


FORM OF ORDER SHEET

Court of

Appeal No. 1292/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/06/2023	<p>The appeal of Mr. Saad Ullah Khan resubmitted today by Mr. Munfat Ali Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>12-06-2023</u>.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Sadullah Khan Head Master retired GHS Asota Sharif Swabi received today i.e on 30.05.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Page nos. 7, 9, 10 & 11 of the appeal are illegible which may be replaced by legible/better one.

No. 1555 /S.T.

Dt. 31/5 /2023.



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Munfat Ali Yousafzai Adv.
High Court Peshawar.

Dear Sir,

All objections have been removed, the needful
is done hence for resubmission.

(M)

7/5/23

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

APPEAL NO. 1292 of 2023

Saad Ullah Khan Head Master Government High School Asota
Sharif District Swabi.

.....Appellant

Versus

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Peshawar.
2. The Secretary Finance Khyber Pakhtunkhwa Peshawar.
3. The Accountant General Khyber Pakhtunkhwa Peshawar.
4. The Secretary, E&SE Department Khyber Pakhtunkhwa Peshawar.

..... Respondents


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8.	Wakalat Nama		In original

Dated 17/05/2023

Through

Appellant


Munfat Ali Yousafzai
Advocate High Court,
Peshawar.

03449213367

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

APPEAL NO. 1292 of 2023

Saad Ullah Khan Head Master Government High School Asota
Sharif District Swabi.

.....Appellant

Versus

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Peshawar.
2. The Secretary Finance Khyber Pakhtunkhwa Peshawar.
3. The Accountant General Khyber Pakhtunkhwa Peshawar.
4. The Secretary, E&SE Department Khyber Pakhtunkhwa Peshawar.

..... Respondents

**APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, AGAINST THE
ILLEGAL CLARIFICATION ORDER REGARDING
15% INCREASE IN THE NET PENSION W.E.F
01.07.2022 FOR THE EMPLOYEES WHO ARE
RETIRED ON OR AFTER 01.07.2022 OF THE
FINANCE DEPARTMENT KHYBER
PAKHTUNKHWA PESHAWAR NO. FDSO (SR-II) 2-
4/2022/PENSION PESHAWAR DATED 21/07/2022
WHEREBY CEASMENTS/MERGER OF THE
INCREASEMENTS FOR THE YEAR 2011 OF 15%
AND FOR THE YEAR 2015 OF 7.5 WERE
INCLUDED, IN THE ABOVE MENTION
CLARIFICATION ORDER EXCESSIVELY, AND
AGAINST NOT TAKING ACTION ON THE
DEPARTMENTAL APPEAL OF THE APPELLANT
WITHIN STATUTORY PERIOD OF NINETY DAYS.**

Prayer

That on acceptance of this Service Appeal the impugned clarification order FDSO (SR-II) 2-4 /2022/PENSION dated 21.07.2022 may kindly be modified/rectified to the extent that the increasement of 2011 of 15% and 2015 7.5% be excluded from the ceasement/merger and be awarded to the appellant who retired after dated 01.07.2022. Any other remedy which this august tribunal *deems fit.*

deems fit that may also be awarded in favor of the appellant.

Respectfully Sheweth:

ON FACTS

- 1- That the appellant was employ of E&SE Department and was retired on 12.12.2022 as Headmaster Government High School Asota Sharif District Swabi vide order dated No. AO/E&SE/6-31/LPR/SWABI dated 06.10.2022 retirement order is attached as Annexure -A.
- 2- That the Government of KPK Finance Department issued a clarification order No. FDSO (SR-II) 2-4 /2022/PENSION dated 21.07.2022 whereby excessive ceasments/mergers of the adhoc relief in pension of 15% of 2011 and 7.5% of 2015 was made in sheer dis regard, violation and derogation of the Federal Government Finance Department clarification memorandum No. F.4 (1)/Registration.6/2022-486 dated 01.07.2022 Islamabad, the impugned order of the KPK Finance Department and the Federal Government Finance Department clarification memorandum are attached as Annexure-B and C.
- 3- That the Government of Punjab and Baluchistan followed the Federal Government and issued the same clarification orders which are attached as Annexure D & E).
- 4- That while the Government of Sindh increased the pension by 63.5% and made ceasments/mergers of all

