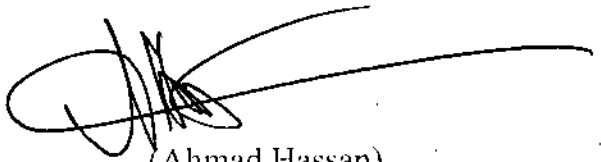


26.09.2019

Counsel for the appellant and Additional Advocate General alongwith Mr. Zakiullah, Senior Auditor and Mr. Ghausullah, Senior Auditor for respondents present. Counsel for the appellant requested for withdrawal of the instant appeal. In this respect his signature also obtained in the margin of the order sheet. Request accepted and the appeal in hand is therefore, dismissed as withdrawn. File be consigned to the record room.

Announced:
26.09.2019



(Ahmad Hassan)
Member

22.05.2019

Gul Najab Attorney of the appellant on behalf of appellant present. Zain ul Abideen SDO representative of respondents No.1 to 3 present and submitted written reply/comments on behalf of respondents No.1 to 3. Zaki Ullah Senior Auditor representative of the respondent No.4 absent. Respondents No.4 & 5 as well as absent representative be put to notice for submission of written reply/comments. Adjourn. To come up for written reply/comments on 03.07.2019 before S.B.



Member

03.07.2019

Gul Najab Attorney of the appellant on behalf of the appellant present. Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Written reply on behalf of the respondent No. 1 to 3 already submitted. Mr. Zaki Ullah Senior Auditor on behalf of the respondent No. 4 & 5 present and seeks time to furnish written reply/comments. Adjourned. To come up written reply/comments on 29.08.2019 before S.B.



Member

29.08.2019

Gul Najab, Attorney for the appellant present. Addl: AG alongwith Mr. Zain Ul Abideen, SDO and Mr. Ghous Ullah Jan for respondents present. Written reply on behalf of respondents no. 4 and 5 not submitted. Requested for adjournment. To come up for written reply/comments of respondents no. 4 and 5 on 26.09.2019 before S.B.



(Ahmad Hassan)
Member

Note:

Penstar paper has been issued so withdraw the case (28/9/19)


28.01.2019

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Salim Jan, Senior Auditor and Mr. Asad Gul, Assistant for the respondents present. Written reply on behalf of respondents not submitted. Learned Additional AG requested for adjournment. Adjourned. To come up for written reply/comments on 14.03.2019 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

14.03.2019

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith M/S Salim Jan, Senior Auditor and Iftikhar Ali, Junior Clerk for the respondents present. Written reply on behalf of respondents not submitted. Learned Additional AG seeks further adjournment. Adjourned. To come up for written reply/comments on 15.04.2019 before S.B.


(Muhammad Amin Khan Kundi)
Member

15.04.2019

Clerk to counsel for the appellant present. M/S Salim Jan Senior Auditor and Zaki Ullah Senior Auditor representatives of respondents No.4 & 5 present and requested for time to furnish written reply. No one present on behalf of remaining respondents. Notice be issued to the remaining respondents with direction to furnish written reply/comments. Adjourn. To come up for written reply/comments on 22.05.2019 before S.B.


Member

12.12.2018

Counsel for the appellant Sher Aman present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was appointed in C&W Department as Cooley vide order dated 17.01.1994 on fixed pay and was regularized vide letter dated 30.07.2008 with effect from 01.07.2008 and he was retired from service vide order dated 26.02.2018 with effect from 01.01.2018 but pensionary benefits were not granted to the appellant for the reason that the regular service of the appellant was less than 10 years. It was further contended that under Rule 2.2 of Pension Rules, 1963 if a contract employee or employee on fixed was served for more than five years service and thereafter he regularized than his contract service/fixed pay service would be counted toward regular service therefore, it was contended that the respondent-department was required to count his fixed pay service toward regular service but the respondent-department had not counted the same therefore, the appellant is entitle for pensionary benefits.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 28.01.2019 before S.B.

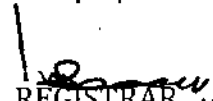

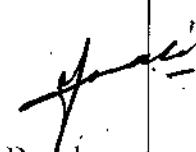
Appellant Deposited
Security & Process Fee


Muhammad Amin Khan Kundi
Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1154/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/09/2018	<p>The appeal of Mr. Sher Aman presented today by Mr. Muhammad Anwar Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR 17/9/18</p>
2-	19-9-2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>25-10-2018</u>.</p> <p style="text-align: right;"> MEMBER</p>
	25.10.2018	<p>Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned to come up on 12.12.2018.</p> <p style="text-align: right;"> Reader</p>

BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR

Service Appeal No. 1154 of 2018

Sher Aman Appellant

VERSUS

Gov: and others..... Respondents

INDEX

S.No	Description of Documents	Annex	Pages
1.	Grounds of service appeal		1-4
2.	Addressees of Parties		5
3.	Copy of office order	A	6
4.	copy of Circular	B	7
5.	Copy of retirement letter	C	8-26
6.	Copy of department appeal	D	27-29
7.	Power of Attorney		
8.	Wakalat Nama		30

Appellant

Through

Muhammad Anwar

Inamullah Alizia

Jahanzeb Shinwari

Advocates Peshawar,

Cell: 0333-8866902

Date: 20/9 2018



BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR

Service Appeal No. 1154/2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1445

Dated 17-9-2018

Sher Aman S/O Muazzam Shah
Ex Cooly at C & W Division SawabiAppellant
V E R S U S

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Peshawar
2. Secterary to Government of KP, C & W Deparment, Civil Secretariat Peshawar.
3. Executive Engineer, C & W Division, Sawabi
- ✓4. Accountant General KP, The Mall Road Peshawar
- ✓5. District Accounts Officer, SawabiRespondents

APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL
ACT, 1974 AGAINST THE NON-ISSUANCE
OF PENSION / NON PAYMENT OF
PENSIONARY BENEFITS AND GRATUITY
/ COMMUTATION TO THE APPELLANT,
BEING CIVIL SERVENTS, RETIRED ON
THE AGE OF SUPERANNUATION ON
01/07/2011 VIDE OFFICE ORDER
BEARING NO. 76/9-RE DATED 13/07/2012
AGAINST WHICH THE APPELLANT
PREFERRED DEPARTMENTAL APPEAL

