowing pay fixation to the appellant w.e.f. 20.08.2018 i.e. from the date of appointment and as such the inaction of the respondents is violative of law and rules.
- D- That in such a situations/ similar cases pay protection was granted to the regularize civil servants by the finance department vide notification/ circular dated 18.03.2021. Copy of notification/circular dated 18.03.2021 is attached as Annexure ..... **H.**
- E- That the inaction of the respondents is discriminatory and against the norms of natural justice, therefore not tenable in the eye of law.
- F- That under Article 38 (e) of the Constitution of Pakistan, 1973 state is bound to reduce disparity in the income and earning of the individuals including persons in the various services of Pakistan, therefore in light of the above mentioned Article the appellant is fully entitle for the grant of pay fixation w.e.f. 20.08.2018 the date of initial appointment.
- G- That as per rule 2.3. of the West Pakistan Pension Rules, 1963 and FR 22 the appellant is fully entitled for the grant of pay fixation w.e.f. initial appointment with all back benefits.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

- 3 -

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

Dated: 15.02.2023

  
**APPELLANT  
SAMI ULLAH**

**THOROUGH:**

  
**NOOR MOHAMMAD KHATTAK  
ADVOCATE SUPREME COURT**

  
**KAMRAN KHAN**


  
**UMAR FAROOQ**

  
**WALED SAMI ULLAH**

  
**MUHAMMAD AYUB  
ADVOCATES HIGH COURT**

**AFFIDAVIT**

I, Sami Ullah, Driver (BPS-05), Directorate of Projects, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm and declare on Oath that the contents of this **Service Appeal** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

  
**DEPONENT**



# "A" 4 DIRECTORATE OF PROJECTS

Total Marks 100 Passing Marks 50

**HOW TO REGISTER FOR LAW ADMISSION TEST (LAT):**  
 Please visit the following link: <http://etc.hec.gov.pk> for online registration.  
 In case there is any issue during the online registration, please visit HEC Regional Centres in Quetta, Peshawar, Lahore, Islamabad, Bahawalpur and Karachi for guidance or email at [etc@hec.gov.pk](mailto:etc@hec.gov.pk)

**DETAILS OF TEST CENTRES:** Applicants may select any test centre from the list available on HEC website; however, for their own convenience, they are advised to choose a test centre nearest to their residence / district of domicile. Deadline for Online Registration  
 Last date for online registration is Tuesday, July 10, 2018

**Director Admissions** University of Peshawar

Quotation duly filled must reach along with 2% of bid cost in shape of Deposit at C in favor of Treasurer University of Peshawar on July 10, 2017 (11:30 AM). Bids will be opened at 12:00 (Noon) in Committee Room, Uni. The details i.e. Tender Notice, Tender Form including TOS can also be obtained from the University i.e. [www.uswat.edu](http://www.uswat.edu)

**Treasurer/Secretary Pur**  
University of Peshawar

Advertisement

## FATA SECRETARIAT PESHAWAR JOB OPPORTUNITIES

FATA Secretariat Warsak Road, Peshawar invites applications from suitable candidates having respective domicile of Khyber Pakhtunkhwa / FATA as mentioned for the following vacant positions in Directorate of Projects and Governance Policy Project (GPP) Peshawar on contract basis (Fixed pay) initially for a period of one year which is extendable on the satisfactory performance of the appointee till the project life.