- 4- That while the Government of Sindh increased the pension by 63.5% and made cessments/mergers of all increments from 2011 to 2021. (Copy of notification is attached as Annexure- F).
- 5- That appellant approached the respondents through Departmental appeal for the modification/rectification of the KPK Government Finance Department order but still in vain. (Copy of Departmental Appeal is attached as Annexure- G).
- 6- That by the said clarification order of the Khyber Pakhtunkhwa Finance Department the pension of the appellant was reduced substantially.
- 7- That feeling aggrieved and having no other remedy the appellant filed the instant Service Appeal on the following grounds amongst the others:-

GROUND:

- A) That the impugned clarification order of the KPK Finance Department mention above to the extent of including cessments/mergers of 15% of 2011 and 7.5% of the year 2015 is illegal, against the law, facts, hence not tenable and liable to be modified/rectified for excluding the above increments of 2011 and 2015 from cessments/mergers.
- B) That the impugned order regarding cessments/mergers of all the increments as clear violation of the Article 38 (e) of the Constitution and such violation of the 27 of Constitution which produced a sharp disparity.

- C) That pension is a right acquired in consideration of past service guaranteed by constitution and law therefore under the law it is not a bounty or payable on the sweet will and pleasure of the Government and the right to receive it is a property, a vested right with legitimate expectation which could not be arbitrarily abridged and reduced.
- D) That the Petitioner has not been treated in accordance with law and rules by the respondent on the subject noted above and as such respondent, violated Article 4 and 25 of the Constitutional of Islamic Republic of Pakistan 1973.
- E) That the appellant has been discriminated on the subject noted above and as such the respondent violated the principal of natural justice.
- F) That the appellant seeks permission to advance other grounds improve at the time of hearing.

It is, therefore, most humbly prayed that the appeal of the appellant may kindly be accepted and the partial impugned order of the KPK Finance Department may kindly be modified and rectified as prayed for.

Dated ¹⁷~~25~~/05/2023

Saadullah
Appellant

Through



Munfat Ali Yousafzai
Advocate High Court, Peshawar.

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

APPEAL NO. _____ of 2023

Saad Ullah Khan Principal (retired) Government High School Asota
Sharif District Swabi.Appellant

Versus

1. The Government of Khyber Pakhtunkhwa through Chief Secretary KPK Peshawar.
2. Secretary Finance Khyber Pakhtunkhwa Peshawar.
3. Accountant General Khyber Pakhtunkhwa Peshawar.


..... Respondents

Affidavit

I, Munfat Ali Yousafai Advocate on the instruction of my client do hereby solemnly affirm and declare on oath that the contents of the accompanied appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.




DEPONENT





GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

Peshawar the October 6, 2022

NOTIFICATION

NO. AO/E&SE/6-31/LPR/Swabi: In pursuance of Section-13 (1) of Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), Sadullah Khan HM BS-17 GHS Asota Sharif Swabi shall stand retire from Government service w.e.f. 12-12-2022 (A.N) on attaining sixtieth (60th) year of age, as his date of birth is 13-12-1962.

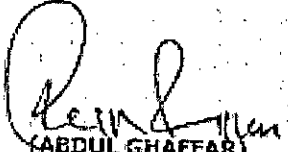
2. The Competent Authority is further pleased to allow him 365 days encashment of leave in lieu of LPR as admissible to him under the Revised Leave Rules, 1981.


SECRETARY
Govt. of Khyber Pakhtunkhwa
Elementary & Secondary Edu: Department

Encls: of even No. & date:

Copy forwarded to:

1. The Director, Elementary & Secondary Education, Peshawar.
2. The District Accounts Officer, Swabi.
3. The District Education Officer (Male), Swabi.
4. The Director, EMIS Cell, E&SE Department for uploading at official website.
5. The Section Officer (Schools/Male), Elementary & Secondary Education Department.
6. Sadullah Khan HM BS-17 GHS Asota Sharif Swabi.
7. Master File.


(ABDUL GHAFFAR)
SECTION OFFICER (ACCOUNTS)



B-7



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

No. FDSO(SR-II)2-4/2022/Pension

Dated Peshawar the 21st July 2022

To:

- 1. The Secretary General, Khyber Pakhtunkhwa.
- 2. The District Comptroller of Accounts, Government of Khyber Pakhtunkhwa.
- 3. All the District Accounts Officers, Government of Khyber Pakhtunkhwa.

