


# FORM OF ORDER SHEET

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

**Appeal No.** 1293/2023

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. Muhammad Bashir 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  REGISTRAR</p>

The appeal of Mr. Muhammad Bashir Principal, retired GHS No.1 Thana Malakand 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.

- 1- Copy of retirement order dated 12.12.2022 mentioned para-1 of the memo of appeal is not attached with the appeal which be placed on it.
- 2- Page nos. 7, 9, 10 & 11 of the appeal are illegible which may be replaced by legible/better one.
- 3- One copy/set of the memo of appeal along with annexures i.e. complete in all respect may also be submitted with the appeal in file cover.

No: 1554 /S.T.

Dt. 31/5 /2023.

*A. in.*

REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Munfat Ali Yousafzai Adv.  
High Court Peshawar.

Dear Sir,

All objection have been removed  
hence for Re submission.

(M)

7/6

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

APPEAL NO. 1293 of 2023

Muhammad Bashir Principal retired GSAS Government High  
School No 1 THANA Malakand

.....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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Dated 17/05/2023

Through

Appellant



Munfat Ali Yousafzai  
Advocate High Court,  
Peshawar.

0344921337

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

APPEAL NO. 1293 of 2023

Muhammad Bashir Principal retired GSAS Government High  
School No 1 THANA Malakand

.....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 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 04.04.2023 as Principapl GSAS Government High School No. 1 Thana District Malakand vide order dated No. AO/E&SE/6-22/LPR/Malakand dated 04.04.2023 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 cessments/mergers of all increasment 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 increasment of 2011 and 2015 from cessments/mergers.
- B) That the impugned order regarding cessments/mergers of all the increasments as clear violation of the Article 38 (e) are the Constitution and <sup>as</sup> 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 17/05/2023

  
Appellant

Through



**Munfat Ali Yousafzai**  
**Advocate High Court, Peshawar.**

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

APPEAL NO. \_\_\_\_\_ of 2023

Muhammad Bashir Principal (retired) Government Higher  
Secondary School No 1 Thana Malakand.

..... 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**





A - 6

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT**

Peshawar the April 4, 2023

**NOTIFICATION**

**NO. AO/E&SE/6-22/LPR/Malakand:** In pursuance of Section-13' (1) of Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), Muhammad Bashir Principal BS-20 GSASHS No.1 Thana District Malakand stands retired from Government service w.e.f. 04-04-2023 (A.N) on attaining sixtieth (60th) year of age, as his date of birth is 05-04-1963.


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**

**Endst: of even No. & date:**

Copy forwarded to:

1. The Director, Elementary & Secondary Education, Peshawar.
2. The District Accounts Officer, Malakand.
3. The District Education Officer (Male), Malakand.
4. The Director, EMIS Cell, E&SE Department for uploading at official website.
5. The Section Officer (Schools/Male), Elementary & Secondary Education Department.
6. Muhammad Bashir Principal BS-20 GSASHS No.1 Thana District Malakand.
7. Master File.

  
**(ABDUL GHAFFAR)  
SECTION OFFICER (ACCOUNTS)**

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

NO. FDSO (SR-II)/2-4/2022/PENSIN

Dated Peshawar the 21th July, 2022

To

1. The Accountant General  
Khyber Pakhtunkwa.
2. The District Comptroller of Accounts  
Government of Khyber Pakhtunkwa.
3. All the District Account Officers,  
Government of Khyber Pakhtunkwa.

Subject:- CLARIFICATION REGARDING 15% INCREASE IN THE NET PENSION

Dear Sir:

I am directed to refer to the subject cited above in continuation of the department Notification No. FDSO (SR-II)2-4/2022/Pension dated 14.07.2022 and in consequence with the Finance Divison, Government of Pakistan Office Memorandum No. F-4/1-Reg 6/2022-486 dated 01.07.2022 and Finance Department Government of Sindh Office Memorandum No. FD (SR-III)3-230/2022 dated 13.7.2022 the clarification regarding previously merged adhoc increases of 2011, 2015, 2016, 2017, 2018 2019 and 2021 is as under:-

- (1) The aforementioned adhoc increase have been merged in basic pay.  
Hence the said increases will cease to exist or discontinued to all those employees retiring on or after 1<sup>st</sup> July 2022.
- (2) all other clauses and conditions of the verification ibid will remain the same as mentioned.

