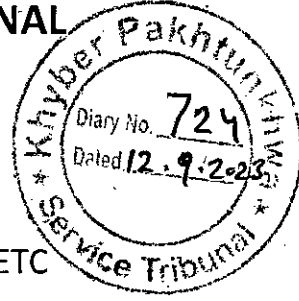


APPEAL NO 1507
23

BEFORE THE KHYBER PAKHTUNKHWAH SERVICE TRIBUNAL
PESHAWAR



Muhammad Ismael
(Appellant/Petitioner)

VS

Secretary Agriculture ETC
(Respondents)

Service Appeal

Application for correction under inherent powers of the court for the correction of alleged order mentioned in service appeal as dated "20-10-2022" to be substituted to "31-10-2022" which is the correct date of the said order, and presenting/submitting regular order and parole of the appellant as per court direction on 26-07-2023.

Respectfully Sheweth,

The Appellant/Petitioner submits as under.

1. That the subject matter service appeal is pending before this honourable tribunal in which the date is fixed for today 12-09-2023.
2. That at the time of submitting/filing appeal only a dim copy of the alleged order was available which was hardly readable and the petitioner presented its better copy in which the date was 20-10-2022.
2. That now the petitioner has got the copy of original and complete order which is visible and readable and the correct date mentioned on that is 31-10-2022.
3. That on the previous hearing the petitioner was directed to produce

documents of him as regular employee of the said department, which are also attached with the application.

Therefore it requested before your honour for the correction of date in the alleged order and accepting the regularisation document of the petitioner.

Muhammad Ismael
(Appellant/Petitioner)

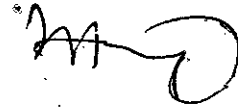
Through Counsel

Alamzeb & Sajjad Ali

Advocates

District Courts Mardan

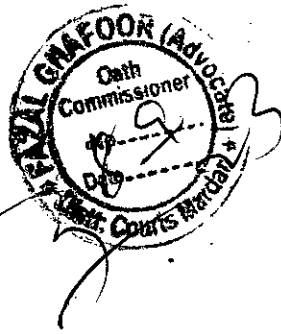
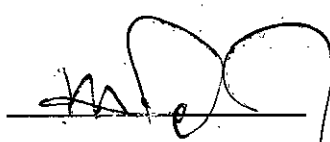
Alamzeb
12/9/2023



AFFIDAVIT:

It is certified that the content of the Application are true and correct with best of my knowledge and nothing has been concealed from the court.

Deponent





OFFICE ORDER

Consequent upon the recommendation of the Departmental Promotion /Selection Committee of Agriculture Research Department in its meeting held on 20.10.2022, the following Class-IV employees are hereby promoted to the post of Junior Clerks BPS-11 on regular basis with immediate effect. The officials who are promoted will be on probation for one year and extendable to another year.

S.#	NAME & DESIGNATION	INSTITUTE/STATION	PROMOTED TO THE POST
1.	Mr. Rahat Khan, Mali	Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
2.	Mr. Wajid Khan, Naib Qasid	Cereal Crops Research Institute, Pirsabak, Nowshera.	Junior Clerk (BS-11)
3.	Mr. Ajab Khan Naib Qasid	Agricultural Research Station, Amnawar, Buner.	Junior Clerk (BS-11)
4.	Mr. Muhammad Basir Field Worker	Agricultural Research Station, Kohat	Junior Clerk (BS-11)
5.	Mr. Shabir Ahmad Field Worker	Directorate (SPN), Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
6.	Mr. Inamullah, Chowkidar	Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
7.	Mr. Muhammad Ibrar Chowkidar	Agricultural Research Institute, Tarnab, Peshawar.	Junior Clerk (BS-11)
8.	Mr. Noor Aziz Field Worker	Agricultural Research Station, Chitral.	Junior Clerk (BS-11)
9.	Mr. Khaista Gul Laboratory Attendant	Sugar Crops Research Institute, Mardan.	Junior Clerk (BS-11)

On their promotion the transfer /posting of the officials are hereby ordered in the best interest of public service.

S.#	NAME & DESIGNATION	FROM	TO	REMARKS
1.	Mr. Rahat Khan, Junior Clerk (BS-11)	Agricultural Research Institute, Tarnab, Peshawar.	Directorate (SPN), Agril. Res. Institute, Tarnab, Peshawar	Against an existing vacancy
2.	Mr. Wajid Khan, Junior Clerk (BS-11)	Cereal Crops Research Institute, Pirsabak, Nowshera.	Cereal Crops Research Institute, Pirsabak, Nowshera.	Against an existing vacancy.
3.	Mr. Ajab Khan Junior Clerk (BS-11)	Agricultural Research Station, Amnawar, Buner.	Agricultural Research Station, Harichand, Charsadda.	Vice at Sl.No. 10
4.	Mr. Muhammad Basir Junior Clerk (BS-11)	Agricultural Research Station, Kohat	Agricultural Research Institute, Tarnab, Peshawar	Against an existing vacancy.
5.	Mr. Shabir Ahmad Junior Clerk (BS-11)	Directorate (SPN), Agril. Res. Institute, Tarnab, Peshawar	Directorate (SPN), Agril. Res. Institute, Tarnab, Peshawar	Against an existing vacancy.
6.	Mr. Inamullah, Junior Clerk (BS-11)	Agricultural Research Institute, Tarnab, Peshawar.	Agricultural Research Institute, Tarnab, Peshawar.	Against an existing vacancy.
7.	Mr. Muhammad Ibrar Junior Clerk (BS-11)	Agricultural Research Institute, Tarnab, Peshawar.	Agricultural Research Institute, Tarnab, Peshawar.	Against an existing vacancy.
8.	Mr. Noor Aziz Junior Clerk (BS-11)	Agricultural Research Station, Chitral.	Agricultural Research Station, Chitral.	Against an existing vacancy.