Subject: CLARIFICATION REGARDING 15% INCREASE IN THE NET PENSION

Dear Sir,

I am directed to refer to the subject cited above, in continuation of our Department Notification No. FDSO(SR-II)2-4/2022/Pension dated 14.07.2022 and in consonance with the Finance Division, Government of Pakistan Office Memorandum No. F-2(1)-Reg 6/2022-486 dated 01.07.2022 and Finance Department, Government of Khyber Pakhtunkhwa Office Memorandum No. FD(SR-II)3-230/2022 dated 13.07.2022, the clarification regarding previously merged adhoc increases of 2011, 2015, 2016, 2017, 2018, 2019 and 2021 is as under:-

- (i) The aforementioned adhoc increases have been merged in basic pay. Hence the said increases will cease to exist or discontinued to all those employees retiring on or after 1st July 2022.
- (ii) All other clauses and conditions of the Notification Ibid will remain the same as mentioned.

Yours faithfully,

(ALLA-UD-DIN KHATTAK)
Section Officer (SR-II)

2-8

Government of Pakistan
Finance Division
(Regulations Wing)

No. F-4(1)-Reg 6/2022-486

Islamabad, the 1st July 2022

OFFICE MEMORANDUM

Subject: GRANT OF INCREASE IN PENSION TO PENSIONERS OF THE FEDERAL GOVERNMENT

1. The undersigned is directed to state that the Federal Government has been pleased to enhance the existing rate of increase in pension (i.e. 10% granted w.e.f. 01.04.2022 vide O.M. of even number dated 14th & 30th April 2022) to 15% w.e.f. 01.07.2022 to all pensioners of the Federal Government including Civilians paid from Defence Estimates as well as retired Armed Forces personnel and Civil Armed Forces personnel until further orders. This increase in pension @ 15% will also be admissible to those pensioners who will retire on or after 01.07.2022.

2. The previous five (05) increases in pension will cease to exist for the pensioners who will retire on or after 1st July 2022 i.e. (@ 10% of 2016, @ 10% of 2017, @ 10% of 2018, @ 10% of 2019 and @ 10% of 2021).

3. Other conditions (vide paras 2-6 of O.M. of even number dated 14.04.2022) will remain the same.


(Muhammad Anwar Javaid)
Section Officer (Reg.6)

ALL MINISTRIES/DIVISIONS

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ATTACHED

Mr. Iftikhar Anjum
 Finance Secretary

- Recd:
1. Assistant Chief Secretary, Government of Punjab
 2. All Administrative Secretaries to Government of Punjab
 3. The Principal Secretary to Chief Minister, Punjab
 4. The Principal Secretary to Government, Punjab
 5. The Minister Secretary to Government, Punjab
 6. The Registrar, Faisalabad High Court, Faisalabad
 7. All Heads of Attached Departments, Government of Punjab
 8. All Commissioners in the Punjab
 9. All Deputy Commissioners in the Punjab
 10. All District and Sessions Judges in the Punjab
 11. The Secretary, Punjab Public Service Commission, Lahore
 12. The Secretary, Punjab Provincial Assembly, Lahore
 13. The Provincial Director, Local Fund Audit, Punjab, Lahore
 14. The Chief Inspector of Treasuries and Accounts, Punjab, Lahore
 15. The Chief Pilot, VIP Flight, Lahore

GRANT OF INCREASE IN PENSION TO CIVIL PENSIONERS OF THE GOVERNMENT OF THE PUNJAB

I am directed to state that Government of the Punjab has been pleased to enhance the existing rate of increase in net pension (i.e. 10% granted w.e.f. 01.04.2022 vide this Department's circular letter of even number dated 01.07.2022) to 15% w.e.f. 01.07.2022. Unit further orders to all (civil) pensioners of Government of the Punjab. This increase in pension @ 15% will also be admissible to those pensioners who will retire on or after 01.07.2022. The previous five (5) increases in pension will cease to exist for the pensioners who will retire on or after 1st July, 2022 (i.e. @ 10% of 2016, @ 10% of 2017, @ 10% of 2018, @ 10% of 2019 and @ 10% of 2021). Other conditions (vide paras 2-7 of this Department's circular letter bearing even number dated 01.07.2022) will remain the same.