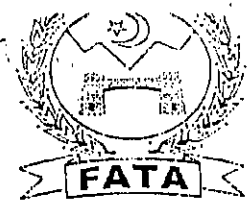
S.No	Position	No. of Posts	Age Limit	Qualification/Experience
<b>Directorate of Projects, FATA Secretariat</b>				
01	Computer Operator, (BPS-16) DoP, Fixed Pay	01	22-40	BCS/B.Sc Computer or Graduate BA / B.Sc with one year diploma in IT from Board of Technical Education, KP with 02 years relevant experience in government / semi government / autonomous body and private recognized institution / organization.
02	Junior Clerk, (BPS-11), Fixed Pay	01	22-40	FA/FSc/D.com with 02 years relevant experience in government / semi government / autonomous body and private recognized institution / organization.
03	Telephone Operator, DoP, (BPS-07), Fixed Pay	01	22-40	FA/FSc/D.com with 02 years relevant experience in government / semi government / autonomous body and private recognized institution / organization.
04	Drivers, (BPS-5), Fixed Pay	03	18-40	Literate with LTV/HTV license with 02 years relevant experience in government / semi government / autonomous body and private recognized institution / organization.
05	Naib Qasid, (BPS-1), Fixed Pay	03	18-40	Literate with 02 years relevant experience in government / semi government / autonomous body and private recognized institution / organization.
<b>Governance &amp; Policy Project (GPP), FATA</b>				
01	Office Assistant Equivalent to BS-16, Fixed Pay	02	22-40	Graduate, BA / B.Sc with 02 years relevant experience in government / semi government / autonomous body and private recognized institution / organization.
02	Computer / Machine Operator, Equivalent to BS-12, Fixed Pay	04	22-40	BCS/B.Sc Computer or BA / B.Sc with 02 years relevant experience in government / semi government / autonomous body and private recognized institution / organization.
03	Driver Equivalent to BS-05, Fixed Pay	02	18-40	Literate with LTV/HTV license with 02 years relevant experience in government / semi government / autonomous body and private recognized institution / organization.
04	Office Boy Equivalent to BS-01, Fixed Pay	02	18-40	Literate with 02 years relevant experience in government / semi government / autonomous body and private recognized institution / organization.

- Complete applications along with C.Vs, recent photographs, copies of certificates/degrees and CNIC/ domicile etc. duly attested should reach within 15 days of the publication of advertisement to the P.O Box No. 782 University Post Office, Peshawar.
- Candidates applying from Government, Semi Government Organizations shall apply through proper channel before closing date.
- Candidates applying for more than one position shall submit separate application forms along with all relevant record.
- Only shortlisted candidates will be called for interview on communicated dates.
- The competent authority reserves the rights for not filling / increasing / decreasing the number of positions or cancel the recruitment process by assigning a reason.
- For Projects, the appointee shall be considered as project employee and his contract shall be terminated at any time by assigning the reason and will have no right of regular status/employment.
- Incomplete applications / documents and those received after the due date will not be entertained
- No TA/DA will be admissible

**P.O BOX NO. 782  
UNIVERSITY POST OFFICE, PESHAWAR**

30 جون 2018ء

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# DIRECTORATE OF PROJECTS

Planning and Development Department

FATA Secretariat, Warsak Road, Peshawar

Tele: + 92-91-9212128, 9213015, Fax: + 92-91-9222763

shakir.dop@gmail.com

## Office Order

Consequent upon the approval of the competent authority, the following candidates have been appointed against the vacant positions of Drivers at Directorate of Projects, FATA Secretariat as per the interviews conducted by the selection committee on 8<sup>th</sup> August, 2018. The appointments are purely on contract basis on a fixed pay as per Govt. of Pakistan Finance Division (Regulation Wing) standard pay package O.M No.F.4(9)R-14/2008 dated: 19.07.2017 for the project staff. The appointment is initially for the period of one year which is extendable up to the life of the Project on satisfactory performance.

S. No	Name of Appointee	Post	Place of Duty
1	Mr. Adnan S/O Muhammad Akber	Driver	Directorate of Projects, FATA Secretariat, Warsak Road, Peshawar
2	Mr. Sami Ullah S/O Gul Ahmad Khan	(BS-5 Equivalent to PPS-2)	
3	Mr. Waheed Gul S/O Ajab Gul		

The appointee is directed to report to the Director General Projects, Directorate of Projects, FATA Secretariat within 15 days positively from the date of issuance of this office order.

In case of failure, the appointment shall automatically stand cancelled & the post shall be offered to the next candidate on waiting list.

The appointees shall produce a medical fitness certificate from the Authorized Medical Superintendent.