9.	Mr. Khaista Gul Junior Clerk (BS-11)	Sugar Crops Research Institute, Mardan.	Cereal Crops Research Institute, Pirsabak, Nowshera.	Against an existing vacancy.
10.	Mr. Mudassir Aqeel Junior Clerk (BS-11)	Agricultural Research Station, Harichand, Charsadda.	Directorate General Agricultural Research, Khyber Pakhtunkhwa, Peshawar.	Against an existing vacancy.

Sd/-
DIRECTOR GENERAL

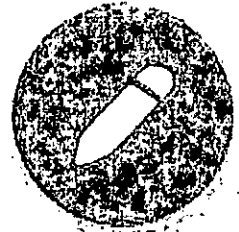
No 11130-11156 JEst/DGAR
Copy to:-

Dated Peshawar 31/10/2022

1. The Accountant General Khyber Pakhtunkhwa, Peshawar.
2. The Senior Director, Agricultural Research Institute, Tarnab, Peshawar.
3. The Director, (S&PN), Agriculture Research Institute, Tarnab, Peshawar.
4. The Director, Cereal Crops Research Institute, Pirsabak, Nowshera.
5. The Director, Sugar Crops Research Institute, Mardan.
6. The Director, Agricultural Research Station, Buner.
7. The Director, Agricultural Research Station, Chitral.
8. The Director, Barani, Agricultural Research Station, Kohat.
9. The Director, Agricultural Research Station, Harichand, Charsadda.
10. The District Accounts Officers, Nowshera, Mardan, Charsadda, Buner, Chitral and Kohat.
11. The Assistant Accounts Officer, H.Q.
12. The officials concerned.

For information and necessary action.


DIRECTOR GENERAL



Government of Khyber Pakhtunkhwa
District Accounts Office Mardan
Monthly Salary Statement (July-2023)



Personal Information of Mr MOHAMMAD ISMAIL d/w/s of AJAB KHAN

Personnel Number: 00366638

CNIC: 1610156554143

NTN:

Date of Birth: 01.08.1982

Entry into Govt. Service: 01.08.2007

Length of Service: 16 Years 00 Months 001 Days

Employment Category: **Active Permanent**

Designation: NAIB QASID

80003361-GOVERNMENT OF KHYBER PAKH

DDO Code: MR4372-DIR SUGER CROP RES, INSTT MARDAN

Payroll Section: 002

GPF Section: 010

Cash Center:

GPF A/C No: 366638

Interest Applied: Yes

GPF Balance:

147,585.00

Vendor Number: -

Pay and Allowances:

Pay scale: BPS For - 2022

Pay Scale Type: Civil BPS: 04

Pay Stage: 15

Wage type		Amount	Wage type		Amount
0001	Basic Pay	24,590.00	1300	Medical Allowance	1,500.00
2148	15% Adhoc Relief All-2013	330.00	2199	Adhoc Relief Allow @10%	228.00
2311	Dress Allowance - 2021	1,000.00	2312	Washing Allowance 2021	1,000.00
2313	Integrated Allowance 2021	600.00	2341	Dispr. Red All 15% 2022KP	2,409.00
2347	Adhoc Rel Al 15% 22(PS17)	2,409.00	2378	Adhoc Relief All 2023 35%	8,606.00

Deductions - General

Wage type		Amount	Wage type		Amount
3004	GPF Subscription	-1,230.00	3501	Benevolent Fund	-600.00
3919	Agriculture(ROP)	-1,000.00	4004	R. Benefits & Death Comp:	-300.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
6505	GPF Loan Principal Instal	120,000.00	-3,500.00	46,500.00

Deductions - Income Tax

Payable: 0.00

Recovered till July-2023: 0.00

Exempted: 0.00

Recoverable: 0.00

Gross Pay (Rs.): 42,672.00

Deductions: (Rs.): -6,630.00

Net Pay: (Rs.): 36,042.00

Payee Name: MOHAMMAD ISMAIL

Account Number: 18064-9

Bank Details: NATIONAL BANK OF PAKISTAN, 230365 MARDAN MAIN BRCH MARDAN MAIN BRCH, MARDAN

Leaves:

Opening Balance:

Availed:

Earned:

Balance:

Permanent Address:

City: MARDAN

Domicile: NW - Khyber Pakhtunkhwa

Housing Status: No Official

Temp. Address:

City:

Email:

**THE¹ [KHYBER PAKHTUNKHWA]
EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2009.
(²[KHYBER PAKHTUNKHWA] ACT NO. XVI OF 2009)**

CONTENTS

PREAMBLE

SECTIONS

1. Short title and commencement.
2. Definitions.
3. Regularization of services of certain employees.
4. Determination of seniority.
- 4A. Overriding effect.
5. Repeal.