ADL. FINANCE SECRETARY (REGS)
 (FINANCE DEPARTMENT)
 Lahore, the 21/07/2022

NO. & DATE EVEN:

1. The Accountant General Punjab, Lahore
2. All District Accounts Officers in the Punjab
3. Treasury Officer, Lahore

A copy is forwarded for information and necessary action to:

SECTION OFFICER (SR-III)
 (FINANCE DEPARTMENT)
 Lahore, the 21/07/2022

NO. & DATE EVEN:

1. Joint Secretary, Islamabad
2. Finance Secretary, Government of Sindh, Karachi
3. Finance Secretary, Government of Baluchistan, Quetta
4. Finance Secretary, Government of Khyber Pakhtunkhwa, Peshawar
5. Finance Secretary, Government of the State of Jammu & Kashmir, Muzaffargarh
6. Finance Secretary, Government of Gilgit Baltistan

A copy is forwarded for information and necessary action to:

NO. & DATE EVEN:

1. State Bank of Pakistan, Head Office, 11, Connaught Road, Karachi
2. National Bank of Pakistan, Head Office, 11, Connaught Road, Karachi
3. Chief Managers, State Bank of Pakistan, Lahore, Faisalabad, Multan, Sialkot
4. Regional Chiefs, National Bank of Pakistan, Lahore, Rawalpindi, Multan, Sialkot, Faisalabad, Gujranwala, Bahawalpur, Jhelum, Gujrat, Sargodha and I.T. Khan

A copy is forwarded for information and necessary action to:

(M)

FE — 10



FINANCE DEPARTMENT
(Regulation-1)

Dated Quetta, the 18th August, 2022

NOTIFICATION

No. FOIR-III-29/2022/856-976 The Government of Balochistan is pleased to sanction an increase of 15% of net pension with effect from 1st July 2022 to all the pensioners of this Provincial Government. This increase in pension @ 15% will also be admissible to those pensioners who will retire on or after 01-07-2022.

2. The five (05) increases in pension will cease to exist for the pensioners who will retire on or after 1st July, 2022 as follows:-

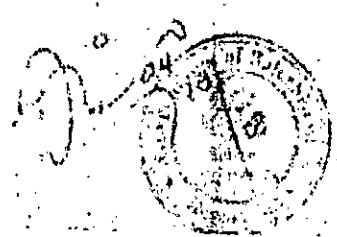
S. #	Name of Increase in Pension	Circular / Notification No.	Admissible Rates
i	Increase in Pension-2016 (01.07.2016)	FOIR-III-29/2016, 1470-1590 dated 15 th July, 2016.	10% of the net pension
ii	Increase in Pension-2017 (01.07.2017)	FOIR III-29/2017/1507-1627 dated 21 st July, 2017.	10% of the net pension
iii	Increase in Pension-2018 (01.07.2018)	FOIR-III-29/2018/1482-1600 dated 16 th July, 2018	10% of the net pension
iv	Increase in Pension-2019 (01.07.2019)	FOIR-III-29/2019/3566-3126 dated 15 th July, 2019.	10% of the net pension
v	Increase in Pension-2021 (01.07.2021)	FOIR-III-1/2021/1731-1850 dated 9 th July, 2021.	10% of initial pension at the time of retirement.

3. For the purpose of admissibility of increase in pension sanctioned in this circular the term "Net Pension" means "Pension being drawn" minus "Medical Allowance".

4. The increase of 15% of net pension shall be admissible to all the family pensioners of Provincial Government under the Balochistan Civil Servants Pension Rules, 1989 as well as on the compassionate allowance under Rules 1.9 of the said rules.

5. If the gross pension sanctioned by the Provincial Government is shared with any Government in accordance with the rules, the amount of the increase in pension will be apportioned between the Provincial Government and the other Government concerned on proportionate basis

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6. The increase in pension sanctioned in this Circular will not be admissible on Special Additional Pension allowed in lieu of pre-retirement orderly allowance and monetized value of a driver or an orderly.

7. The benefit of increase in pension sanctioned in this circular will also be admissible to those Pensioners of the Provincial Government who are residing abroad (other than those residing in India and Bangladesh) who retired on or after 15.04.1947 and are not entitled to, or are not in receipt of pension increase under the British Government's Pension (provision) Acts. The payment will be made at the applicable rate of exchange.

SALMAN MUFTI
Finance Secretary

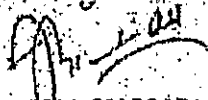
The Chief Controller,
Printing & Stationery Department,
Rohat-Khan, Quetta, for publication and
circulation of this Circular to all offices.