The appointment shall be on purely contract basis and the selected candidates will sign a contract appointment deed with DoP, FATA Secretariat.

The appointees shall be considered as project employee and his contract can be terminated at any time without assigning any reason and will have no right of regular status.

Academic certificates/degrees from respective boards/universities shall be verified before signing the contract service agreement.

-Sd-

Director General Projects

Endst: No. FS/DoP/F&A/Recruitment-DoP/9038 (7) Dated: 17<sup>th</sup> August, 2018

Copy forwarded for information and necessary action to:

1. Addl. Accountant General, Pakistan Revenue, Sub Office, Peshawar
2. PS to Additional Chief Secretary, FATA
3. PS to Secretary P&D Department, FATA Secretariat
4. PS to Secretary, Finance Department, FATA Secretariat
5. PS to Secretary, AI&C Department, FATA Secretariat
6. PS to Director General Projects, FATA Secretariat
7. Official Concerned

(Shakir Muhammad)  
Finance & Admin Officer

DIRECTOR GENERAL PROJECTS,  
DIRECTORATE OF PROJECTS (DOP),  
FATA SECRETARIAT



بخدمت جناب ڈائریکٹر جنرل پراجیکٹس فائنائیٹڈ ڈسٹرکٹ ورک روڈ پشاور  
"C" -6-

جناب عالی،

مودبانہ گزارش کی جاتی ہے، کہ بحوالہ ڈائریکٹریٹ آف پراجیکٹس آفس آرڈر نمبر (7) FS/DoP/F&A/Recruitment-DoP/9038(7) مورخہ: 20-08-2018 کو صبح آپ کے آفس میں دیتا ہوں۔ مہربانی فرما کر میری درخواست برائے حاضری بطور ڈرائیور منظور کی جائے۔

عین نوازش ہوگی۔

العارض

20-08-2018

سیح اللہ ولد گل احمد خان

موبائل نمبر: 0342-0573395

DIRECTOR GENERAL PROJECTS,  
DIRECTORATE OF PROJECTS (DOP),  
FATA SECRETARIAT

Director General Projects

F&A 20/08/18



GOVERNMENT OF KHYBER PAKHTUNKHWA  
PLANNING & DEVELOPMENT DEPARTMENT

Dated Peshawar, June 30, 2022.

**NOTIFICATION:**

NO.SO(E)P&D/3-1/Req./Projects/M.Ag/2022; In compliance of Section-3 of the Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Act, 2021, the Provincial Government is pleased to notify regularization of services of the following (24) employees of the project titled 'Directorate of Projects, FATA Secretariat' with effect from 13.01.2022, subject to following conditions as provided in Section-4 of the Act:

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

SH	Name of Officers/Officials	BPS	Designation
1.	Mr. Shakir Muhammad.	17	Finance & Admin Officer.
2.	Ms. Farzana Yasmeen.	17	Monitoring & Evaluation Officer.
3.	Syed Iqar Hussain Shah.	17	Programme Officer.
4.	Mr. Hizbullah.	17	Programme Officer.
5.	Mr. Akhtar Zaman.	16	Personal Assistant.
6.	Muhammad Akbar Khan.	16	Personal Assistant.
7.	Muhammad Sohail.	16	Office Assistant.
8.	Mr. Qudrat Ullah.	16	Office Assistant.
9.	Mr. Shehryar Farid.	16	Computer Operator.
10.	Syed Wahid Shah.	16	Computer Operator.
11.	Mr. Shah Nawaz.	11	Junior Clerk.
12.	Mr. Imran Khan.	06	Driver.
13.	Mr. Shakir Ullah.	06	Driver.
14.	Muhammad Yousaf.	06	Driver.
15.	Mr. Adnan.	06	Driver.
16.	Mr. Sami Ullah.	06	Driver.
17.	Mr. Waheeb Gul	06	Driver.

