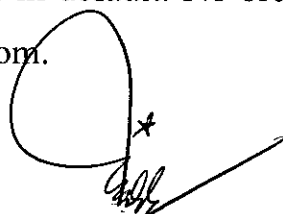


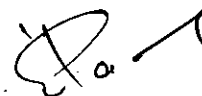
12.02.2019

Appellant absent. Learned counsel for the appellant absent. Case called but none appeared on behalf of appellant. Mr. Muhammad Jan learned Deputy District Attorney alongwith Fazl Khaliq ADO, representative of respondent department, present. Representative of respondent department pleaded that grievance of the appellant has been redressed, therefore he is not interested in the present service appeal and in support of his plea, the representative furnished copy of office order dated 18.06.2019.

In view of above, the present service appeal is hereby dismissed in default. No order as to costs. File be consigned to the record room.



(Mian Muhammad)  
Member



(Muhammad Hamid Mughal)  
Member

ANNOUNCED.  
12.02.2020

29.04.2019

Counsel for the appellant and Mr. Ziaullah, DDA alongwith Fazle Khaliq, ADO for the respondents present.


Once again learned counsel for the appellant requests for adjournment due to his over occupation in many cases today. Adjourned to 12.07.2019 on which date the matter shall positively be argued.

  
Member

  
Chairman

12.07.2019

Counsel for the appellant and Addl: AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. Case to come up for arguments on 26.09.2019 before D.B.

  
Member

  
Member

26.09.2019

Counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 10.12.2019 for arguments before D.B.

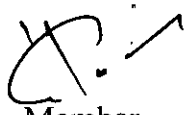
  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

10.12.2019

Lawyers are on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourn. To come up for further proceedings/arguments on 12.02.2020 before D.B.


  
Member

  
Member

25.09.2018

Learned counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney alongwith Mr. Fazle Khaliq, ADO for the respondents present. Respondents are directed to produce order of regularization of services of the appellant dated 09.10.2008 and Finance Department Letter dated 29.01.2008 for assistance of the court. Case to come up for further proceedings/arguments on 07.11.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member


07.11.2018


Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 24.12.2018.

  
Reader

24.12.2018

Appellant in person present. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Fazle Khaliq, ADO for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up for arguments on 15.02.2019 before D.B.

  
(Ahmad Hassan)  
Member

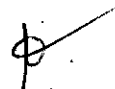
  
(Muhammad Amin Khan Kundi)  
Member

15.02.2019

Appellant in person and Mr. Muhammad Riaz Paindakhel, Asstt. AG alongwith Fazle Khaliq, ADO for the respondents present.

Appellant requests for adjournment due to engagement of his learned counsel in many cases before the Honourable High Court today.

Adjourned to 29.04.2019 before the D.B.


  
Member

  
Chairman

10.04.2018


Counsel for the appellant and Mr. Ziaullah, DDA alongwith Mr. Fazal Khaliq, ADO for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 05.06.2018 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Hamid Mughal)  
Member

**05.06.2018**

Clerk to counsel for the appellant present. Mr. Kabir Ullah Khattak, learned Additional Advocate General alongwith Abdul Ghafar Superintendent for the respondents present. Clerk to counsel for the appellant seeks adjournment as learned counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 07.08.2018 before D.B


  
(Ahmad Hassan)  
Member

  
(Muhammad Hamid Mughal)  
Member

07.08.2018

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 25.09.2018 before D.B

  
(Muhammad Hamid Mughal)  
Member

  
(Muhammad Amin Kundi)  
Member

03.10.2017

Appellant in person and Mr. Usman Ghani, District Attorney, alongwith Mr. Fazal Khaliq, ADO for respondents present. Appellant seeks adjournment as counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 20.12.2017. before D.B.

(MUHAMMAD HAMID MUGHAL)  
MEMBER

(AHMAD HASSAN)  
MEMBER

20.12.2017

Counsel for the appellant and Mr. Muhammad Jan, DDA alongwith Fazle Khaliq, ADEO . for the respondents present. Counsel for the appellant seeks adjournment. To come up for arguments on 16.2.2018 before the D.B.

Member

Chairman

16.02.2018

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Fazle Khaliq, ADO for the respondents present. Learned DA requested for adjournment. To come up for arguments on 10.04.2018 before the D.B.

*The counsel for appellant requests that similar cases were dealt by Mr. Hamid Mughal. This appeal may be fixed before Mr. Hamid Mughal.*

Member

Chairman

1212/2016

03.01.2017

Counsel for appellant present. Preliminary arguments heard. The plea of the appellant is that he has not been accorded pensionary benefits despite the facts that his services was regularized and so for which he was entitled to receive pensionary benefits.


Points urged needs consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days. Notices be issued to the respondents for written reply/comments for 08.02.2017 before S.B.

Deposited  
Process Fee

  
(ASHFAQUE TAJ)  
MEMBER

08.02.2017

Counsel for the appellant and Addl. AG for respondents present. Written reply submitted. To come up for rejoinder and arguments on 13.06.2017.

  
(ASHFAQUE TAJ)  
MEMBER

13.06.2017

Appellant in person present. Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Appellant requested for adjournment. Adjourned. To come up for rejoinder and arguments on 03.10.2017 before D.B.

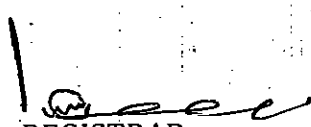
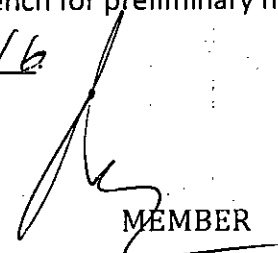
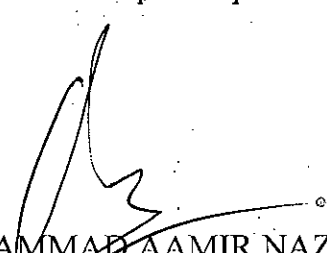
  
(GUL ZEB KHAN)  
MEMBER

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

Form- A  
FORM OF ORDER SHEET

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

Case No. 1212/2016


S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	06/12/2016	<p>The appeal of Mr. Ajmal Khan resubmitted today by Mr. Yaqub Khan Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>21-12-16</u></p> <p> MEMBER</p>
	21.12.2016	<p>Counsel for the appellant present. Requested for adjournment. Request accepted. To come up for preliminary hearing on 03.01.2017 before S.B.</p> <p> (MUHAMMAD AAMIR NAZIR) MEMBER</p>

The appeal of ~~Ajmal~~ Khan son of Sahib Khan Ex-Class VI, GPS Muhib Banda Dagai Swabi received today i.e. on 30.11.2016 is incomplete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

- 1- Copy of appointment order of the appellant is illegible which may be replaced by legible/better one.
- 2- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 3- Copy of impugned order dated 03.8.2016 mentioned in the heading of the appeal is not attached with the appeal which may be placed on it.


No. 1984 /S.T,

Dt. 1/12 /2016

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Yaqub Khan Adv. Mardan.

Sir,  
objections removed, completed and re-submitted please. Moreover, impugned order dated 3/8/16 has not been issued by respondent, however, appellant is relying on the entry regarding retirement of appellant in the service book of appellant at page No 15 of Memo of appeal.

  
Yaqub Khan  
Advocate  
5/12/2016



Before The Service Tribunal KPK Peshawar

Service Appeal No. 12/12/2016

Ajmal Khan

.....Appellant

VERSUS

Director etc

.....Respondents

APPEAL

INDEX

S.No	Descriptions	Annex:	Pages	
			From	to
1	Grounds of appeal		1	4
2	Copy of mutation dated 24/10/94	"A"	5	
3	Copy of appointment order & service book	"B"	6	15
4	Copy of charge report	"C"	16	
5	Copy of departmental appeal dated 25/8/2016.	"D"	17	
6	WakalatNama		18	

Appellant,

Ajmal Khan

Trough counsel

Yaqoob Khan advocate High  
Court at Distt: courts Mardan.

Dated 24/10/2016

①

Before The Hon'able Service Tribunal of KPK at Peshawar

Appeal No. 12/2 /2016

Khyber Pakhtukhwa  
Service Tribunal

Diary No. 1231

Dated: 30-11-2016

Ajmal Khan son of Sahib Khan Ex; Class-iv GPS Muhib Banda  
Dagai Swabi resident of Vilalge Muhib Banda Tehsil & District  
Swabi. ....Appellant

VERSUS

1. Director of (E & SE) KPK Peshawar.
2. DEO (M) (P) Swabi
3. Secretary Education KPK Peshawar. ....Respondents

---

*Appeal U/S-4 of KPK Service Tribunal Act 1974 against  
the order of respondent No.2 dated 03/08/2016, whereby  
appellant was retired from service without pensionary  
benefit, which is illegal, against law and facts.*

---

**Filed to-day** Prayer in appeal:-

W. A. Khan  
Registrar

30/11/16

Re-submitted to -day  
and filed.