Yours Faithfully  
(ALLA-UD-KHATTAK)  
Section Officer (SR-II)

B — 7  
A — 8



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT**

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

Dated Peshawar the 21<sup>st</sup> July 2022

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

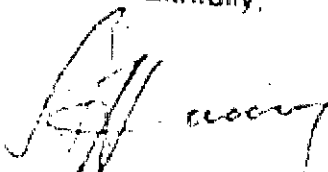
Subject - **CLARIFICATION REGARDING 15% INCREASE IN THE NET PENSION**

Dear Sir

I am directed to refer to the subject cited above in continuation of this 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. 4(1)-Reg 6/2022-486 dated 01.07.2022 and Finance Department, Government of Sindh Office Memorandum No. FD(SR-III)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 1<sup>st</sup> 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)

ATTESTED

C-8  
CB-7

Government of Pakistan  
Finance Division  
(Regulations Wing)  
><><

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

Islamabad, the 1<sup>st</sup> July 2022


OFFICE MEMORANDUM

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

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 14<sup>th</sup> & 30<sup>th</sup> 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 1<sup>st</sup> 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.

ATTESTED  
ATTESTED  
ATTESTED

Better Copy

D-9

No. FD/SR-168/2021  
GOVERNMENT OF THE PUNJAB  
Dated Lahore the 21th July, 2022

From

Mr. Ifikhar Amjad  
Finance Secretary

To

1. Additional Chief Secretary Sindh, Punjab.
2. All Administrative Secretaries to Government of the Punjab.
3. The Principal Secretary in Governor.
4. The Principal Secretary to Chief Minister Punjab.
5. The Ministry Secretary to Governor, Punjab.
6. The Registrar, Lahore High court, Lahore.
7. All head of attached Department's, Government of the Punjab.
8. All Commissioner of the Punjab.
9. All Deputy Commissioner in the Punjab.
10. All District and session 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 Account, Punjab, Lahore.
15. The Chief Pilot, VIP Flight, Lahore.

Subject:- GRANT OF INCREASE IN PENSION TO CIVIL PENSIONERS OF THE GOVERNMENT OF THE PUNJAB.

I'm am directed that Governor 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 Circular letter of even number dated 01.07.2022) to 15% W.e.f 01.07.2022, until 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.

2. The previous five (5) increase in pension will cause 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 2-7 of this Departments circular letter bearing even number dated 01.07.2022) will remain the same.

(KHALID MAHMOOD)  
ADDL FINANCE SECRETARY (REG)

NO AND EVEN DATE

A copy is forwarded for information and necessary action to

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

(KHALID MAHMOOD)  
ADDEL FINANCE SECRETSRY (REG)  
(Fonts....2)

(2)

NO & DATE EVEN

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

1. Joint Secretary, Government of the Pakistan, Finance Division, (Regulation Wing) Islamabad.
2. Finance Secretary, Government of Sindh, Karachi.
3. Finance Secretary Government of Balochistan, Quetta.
4. Finance Secretary Government of Khyber Pakhtunkhwa, Peshawar.
5. Finance Secretary Azud Government of the State of Jammu and Kashmir. Muzaffrabad.
6. Finance Secretary, Government of Gilgit Baltistan.

(AFZAL RAHIM)  
(SECTION OFFICER SR)

NO & EVEN DATE

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

1. State Bank of Pakistan, Head Office Road, Karachi.
2. National Bank of Pakistan, Head Office Chundriger, Road, Karachi.
3. Chief Managers, State Bank of Pakistan, Lahore, Faisalabad, Multan, Sialkot, Gujranwala, Bahawalpur, Rawalpindi and D.G Khan
4. Regional Chiefs, National Bank of Pakistan, Lahore, Rawalpindi, Multan, Sialkot, Faisalabad, Gujranwala, Bahawalpu, Jhelum, Gujrat, Sargodha and D.G Khan.