Filed to-day

Registrar

17/9/18

②

**BUT THE SAME HAS NOT BEEN
RESPONDED WITHIN THE STATUTORY
PERIOD OF 90 DAYS, HENCE THIS
SERVICE APPEAL.**

RESPECTED SIR:

1. That the appellant was appointed as **Cooley on 07/11/1994 on fixed pay** in the office of C & W Department vide office order bearing **No. 73/7-E(R) dated Mardan the 07/11/1994**. (Copy of office order is annexed as annexure A).
2. That in pursuance of Finance Deptt: Circular letter No. BOI/1-22/2007-08/FD dated 29/08/2008, all the Class-IV, employees who were at fixed pay, were regularized and converted to Civil Servant w.e.f 01/07/2008 and it is further clarified in para No 2 of the Ibid letter that the pay of the employee will be fixed from the date of appointment, but the employee will not be entitled to the arrears. (copy of Circular is annexed as annexure B)
3. That the applicant/appellant has been retired from service w.e.f **01/07/2011 vide office order bearing No. 76/9-RE**. (Copy of retirement letter is annexed as annexure C)
4. That despite several verbal as well as written request, the department / authority had not issued pension to the applicant / appellant and the appellant / applicant, feeling aggrieved, filed the Departmental Appeal for issuance of pension / payment of pensionary benefits / gratuity to the appellant with all back benefits, but the said appeal has not been responded

3

within the statutory period of 90 days, hence, this service appeal. (Copy of department appeal is annexed as annexure D)

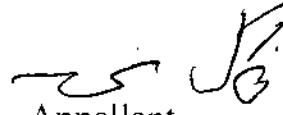
5. That the appellant feeling aggrieved and having no other adequate remedy, invokes the appellate jurisdiction of this Hon'ble Service Tribunal for the redressal of the grievance of the appellant, on the following grounds, inter alia:

GROUNDS:

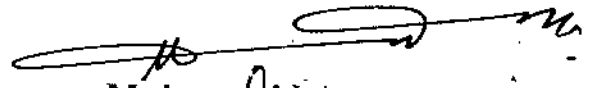
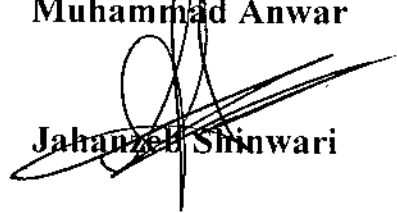
- A. That pension is the lawful, fundamental and constitutional rights of the appellant and its non-issuance is in utter violation of the law, rules, regulation meant for civil servants.
- B. That pension to the civil servant is a right and not charity.
- C. That the appellant has not been treated according to law, rules and regulations meant for pension and thus the act of department is based on mala-fide intention.
- D. That Articles-4 & 8 of the constitution make it clear that deviation from law has not to be countenanced: this is an assurance to the people of Pakistan that people in authority shall treat them in accordance with law and each one is bound by these stipulations of the constitution.
- E. That the non-issuance of pension / payment of pensionary benefits and gratuity / commutation to the appellant is harsh and the appellant has been penalized for no fault on his part.
- F. That any other additional grounds will be raised at the time of final hearing of this appeal.


4

It is therefore, humbly requested that on acceptance of this Service appeal, the pension / non-payment of pensionary benefits and gratuity / commutation to the appellant may kindly be granted / issued with all back benefits. Any other relief, which has not been asked for specifically and the appellant is entitled to, may also be granted to the appellant.


Appellant

Through


Muhammad Anwar

Jahanzel Shinwari

Date: /2018

Inamullah Alizai
Advocates, Peshawar.

AFFIDAVIT

I, Gul Najib Khan (Attorney) S/O Meer Ajab Khan R/O Sawabi, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.




DEPONENT

5

BEFORE THE SERVICE TRIBUNAL, KPK, PESHAWAR

Service Appeal No. _____ of 2018

Sher Aman Appellant

VERSUS

Gov: and others..... Respondents

ADDRESSES OF PARTIES

APPELLANT:

**Sher Aman S/O Muazzam Shah
C/O Cooly at C & W Division Sawabi**

RESPONDENTS:

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Peshawar
2. Secretary to Government of KP, C & W Department, Civil Secretariat Peshawar.
3. Executive Engineer, C & W Division, Sawabi
4. Accountant General KP, The Mall Road Peshawar
5. District Accounts Officer, Sawabi

Appellant

Through


Muhammad Anwar


Jahanzeb Shinwari

Inamullah Alizai
Advocate, Peshawar

Date:  /2018

Ant - "A"

①

OFFICE OF THE
EXECUTIVE ENGINEER HIGHWAY DIVISION
MARDAN

NO

53 /7-8(R)

DATED MARDAN THE 7/11/1994

OFFICE ORDER

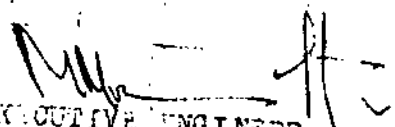
As recommended by Khanzada Inayatullah Khan, Minister for Forests NWFP, Mr. Sher Aman son of Muazam Shah of Gandaf, Tehsil & Distt. Swabi is hereby appointed as Cooly at Rs. 1200/- PM (fixed) against the existing vacancy.

His services are purely temporary and can be terminated at any time without assigning any notice or reason.

EXECUTIVE ENGINEER
HIGHWAY DIVISION MARDAN

cc

1. Khanzada Inayatullah Khan, Minister for Forests, NWFP PESHAWAR.
2. The Distt Accounts Officer Mardan.
3. The Sub Divisional Officer, Highway Maint Sub Division, Swabi.
4. Mr. Sher Aman son of Muazam Shah, of Gandaf, Tehsil & Distt. Swabi.


EXECUTIVE ENGINEER
HIGHWAY DIVISION MARDAN

ATTESTED


Ant-B

FINANCE DEPARTMENT

7

No. BO1/FD/1-22/2008-09/
Dated Peshawar, the 30/7/2008

To

The Accountant General,
NWFP, Peshawar.

Subject:- BUDGET SPEECH 2007-08 CONVERSION OF FIXED PAY CLASS-IV INTO REGULAR BPS-1 CP FUND SCHEME.