W. A. Khan  
Registrar

6/12/16

On acceptance of this appeal, order of respondent  
No.2 dated 03/08/2016 may please be modified to the  
extent of granting of pensionary benefit to appellant with  
all back benefit.

Respectfully Sheweth;

2

Appellant humbly submits as under

1. That appellant was donated land measuring one kanal to the respondents vide mutation dated 24/10/1994. (Copy of mutation is attached as Annex: "A").
2. That appellant was appointed as class-iv on 28/02/1997 on regular basis vide order dated 28/02/1997. (Copy of appointment order dated 28/02/1997 & service book are attached as Annex: "B").
3. That appellant has taken order charge of his duty vide charge report dated 01/02/1997. (Copy of charge report is attached as Annex "C").
4. That appellant has served with respondents department from 01/02/1997 to 03/08/2016 with entire satisfaction of his supervisor and no complaint has been received against appellant.
5. That appellant is retired from service on 03/08/2016 with granting of LPR but without pensionary benefit after 20 years vide order No.7870-75/LPR/F dated 03/08/2016, which is relieved from the entry of service book of appellant at page No. 15, therefore, order of respondent No.2 dated 03/08/2016 is illegal against law and facts and liable to be modified to the extent of granting of pensionary benefit to the appellant for the service already by the appellant (Copy of service book is already attached as Annex: "B").
6. That appellant preferred an appeal before respondent NO.1 on 25/08/2016 but in vain. (Copy of departmental appeal is attached as Annex: "D").
7. That order of respondent NO.2 dated 03/08/2016 is illegal, against and facts and liable to be modified to the extent of pensioner benefit of appellant on the following grounds:-

GROUNDS

A. That order of respondent No.2 dated 03/08/2016 is illegal, against law and facts and liable to be modified to the extent of granting of pensionary benefit to the appellant.

B. That appellant has regularly serviced with respondents up to 20 years and appellant is entitled for pensionary benefit as per section 19 of Civil Service Act 1973.

C. That as per section 19 of Civil Service Act 1973 coupled with S & R 47/A officer/ official who have been completed more than 10x years service is entitled for pensionary benefit, so, appellant have more than 20 years is entitled for pensionary benefit.

D. That as per judgment of Apex Supreme Court of Pakistan, Amir Mohmood Vs Afshan refugees coupled with the judgment of this Hon'able court in case titled Nameer Khan Vs Education, wherein, pensionary benefit have given to the similarly placed official, so, as per reported judgment of Apex Supreme Court of Pakistan 1996 SCMR, 1185, appellant is also entitled for pensionary benefit.



نام بانک  
Aux (5)

نام کاشت کار  
نام بانک و حساب  
نمبر و کیفیت  
نمبر و کیفیت  
نمبر و کیفیت

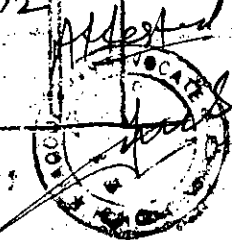
نمبر و کیفیت	نمبر و کیفیت	نمبر و کیفیت	نمبر و کیفیت	نمبر و کیفیت
14-10	14-10	14-10	14-10	14-10
10092	10092	10092	10092	10092
29392	29392	29392	29392	29392
10092	10092	10092	10092	10092

Handwritten notes and signatures in the left margin, including a signature at the bottom.

Handwritten notes and calculations in the middle section, including a large sum of 29392 and a signature.

Handwritten notes and calculations in the right section, including a signature and a date.

24-94  
Handwritten text at the bottom of the page, including a date and a signature.



Handwritten signature and initials 'S.T.S.' at the bottom center.

( Better copy )

Aux B  
16

OFFICE OF THE SUB DIVISIONAL EDUCATION OFFICER (M)  
PRIMARY SWABI

Contractual Appointment

1. Mr. Ajmal Khan S/o Sahib Khan R/o village Dagi P/o Dagi Tehsil and District Swabi is hereby appointed on contract basis gains newly created post of Chowkidar at GPS Mohib Banda Dagi Tehsil and District Swabi on contract allowance of Rs.1200/- per months one thousand two hundred only) fixed with effect from 02/1997 on the following terms and conditions.
2. This appointment is purely temporary and liable to termination without assigning any reason or without any prior notice.
3. His age shall not be below 18 years and above 45 years
4. He shall be bound by the Govt; servants conduct rules and the condition laid down in the annexure to the secular letter No. (S& GAD) 4-7/3 dated 09/04/1988 charge report shall be submitted to all concerned.
5. No TA DA is allowed.
6. The appointment may be terminated on one month notice from him or on forfeiture of one month allowance in lieu thereof.

sd x x x x

Sub Div: Education (Male) Sawabi

End: sment No.5807-15/estt: dated 28/02/1997

Copy forwarded to all the concern

sd x x x x

Sub Div: Education (Male) Sawabi

*Attested*  
*[Signature]*

B  
Aux  
6

OFFICE OF THE SUB-DIVISIONAL EDUCATION OFFICER (M) PRIMARY SWABI.  
CONTRACTUAL APPOINTMENT:-

Mr. Ajmal Khan s/o Sahib Khan  
r/o Village Dagi s/o Dagi Thesil and District Swabi is  
hereby appointed on contract basis against vacant post (newly created posts  
of Chokidar at G.P.S. Mohib Banda Dagi Thesil and District  
Swabi on contract allowance of Rs. 1200/- (Two thousand and  
Two hundred only) fixed with effect from 1.02.1997

- 1:- This appointment is purely temporary and liable to termination with out assigning any reason or without any prior notice.
- 2:- His age shall not be below 18 years and above 45 years.
- 3:- He shall be bound by the Govt: servants conduct rules and the conditions laid down in the Annexure to the Circular Letter No. S.O.1(SWAB) 4-7/3 dated 09-04-1988.
- 4) Charge reports shall be submitted to all concerned.
- 5:- No Pa/Da is allowed.
- 6:- The appointment may be terminated on one months notice from him or on forfeiture of one months allow: in lieu thereof.

(ALI JAN)  
Sub Div. Education Officer  
(Male) Swabi

Enst: no 5807-15 /Estt: DA-1/apptt: of C-IV Dated Swabi the 28.2.1997

Copy forwarded to the:-

- 1), Director Primary Educn, S.W.P., Peshawar,
- 2), Distt: accounts Officer Swabi,
- 3), Sub: Divl: Edu: Officer (Male) Swabi/D. Hor.
- 4), A, D, S, (Acctt:) Local Office,
- 5):- Supt: of Local Office.
- 6), Head teacher of the concerned school.
- 7), Candidate concerned.
- 8), A. D, S, of the local Office.

28/2/97

Attested

Sub Div. Education Officer  
Swabi



Note:- 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.

7

1. Name: Ajmal Khan

2. Race: Afghan / Muslim

3. Residence: Muhit Banda Dagi, Tehsil and District Swabi

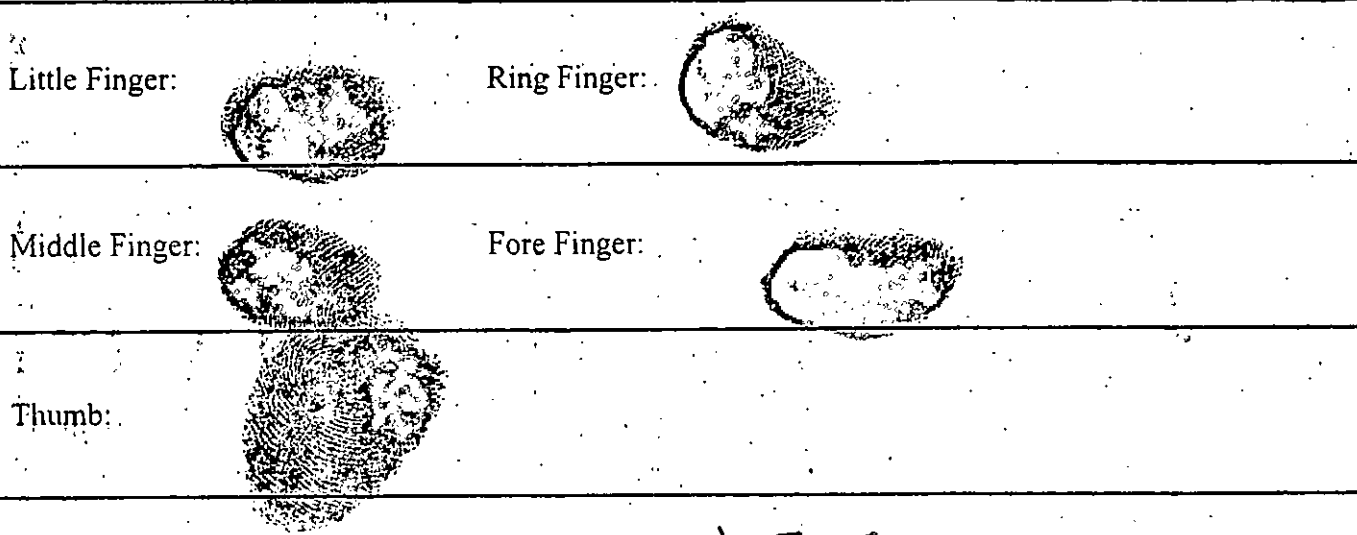
4. Father's name and residence: Sahib Khan