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18.	Muhammad Farooq Shah	03	Attendant.
19.	Mr. Sajjad	03	Attendant.
20.	Mr. Rashid Zaman.	03	Attendant.
21.	Mr. Yasir Ullah.	03	Attendant.
22.	Mr. Faheem Hussain.	03	Attendant.
23.	Muhammad Irshad.	03	Chowkidar.
24.	Mr. Raja.	03	Sweeper.


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

ADDITIONAL CHIEF SECRETARY  
P&D DEPARTMENT

Endst: No. & date even.

Copy forwarded to the:

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

  
(SONA KHAN)  
Section Officer (Estt.) 376/444

"E" 11/22  
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FOR THE EXTRAORDINARY GAZETTE ISSUE OF  
THE KHYBER PAKHTUNKHWA

PROVINCIAL ASSEMBLY SECRETARIAT  
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 3/01/2022.

No. PA/Khyber Pakhtunkhwa/Bills-182/2022/ 74.5 The Khyber Pakhtunkhwa  
(Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Bill, 2021  
having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 31<sup>st</sup> December, 2021 and  
assented to by the Governor of the Khyber Pakhtunkhwa on 7<sup>th</sup> January, 2022 is hereby published as an  
Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

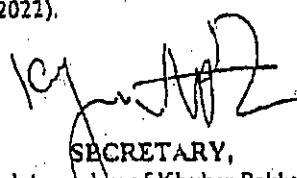
**THE KHYBER PAKHTUNKHWA (REGULARIZATION OF SERVICES OF EMPLOYEES OF  
ERSTWHILE FEDERALLY ADMINISTERED TRIBAL AREAS) ACT, 2021.**

(KHYBER PAKHTUNKHWA ACT NO. 1 OF 2022)

(First published after having received the assent of the Governor of the  
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa.

(Extraordinary), dated the 3/01/2022).

(Here print as in the accompaniment).

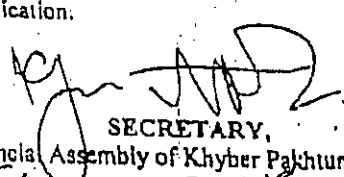
  
SECRETARY,

Provincial Assembly of Khyber Pakhtunkhwa.

No. and date (as per notification above).

A copy of the above notification with the accompaniment is forwarded to the Manager,  
Government Stationery and Printing Department, Peshawar, with the request to publish the same in the  
extraordinary issue of the Khyber Pakhtunkhwa Government Gazette of today's date and distribute copies  
thereof immediately in accordance with the list given overleaf.

Proof should be sent to this Secretariat before publication.

  
SECRETARY,

Provincial Assembly of Khyber Pakhtunkhwa

E.No. PA/Khyber Pakhtunkhwa/Bills-182/2022/ 74.5-50 Dated 3/01/2022

A copy of the above is forwarded to:-

1. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
2. The Secretary to Government of Khyber Pakhtunkhwa, Law Department.
3. The Secretary to Government of Khyber Pakhtunkhwa Establishment Department.
4. The Director Information, Khyber Pakhtunkhwa.
5. The Deputy Director I.T, Provincial Assembly of Khyber Pakhtunkhwa for official website.

  
SECRETARY,

Provincial Assembly of Khyber Pakhtunkhwa

EXTRAORDINARY  
GOVERNMENT



REGISTERED NO. PIII  
GAZETTE

-10-

## KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 13<sup>th</sup> JANUARY, 2022.

PROVINCIAL ASSEMBLY SECRETARIAT  
KHYBER PAKHTUNKHWA

### NOTIFICATION

Dated Peshawar, the 13<sup>th</sup> January, 2022.