Dear Sir,

I am directed to refer to your letter No.H.24(85)/Kohistan/Vol-II/851 dated 18/6/2008 on the subject noted above and to clarify that all the Class-IV Fixed Pay Employees have been regularized in BPS-1 giving them the status of Civil Servant, with effect from 1st July, 2008 (but not from the date of their appointments) as per provision of Section 19 of the Civil Servant Act, 1973 (read with Civil Servants (Amendment) Act, 2005). Under the Act ibid, these employees are entitled for Contributory Provident Fund (C.P. Fund) instead of Pension/Gratuity and G.P. Fund. Since length of service of the employees was at variance, therefore, in order to meet the demand of natural justice, fixation of pay has been allowed to them with effect from the dates of appointment bringing their salaries at par with the respective length of service. However, they shall not be entitled for arrears of pay and allowances as clarified in the instructions. So, it is confirmed that they are entitled for CP Fund instead of Pension/Gratuity and GP Fund, unless otherwise provided in the relevant Rules/Regulations.

Yours faithfully,

[Handwritten signature]
[Handwritten initials]

[Handwritten signature]
Fida Muhammad
Budget Officer-I

Endst No. & Date even:

Copy is forwarded w/r to Finance Dept's circular letter No. BO1/1-22/2007-08/FD dated 29/1/2008, for information & necessary action to:-

- 1) All Administrative Secretaries to Government of NWFP
- 2) Secretary to Governor, NWFP, Peshawar
- 3) Principal Secretary to Chief Minister, NWFP, Peshawar
- 4) All District Coordination Officers in NWFP
- 5) All Heads of Attached Departments in NWFP
- 6) The Registrar, Peshawar High Court, Peshawar
- 7) The Registrar, NWFP Service Tribunal, Peshawar
- 8) The Secretary Provincial Assembly, NWFP, Peshawar
- 9) The Secretary, Board of Revenue, NWFP, Peshawar
- 10) All District Accounts Officers in NWFP
- 11) All Budget/Section Officers in Finance Department, Peshawar



OFFICE OF THE EDO (F&P) SWABI
D. No. 1350/CI/1
Dated: 7-8-08

ATTESTED

[Handwritten signature]

[Handwritten initials]
[Handwritten signature]

[Handwritten signature]
BUDGET OFFICER-I

[Handwritten notes]
Per n/a and keep n/a
Salon 7/8/08

Return

Need full name

Ant-C

8

OFFICE OF THE EXECUTIVE ENGINEER C & W DIVISION SWABI. No. 26/19-SE

DATED THE 13/1/2012

EXECUTIVE ENGINEER C & W DIVISION SWABI OFFICE GENERAL

PNO- PNO# 345728

On attaining the age of superannuation Mr. Sher Aman, Road Cooiy attached to this office is hereby retired from service with effect from 01.07.2011 (P.N)

365 days encashment in lieu of 365 days LPR under the Govt of Khyber Pakhtunkhwa pursuant to sub-section 15(4) is also sanctioned subject to the availability of earned leave at his credit and funds.

to Sher Aman that case is discussed on 29-13

EXECUTIVE ENGINEER C & W DIVISION SWABI

- 1. The District Officer C & W Division Swabi.
- 2. The Sub-Division Officer C & W Sub Division No. 1 Swabi.
- 3. The Officer in Charge

EXECUTIVE ENGINEER C & W DIVISION SWABI

Returned in original

- 1. List of family member is not attached with
- 2. Option form for direct credit bank may be furnished
- 3. on P-13 pay on 17/08 is not signed

Returned

Pension is not admissible to fixed/contracty as the ex-official has been reached to the age of superannuation before the introduction of pension / LPRd policy

DAO 3/10/2012

ATTESTED

DAO 21/1/2012

2:00 PM 14/10/13

The entries on this page should be renewed or re-attested at least every five years, and the Signature to lines 9 and 10 should be dated.

9

Name: SHER AMAN NIC: 16202-3535261-3

Race: ISLAM


Residence: EISA KHEL GANDAE P.O:-GANDAE TENSIL & DISTT SWABI



Father's name and residence: MAUZAM SHAH



Date of birth by Christian era as nearly as can be ascertained: 1951 ✓

Exact height by measurement:

Personal marks for identification:

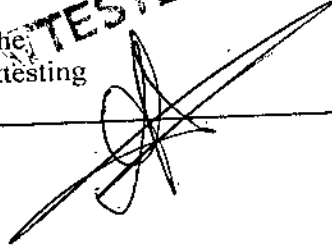
Left hand thumb and Finger impression of (Non-Gazetted) officer: 

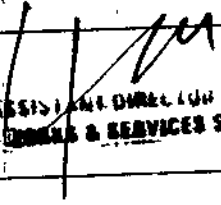
Little Finger:  Ring Finger: 

Middle Finger:  Fore Finger: 

Thumb: 

Signature of Government Servant: 

Signature and designation of the Head of the office, or other Attesting Officer. **TESTED**



ASSISTANT DIRECTOR
GENERAL & SERVICES SWABI

1	2	3	4	5	6	7	8	9
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant	and Designation of the officer attesting office attestation of columns 1 to 8
BPS-1 1245-35-1720			1245				8/11/94	
			1245				1/12/94	
			1280				1/12/95	30/11/94
91								

11

8	9	10	11	12	13		14	15	
				Leave					
Signature of Government servant		and Designation of the office attesting officer Sections 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government	Signature of the head of the office or other attesting officer.	Reference to any recorded punishment or cesure, or reward or praise of the Government Servent
						Period	Government to Which debitabale		
194									
		Appointed as Grand Cooly fixed Salary basis @ Rs 1200/- P.M. fixed vide Executive Engineer Highway Division Mardan of No: 53/7-ER dt 2/11/94.							
194									
		Allotted BPS-1 from the date of appointment with arrears from 01-7-08 vide notification No: BC-1/1-22/2007-08/FD dt 29-1-08							
195									
	30/11/95	Granted Annual Increment							
		Service verified for the period from 8/11/94. To 30/11/95 from the office copies of public Acquittance roll.							

ASSISTANT DIRECTOR (Bids) WORKS & SERVICES SWABI

ASSISTANT DIRECTOR (Bids) WORKS & SERVICES SWABI

ATTACHED

ASSISTANT DIRECTOR (Bids) WORKS & SERVICES SWABI

Handwritten signatures and initials, including 'F 8283', 'TV/6', 'LDR 1, 544207', and other illegible marks.

Handwritten initials 'P 944' and '7/11/11'.

Handwritten notes: 'Arrears of Pay & Allowance due to 30/11/95 BPS-2 Rs 5549/-' and various signatures.