5. Date of birth by Christian era as nearly as can be ascertained: 1-7-1956  
1st of July N.H. and Fifty six

6. Exact height by measurement: 5-7"

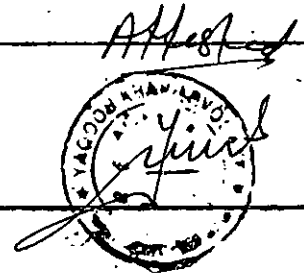
7. Personal marks for identification: A mole on chest

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



9. Signature of Government Servant: [Signature]

10. Signature and designation of the Head of the office, or other Attesting Officer: [Signature]  
By: Dy. District Officer (Male) Swabi



8

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 serv
Chowkidar (Fixed) GPS Mahabir Bando Dagi			1200/-	P.M.		1 <sup>2</sup> / <sub>12</sub> 1997	ds 1
Reg: BPS-1 = (1245 - 35 - 1770)							
Pay fixed on 1-2-1997 =			1245/-	P.M.			
A/ Increment on 1-12-1997			1280/-	P.M.			
-do- 1-12-1998			1315/-	P.M.			
-do- 1-12-1999			1350/-	P.M.			
-do- 1-12-2000			1385/-	P.M.			
-do- 1-12-2001			1420/-	P.M.			
Revised BPS-1 = (1870 - 55 - 3520)							
Pay fixed on 1-12-2001 =			2145/-	P.M.			
A/ Increment 1-12-2002			2200/-	P.M.			
-do- 1-12-2003			2255/-	P.M.			
-do- 1-12-2004			2310/-	P.M.			
Revised BPS-1 = (2150 - 65 - 4100)							
Pay fixed on 1-7-2005 =			2670/-	P.M.			
A/ Increment on 1-12-2005			2735/-	P.M.			
-do- 1-12-2006			2800/-	P.M.			
Revised BPS-1 (2475 - 75 - 4725)							
Pay fixed on 1-7-2007 =			3295/-	P.M.			
A/ Increment 1-12-2007 =			3300/-	P.M.			
Revised BPS-1 (2970 - 90 - 5670)							
Pay fixed on 1-7-2008			3960/-	P.M.			
A/ Increment 1-12-2008			4050/-	P.M.		1 <sup>12</sup> / <sub>12</sub> 2008	ds 1
Do	Do	Rs = 4140/-				1 <sup>12</sup> / <sub>12</sub> 2009	ds 1
Do	Do	Rs = 4230/-				1 <sup>12</sup> / <sub>12</sub> 2010	ds 1

ADP entries with 1/12/2008 are attested.

Signature of Officer  
 District Officer  
 District  
 District

9.	10	11	12	13		14	15
Signature and Designation of the head of the office or other attesting officer in attestation of 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 cesure, or reward or praise of the Government Servent
				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		
					Appointed against newly created post at GPS Muhib Banda Dagi as contract charokidar (fixed) @ Rs 1200/- P.M. vide SDEO (M) Swabi No. 5807-15 dated 28.2.1997.		
		2008, OFFICE OF THE ACCOUNTANT GENERAL N.W.F.P. PESHAWAR. PAY FIXED IN THE REVISED BASIC PAY SCALES I				By District Officer (Male) Primary Swabi	
	OF RS 2970-90-6670 AT RS 3967 P.M.W.E.F. With Next Increment on			1-07-2008 1-2-2008	Regularized and awarded BPS-1 from the date of appointment without back-benefit vide Govt. notification No. B-9-1/1-22/2007-08 / F.D. dated 29.1.2008 and Endst. by EDO (EAS) Edu: No. 175-84 dated 9.7.2008.		
	Accounts Officer Pay Fixation Pally N.W.F.P. Peshawar					By District Officer (Male) Primary Swabi	
					ce 17/08 No 71-32 defd 2 pay d At 7/08 to 11/08.		(1)
Dr / D.O. (M) (Swabi)	30/11/2009	A/P/one	Dr / D.O. (M) (Swabi)				
Dr / D.O. (M) (Swabi)	30/11/2010	A/P/one	Dr / D.O. (M) (Swabi)				Service Verified by si / 1-12-08 To 30-11-2009 From the Office Record
Dr / D.O. (M) (Swabi)	17/2011	pay scale Revised	Dr / D.O. (M) (Swabi)				Dr / D.O. (M) (Swabi)

20

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 serv
Chowkeidar	Revised BPS NGI		4800 - 150 - 9360				
G.P.S							
MULTIBANDA	do			RS 6900/- P.M		1/7 2011	do. 1
DO	DO			RS 7050/- P.M		1/12 2011	do. 1
DO	DO			RS 7200/- P.M		1/12 2012	do. 1
<p>(Revised Contract on-17-2007 (2530-85-5080) BPS No-02)</p> <p>Pay in the exist of B-01 on 1-7-2007 Rs- 3295/-</p> <p>Pay fixed in the BPS No-2 on 1-7-07 Rs. 3295/-</p> <p>Spl. inc on 1-9-2007 --- Rs. 3380/-</p> <p>A/MC on 1-12-2007 --- Rs. 3465/-</p>							
<p>(Revised B-02 (3035-100-6035) on-17-2008)</p> <p>Pay fixed on 1-7-2008 --- Rs. 4135/-</p> <p>A/MC on 1-12-2008 --- Rs. 4235/-</p> <p>A/MC on 1-12-2009 --- Rs. 4335/-</p> <p>" " 1-12-2010 --- Rs. 4435/-</p>							
<p>(Revised B-02 (4900-170-10000) on-17-2011)</p> <p>Pay fixed on 1-7-2011 --- Rs. 7280/-</p> <p>A/MC on 1-12-2011 --- Rs. 7450/-</p> <p>" " 1-12-2012 --- Rs. 7620/-</p>							
						01/12 2012	do. 1

ALL ON MIN WEL 1-7-2007 TO 1-12-2012 WEL 01/12/2012

*[Signature]*

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 4 to 8.	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer	13 Leave		14 Signature of the head of the office or other attesting officer.	15 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		
<i>[Signature]</i> (Swabi)	30/11/2011	A/Spec	<i>[Signature]</i> (Swabi)				Service Verified w. s. 1 1-12-09 To 30-11-2010 From the Office Record.
<i>[Signature]</i> (Swabi)	30/11/2012	A/Spec	<i>[Signature]</i> (Swabi)			<i>[Signature]</i> (Swabi)	Service Verified w. s. 1 1-12-2010 To 30-11-2011 From the Office Record.
DD E&S Edu Swabi	31/12/2013	Entered service No-02 to be considered at 1-7-2007 W-2	<i>[Signature]</i> (Swabi)			<i>[Signature]</i> (Swabi)	Service Verified w. s. 1 1-12-2011 To 30-11-2012 From the Office Record.
<p><b>UNDER-TAKING.</b></p> <p>I Mr Ajmal Khan Chaudhary BPS Malak Mandi hereby under take that if any cover report is made to me due to encashment period of B-2 to me and deducted later on the same will be received from my pay, provident fund, gratuity etc.</p> <p><i>[Signature]</i> Ajmal Khan Chaudhary</p>							
<p><i>[Signature]</i> Ajmal Khan Chaudhary</p> <p>Attested</p>				<p>Awarded BPS No. 02 w. s. 1 of 1-7-2007 and come spl. G.M. from 1-4-2007 vide AG/HRM No. HAD/Prd/Comp/2011-2012 dt. 24/1-2012 at PD No. B-3-21/ED/11-22/2008-09 dt. 2/3/2012. duly encashed vide AG No. HAD-24/1/1008/195/Prd/2011-12/1333 dt. 21/3/2012.</p>			
<p><i>[Signature]</i> S.D. Edu Swabi</p>				<p><i>[Signature]</i> S.D. Edu Swabi</p>			
<p>CC of <i>[Signature]</i></p> <p><i>[Signature]</i></p>				<p>Attested</p> <p><i>[Signature]</i></p>			


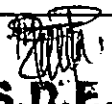






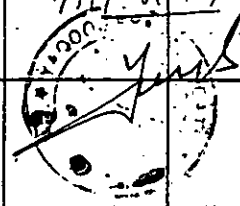
1	2	3	4	5	6	7	8
Name of Post	Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant
Chemist	Revised BPS 10	2004 900-120-10000/2					
G.P.S. MCHIBBANDA DACSI	DO / off		Rs = 7620/-	P.M		1/12/2012	J.S. I
DO	DO		Rs = 7790/-	P.M		1/12/2013	J.S. I
Awarded one special prescriptive one by The govt of K.P.K. w.e.f 17/2014							
DO	DO		Rs = 7960/-	P.M		1/7/2014	J.S. I
DO	DO		Rs = 8130/-	P.M		1/12/2014	J.S. I