D  
9



NOTIFICATION-III-4-166/2021  
GOVERNMENT OF THE PUNJAB  
FINANCE DEPARTMENT  
Dated: Lahore, the 21<sup>st</sup> July, 2022

From,

Mr. Ihtsham Anjum  
Finance Secretary

To,

1. Additional Chief Secretary, South Punjab
2. All Administrative Secretaries to Government of the Punjab
3. The Principal Secretary to Government, Punjab
4. The Principal Secretary to Chief Minister, Punjab
5. The Military Secretary to Government, Punjab
6. The Registrar, Lahore High Court, Lahore
7. All Heads of Attached Departments, Government of the 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

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

I am directed to state that Governor 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, until 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.

2. The previous five (05) increases in pension will cease to exist for the pensioners who will retire on or after 1<sup>st</sup> 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 2-7 of this Department's circular letter bearing even number dated 01.07.2022) will remain the same.

*M. Mahmood*  
(KHALID MAHMOOD)  
ADDL. FINANCE SECRETARY (REG.)  
21/07/2022

NO. & DATE EVEN:

A copy is forwarded for information and necessary action to:

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

*Fazal Raheem*  
(FAZAL RAHEEM)  
SECTION OFFICER (SR-III)  
21/07/2022  
(Contd... P-2)

-(2)-

NO. & DATE EVEN:

A copy is forwarded for information and necessary action to:

1. Joint Secretary, Government of the Pakistan, Finance Division, (Regulation Wing), 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, Azad Government of the State of Jammu & Kashmir, Muzaffarabad
6. Finance Secretary, Government of Gilgit Baltistan

*Fazal Raheem*  
(FAZAL RAHEEM)  
SECTION OFFICER (SR-III)  
21/07/2022

NO. & DATE EVEN:

A copy is forwarded for information and necessary action to:

1. State Bank of Pakistan, Head Office, 11, Condrograr Road, Karachi
2. National Bank of Pakistan, Head Office, 11, Chundrigar Road, Karachi
3. Chief Managers, State Bank of Pakistan, Lahore, Faisalabad, Multan, Sialkot, Gujranwala, Bahawalpur, Rawalpindi and D.G. Khan.
4. Regional Chiefs, National Bank of Pakistan, Lahore, Rawalpindi, Multan, Sialkot, Faisalabad, Gujranwala, Bahawalpur, Thesim, Gujrat, Sargodha and D.G. Khan

*SBP*

**ATTACHED**

GOVERNMENT OF BALOCHISTAN  
FINANCE DEPARTMENT  
(Regulation Wing)

NOTIFICATION

No. FD(R-I)II-29/2022/856-976:- The Government of Balochistan is pleased to sanction an increase @ 15 of net pension with effect from 1<sup>st</sup> 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 (5) increase in pension will cause to exist for the pensioners who will retire on or after 1<sup>st</sup> July, 2022 as follows:-

S	Name of increase in pension	Circular/Notification No.	Admissible Rate
i.	Increase in pension 2016 (01-07-2016)	FD (R-I) II-29 /2016/1470, 1590	10% of the net pension
ii.	Increase in pension 2017 (01.07.2017)	FDR 29/2017/1507, 1627 dated 24th July 2017	10% of the net pension
iii	Increase in pension 2019 (01.07.2019)	F2F R-I -29 /2019/3606 3126 dated 19 <sup>th</sup> July, 2019	10% of the net pension
Iv	Increase in pension 2021 (01.07.2021)	F2F R-I /2021/1731 dated 9 <sup>th</sup> July, 2021	10% of initial pension in time of retirement

3. For the purpose of Admissibility of Increase in pension sanctioned in this circular the term Net Pension" means 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 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 Government and the other Government concerned on proportionate basis.

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 sanction 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 15.08.1947 and are not entitled to or are not in receipt of pension increase under the British Government's Pension (increases) Acts. the payment will be made at the applicable rate of exchange.

(SALMAN MUFTI)  
Finance Secretary

The Chief Controller,  
Printing and Stationary Department,  
Baluchistan Quota for Publication