(18)

11/2/88

1420

11/2/98

1385

11/2/87

1350

1-12-96

1315

1945-35-1770

Signature of
Head of the office
and Designation
of the
posting of
Government
employees 1 to 8

ATTESTED
[Signature]

Date of
Appointment

Other
emoluments
falling
under the
term "pay"

Additional
pay for
officiating

Pay in
substantive
post

If officiating, state
appointment, or
whether service
under Art. 371
C.S.R.

Whether subm-
-ie or officiating
and whether
permanent or
temporary.

Name of Post

9

8

7

6

5

4

3

2

1

13

8-	9	10	11	12	13		14	15							
Signature of Government servant		Name and Designation of the office of the attesting officer Columns 1 to 8		Date of termination or appointment		Reason of termination (such as promotion, transfer, dismissal, etc.)		Signature of the head of the office or other attesting officer		Leave		Signature of the head of the office or other attesting officer.		Reference to any recorded punishment or censure, or reward or praise of the Government Servant	
										Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government				
						Period	Government to Which debitible								
96	30/11/96	<i>Granted Annual Increment</i>													
				(2)						<i>[Signature]</i>					
				Service verified for the period from 1/12/95 To 30/11/96 from the office copies of pay bills Acquittance roll.						ASSISTANT DIRECTOR (Bldgs.) WORKS & SERVICES SWAMI					
97	30/11/97	<i>Granted Annual Increment</i>													
				(B)						<i>[Signature]</i>					
				Service verified for the period from 1/12/96 To 30/11/97 from the office copies of pay bills Acquittance roll.						ASSISTANT DIRECTOR (Bldgs.) WORKS & SERVICES SWAMI					
98	30/11/98	<i>Granted Annual Increment</i>													
				(4)						<i>[Signature]</i>					
				Service verified for the period from 1/12/97 To 30/11/98 from the office copies of pay bills Acquittance roll.						ASSISTANT DIRECTOR (Bldgs.) WORKS & SERVICES SWAMI					
99	30/11/99	<i>Granted Annual Increment</i>													
				(B)						<i>[Signature]</i>					
				Service verified for the period from 1/12/98 To 30/11/99 from the office copies of pay bills Acquittance roll.						ASSISTANT DIRECTOR (Bldgs.) WORKS & SERVICES SWAMI					

ATTTESTED
[Signature]

	2	3	4	5	6	7	8
1 Employment Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
1245-35-1770			1455			1/12/2000	90/11/00
			1490			1/12/01	30/11/01
1870-55-3520			2200			1/12/2001	
			2255			1/12/02	30/11/02
			2310			1/12/03	30/11/03
<p>1245-35-1770</p> <p>1870-55-3520</p>							

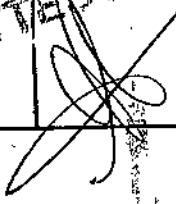
ATTESTED

Signature and Designation of the Head of the office attesting of the attestation of columns 1 to 8

21

1	2	3	4	5	6	7	8	9
Name of Post	Whether substan- tive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant	Signature of the head of other a in the column
1870-SS-3520			2365		16		1/12/04	
2150-65-4100			2735				1-7-05	
			2800				1/12/05 FN	
			2865				1/12/06	

ATTACHED



17

8	10	11	12	13		14	15
Name and Designation of head of the office attesting officer (Columns 1 to 8)	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer.	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
30/11/04	Granted Annual Increment					<p>Service verified for the period from 1/11/03. To 30/11/04 from the office copies of pay bills Acquittance roll.</p> <p><i>[Signature]</i></p> <p>ASSISTANT DIRECTOR (Bdgs.) WORKS & SERVICES SWAB</p>	
		<p>Revised pay fixed in R.P.S-1 CP 2735/- P.M.</p> <p><i>[Signature]</i></p> <p>ASSISTANT DIRECTOR (Bdgs.) WORKS & SERVICES SWAB</p>					
30/11/05	Granted Annual Increment					<p>Service verified for the period from 1/11/04. To 30/11/05 from the office copies of pay bills Acquittance roll.</p> <p><i>[Signature]</i></p> <p>ASSISTANT DIRECTOR (Bdgs.) WORKS & SERVICES SWAB</p>	
30/11/06	Granted Annual Increment					<p>Service verified for the period from 1/11/05. To 30/11/06 from the office copies of pay bills Acquittance roll.</p> <p><i>[Signature]</i></p> <p>ASSISTANT DIRECTOR (Bdgs.) WORKS & SERVICES SWAB</p>	
			<p><i>[Signature]</i></p>				
						<p><i>[Signature]</i></p> <p>ASSISTANT DIRECTOR (Bdgs.) WORKS & SERVICES SWAB</p>	

18

1	2	3	4	5	6	7	8	9
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant	Signature and the head of other attes in attesta columns
2475-25-4775			3300				1-2-07	
			3375				1/12/07	
2970-90-5670			4050				1/12/08	
			4140				1/12/08	30
			4230					

ATTESTED

[Signature]

206

1	2	3	4	5	6	7	8	9
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant	Signature of the head or other attn in attes column
<i>Revised Entries made in light of Nat. Federation No B0-1/1-22/2007-08/F-D all 29-1-2008.</i>								
	DATE		PAY					
			<u>1245-35-1770</u>					
	8-11-94		1245					
	1-12-94		1245					
	1-12-95		1280/-					
	1-12-96		1355/-					
	1-12-97		1350/-					
	1-12-98		1385					
	1-12-99		1420					
	1-12-2000		1455/-					
	1-12-2001		<u>1870-55-3520</u>					
	1-12-2002		2200					
	1-12-2003		2255					
	1-12-2004		2310					
	1-12-2004		2365/-					
			<u>2150-65-4100</u>					
	1-7-2005		2735					
	1-12-05		2800					
	1-12-06		2865					
			<u>2475-75-4925</u>					
	1-7-2007		3309/-					
	1-12-2007		3375/-					
	1		2970-90-5670					
	1-7-2008		4050	4140				
	1-12-08		4140/-	4230				

ASSISTANT DIRECTOR (Bldgs.)
WORKS & SERVICES SWABI

2970-90-5670 (B-1)
4140/-
2008
12-2008

Officer
N.W.F.P. Peshawar

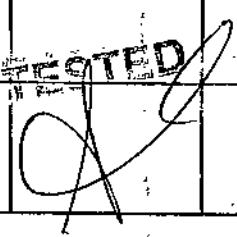
1-7-08
4140

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[Handwritten signature]