9 Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment	11 Reason of termination (such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer.	15 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 debitale to another Government		
				Period	Government to which debitale		
<b>S.D.E.O (M) Swabi</b> <i>A.R.</i>	30/11/2013	A/gme	<b>S.D.E.O (M) Swabi</b> <i>A.R.</i>			<i>Service Verified w. s. 1</i> 1-12-2012 to 30-11-2013	(5)
<b>S.D.E.O (M) Swabi</b> <i>A.R.</i>	12/2014	Awarded one special increment.	<b>S.D.E.O Male Swabi</b>			<i>From the Office Record.</i>	
<b>S.E.O Male Swabi</b> <i>A.R.</i>	30/11/2014	A/gme	<b>S.D.E.O Male Swabi</b>			<i>Allowed one Special premature increment vide Finance Division No F.D.C.S.O.S.R-11-2/23/2014 Dated Peshawar the 12/2014</i>	
<b>S.D.E.O Male Swabi</b>						<i>due to premature increment</i>	
<b>S.D.E.O Male Swabi</b>	30/15	Pay Review 5/11	<b>S.D.E.O Male Swabi</b>			<b>S.D.E.O Male Swabi</b>	
						<b>UNDERTAKING</b>	
						<i>I, Mr. Asimul Khan hereby given an undertaking to the effect that if any over payment is made to me in connection with the incorrect fixation of allowed one premature increment to the employees of the provincial Govt. from BPS-01 to 04 detected latter on shall be recovered from my salary/ pension/ gratuity.</i>	
						Sign of official <i>[Signature]</i>	
						<b>ATTESTED</b> <i>NAME ASIMUL KHAN</i>	
						<b>S.D.E.O Male Swabi</b>	
						<i>Draw Rs 39320/-</i> <i>Pay for m/o 3/2015</i> <i>04/2015</i>	
						<i>Service Verified w. s. 1</i> 1-12-2013 to 30-11-2014	
						<i>From the Office Record.</i>	
						<b>S.D.E.O Male Swabi</b>	<i>Attested</i> 

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
GPS Mohib Banda Chakri	Sub. Jup.	BPS-2, R (6335-220-12935)	Rs = 10515/- PM			17/15	[Signature]
Do	Do		Rs = 10735/- PM			12/2015	[Signature]
1 Allowed 2 Step Promotions B-4/Rs. 6730-300-15730)							
-Do-	-Do-		Rs: 10930 /+ premature				[Signature]
			Rs: 11330 /PM			2/12/2015	[Signature]
41357	"						
72857							
105157	222						

Joint of the Assoc. of Govt. Employees  
 Khyber Pakhtun Khwa Province  
 Pay Fixed in the Revised Basic Pay Scales  
 R.B.F.S.  
 Pay Fixed @ Rs. 3035 (200 6035)  
 Add. @ Rs. 413)  
 Pay Fixed @ Rs. 490 (200 10800)  
 R.B.F.S.  
 Pay Fixed @ Rs. 7280  
 Date of Next Increment: 01-07-2015  
 01-07-2015  
 01-07-2015  
 01-07-2015  
 Accounts Officer  
 Pay Fixation Party



9	10	11	12	13		14	15
				Leave			
Signature and Designation of the head of the office or other attesting officer in attestation of 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.	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitale to another Government	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
				Period	Government to which debitale		
 S.D.E.O. Male Swabi	30/11 2015	A/gmc	 S.D.E.O. Male Swabi				(7) Service verified w.r.t 1-12-2014 to 30-11-2015 from the Office Record.
 S.D.E.O. Male Swabi	01/12 2015	Allowed 2 step p. promotion B-4	 S.D.E.O. Male Swabi				S.D.E.O. Male Swabi
 S.D.E.O. Male Swabi	12/2 2015	Two step promotion B-4	 S.D.E.O. Male Swabi				Allowed 2 step promotion B24 vide Govt. of KPK Finance Deptt (Regulation No. 100/FR) 7-20/2015 Dated 30/6/2015
 S.D.E.O. Male Swabi	30/6 2016	Retired	 S.D.E.O. Male Swabi				Service verified w.r.t. 01-12-2015 to 30-6-2016 from the office record.
<p>Office of The Accountant General Punjab, Chandigarh Pay Band in the P.B.P.S OF Rs. 6375-220-12965 A/c No. 10515 With Res. No. 122-2698 6/11/15</p>				<p>Caution is here by accorded for grant of L.P.R with out pension benefit for retirement only for drawl of B.E.F &amp; B.F with S.E.O (M) Swabi his Const. No: 7870-75/L.P.R. File Dated 3-8-2016</p>			
<p>Accounts Officer Punjab National Bank, Pakhtunkhwa Peshawar</p>				<p>Attested  S.D.E.O. (M) Swabi</p>			

چاره رپورٹ

Ann D

(15)

مستی اجل خان ولد صاحب خان سکنہ حب بانڈہ ڈاکی

کی تقرری بحیثیت چوکیدار برص اردو نمبر 15-5807

موضوع 1997-02-1 آفدہ از دفتر سب ڈویژنل ایجوکیشن

آفسر صاحب سرورڈن ایوبی گورنمنٹ ڈیپارٹمنٹ سکول حب بانڈہ

ڈاکی ایوبی پوہلی 2۔ لہذا آنہ موضوع 1997-02-1 کو ایسے عہدہ نیابت چارہ

کا مستحق بنا۔

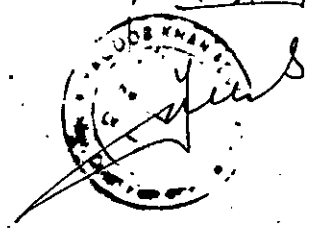
احمد

چارہ لینے والے

محمد علی

چارہ دینے والے

Attested



محترم جناب ڈائریکٹر صاحب حکم ایجوکیشن K.P.K

Ann  
17

درخواست برآمدی طالبی در درسی

مذاہب عالی

من در شر صبا ذیل فرمایید: یہ کہ من مسائل ذیل حکم حکم  
کو ایک سال درسی کو منتظر ہوں مگر ایسی کوئی طلبہ یا نئے میں دیا  
تھا۔ چونکہ میں مسائل مذکورہ سکول میں مگر سر فوجو حکم کو  
اور اب رٹرن میٹر ہو گیا ہے۔ اور اس سال طلبہ نہ تھے۔  
یہ کہ میں مسائل سکول میں اس سال طلبہ نہ تھے۔  
تھا ہے۔ اور باقی کونٹرکٹ میں اور اب پیشین سے بھی حکم  
کو دیا گیا ہے۔ یہ کہ میں مسائل کے مسائل میں اس سال طلبہ نہ تھے۔  
کوئی اور درسی نہیں ہے۔ یہ کہ میں مسائل کے مسائل میں اس سال طلبہ نہ تھے۔  
ہے۔ یہ کہ میں مسائل کے مسائل میں اس سال طلبہ نہ تھے۔  
کندہ اس کے لئے۔ یہ کہ میں مسائل کے مسائل میں اس سال طلبہ نہ تھے۔  
کو مذکورہ طلبہ کو مگر ایسی کہنا اور میں مسائل کے مسائل میں اس سال طلبہ نہ تھے۔  
مذاہب عالی میں اس سال طلبہ نہ تھے۔

DBAOM, Now Doha  
Please consider  
my appointment  
as per policy  
rules and law.  
21/9/2016

25/8/2016

سائل اجمل خان ولد صاحب خان ساکن ڈالہ

Attested



# بعدالت سپرویزٹریٹوئل کورٹ

کورٹ فیس

مورخہ: 30 نومبر 2016ء منجانب ریلوے

مقدمہ: رحیل خان نام: ڈیٹیکٹو ایف سیو لرنل درو

دعویٰ: ریلوے

جرم:

## باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی رحیل خان متعلقہ آن مقام میں اور کے لئے لہجہ فنان ریلوے کے 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 و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرانے اجراء اور وصولی چیک روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآم ہوگی اور منسوخ دائر کرنے کی اپیل نگرنی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مذکور کے عمل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برداشت منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکورہ اوکالت نامہ لکھ دیا کہ سندر ہے

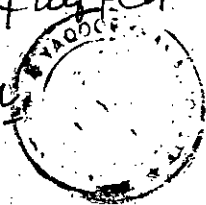
المرقوم 30 ماہ نومبر 2016ء

بلا گواہ شدہ

بمقام: لٹ و کے لئے منظور ہے

Attested & Accepted

Signature



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

Service Appeal No.1212/2016

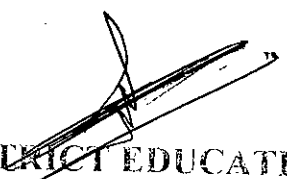
Ajmal Khan S/O Sahib Khan Ex-Chowkidar, GPS Muhib Banda Dagai Swabi,  
Resident of Village Muhib Banda Tehsil & District Swabi ..... **Appellant**