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

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

(KHYBER PAKHTUNKHWA ACT NO. 1 OF 2022)

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

AN  
ACT

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

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

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

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

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

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(3) It shall come into force at once.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

-13-

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



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

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

- 16 -

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

BY ORDER OF MR. SPEAKER  
PROVINCIAL ASSEMBLY OF KHYBER  
PAKHTUNKHWA

(KIFAYAT ULLAH KHAN AFRIDI)

Secretary  
Provincial Assembly of Khyber Pakhtunkhwa

"F" -17-

To,

The Secretary to Government of Khyber Pakhtunkhwa  
Finance Department, Civil Secretariat, Peshawar

Subject:

APPEAL  
REGARDING PAY PROTECTION OF PAY OF PROJECT/  
CONTRACT EMPLOYEES OF REGULARIZED UNDER THE  
"KHYBER PAKHTUNKHWA REGULARIZATION OF SERVICES OF  
EMPLOYEES OF ERSTWHILE FATA ACT 2021"

Respect Sir,

It is stated with profound veneration that the Govt. of Khyber Pakhtunkhwa regularized the services of the employees of the Directorate of Projects & PMU-World Food Program erstwhile FATA under the Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Bill, 2021 on 13<sup>th</sup> January 2022. This act of the Govt. was highly appreciated by the contract employees whose services were regularized thus provided them with job security in future. However, it was noted with concern that their salaries were fixed at the initial stage of the appointment.

In this regard, the P&D Department submitted an appeal of the employees to Finance Department vide letter No. SO (B&A)/P&DD/1-4/SDU/2021-22/100 dated: 22<sup>nd</sup> December, 2022 (copy enclosed). However, the Finance Department, without properly scrutinize the case, returned the same by quoting the Finance Department Circular No. FD (SR-1)12-7/2014 Dated: 6<sup>th</sup> February, 2014 and the Finance Department letter No. FD (SOSR-1) 12-2/2020 (34323) dated: 18<sup>th</sup> March, 2021. It is, however, to be noted that Finance Department letter No. FD (SOSR-1) 12-2/2020 (34323) dated: 18<sup>th</sup> March, 2021 allow pay protection to gazetted contract employees on their regularization/appointment on regular basis (copy enclosed).

It is pertinent to mention here that the employees of the above mentioned projects had been working in these projects since 2008 and fixing their salaries at the initial pay of their respective grades have resulted in huge reduction in

their salaries without recognizing the services rendered by them in their respective projects. The reduction in salaries coupled with the double digit inflation, has adversely affected the employees and has a far reaching implication upon their living standards

Foregoing in view, It is once again prayed that the pay of the employees of Directorate of Projects & PMU-World Food Program may be protected from their initial date of appointment so as to cope with the prevailing inflation, please.

Yours obediently

All Employees of Directorate of Projects & PMU-World Food Program

(List annexed)

LIST OF EMPLOYEES

-19-

S.No	Name/Designation/Pay Scale of the Project Employee			Date of Appointment	Date of Regularisation	Total Service in Project	Signature
	Name of Employee	Designation	Pay Scale				
1	Shakir Muhammad	Admn & Finance Officer	17	17-Mar-09	1/13/2022	13 YEARS	
2	Farzana Yasmeen	Monitoring & Evaluation Officer	17	15-Jun-10	1/13/2022	12 YEARS	
3	Syed Iqbal Hussain Shah	Programme Officer	17	7-Aug-17	1/13/2022	4 YEARS	
4	Hizbullah	Programme Officer	17	11-Jan-11	1/13/2022	11 YEARS	
5	Sajjad Mohammad	Sectors Specialist, WFP	17	26-Jan-15	1/13/2022	7 YEARS	
6	Akhtar Zaman	PA	16	20-Jan-10	1/13/2022	12 YEARS	
7	Muhammad Akbar Khan	PA	16	25-Jan-10	1/13/2022	12 YEARS	
8	Muhammad Sohail	Office Assistant	16	1-Jul-15	1/13/2022	7 YEARS	
9	Ghadrat Ullah	Office Assistant	16	8-Aug-17	1/13/2022	4 YEARS	
10	Shahryar Farid	Computer Operator	16	5-Mar-09	1/13/2022	13 YEARS	
11	Syed Waniid Shah	Computer Operator	16	7-Aug-17	1/13/2022	4 YEARS	
12	Qayun Khan	Office Assistant	16	1/7/2015	1/13/2022	7 YEARS	
13	Khalid Mehmood	Computer Operator	16	7/15/2015	1/13/2022	6 YEARS	
14	Noor Rahman	Computer Operator	16	7/8/2017	1/13/2022	5 YEARS	
15	Shannawas	Junior Clerk	11	20-Jan-10	1/13/2022	12 YEARS	
16	Iman Khan	Driver	6	21-Jan-09	1/13/2022	13 YEARS	
17	Shakir Ullah	Driver	6	21-Jan-09	1/13/2022	13 YEARS	
18	Muhammad Yousaf	Driver	6	1-Apr-11	1/13/2022	11 YEARS	
19	Aman	Driver	6	30-Aug-18	1/13/2022	3 YEARS	