99

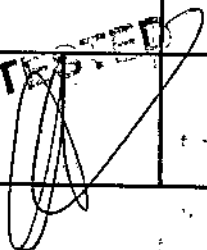
1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
BPS No. I 2970-90-5670				Rs 1320/-		12/59 (F.N.)	
a				Rs 4410/-		12/20 (F.N.)	
R. BPS No. I 4800-150-9300				Rs 5200/-		11/2/91	
BPS No. I 2970-90-5670				Rs 4410/-			

ATTESTED




1	2	3	4	5	6	7	8	
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant	Signature of the holder or other in a coin
<p>Revised Entries due to award of B-2 Wef 1-7-07 and Spl Wef 1-9-07</p>								
B-2 2530-85-5080)			P 3380			1/7/07		
/ do /			P 3465			1/9/07		
B-2 3035-100-6035)			P 3550			1/12/07		
/ do /			P 4235			1/2/08		
/ do /			P 4335			1/12/08		
/ do /			P 4435			1/12/09		
/ do /			P 4535			1/12/10		
B-12 7900-170-1000)			P 7450			1/11/11		
/ do /			P 7620			1/12/11		
/ do /			P 7790			1/12/12		

24

ATTESTED


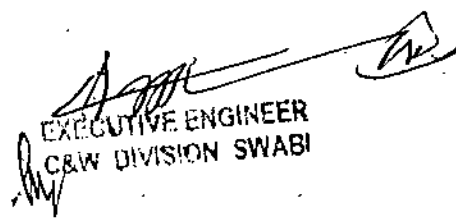
26

LIST OF FAMILY MEMBERS WHO ARE LEGAL HEIRS OF MR. SHER AMAN
EX-ROAD COOLY IN C&W DIVISION SWABI.

Sl:No	Name	Sex	Relationship	Date of Birth	Remarks
1	Bakht Taj	F/Male	Wife	01-01-1954	Married
2	Gul Riaz Khan	Male	Son	1972	Married
3	Romeen Afshan	F/Male	Daughter	15-03-1974	Married
4	Akhtar Zaman	Male	Son	10-02-1979	Married
5	Afsar Zaman	Male	Son	15-03-1986	Married
6	Shoukat Zaman	Male	Son	09-12-1981	Un-Married
7	Afshah Naseer	F/Male	Daughter	1992	Un-Married
8	Tuheed	Male	Son	1994	Un-married

Certified that the above family members 01 to 06 are legal heirs of
Mr. Sher Aman Ex-Road Cooly office of the Executive Engineer C&W Division Swabi.

ATTESTED


EXECUTIVE ENGINEER
C&W DIVISION SWABI

ATTESTED



An + - "D" (27)

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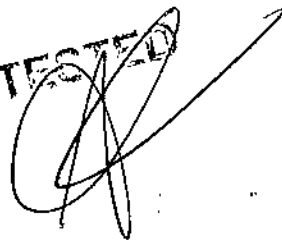
To,

Worthy Chief Secretary
C & W Department, KPK, Peshawar

Subject: **Departmental appeal against the non-issuance of pension/pensionary benefits to the appellant being Civil Servient retired on superannuation on 01/07/2011 vide office order bearing No. 76/9-RE dated 13/07/2012.**

RESPECTED SIR:

1. That the appellant/applicant was appointed as **Cooley on 07/11/1994 on fixed pay** in the office of C & D Department vide office order issued bearing **No. 73/7-E(R) dated Mardan the 0711/1994.** (Copy of office order is annexed as annexure A).
2. That in pursuance of Finance Deptt: Circular letter No. BOI/1-22/2007-08/FD dated 29/08/2008, all the Class-IV, employees who were at fixed pay, were regularized and converted to Civil Servant w.e.f 01/07/2008. (copy of Circular is annexed as annexure B)
3. That whole service career of the appellant/applicant is spotless and to this effect the ACRs bear the testimony. (Copy of Service Book is annexed as annexure C)

ATTESTED


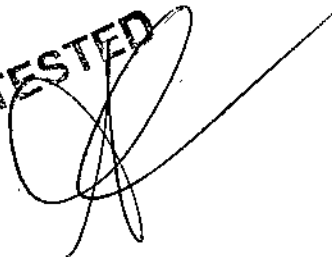
28

4. That the applicant/appellant has been retired from service w.e.f 01/07/2011 vide office order bearing No. 76/9-RE. (Copy of retirement letter is annexed as annexure D)
5. That despite several verbal as well as written request, the department/authority is not issuing pension to the applicant/appellant and the appellant/applicant, feeling aggrieved invokes the Appellate Departmental Jurisdiction for issuance of pension/pensionary benefits to the applicant/appellant with all back benefits on the following grounds, inter alia:

GROUNDS:

- A. That pension is the lawful, fundamental and constitutional rights of the applicant/appellant and its non-issuance is utter violation the law, rules, regulation meant for civil servants.
- B. That pension to the civil servant is a right and not charity.
- C. That the act of non-issuance of pension to the applicant/appellant is within the four-corner misconduct on the part of the authority.
- D. That the appellant has not been treated according to law, rules and regulations meant for the of pension and thus the act of department is based on mala-fide intention.

ATTESTED



- E. That it is the constitutional duty of each and every authority in Pakistan to exercise its power fairly, justly and transparently, which has not been done in the case of applicant/appellant and the applicant/appellant has not been treated in accordance with law, rules and regulations.
- F. That Article-4 of the constitution commands that all the citizens without any discrimination shall be dealt with in accordance with law, so enforcement of the law leaves no room for creating any distinction between the citizens.
- G. That Articles-4 & 8 of the constitution make it clear that deviation from law has not to be countenanced: this is an assurance to the people of Pakistan that people in authority shall treat them in accordance with law and each one is bound by these stipulations of the constitution.
- H. That any other additional grounds will be raised at the time of personal hearing of this appeal.

It is therefore, humbly requested that on acceptance of appeal the pension/pensionary benefits to the applicant/appellant may kindly be issued with all back benefits.