**VERSUS**

1. Director E&SE Khyber Pakhtunkhwa Peshawar
2. District Education Officer (E&SE) Male Swabi
3. Govt:of KPK through Secretary E&SE Khyber Pakhtunkhwa Peshawar  
.....**Respondents**

**INDEX**

S#	Description of Documents	Annexure	Page
1.	Para Wise Comments with affidavit	-	01-03
2.	Finance Department & Directorate Letters	A	04-08
3.	West Pakistan Civil Service Pension Rules	B	09-14

  
**DISTRICT EDUCATION OFFICER**  
**(MALE) SWABI**  
**Dist: Education Office**  
**(Male) Swabi**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

Service Appeal No.1212/2016

Ajmal Khan S/O Sahib Khan Ex-Chowkidar, GPS Muhib Banda Dagai Swabi,  
Resident of Village Muhib Banda Tehsil & District Swabi ..... **Appellant**

**VERSUS**

1. Director E&SE Khyber Pakhtunkhwa Peshawar
2. District Education Officer (E&SE) Male Swabi
3. Govt:of KPK through Secretary E&SE Khyber Pakhtunkhwa Peshawar  
.....**Respondents**

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS 01 TO 03**

Respectfully Sheweth,

**PRELIMINARY OBJECTIONS.**

1. That the instant Appeal is badly time barred and not maintainable.
2. That the Appellant has no locus standi or cause of action to file the instant Appeal
3. That the Appellant has not come to the Tribunal with clean hands.
4. That the Appellant concealed the material facts from the Honourable Tribunal.
5. That the Appellant has filed the instant Appeal just to pressurize the respondents.
6. That the Appellant is estopped by his own conduct to file the instant appeal.
7. That the instant Appeal is against the prevailing laws and rules.

**ON FACTS.**

1. That this para of the appeal relates to the donation of land for the construction of GPS Muhib Banda Dagai Swabi.
2. Incorrect, hence strongly denied the appellant was not appointed on regular basis. He was appointed as Chowkidar on contract basis, Fixed salary on 28.02.1997, Government of NWFP Finance Department No.BI/2-1/92-93/FD dated Peshawar, the 04.11.1992 which states, " in future the non education cadre posts in the Education Department such as Chowkidars, Naib Qasids, Malis, Water Carriers, Sweepers etc; be filled on contract basis, in order to rid the Provincial Exchequer of the extra burden on account of future pensionery liabilities." These posts be filled in on fixed salaries basis.(Annexure-A attached).
3. That the appellant was appointed in Education Department and the appellant accepted all the terms and conditions without any agitation before taking over charge till retirement.
4. That it is mandatory for a civil servant to perform his duty with entire satisfaction of his superiors, otherwise he would have to be proceeded under E&D Rules, 2011.

5. Incorrect, hence strongly denied. The total length of service of the appellant is not 20 year but 18 years 05 months and 06 days, which is not in total count towards qualifying service for pension. The qualifying service for pension of the appellant is only 08 years and 02 days while the minimum length of qualifying service required for pension is 10 years. " Law does not recognize any contract employee as Civil Servant." Reliance is placed on **2013 PLC (CS) 1463**. "Pension has to be determined on the basis of qualifying service and not on the basis of total length of service". The same is reported in **NLR 1991 CLJ 706**. "Grievance of Civil Servant was that, his period of service on contract basis had not been counted toward his service when converted on regular basis. Contractual appointment was not a regular appointment and the period of service rendered on contract basis could not be equaled to that of regular service. Contract service of the Civil Servant was not counted towards regular service due to the then prevalent policy". Reliance is placed on **2004 PLC (CS) 758**.  
The qualifying service of the appellant is much less than the ten years (10 years), hence he is not entitled for the grant of pensionary benefits.  
It is obvious that the order passed by respondents is legal, with law and facts.

6. That the appellant is not entitled for pensionary benefits because the period of service for such cadre, w.e.f. 01.07.1992 to 30.06.2008 has been declared by the Government non pensionable. There are three conditions, service qualifying for pension. As per pension rule 2.1 the service of a Government servant does not qualifying for pension unless it conforms to the following three conditions.

- First- The service must be under Government.
- Second- The service must not be Non-Pesnionable
- Third- The service must be paid by Government from the Provincial consolidated Fund.

The service rendered by the appellant does not conform all the above said three conditions. His qualifying service is less than 10 years. Hence he is not entitled for pensionary benefits. (Annexure B attached).

7. Incorrect, hence denied, the said order of the respondent No.2 is legal, with law and facts. The respondents have not power to modify the order to the extent of pensionary benefits of the appellant. That the appellant has no cause of action to file the instant appeal and the appeal in hand is liable to be dismissed on the following grounds.


## GROUND.

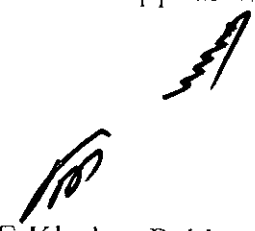
- A. Incorrect, hence denied, that the appellant has been treated in accordance to the law, rules and policy presently prevailing. That the said order of the respondent No.2 is legal, with law and facts.
- B. Incorrect, hence denied, the qualifying service of the appellant is not 20 years, it is only 08 years and 02 days. " Law does not recognize any contract employee as Civil Servant." Reliance is placed on **2013 PLC (CS) 1463**. "Pension has to be determined on the basis of qualifying service and not on the basis of total length of service". The same is reported in **NLR 1991 CLJ 706**. "Grievance of Civil Servant was that, his period of service on contract basis had not been counted toward his service when converted on regular basis. Contractual appointment was not a regular appointment and the period of service rendered on contract basis could not be equaled to that of regular service. Contract service of the Civil Servant was not counted towards regular service due to the then prevalent policy". Reliance is placed on **2004 PLC (CS) 758**.

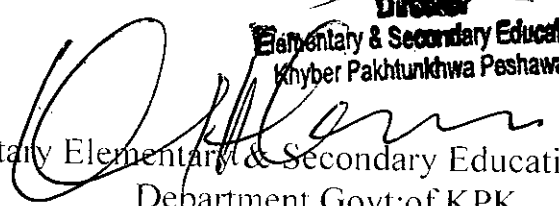
The qualifying service of the appellant is much less than the ten years (10 years), hence he is not entitled for the grant of pensionary benefits. It is obvious that the order passed by respondents is legal, with law and facts.

- C. Incorrect, hence denied, " Law does not recognize any contract employee as Civil Servant." Reliance is placed on **2013 PLC (CS) 1463**. "Pension has to be determined on the basis of qualifying service and not on the basis of total length of service". The same is reported in **NLR 1991 CLJ 706**. "Grievance of Civil Servant was that, his period of service on contract basis had not been counted toward his service when converted on regular basis. Contractual appointment was not a regular appointment and the period of service rendered on contract basis could not be equaled to that of regular service. Contract service of the Civil Servant was not counted towards regular service due to the then prevalent policy". Reliance is placed on **2004 PLC (CS) 758**. The qualifying service of the appellant is much less than the ten years (10 years), hence he is not entitled for the grant of pensionary benefits. It is obvious that the order passed by respondents is legal, with law and facts.
- D. Incorrect, hence denied, the respondents have never given pensionary benefits to civil servants having qualifying service less than 10 years. It will be discrimination if the respondents allow the pensionary benefits to the appellant. The Court judgments presented by the appellant for ready reference having no relevancy to the case in hand, because there is not involved any identical question of law. Hence the appellant is not entitled for pensionary benefits.

In wake of the above submissions, it is requested that this Honourable Tribunal may graciously be pleased to dismiss the instant appeal with cost in favour of the respondents.


  
District Education Officer  
(Male) Swabi Officer  
(Male) Swabi

  
Director E&SE Khyber Pakhtunkhwa  
Peshawar

  
Secretary Elementary & Secondary Education  
Department Govt:of KPK

### AFFIDAVIT

We do hereby solemnly affirm and declare on oath that the contents of the comments are true and correct to the best of our knowledge and belief, nothing has been concealed from this Honourable Tribunal.

  
DISTRICT EDUCATION OFFICER  
(MALE) SWABI  
Dist: Education Officer  
(Male) Swabi



Phone No: 812072

Annexure - A 60

36

DA-1

*Contact Admin. Dept. of Govt. Peshawar*

DIRECTORATE OF PRIMARY EDUCATION  
N.W.F.P. (HAYATABAD) PESHAWAR.

No.F-1/Director/PA/M&A/ Appointment  
of persons to posts on contract  
basis  
Dated Peshawar the 7.12.1992.