20	Sani Ullah	Driver	6	20-Aug-18	1/13/2022	3 YEARS	<i>Sani Ullah</i>
21	Waheeb Gul	Driver	6	27-Aug-18	1/13/2022	3 YEARS	<i>Waheeb Gul</i>
22	Muhammad Farooq Shah	Office Attendant	3	21-Jan-09	1/13/2022	13 YEARS	<i>Muhammad Farooq Shah</i>
23	Sajjad	Office Attendant	3	21-Jan-09	1/13/2022	13 YEARS	<i>Sajjad</i>
24	Rashid Zaman	Office Attendant	3	21-Jan-09	1/13/2022	13 YEARS	<i>Rashid Zaman</i>
25	Yasir Ullah	Office Attendant	3	30-Aug-18	1/13/2022	3 YEARS	<i>Yasir Ullah</i>
26	Fahim Hussain	Office Attendant	3	27-Aug-18	1/13/2022	3 YEARS	<i>Fahim Hussain</i>
27	Muhammad Irshad	Special Messenger/Walchman	2	21-Jan-09	1/13/2022	13 YEARS	<i>Muhammad Irshad</i>
28	Raja	Sweeper	2	4-Feb-10	1/13/2022	12 YEARS	<i>Raja</i>



GOVERNMENT OF KHYBER PAKHTUNKHWA  
PLANNING & DEVELOPMENT DEPARTMENT

NO.SO (B&A)P&DD/1-4/SDU/2021-22/100  
Dated Peshawar the 22<sup>nd</sup> December, 2022

10/12

To

The Secretary to Govt. of Khyber Pakhtunkhwa  
Finance Department,  
Peshawar.

Sustainable Development Unit  
File No. P&D/75  
Date 22-12-22  
Planning & Development Dept  
P.F.A.

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

Dear Sir,

I am directed to refer to the subject noted above and to say that project employees of the Directorate of Projects & PMU-World Food Program were regularized in wake of the "Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile FATA) Act 2021" copy of the departmental Regularization Orders enclosed. The respective employees have lodged a joint appeal to the worthy Secretary P&D for grant of pay protection claiming pay protection in the light of the Finance Division Office Memorandum dated 20.09.2016 and Finance Department Notification dated 18.03.2021 (copies enclosed).

Foregoing in view a copy of the said appeal along with all supporting documents, submitted for favour of grant of concurrence to Pay Protection in the light of the above-cited notifications, please.

Yours Faithfully

Encl: As above.

(JAWAD KHAN)  
ASSISTANT CHIEF (B&A)

Copy forwarded for information to:

1. The Secretary, P&D Department.
2. The Director General, SDU, P&D Department.
3. The Additional Secretary-II, P&D Department.
4. Deputy Secretary (Admn), P&D Department.

ASSISTANT CHIEF (B&A)





GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

-22-

Finance Department Civil Secretariat Peshawar

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

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[twitter.com/GoKFPD](https://twitter.com/GoKFPD)

NO. FD(SOSR-1)12-4/2022/ERSTWHILE FATA

Dated Peshawar the: 09-01-2023

To

The Section Officer (B&A),  
Planning & Development Department,  
Peshawar.