Appellant/applicant

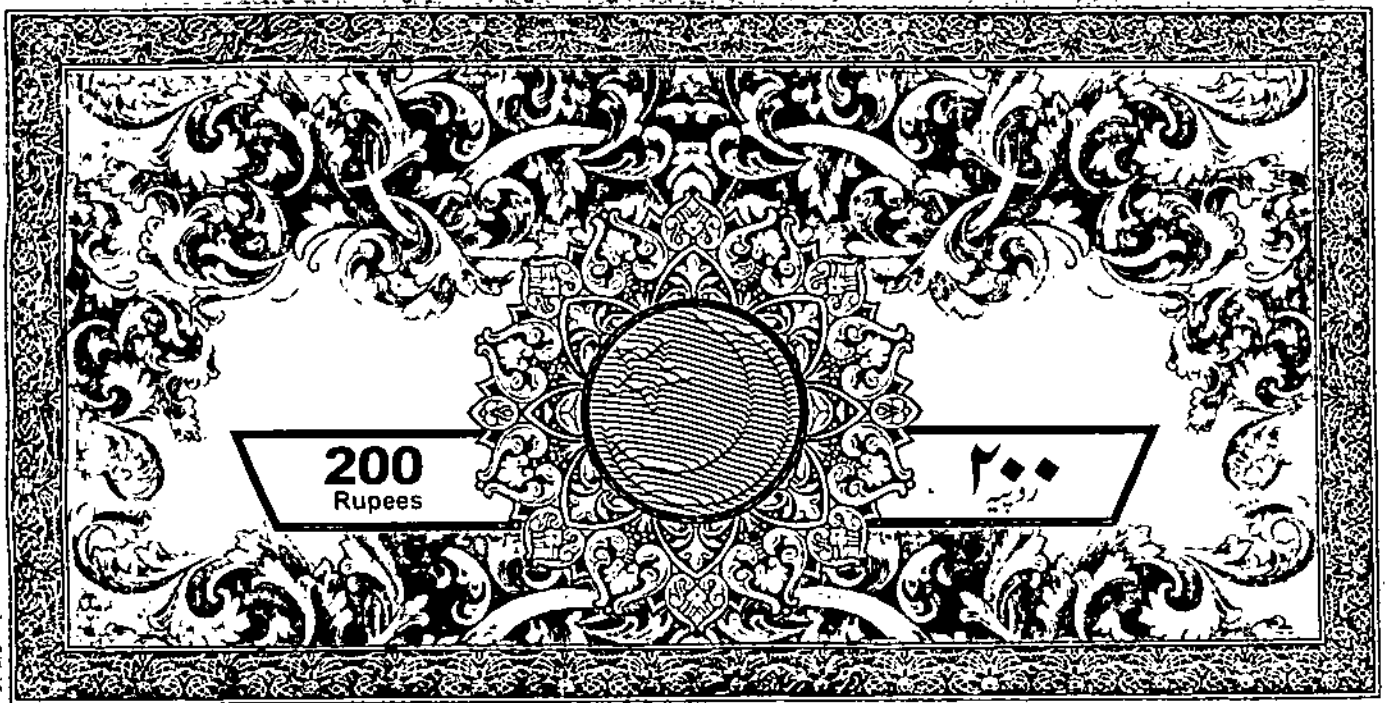

Sher Aman

Cooly

at C & W Division Sawabi

Dated 27/02/2018

ATTESTED

بعدالت سروس ٹریونل خیبر پختونخوا ایشاور




مختیار نامہ خاص بابت پیروی مقدمہ

بعنوان :- بنام

مایانکہ شیرامان ولد معظم شاہ - نصیر محمد ولد فقیر محمد - بغداد شاہ ولد پردل - زر بہادر ولد شاہ بہادر - مسماہ روٹھلا پری بیوہ - بی بی سیکندہ انس بی بی - گل شمیم بی بی - مشتری بی بی دختران - تاج برخان - ارشاد خان - امتیاز خان - اعجاز خان - رشید خان - اجون خان وارثان بنارس خان مرحوم ولد میر اکبر - زر پری بیوہ - اختر خان - محمدی گل - راج گل - تاج محمد - فضل اکبر - بشیر خان - نیاز ولی خان - قاضی اسد - ایاز خان پسران - بخت بی بی - پری - پکراج بی بی وارثان امیر اکبر مرحوم ولد رحمت خان ساکنان ضلع صوابی کے ہیں بذریعہ تحریر یہذا مامقران ہیں کہ مقدمہ بعنوان بالا میں مامقران کی حیثیت "ساکنان" کی ہے مقدمہ میں بیوہ ذاتی مصروفیات / پردہ نشینی و دیگر معاملات زندگی عدالت حضور میں خود حاضر ہو کر مقدمہ عنوان بالا کی پیروی کرنے سے قاصر ہیں بدین وجہ مامقران نے اپنی جانب سے سسی گل نجیب خان ولد میر عجب خان ساکن صوابی کو مختار خاص نامزد کر کے اختیار دیتے ہیں کہ مختیار موصوفہ، مامقران کی جانب سے مامقران کی غیر موجودگی میں مقدمہ بعنوان بالا میں جملہ کارروائی بذات خود دہ دستخط خود سرانجام دیوے، درخواست گزارے، نقولات مقدمہ حاصل کرے، تائید و تردید تصدیق کرے، عرضی دعویٰ، جواب دعویٰ و اقبال دعویٰ وغیرہ پیش کرے، اجراء داخل کرے، رقم وصول کرے، ثالث مقرر کرے، راضی نامہ کرے، بیان دیوے، بیانات جمع / ریکارڈ کروائے، راضی نامہ پیش کرے، گواہان پیش کرے، بطور گواہ مامقران پیش ہو کر شہادت بیان دیوے، اپیل کرے، نگرانی کرے، نظر ثانی کرے، وکیل یا بیرسٹر مقرر کرے، عدالت ابتدائی سے سپریم کورٹ آف پاکستان

ATTESTED

KHALID

  	ایڈوکیٹ: بار کونسل ایسوسی ایشن 633-10-1 رابطہ نمبر: 936889-0333
پشاور بار ایسوسی ایشن، خیبر پختونخواہ	

بعدالت جناب: *[Handwritten Signature]*

منجانب: <i>[Handwritten Signature]</i> منسٹر امان بنام <i>[Handwritten Signature]</i>	دعویٰ: علت نمبر: مورخہ: جرم: تھانہ:
باعث تحریر آنکہ	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
 آن مقام *[Handwritten Signature]* کے لیے *[Handwritten Signature]* صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 رضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب ناہند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے
 المرقوم: *[Handwritten Signature]*

العبد واہ شد العبد
 مقام *[Handwritten Signature]* کے لیے منظور ہے۔

6/5/22

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No.1154 of 2018

Mr. Sher Aman S/O Muazzam Shah
Ex-Cooly of C&W Division Swabi

APPELLANT

VERSUS

- 1- Govt. of Khyber Pakhtunkhwa, through Chief Secretary Peshawar.
- 2- Secretary to Govt. of Khyber Pakhtunkhwa C&W Department Civil Secretariat Peshawar.
- 3- Executive Engineer C&W Division Swabi.
- 4- Accountant General, Khyber Pakhtunkhwa, Peshawar.
- 5- District Accounts Officer, Swabi

RESPONDENT

COMMENTS ON BEHALF OF OFFICIAL RESPONDENTS NO.2 & 3

**NOTE: OFFICIAL RESPONDENT AT-1 IS IRRELEVANTLY ARRAYED
IN THE PRESENT CASE**

Respectfully Sheweth!