NOT FOR I.D. No. 2022/856/276

Dated Quetta, the 18th August, 2022

A copy is forwarded for information and necessary action to:-

1. The Additional Chief Secretary (Govt) Government of Balochistan, P&S Department, Quetta
2. The Additional Chief Secretary, Government of Balochistan, Home & Tribal Affairs Department
3. The Central Member / Member Board of Revenue Balochistan
4. The Chairman, Chief Minister Inspection Team, Balochistan, Quetta
5. The Principal Secretary to Governor Balochistan Quetta
6. The Principal Secretary to Chief Minister Balochistan Quetta
7. All the Administrative Secretaries Balochistan
8. The Accountant General Balochistan Quetta
9. The Registrar Balochistan High Court, Quetta
10. The Director General, Treasury & Accounts Balochistan, Quetta
11. The Director General, Public Relations Balochistan Quetta. He is requested to publish/circulate the above orders through Print/Electronic Media
12. The Secretary, Balochistan Provincial Assembly, Quetta
13. The Secretary, Office of the Provincial Minister Balochistan, Quetta
14. All the Divisional Commissioners
15. All the Deputy Commissioners Balochistan
16. All the Head of Attached Departments
17. The Director Accounts, State Bank of Pakistan SPP Banking Services Corporation, Branch Head Office Karachi
18. All the Head of Autonomous/Semi Autonomous Bodies Balochistan
19. The Additional Secretary (Staff) to Chief Secretary Balochistan, Quetta
20. The Secretary Balochistan Public Service Commission, Quetta
21. All Senior/Diary Officers in Balochistan
22. The Controller, Government Printing Press Quetta


(AISHA KAMAL)
 Section Officer (Regulations-I)
 Phone# 9201130



13447

**GOVERNMENT OF SINDH
FINANCE DEPARTMENT**

NO.FD(SR-III)3-230/2022

Karachi dated the 13th July, 2022

OFFICE MEMORANDUM

SUBJECT: GRANT OF INCREASE IN PENSION TO THE CIVIL PENSIONERS OF THE GOVERNMENT OF SINDH.

The Government of Sindh has been pleased to sanction an increase until further orders to all civil pensioners of the Sindh Government at the following rates:

- (a) @ 5% of pension to the existing civil pensioners who retired on or before 30.06.2022 with effect from 01.07.2022 and;
- (b) @ 63.5% of net pension to pensioners who will retire on or after 01.07.2022, ceasing all previous increases in pension i.e., 2011, 2015, 2016, 2017, 2018, 2019, 2020 and 2021 with effect from 01.07.2022.

2. The previous eight (8) increased in pension i.e. 15% of 2011, 10% of 2015, 10% of 2016, 15% of 2017, 10% of 2018, 15% of 2019, 10% of 2020 and 10% of 2021 shall cease to exist for pensioners who will retire on or after 01st July, 2022.
3. For the purpose of admissibility of increase in pension sanctioned in this Department's O.M. the term "Net Pension" means "Pension being drawn".
4. The increase will also be admissible on family pension granted under the Pension-cum-Gratuity Scheme, 1954, Liberalized Pension Rules, 1977, on pension sanctioned under the Central Civil Services (Extra Ordinary Pension) Rules as well as on the Compassionate Allowance under CSR-353.
5. If the gross pension sanctioned by the Sindh Government is shared with any Government in accordance with the rules laid down in Part-IV of Appendix III to the Accounts Code, Volume-1, the amount of the increase in pension will be apportioned between the Federal Government and the other Government concerned on proportionate basis.
6. The increase in pension sanctioned in this O.M. will not be admissible on Special Additional Pension allowed in lieu of pre-retirement orderly allowance.
7. The benefit of increase in pension sanctioned in this O.M. will also be admissible to those Civil Pensioners of the Sindh Government who are residing abroad (other than those residing in India and Bangladesh) who retired on or after 15.08.1947 and are not entitled to or are not in receipt of pension increase under the British Government's Pension (increase) Acts. The payment will be made at the applicable rate of exchange.

SAJID JAMAL ABRO
Secretary in Government of Sindh

Contd. P/2

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To

The Chief Secretary Government of Khyber Pakhtunkhwa
Civil Secretariat Peshawar

SUBJECT:

A
1/19-13

DEPARTMENTAL APPEAL AGAINST THE CLARIFICATION ORDER REGARDING 15% INCREASE IN NET PENSION W.E.F FROM 01-07-2022, FOR THE EMPLOYEES WHO WILL RETIRED ON OR AFTER 01-07-2022, OF THE NOTIFICATION OF THE FINANCE DEPARTMENT OF GOVT OF KHYBER PAKHTUNKHWA NO.FDSO(SRII)2-4/2022/PENSION PESHAWAR DATED 21-07-2022, WHEREBY CEASEMENTS/ MERGERS OF THE INCREASEMENTS IN PENSION FOR THE YEARS OF 15% 2011, 7.5% 2015, WERE INCLUDED IN THE ABOVE MENTION NOTIFICATION BESIDE CEASMENTS MONTHS/MERGERS 10% OF 2016, 10% OF 2017, 10% OF 2018, 10% OF 2019 & 10% OF 2021 WERE MADE IN DEROGATION / DECREASE OF THE NOTIFICATION OF THE FEDERAL GOVERNMENT FINANCE DEPARTMENT NOTIFICATION NO. F.4 (1)-REG.6/2022-486, DATED 01-07-2022 WAS ISSUED WITHOUT JUSTIFICATION BY THE SAID NOTIFICATION OF THE KHYBER PAKHTUNKHWA GOVERNMENT AND OTHER FEDERATING UNITS OF PAKISTAN.