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

**THE ¹[KHYBER PAKHTUNKHWA]
EMPLOYEES (REGULARIZATION OF SERVICES) ACT, 2009.
(²[KHYBER PAKHTUNKHWA] ACT NO. XVI OF 2009)**

[First published after having received the assent of the Governor of the ³[Khyber Pakhtunkhwa] in the Gazette of ⁴[Khyber Pakhtunkhwa] (Extraordinary), dated the 24th October, 2009]

AN
ACT

2009/16

2009/16

to provide for the regularization of the services of certain employees appointed on adhoc or contract basis.

2009/16

WHEREAS it is expedient to provide for the regularization of the services of certain employees appointed on adhoc or contract basis, in the public interest, for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.---(1) This Act may be called the ⁵[Khyber Pakhtunkhwa] Employees (Regularization of Services) Act, 2009.

(2) It shall come into force at once.

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

- (a) "Commission" means the ⁶[Khyber Pakhtunkhwa] Public Service Commission;
- (aa) "contract appointment" means appointment of a duly qualified person made otherwise than in accordance with the prescribed method of recruitment;
- (b) "employee" means an adhoc or a contract employee appointed by Government on adhoc or contract basis or second shift/night shift but does not include the employees for project post or appointed on work charge basis or who are paid out of contingencies;

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁵Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁶Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

- (c) "Government" means the Government of the ¹[Khyber Pakhtunkhwa];
- (d) "Government Department" means any department constituted under rule 3 of the ²[Khyber Pakhtunkhwa] Government Rules of Business, 1985, and does not include any section of a Department or an organization which is federally funded;
- (e) "law or rule" means the law or rule for the time being in force governing the selection and appointment of civil servants; and
- (f) "post" means a post under Government or in connection with the affairs of Government to be filled in on the recommendation of the Commission.

(2) The expressions "ad hoc or contract appointment" and "civil servant" shall have the same meanings as respectively assigned to them in the ³[Khyber Pakhtunkhwa] Civil Servants Act, 1973 (⁴[Khyber Pakhtunkhwa] Act No. XVIII of 1973).

3. Regularization of services of certain employees.---All employees including recommendees of the High Court appointed on contract or ad hoc basis and holding that post on 31st December, 2008 or till the commencement of this Act shall be deemed to have been validly appointed on regular basis having the same qualification and experience for a regular post:

Provided that the service promotion quota of all service cadres shall not be affected.

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

(2) The seniority interse of the employees, whose services are regularized under this Act within the same service or cadre, shall be determined on the basis of their continuous officiation in such service or cadre:

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

²Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

³Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

⁴Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011

Provided that if the date of continuous officiation in the case of two or more employees is the same, the employee older in age shall rank senior to the younger one.

4A. Overriding effect.—Notwithstanding any thing to the contrary contained in any other law or rule for the time being in force, the provisions of this Act shall have an overriding effect and the provisions of any such law or rule to the extent of inconsistency to this Act shall cease to have effect.

5. Repeal.—The North-West Frontier Province Employees (Regularization of Services) Ordinance, 2009 (N.-W.F.P. Ordinance No. VII of 2009) is hereby repealed.

Accounts Office Mardan
 PAYROLL REGISTER
 For the month of July, 2023

DDO : MR4372 DIR SUGER CROP RES, INSTT MARDAN

Payroll Section : 002 Payroll 2

00366638 MOHAMMAD ISMAIL		CNIC: 1610156554143	Desig: NAIB QASID	(80207445)	Grade: 04 NTN:
P A Y M E N T S		A M O U N T	D E D U C T I O N S	A M O U N T	LOAN/FUND
0001 Basic Pay		24,590.00	3004 GPF Subscription	1,230.00-	
1300 Medical Allowance		1,500.00	6505 GPF Loan Principal In	3,500.00-	GPF Temp. Advance
2148 15% Adhoc Relief All		330.00	3501 Benevolent Fund	600.00-	
2199 Adhoc Relief Allow @		228.00	3919 Agriculture (ROP)	1,000.00-	
2311 Dress Allowance - 20		1,000.00	4004 R. Benefits & Death C	300.00-	
2312 Washing Allowance 20		1,000.00			
2313 Integrated Allowance		600.00			
2341 Dispr. Red All 15% 2		2,409.00			
2347 Adhoc Rel Al 15% 22		2,409.00			
2378 Adhoc Relief All 202		8,606.00			
P A Y M E N T S		42,672.00	DEDUCTIONS	6,630.00-	NET PAY
Branch Code: 230365		MARDAN MAIN BRCH	NATIONAL BANK OF PAKISTAN		36,042.00 01.07.2023
			MARDAN MAIN BRCH		