ON FACTS:

- 1- Incorrect the correct memo / office order of appointment is No.53/7-E' (R) dated 7/11/1994 (and not 73/7-E (R).
- 2- Correct with further clarity, that the reference to Finance Department letter dated 29/8/2008 is incorrectly stated. The correct dated of memo is 29/01/2008 (Annexed-I).
- 3- Correct on attaining the age of superannuation as per recorded date of birth viz 1951, appellant was stands retired w.e.f 1/7/2011 (F/N).
- 4- In-correct, the official Respondent-3 processed the Pension Claim of the appellant as furnished by the Retire, with the DAO Swabi (Respondent-5). And that was, he, raised numerous objection and had not cleared Pension Claim. DAO Swabi remarks are available on the documents as (Annexed at -C) with the appeal in hand. In support a copy of letter No.394/9-RE dated 4/10/2016 is (Annexed-II) and Respondent-5 (DAO Swabi memo No.1451/DAO/RW/2016-17 dated 28/10/2016 (Annexed-III)). After all, the said appellant alongwith 03- others whose pension claims were processed, were properly delivered alongwith a copy of the reply of DAO letter to them under letter No.4093/5-E dated 25/10/2017 (Annexed-IV).
- 5- Legal not needs to comment so far replying Respondent-2 & 3 are concerned.

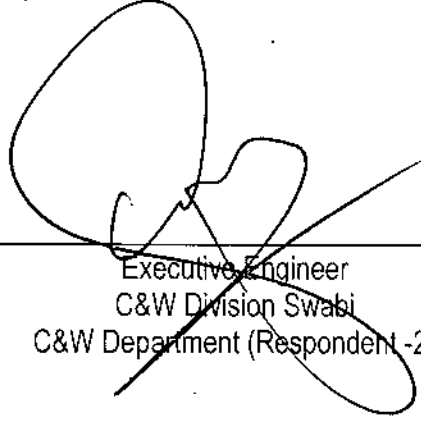
ON GROUNDS:

- A. Incorrect. According to amendment i.e. THE NWFP CIVIL SERVANTS (AMMENDMENT) ACT, 2013 (Annexed-V) giving it effect w.e.f 30-days of June, 2001, on retirement, a civil servant is entitled to receive such pension or Gratuity as may be prescribed by Law.
- B. Correct, accordingly to entitlements.
- C. Incorrectly attributed to the replying Respondent-2 & 3. Pension claim has since been processed by the Employer in time.
- D. Legal, as per the Constitution of the Islamic Republic of Pakistan, every Citizen / Person have always to be treated with equity without any cast, sec, discriminations.
- E. The same as expressed at-C, above.
- F. No comments on the part of Respondent(s) 2 & 3.

In the wake of above submissions, and the case history, devoid of merits, being not submitted Pension Claim (Family), may graciously be dismissed with cost.



Secretary C&W Department
(Respondent-1)



Executive Engineer
C&W Division Swabi
C&W Department (Respondent -2)

د. حکومت صوبہ سرحد
مذکورہ خزانہ

مراسلہ نمبر: بی۔ او۔ ا۔ ا۔ ۲۲/۰۸۔ ۲۰۰۷۔ ۲۰۰۷ ایف۔ ڈی
موردہ: ۲۹ جنوری، ۲۰۰۸

بانی

- ۱۔ تمام انتظامی مستندین حکومت صوبہ سرحد۔
- ۲۔ مستند برائے گورنر صوبہ سرحد، پشاور۔
- ۳۔ پرنسپل سٹاف آفیسر برائے ڈیپارٹمنٹ صوبہ سرحد۔
- ۴۔ تمام سربراہان ماتحت نگرہ جات صوبہ سرحد۔
- ۵۔ تمام ضلعی رابطہ انسٹان صوبہ سرحد۔
- ۶۔ رجسٹرار پشاور بانی کورٹ، پشاور۔
- ۷۔ رجسٹرار، سرس ٹریبونل، صوبہ سرحد، پشاور۔
- ۸۔ سیکرٹری، صوبائی پبلک سرس کمیشن، صوبہ سرحد، پشاور۔
- ۹۔ سیکرٹری بورڈ آف ریونیو، صوبہ سرحد۔

عنوان :- بجٹ تقریر ۰۸-۲۰۰۷ میں راجہ جنارم کے متفرقہ تجاواہ کے لئے والے (Fixed pay) ملازمین کے لئے سی۔ ڈی۔ فنڈ کا اعلان۔

بنا ب عالی!

مجھے ہدایت کی گئی ہے کہ عنوان بالا کا حوالہ دیتے ہوئے عرض کروں کہ صوبائی حکومت نے تمام درجہ چہارم (مقررہ تجاواہ Fixed pay) والے ملازمین کو یکم جولائی ۲۰۰۸ سے این ڈبلیو ایف پی سول ملازمین ایکٹ ۱۹۷۳ء کے تحت سول ملازمین کا درجہ دیگر بنیادی سکیم (BPS-1) دینے کی منظوری دی ہے۔

۲۔ مذکورہ ملازمین کی تجاواہ کا قیمن (Fixation of pay) ان کی بھرتی کے تاریخ (Date of Appointment) سے کیا جائے گا۔ تاہم یہ ملازمین تجاواہ اور ایڈجسٹمنٹ کی نہ میں کسی قسم کا نقصان جات (arrears) کے حقدار نہیں ہوں گے۔

۳۔ اس سلسلے میں پہلے سے جاری شدہ تمام ایسی رہنمائیات یکم جولائی ۲۰۰۸ سے منسوخ تصور ہوں گے۔