To

- 1-35. All the District Education Officers (M&F),  
Primary,  
in N.W.F.P.
- 36-92. All Sub-Divisional Education Officers (M&F),  
in N.W.F.P.

Subject:- APPOINTMENT OF PERSONS TO POSTS ON CONTRACT BASIS.

Memo:-

I am directed to enclose a photo stat copy of Services and General Administration Department Government of NWFP, No: SORI (S&GAD)4-7/86 dated 9th; April, 1988 regarding appointment of persons to posts on contract basis and a copy of Government of NWFP Education Department Memo: No: SO(G)/Edu:/6-147/KC/92 dated 22.11.1992 regarding recruitment to the posts of Non-Education cadre in the Education Department and direct you to make appointments of chowkidars sanctioned for primary schools W.E.F. 1.7.1992 in the light of the instruction contained in the above referred memorandum.

Encl:- As above.

*[Signature]*  
ADDITIONAL DIRECTOR-I  
PRIMARY EDUCATION NWFP

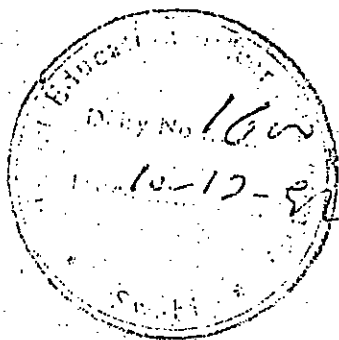
Endst.No: & date as above.

Copy forwarded to the:-

- 1. Secretary to Government of NWFP, Education Department, Peshawar.
- 2. P.A. to Director Education (Primary) NWFP, Local Office.

*Sd/*  
ADDITIONAL DIRECTOR-I  
PRIMARY EDUCATION NWFP

M.A.



*we.f. 1-7-1992*

*Contract, fixed basis*

11/52  
55  
GOVERNMENT OF N.W.F.P.  
EDUCATION DEPARTMENT.

NO. SGG/EDU/6-147/K.C/92  
Dated Pesh: the 22-11-1992

P.A. Adm. Office 21/12/92

12(B4A)

AD(PED) II  
AD(SNE)

21/12/92

1. The Director of Education (Colleges), NWFP.
2. The Director of Education (Secondary), NWFP.
3. The Director of Education (Primary), NWFP.
4. The Director of Education (FATA), NWFP.
5. The Director of Education (Technical), NWFP.
6. The Director, Bureau of Curriculum Dev: & Education Extension Services, NWFP, Abbottabad.
7. All the Project Directors of Education in NWFP.

MEMORANDUM TO THE POSTS OF NON-EDUCATION CADRE  
IN THE EDUCATION DEPARTMENT.

I am directed to refer to this Department letter of even number dated 30th June, 1992 on the subject cited above and to enclose herewith a copy of Government of NWFP, Finance Department letter No. F/2-1/92-93/92 dated 4-11-1992 containing the revised policy of the Provincial Government to the effect that the following categories of jobs in Primary Schools, BHHS, RHCs, Water Supply Schemes and C&S Department will henceforth be filled in on fixed salary basis:

- 1- Chowkidar.
- 2- Mali.
- 3- Bahishti.
- 4- Costly in and out.
- 5- Valvanan.

Budget provision will be made available/reflected under the Commodities and Services-436000-payment to the other for the services rendered to the respective departments budget, on the basis of the sanctioned jobs which will be spent only for payment of salaries to the above categories of employees.

The monthly amount fixed for the categories of employees will be paid to the respective departments.

The Department/Appointing authorities are required to maintain separate/computer record of these employees.

In view of the above, the Government of NWFP, Education Department hereby orders to lift the temporary ban on appointment imposed under the Department letter of even number dated 30th June, 1992.

(Contd.....P/2)

6. The Director, Primary Education may please submit demand for budget allocation under Commodities and Services (596000-Payment to the Other for Services rendered), to meet the over-all expenditure for taking up with Finance Department on urgent basis.

(Nasrullah Jan) ✓  
Addl: Secretary Education-I

Endst: No. SOG/EDU/5-147/KC/92      Dtd 22-11-1992

Copy of the above is forwarded for information to -

1. PS to Secretary to Govt: of NWFP, Finance Department.
2. Addl: Secretary-IX, Education Department, Govt: of NWFP.
3. PS to Secretary Education, NWFP.

(Nasrullah Jan)  
Addl: Secretary Education-I

GOVERNMENT OF NWFP  
FINANCE DEPARTMENT

NO. BI/2-1/92-93/ED

Dated Pesh: the

PT

*This is in con  
To AS I with  
AS I*

*AS I / ASI*

*Applics only to  
Chowkidars in  
Schools in Edu.  
Deptt.  
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to DE (P)  
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restrictions to  
the placed  
that*

- 1. The Secretary to Government of NWFP, Education Department.
- 2. The Secretary to Government of NWFP, Health & SW Department.
- 3. The Secretary to Government of NWFP, Public Health Engineering Department.
- 4. The Secretary to Government of NWFP, C&W Department.

APPOINTMENTS OF SPECIFIED CATEGORIES OF STAFF ON FIXED SALARIES

It is directed to state that the Provincial Cabinet in its meeting held on 21/11/92 had inter-alia decided that:

"In future the non-education cadre posts in the Education Department such as Chowkidars, Naib Qasida, Malis, Water Carriers, Sweepers etc. be filled on contract basis, in order to rid the Provincial exchequer of the extra burden on account of future pensionary liabilities."

2. On reconsideration the Government has now decided that the Cabinet decision referred to above may be applied to similar jobs in some other Departments as well. Accordingly the following categories of jobs in Primary Schools, BHUs, RHCs, Water Supply Schemes and C&W Department will henceforth be filled in on fixed salary basis :-

- i. Chowkidar.
- ii. Mali.
- iii. Dohishti.
- iv. Coolie in Road Gang.
- v. Valve Man.

*City ground  
AS I  
10/11/92*

*ASE-I*

*SO(S)*

*PC. put up  
draft immediate*

*194  
15/11/92  
23/11/92  
AS I*

*17/11  
26/11  
10/11/92*

*11/11/92  
11/11/92  
11/11/92*

3. The above instructions would apply to the requirements for such jobs whose number would be sanctioned by the Finance Department. Budgetary provision will be made available/reflected under the Commodities and Services (596000 - Payment to the other for Services rendered) in the respective department budget on the basis of sanctioned jobs and will be spent only for payment of salaries to these categories of employees.

4. The monthly wages fixed for the above categories of employees will be Rs 1000/- per month.

5. The Departments/Appointing Authorities are also requested to observe the following :-

- a) Maintain complete record of such appointments.
- b) Restrict the appointment of employees for seasonal maintenance work to the period when their services are actually required.

Yours obediently,

( ABDUS SAMAD KHAN )  
DEPUTY SECRETARY (B&C)

Encls. No. 2 date even

Copy forwarded for information & necessary action to :-

1. Accountant General, NWFP, Peshawar.
2. All District Accounts Officers in the Province.

( ABDUS SAMAD KHAN )  
DEPUTY SECRETARY (B&C)

Encls. No. 2 date even

Copy forwarded to :-

1. All Additional Secretaries. ) Finance Department
2. All Deputy Secretaries. )
3. All Section Officers/ )  
Budget Officers. )

( ROOHULLAH KHAN )  
BUDGET OFFICER-I

5967

57/11

West Pakistan Civil Services Pension Rules**West Pakistan Civil Services Pension Rules,  
1963**

[Gazette of West Pakistan, Extraordinary, 21<sup>st</sup> June, 1963]  
Notification No. (SO)(SR)(III)-947/63, DATED 7<sup>th</sup> June, 1963]

**CHAPTER-I  
GENERAL**

- 1.1. Short title** – These rules may be called the West Pakistan Civil Services Pension Rules.
- 1.2. Commencement** – These rules shall have effect from the 14<sup>th</sup> October, 1955.
- 1.3. Extent of application** – Unless in any case it be otherwise expressly provided, by these Rules shall apply to:-
- (i) All Government servants under the rule-making control of the Government of West Pakistan who entered Government service on or after the 14<sup>th</sup> October, 1955.
  - (ii) All Government servants who were in service on and before 14<sup>th</sup> October, 1955 unless they opt to continue to be governed by the existing rules applicable to them;
  - (iii) All pensioners who retired from Government service after the 14<sup>th</sup> October, 1955 but before the date of publication of these rules, if they opt to be governed by these rules.
- Note-(1) In the case of Government servants or pensioners who were in service on and before the 14<sup>th</sup> October, 1955 but died before the publication of these rules, it will be assumed that they opted for these rules.
- Note-(2) These rules would continue to remain in force in Khyber Pakhtunkhwa by virtue of Article 19 of the Province of West Pakistan (Dissolution) Order 1970 (President's Order No. 1 of 1970).
- 1.4. Option** – Government servants and pensioners mentioned in clauses (ii) and (iii) of Rule 1.3 above may exercise option within a period of 6 months from the date of publication of these rules in the West Pakistan Gazette. The option shall be communicated in writing to the Accounts officer concerned as well as the Appointing Authority in the case of Gazetted or retired Gazetted Officers, and to the Appointing Authority in the case of Non-Gazetted or retired Non-Gazetted staff and the option once so exercised shall be final. Government servants who fail to exercise option within the stipulated period shall be assumed to have opted for the West Pakistan Civil Services Pension Rules.