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

I am directed to refer to your letter No.SO(B&A)/P&DD/1-4/SDU/2021-22/100 dated 22.12.2022 on the subject noted above and to advise that the case may be examined in light of Finance Department's circular letters No. FD(SR-I)12-7/2014 dated 06.02.2014, FD(SOSR-I)12-2/2020(34323) dated 18.03.2021 and minutes of the meeting held on 21.01.2020 (copies enclosed) which are crystal clear, please.

Encl:A.A

*[Signature]*  
09/01/23  
SECTION OFFICER (SR-1)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
PLANNING & DEVELOPMENT DEPARTMENT

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

- 23 -  
"6"  
19

To

The Director General, SDU  
P&D Department.

Sustainable Development Unit  
Serial No. 193  
Date 17-1-23  
Planning & Development Deptt.

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

Dear Sir,

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

Yours Faithfully

Encl: As above.

  
(JAWAD KHAN)  
ASSISTANT CHIEF (B&A)

Copy forwarded for information to:

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

ASSISTANT CHIEF (B&A)

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

"H" - 24

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

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

To:

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

Subject:

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

Dear Sir,

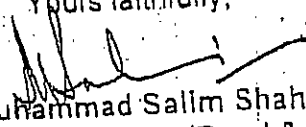
In pursuance to the Finance Division's Office Memorandum No.4(2)R-2/2014-237 dated 7<sup>th</sup> April, 2015, the Competent Authority (Provincial Cabinet) is pleased to allow the pay protection to gazetted contract employees on their regularization / appointment on regular basis subject to the following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

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

qualify for pension & gratuity.  
That in case of regular appointment in lower grade, pay shall not be protected.

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

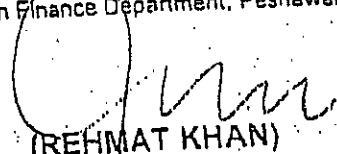
2. In addition to the above, the Accountant General Khyber Pakhtunkhwa may make fixation of pay in terms of above guidelines and only those cases may please be referred to Finance Department where some clarification or advice is required.

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

Endst: No & Date even.

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

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

  
(REHMAT KHAN)  
SECTION OFFICER (SR-1)

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

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

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

Endst: No & Date even.

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

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

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

S#:23	AG KP Peshawar		
		P Sec:009	Month:January 2023
Pers #: 50439492	Buckle:	PR8237	-Directorate of Projects FA
Name: SAMI ULLAH			Directorate of Projects F
DRIVER		NTN:	
CNIC No.1110113477815		GPF #:	
GPF Interest Free		Old #:	
06 Active Temporary			
PAYS AND ALLOWANCES:		PR8237	-
0001-Basic Pay			
1004-House Rent Allow. 45% KP21			16,600.00
1210-Convey Allowance 2005			3,640.00
1300-Medical Allowance			1,932.00
2311-Dress Allowance - 2021			1,500.00
2312-Washing Allowance 2021			1,000.00
2313-Integrated Allowance 2021			1,000.00
2341-Dispr. Red All 15% 2022KP			600.00
2347-Adhoc Rel Al 15% 22(PS17)			1,593.00
Gross Pay and Allowances			1,593.00
			29,458.00
DEDUCTIONS:			
GPF Balance	6,650.00		
		Subrc:	950.00
Total Deductions			950.00
			28,508.00
	D.O.B	LFP Quota:	
	13.05.1991	UNITED BANK LIMITED WARSACK ROAD	
04 Years 05 Months 013 Days		252272569	

27-

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

APPEAL NO: \_\_\_\_\_ OF 2023

Sami ullah

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

P & D Deptt.

(RESPONDENT)  
(DEFENDANT)

I/We Appellant

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

Dated. 15 / 2 / 2023

W/ G  
**CLIENT**

**ACCEPTED**

**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE SUPREME COURT**  
(BC-10-0853)  
(15401-0705985-5)

K  
**KAMRAN KHAN**

U  
**UMAR FAROOQ MOHMAND**

A Adnan  
**WALEED ADNAN**

&

Muhammad Ayub  
**MUHAMMAD AYUB**  
**ADVOCATES**

**OFFICE:**

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