آج تک

مس (شرافت خان ربالی)
نام: مستند (مراد: ۳)

نقل برائے اطلاع:

- (۱) اکاؤنٹس جنرل، صوبہ سرحد بمعدہ گزارش، کہ مندرجہ بالا اقدامات کی نافذ آمدنی کی پیشگی بتایا جائے۔
- (۲) جملہ ایگزیکٹو ڈسٹرکٹ آفیسرز، فنانس اینڈ پلاننگ، صوبہ سرحد۔
- (۳) جملہ ضلعی آفیسران حد درجہ، داری، صوبہ سرحد۔

میرزا نیاہ آفسر (۱) محکمہ خزانہ

نقل برائے اطلاع:

- (۱) سنی معتمد برائے چیف سیکرٹری صوبہ سرحد۔
- (۲) جملہ اضافی معتمدین و نائب معتمدین محکمہ خزانہ، صوبہ سرحد۔
- (۳) جملہ جٹ ایگزیکٹو ڈسٹرکٹ آفیسرز محکمہ خزانہ، صوبہ سرحد۔
- (۴) ڈائریکٹر، FMIU، خزانہ، صوبہ سرحد۔
- (۵) سنی معتمد برائے فنانس سیکرٹری صوبہ سرحد۔

میرزا نیاہ آفسر (۱) محکمہ خزانہ

الہ الام سب شاہ

9216455

4 / 10 / 2016.

3089

19-RE.

Dated Swabi the

The District Accounts Officer
District Swabi.

Subject:-
Reference:-

CLEARANCE OF PENSION PAPERS:
Your remarks on the enclosed Pension Cases of Coolies.

It is to state that in pursuance to Finance Deptt. circular letter No BO/1-22/2007-08/FD dated 29-08-2008, where at the time of Budget speech for 2007-08, it was decided that all Class-IV, who were at fixed pay were converted w.e.f 01-07-2008 as civil servant, under Civil Servants Act, 1973.

And in such they would be given the pay fixation from their date of Appointment but no arrears of Pay & allowances.

And the requisite entries to this effect had been recorded in the Service Books of each individual. Similarly their Pay fixation on the introduction of Pay Scales had also been carried-out by the Pay Fixation Parties.

So it is Requested that this burning issue(s) may please be solved and the Pension Claimed of the retired and one case of deceased Govt. Servant may be cleared in order to mitigate the problems of poor families.

EXECUTIVE ENGINEER
C&W DIVISION SWABI.

Annex-III

No. 1451 /DAO/P.W/2016-17
To,

Dated Swabi the 28 /10/2016.

The Executive Engineer,
C&W Division Swabi.

Subject:- CLEARANCE OF PENSION PAPER.

Memo,

Please refer to the subject noted above. It is stated that in - light of Govt; of Khyber Pakhtun-Khwa Finance Department Peshawar letter No-BO1/FD/1-22/2008-09 dated 30-07-2008, where in all the Class-IV fixed servant: have been regularized giving ^{them} ~~that~~ the status of Civil servants w.e.f. 01-07-2008 (but not from the date of appointment) Therefore they are entitled for the grant of pension benefits from the date of their regularization and not for the date of their appointment.

The same reference may also be seen in Account General KPK Peshawar letter No-H-24/fixed employee (2013-14) 2011-12 dt; 26-09-2013.

He /DAO
for info
[Signature]
XRN

DISTRICT ACCOUNTS OFFICER,
SWABI.

[Signature]
28/10/2016



GOVT. OF KHYBER PAKHTUNKHWA
Annex-IV
Communication & Works (C&W) Division
District Swabi.

PH:-0938-221337 Fax:-0938-221337 E-Mail:- cwd.swabi@Gmail.com

No. 4093/S-E

Dated: 28/6/2017

To,

- 1- Sher Rehaman Cooly. ✓
2- Naseer Muhammad Cooly. ✓
3- Amir Akbar Cooly. (Diseased). ✓
4- Mr. Zar Bahader Cooly. ✓

Subject:- CLEARANCE OF PENSION PAPER.

Enclosed find herewith letter No.1451/DAO/P.W/2016-17, received from District Account Officer Swabi which is self explanatory for your information and further necessary action.

D.A/As above.

Copy forwarded to the:-

- 1- District Accounts Officer Swabi with reference to above for information lease.
- 2- Gul Najab Khan President Labour Union District Swabi for information.

EXECUTIVE ENGINEER

EXECUTIVE ENGINEER

Handwritten notes:
Observe &
OC Swabi &

FOR THE EXTRAORDINARY GAZETTE ISSUE OF
THE KHYBER PAKHTUNKHWA

Annex-K

(1-2)

PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 22/01/2013.

No: PA/Khyber Pakhtunkhwa/Bills/2013/ 2048 The Khyber Pakhtunkhwa Civil Servants (Amendment) Bill, 2013 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 15th January, 2013 and assented to by the Governor of the Khyber Pakhtunkhwa on 17th January, 2013 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA CIVIL SERVANTS
(AMENDMENT) ACT, 2013

(KHYBER PAKHTUNKHWA ACT NO. III OF 2013)

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa. (Extraordinary), dated the 22/01/2013).

(Here print as in the accompaniment).

Amra-eel

SECRETARY,

Provincial Assembly of Khyber Pakhtunkhwa.

(4) If the determination of the amount of Pension or gratuity admissible to a civil servant is delayed beyond one month of the date of his retirement or death, he or his family, as the case may be, shall be paid provisionally such anticipatory pension or gratuity as may be determined by the prescribed authority, according to the length of service of the civil servant which qualifies for pension or gratuity, and any over payment on such provisional payment shall be adjusted against the amount of pension or gratuity finally determined as payable to such civil servant or his family:

Provided that those who are appointed in the prescribed manner to a service or post on or after the 1st July, 2001 till 23rd July, 2005 on contract basis shall be deemed to have been appointed on regular basis:

Provided further that the amount of Contributory Provident Fund subscribed by the civil servant shall be transferred to his General Provident Fund.

(5) In case any difficulty arises in giving effect to any of the provisions of this section, the Secretary to Government, Establishment Department shall constitute a Committee comprising of the Secretary to Government, Finance Department, Secretary to Government Law Department and Accountant General, Khyber Pakhtunkhwa for removal of the difficulty."

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)

Secretary

Provincial Assembly of Khyber Pakhtunkhwa