Note-(1) Government servants who were in pensionable services on 1<sup>st</sup> July, 1966 were given option to exercise in favour or otherwise of the West Pakistan Civil Services Pension Rules, 1963/Revised Rules and Rates 1967 vide West Pakistan Letter No. S.O. (SR)-V-257/67, dated 27<sup>th</sup> April, 1967, Appendix-I).

Note-(2) The Accounts Officer should acknowledge the receipt of option communicated to him by Gazetted Servants.

**1.5** These rules shall not apply to-

- (i) Government servants paid from contingencies or borne on Work-charged Establishment;
- (ii) Government servants engaged on contract which contains no stipulation for pension under these rules;
- (iii) Any person for whose appointment and conditions of service, special provision is made by or under any law for the time being in force;
- (iv) Any Government servant or class of Government servants who may be excluded by a competent authority from the application of these rules;
- (v) Any Government servant who holds a post which has been declared by a competent authority to be Non-pensionable;
- (vi) Any person whose whole time is not retained for public service but is merely paid for work done, such as Government Pleaders and Law Officers not debarred from private practice;
- (vii) Any person who is not paid from the Provincial Consolidated Fund, but is paid from a fund held by Government as a Trustee, or from a local fund or is remunerated by fees for the grant of a tenure of land or of any other source of revenue or of a right to collect money.

**1.6.**

- (i) **Definitions**- Unless expressly specified otherwise in these rules, terms defined in Chapter-I of the West Pakistan Traveling Allowance Rules have the same meaning when used in these rules.
- (ii) **Pension**-Except when the term "Pension" is used in contradistinction to gratuity, pension includes gratuity.
- (iii) **Class IV service** means any kind of service which may be specially classed as such by Government.
- (iv) **Superior Service**-Superior Service means any kind of service which is not Class-IV Service.
- (v) **Ordinary Pension**-Ordinary pension means pension other than extraordinary pension and includes special additional pension.
- (vi) **Full pension**-Full pension means the amount of ordinary pension admissible including 1/4<sup>th</sup> of the surrendered portion of the pension.

**1.7**

In any case where pension or gratuity is not admissible under these rules, a competent authority may grant pension which will, not save in most exceptional circumstances, exceed Rs. 100 a month or a gratuity not exceeding the equivalent value of that amount; provided that the general spirit of the rules is observed.

West Pakistan Civil Services Pension Rules

- 1.8 (a) Good conduct is an implied condition of every kind of pension. Government may withhold or withdraw a pension or any part of it if the pensioner be convicted of serious crime or be found to have been guilty of grave misconduct either during or after the completion of his service, provided that before any order to this effect is issued, the procedure regarding imposition of the penalty of removal from service shall be followed.
- (b) Government reserve to themselves the right of recovery from the pension of Government pensioner on account of losses found in judicial or departmental proceedings to have been caused to Government by the negligence, or fraud of such Government pensioner during his service, provided that such departmental proceedings shall not be instituted after more than a year from the date of retirement of the Government pensioner.
- (c) In case the amount of pension granted to a Government servant be after wards found to be in excess of that to which he is entitled under the rules, he shall be called upon to refund such excess.
- \* (d) Except with the previous sanction of the Provincial Government, no pensioner shall, within a period of two years from the date of his retirement take part in any election or engaged in political activity of any kind.

In future all Civil Servants who are under enquiry be excluded from the enquiry proceedings under the E&D Rules after attaining the age of superannuation and they may be allowed full pensionary benefits as provided under the rules. However it has further been decided that if some pecuniary loss caused to the Government is likely to be proved against a Government Servant who superannuates before decision of the case against him, an FIR should be lodged against him for judicial proceedings immediately after the date of superannuation and exclusion of his name from the departmental enquiry.

NO.SOR-II(S&GAD)3-29/97-Vol-II  
 GOVERNMENT OF KHYBER PAKHTUNKHWA  
 SERVICES & GENERAL ADMN. DEPARTMET  
 Dated Peshawar, the 22<sup>nd</sup> August 1998.

1.9. No pension may be granted to a Government servant dismissed or removed for misconduct, corruption, subversive activities or inefficiency, but if, he deserves special consideration he may be granted a compassionate allowance not exceeding 2/3<sup>rd</sup> of the pension which would have been admissible to him had he retired on invalid pension.

1.10. Any of these rules may for reasons to be recorded in writing be relaxed in individual cases by a competent authority if it is satisfied that strict application of the rules will cause hardship to the individual.

◆ Added by Finance Department (West Pakistan) Notification No. FD (SR-V) 1286/65, dated 15th June, 1965.



Note:- No pension shall be admissible to a civil servant who is dismissed or removed from service for reasons of discipline, but Government may sanction compassionate allowance to such a civil servant, not exceeding two third of the pension or gratuity which would have been admissible to him had he been invalidated from service on the date of such dismissal or removal.

Section 19(3) of the Khyber  
Pakhtunkhwa Civil Servants Act, 1973

**CHAPTER - II**  
**SERVICE QUALIFYING FOR PENSION**

**2.1 Conditions of Qualifications** - The service of a Government Servant does not qualify for pension unless it conforms to the following three conditions: -

First - The Service must be under Government.

Second - the service must not be Non-pensionable.

Third - the service must be paid by Government from the Provincial Consolidated Fund.

\* Note - (1) For the previous service of displaced Government servants which qualifies for pension see Chapter - VII.

\* Note - (2) Service rendered after retirement on superannuation pension/retiring pension shall not count for pension or gratuity.

**2.2 Beginning of service** - Subject to any special rules the service of Government servant begins to qualify for pension when he takes over charge of the post to which he is first appointed.

**2.3 Temporary and officiating service** - Temporary and officiating service shall count for pension as indicated below: -

(i) Government servants borne on temporary establishment who have rendered more than five years continuous temporary service shall count such service for the purpose of pension or gratuity; and

(ii) Temporary and officiating service followed by confirmation shall also count for pension or gratuity.

**2.4 Service in a temporary post on abolition of a permanent post** - If a permanent post, on which a Government servant holds a lien, is abolished under circumstances entitling him to get a compensation pension or gratuity, his service thereafter in a temporary post under Government qualifies for pension.

\* Note (1) and (2) Substituted vide notification No. SO(SR) V-915/65, Dated 6th May, 1965

**2.5 Apprentices and probationers –**

- (1) One-half of the period of apprenticeship qualifies for pension.
- (2) The service of a probationer who is subsequently confirmed in a permanent post without interruption qualifies for pension.

**2.6 Training –** The time spent by a Government servant in approved training shall count as service qualifying for pension.

\*Note: – The period of training before actual appointment to Government service shall not count for pension.

**2.7 Leave –** All leave (other than extraordinary leave) counts as qualifying service for purposes of pension.

**2.8 Military Service –** (1) Military pensionable service which terminates before a pension has been earned in respect of it, when followed by Civil pensionable service, counts as part of such service provided that any bonus or gratuity received in lieu of pension on or since discharge from military service shall be refunded in lump sum or in monthly installments not exceeding 36. The military service of the individual concerned and the amount of gratuity paid to him should be verified by reference to the Controller of Military Accounts.

(2) Persons who joined the Armed Forces on or after the outbreak of World War-II, and rendered whole time satisfactory service in Government Forces under the British Rule in India and Pakistan and were appointed in a Civil pensionable post on or before the 18<sup>th</sup> July, 1949 shall be allowed to count such War Service not exceeding five years rendered between the 3<sup>rd</sup> September, 1939, and the 1<sup>st</sup> April, \*1946, for purpose of civil Pension and they shall not be required to refund military bonus or gratuity.

@Note – In the case of a civil employee who has rendered satisfactory paid military service in the World War-II, in addition to military service pensionable under the military Rules, before or after such war service but who did not earn a pension by his war service in conjunction with his other military service, that portion of the military service which was rendered before or after the war service shall be dealt with in accordance with the provisions of sub-rule (1). The war service portion (i.e. the period of service rendered between 3<sup>rd</sup> September, 1939, and 1<sup>st</sup> April, 1946) shall, however, be dealt with under sub-rule (1) or (2) as the Government servant may opt in this behalf, subject, of course, to the limitation prescribed in the respective sub-rule. If the war service is counted under sub-rule (1), the whole of it shall count, but if it is counted under sub-rule

\* Substituted *Vide* notification No. SO(SR) V-3027/64, dated 9th January, 1965.