Dated Quota the 18<sup>th</sup> August, 2022

NO. FDF (R-I)29/2022856-876

1. The Additional Chief Secretary Government of Baluchistan PSD Department Quota.
2. The Additional Chief Secretary Government of Baluchistan, Home & Tribal Affairs, Department.
3. The Senior Member/Member Board of Revenue, Baluchistan.
4. The Chairman Chief Minister Inspection team Baluchistan Quetta.
5. The Principal Secretary to Governor Baluchistan, Quetta.
6. The Principal Secretary to Chief Minister Baluchistan, Quetta.
7. All the Administrative Secretaries Baluchistan.
8. The Accountant General, Baluchistan, Quetta.
9. The Registrar Baluchistan High Court Quetta.
10. The Director General Treasure and Accounts Baluchistan, Quetta.
11. The Director General Public Relations, Baluchistan Quetta he is requested to publish the above orders through Print/Electronic Media.
12. The Secretary Baluchistan Provincial Assembly, Quetta.
13. The Secretary office of the Provincial Mohtasib Baluchistan Quetta.
14. All the Divisional Commissioners.
15. All the Deputy Commissioners Baluchistan.
16. All the Head of attached Departments.
17. The Director Accounts, State Bank of Pakistan NBP Banking Services Department (Bank) Head Office Karachi.
18. All the Head of Autonomous/Semi Autonomous Baluchistan.
19. The Additional Secretary (Staff) to Chief Secretary Baluchistan, Quetta.
20. The Secretary Baluchistan Public Service Commission Quetta.
21. All Senior District Accounts Officers in Baluchistan.
22. The Controller, Government Printing Press Quetta.

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



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 15.08.1947 and are not entitled to, or are not in receipt of pension increase under the British Government's Pension (Increases) Acts. The payment will be made at the applicable rate of exchange.

**SALMAN MUFTI**  
Finance Secretary

The Chief Controller,  
Printing & Stationery Department,  
Government, Quetta, for publication and  
circulation of 20 copies of this Circular.

NO FDR 11676/2021/55/276

Dated Quetta, the 18<sup>th</sup> August, 2021

A copy is forwarded for information and necessary action.

- 1 The Additional Chief Secretary (Govt) Government of Balochistan, P&D Department, Quetta
- 2 The Additional Chief Secretary, Government of Balochistan, Home & Tribal Affairs Department
- 3 The Senior 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, Public Relations Balochistan, Quetta
- 11 The Director General, Public Relations Balochistan Quetta. He is requested to  
publish/disseminate the above orders through Print/Electronic Media
- 12 The Secretary, Balochistan Provincial Assembly, Quetta
- 13 The Secretary, Office of the Provincial Ministers 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 SBP Banking Services Corporation  
(Bank) 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/District Account Officers in Balochistan
- 22 The Controller, Government Printing Press Quetta

*(Handwritten signature)*  
**(AISRA KAMAL)**  
 Section Officer (Regulations-II)  
 Phone# 9201130

F — 12



13447

**GOVERNMENT OF SINDH  
FINANCE DEPARTMENT**

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

Karachi dated the 13<sup>th</sup> 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 01<sup>st</sup> 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.

**ATTESTED**

**SAJID JAMAL ABRO**  
Secretary to Government of Sindh

Contd. P/2  
Sindh Government

To

The Chief Secretary Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar

9-13

SUBJECT:

**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 since 22/10/1991 and will reach to the age of super novation on 05/04/2023 as Principal GHSS No. 1 Thala Malakand.

That the government of Khyber Pakhtunkhwa Finance Department issued a notification order vide No. FDSO (SRII) 2-4/2022/Pension Peshawar dated 14-07-2022, 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 regard of the Federal Government officer memorandum No.

At

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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 casements / mergers of the Adhoc casements/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 casements 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 casements/merger like Federal Government, however the Government of Sindh Office Memorandum No. FD(SR-III)3-230/2022 Karachi Dated 13-07-2022, made casements/ 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 Khyber Pakhutnkhwa through its Notification No. FDSO(SR-

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II)2-4/2022 dated Peshawar 21-07-2022, made  
cessations/mergers of all the Adhac reliefs of 2011, from 2015  
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  
cessations/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 08/02/2023

Your Sincerely



Muhammad Bashir  
Principle GHSS No. 1 ~~T~~ Malakand  
Thana

**ATTESTED**

## بعدالت

سرپرست پیروں میٹا سر

2 منجانب  
بنام

محمد کبیر

مورخہ

مقدمہ

دعویٰ

جرم

بنا ح  
ضمانت ڈیپازٹ  
باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام میٹا سر پرستوں کیلئے منصف علی کوٹلی  
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 ارضی 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 پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے  
سبب 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۔

محمد کبیر

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المقوم

واہ العبد

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