Respected Sir,

With due respect it is stated that the appellant was the employee of (E&SE) Department and was retired on 12-12-2022, as Head Master GHS Asota Sharif District Swabi vide order No. AO/E&SE/6-31/LPR Swabi dated 06-10-2022.

That the government of Khyber Pakhtunkhwa Finance Department issued a notification order vide No. FDSO (SRII) 2-4/2022/Pension Peshawar dated 21-07-2022, whereby excessive Casements/ merger of the Adhoc relief's in pension of 15% 2011, and 7.5% Relief of 2015 was made in sheer dis

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regard of the Federal Government officer memorandum No. F/4(1)-Reg 6/2022-486 dated 01-07-2022, was made for the employees who will retired are after 01-07-2022.

That the Federal Government under the said office memorandum No. F.4(1)-Registration.6/2022-486 dated 01/07/2022 made casements/mergers of the Adhoc reliefs of 10% of 2016, 10% of 2017, 10% of 2018, 10% of 2019, & 10% of 2021 while sanctioned 15% increase for the employees who will retired on are after 01-07-2022.

The government of Punjab through its clarification Notification FDS/SRIII-4-160/2021 of Government of Punjab Finance Department dated 21-07-2022, following the Federal Government Office Memorandum No. 486 made ceasements / mergers of the Adhoc ceasements/mergers of 2016 to 2019 and 2021 and increased 15% of net pension for the employees to the retired on are after 01-07-2022, excluding 15% increase of 2011 and increase of 7.5 of 2015 respectively from casement/mergers.

The Government of Balochistan through its Notification No. FD(R-1)II-29/2022/856-976, Quetta. Dated 18-07-2022, also made ceasements and mergers of the Adhoc Relief from 2016 to 2021, and excluding 15% of 2011 and increasment of 7.5% of the year 2015 was excluded from ceasements/merger like Federal Government, however the Government of Sindh Office Memorandum No. FD(SR-III)3-230/2022 Karachi Dated 13-07-2022, made ceasements/ mergers of all Adhac Reliefs from 2011, 2015, and from 2016 to 2021, and give its employees more increasement/relief to its those employees who will retired on or after 01-07-2022. But astonishingly the Government of

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Khyber Pakhtunkhwa through its Notification No. FDSO(SR-II)2-4/2022 dated Peshawar 21-07-2022, made cessments/mergers of all the Adhac reliefs of 2011, to 2015 and from 2016 to 2021, while increasing 15% pension of its employees who will retired on 01-07-2022 by including the Adhac reliefs 15% of 2011 and 7.5 2015 excessively and in sheer violation of the Federal Government Office Memorandum No. 486 dated 01/07/2022 Notification No. 486 of the Federal Government. (All notifications are attached).

This Action and inaction of Govt of Khyber Pakhtunkhwa is illegal and against the law rules, facts and constitution and therefore infective upon the rights of the appellant and not tenable and liable to be corrected/rectified by excluding cessments/mergers of the adhac reliefs of 2011 and 2015.

This Notification of the Govt of Khyber Pakhtunkhwa is not tenable in law and liable to be corrected / rectified according to the Federal Government Notification No. 486, dated 01-07-2022.

It is therefore kindly submitted that the above mention correction / rectification be made in the Clarification Notification of the Government of KP.

Dated 06/02/2023

Your Sincerely

S. Khan

Sadullah Khan

Ex-Principle

GHS Asota Swabi

(M)

بعدالت

لکھنؤ ٹریڈنگ کمپنی

2 منجانب
بنام

مسعود علی شاہ

مورخہ

مقدمہ

دعویٰ

جرم

بناج
ضمانت

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام ہمسار کرسٹل ٹریڈنگ کمپنی کے متعلقہ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ از عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے
اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے
سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔
کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

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المرقوم

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واہ العبد

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