@ Inserted by Government of West Pakistan Notification No. SO(SR) V-1274/68, dated 24th May, 1968.

(2) only completed years upto a maximum of five years shall count and the residue of war service shall not be counted under sub-rule (1).

If the entire military service, including war service is dealt with under sub-rule (1), the whole of the gratuity received in lieu of pension (but not that given as a reward of war service) shall have to be refunded by the Government servant concerned. If, however, the portion which was war service is dealt with under sub-rule (2) and the rest of the military service before or after the war under sub-rule (1), the amount of gratuity which the Government servant will refund in respect of the latter portion shall bear the same proportion to the total amount of gratuity received in lieu of pension the period dealt with under sub-rule (1) bears to the total period of military service, including the period of war service.

For the purpose of this note it is immaterial whether or not there was a break between the war service and other military service.

**2.9 Deputation** — Time spent by a Government servant holding pensionable post on deputation to (1) another Government (2) foreign service, or (3) service in a temporary or non-pensionable post under Government counts for pensions as if it were a time spent under the Government.

**Note: Rule of Proportion.** The 'Rule of proportion' and the other associated rules and accounting instructions shall continue to be operative and the apportionment of pensionary liability between the various Departments and Federal / Provincial Governments, as the case may be, shall be made by the audit and Accounts Officer issuing a Pension Payment Order. Finalization of pension cases shall not be held up on this account. If there is any dispute with regard to the apportionment of pensionary liability, the matter should be sorted out by the Audit and Accounts Officers involved. The authorities concerned are required to forward the pension case of the retired government servants to the audit office concerned, complete in all respects and with the documents mentioned in (Annex).

No. SOSR-III(FD)4-36/75(Vol-II), FD-  
Khyber Pakhtunkhwa,  
Dated Peshawar, the 28<sup>th</sup> April, 1991.

**2.10 Suspension** — If a Government servant is suspended from service pending enquiry into his conduct, the period of suspension counts for pension if it is immediately followed by reinstatement, unless the Government servant reinstated with forfeiture of a part of his pay or allowances for the period of suspension.

**2.11 Forfeiture of Past Service** — A Government servant forfeits his past service in the following cases: -

- (a) Resignation of a post unless it is to take up another post service in which counts for pension.
- (b) Removal or dismissal from service.
- (c) Absence from duty without leave.

Note — The authority which sanctions the pension may commute retrospectively periods of absence without leave into extraordinary leave.

Note — In case of a civil servant, who, with the proper concurrence of the competent authority leaves service under the Government of Khyber Pakhtunkhwa and seeks absorption/employment under an autonomous, semi-autonomous/local body, where service is pensionable, the Government, if it is so requested, will be liable to share pensionary liability for the period of service rendered by such civil servant under the Government in accordance with the Government rules.

### GOVERNMENT INSTRUCTIONS

Service in an Autonomous or Semi-Autonomous Body. For the purpose of grant of pension under these orders, the pay drawn and the effective service rendered by a Government servant in an autonomous or semi-autonomous body, the authorized capital of which is wholly subscribed by the Central and/or a Provincial Government, in a post, appointment to which is, by law, required to be made and the salary of which is required to be fixed by the Central or a Provincial Government shall be treated as pay drawn and effective service rendered in a post in Government service.

**2.12 Condonation of Interruptions and deficiencies.** — (1) The Administrative Department may for purposes of pension condone all gaps between [Periods of qualifying service] of a Government Servant.

(2) The Administrative Department may condone deficiency in qualifying service for pension upto six months provided the service is meritorious and the condonation, if allowed will bring the service upto 25 completed years of qualifying service.

### CHAPTER-III

#### DIFFERENT KINDS OF ORDINARY PENSION AND CONDITIONS FOR THEIR GRANT

**3.1 Classification of Pensions** — Pensions are divided into four classes:-

- (a) Compensation Pension.
- (b) Invalid Pension.
- (c) Superannuation Pension.
- (d) Retiring Pension.

Note — Special additional pension is also granted to certain classes of Government Servants under special circumstances.

\* Inserted vide notification No. F.D.SR. III/4-112/80, dated 22-11-1980.

@ Para-9 of the Government of West Pakistan Finance Department letter No. SO (SR)-V-257/67 dated 27th April 1967 (Appendix-I)

@ [ ] Substituted by Finance Department Notification No. SO(SR) V-174/68, dated 24th May, 1968.

550		355	Three Hundred Fifty-Five Only
100	61	81	Eighty-One
100	36	48	Forty-Eight

**3.2 Compensation Pension** - If a permanent Government servant is selected for discharge owing to the abolition of his permanent post or owing to a change in the nature of the duties of that post, he shall, unless he is appointed to another post the conditions of which are deemed to be at least equivalent to those of his own, have the option:-

- (a) of taking any compensation pension and/or gratuity to which he may be entitled for the service he has already rendered; or
- (b) of accepting another post or transfer to another establishment even on a lower pay if offered and continuing to count his previous service for pension.

**3.3 Invalid Pension** - (1) An invalid pension is awarded on his retirement from Government service before reaching the age of superannuation to a Government servant who by bodily or mental infirmity is permanently incapacitated for further service on production of a Medical Certificate prescribed in sub-rule (3).

\*\*2) A government servant who wishes to retire on invalid pension, should apply to his Head of Office or Department/Attached Department who should direct him to present himself before a Medical Board or an Invaliding Committee or a Medical Officer for obtaining a Medical Certificate of incapacity for further service in the following form:-

"Certified that I (we) have carefully examined A. B., son of C.D., a \_\_\_\_\_, in the \_\_\_\_\_. His age is by his own statement, \_\_\_\_\_ years. I (we) consider A.B. to be completely and permanently incapacitated for further service of any kind (or in the Department to which he belongs) in consequence of \_\_\_\_\_ (here state disease or cause).

Note—(1) If the incapacity does not appear to be complete and permanent, the certificate should be modified accordingly and the following addition should be made:-

I am (we) are of opinion that A.B., is fit for further service of a less laborious character than that which he has been doing (or may after resting for \_\_\_\_\_ months, be fit for further service of a less laborious character than that which he has been doing).

Note—(2) a Medical Certificate from a Medical Board or an Invaliding Committee shall be required in the case of Gazetted Government Servant.

Note—(3) A Government servant who has submitted a Medical Certificate of incapacity for further service should be invalidated from service within 30 days of receipt of the Medical Certificate, or if he is on leave or is granted leave as a special case, on the expiry of such leave, whichever may be later.

Note (3) Amended vide Govt. of Khyber Pakhtunkhwa Finance Department Notification No.FD-SR-III/4-112/73 dated 9-12-1991 as under

\*\*Amended vide Govt. of Khyber Pakhtunkhwa Finance Department No. SOSR-III(FD)4-59/88 dated 4-5-1988.



## West Pakistan Civil Services Pension Rules

- (i) In Sub-rule (2) for the words 'Medical Officer' the words "Medical Superintendent, District Headquarter Hospital/Services Hospital" shall be substituted.
- (ii) Note (2) shall be substituted by the following:-  
 "Note (2) A medical certificate from a Medical Board or an Invaliding Committee shall be required in the case of government servants in BPS-16 and above and from the Medical Superintendent of the District Headquarter/Services Hospital, in the case of government servants in BPS-1 to BPS-15".

**@3.4 Superannuation Pension** – A Superannuation pension is granted to a Government servant who.—

- (a) retired prior to the 21<sup>st</sup> day of June, 1960, on attaining the age of fifty five years;
- (b) retired at any time during the period between the 21<sup>st</sup> day of June 1960 and 30<sup>th</sup> day of March, 1966, on or after attaining the age of sixty years; and
- © retires or is retired after the 30<sup>th</sup> day of March, 1966 on or after attaining the age of fifty five \* years.

**3.5 Retiring Pension** – A retiring pension is granted to a Government servant, who not being eligible for superannuation pension.—

- i) opts to retire after 25 years qualifying service or such less time as may for any special class of Government servant be prescribed; or
- [ ] (i) a. is compulsorily retired, by the competent authority, after 25 years qualifying service;
- (ii) is compulsorily retired from service by the authority competent to remove him from service on grounds of inefficiency, misconduct or corruption; or
- [ ] (iii) retired from Government service on or after 21<sup>st</sup> June, 1960, but before 31<sup>st</sup> March, 1966 on or after attaining the age of 55 years.

### CHAPTER-IV AMOUNT OF ORDINARY PENSIONS

#### SECTION-1 GENERAL.

**4.1.** (1) The amount of pension that may be granted is determined by length of completed years of qualifying service of a Government servant as set forth in rule 4.4.

© Substituted vide Notification No. SO(SR)V-1235/67, dated 18th July, 1967.

\* Age of superannuation extended to 60 years vide Khyber Pakhtunkhwa Civil Servants (Second) Ordinance 1977, with effect from 22.11.1976

[ ] Clause (ia) inserted and clause (iii) substituted vide Notification No. SO(SR)V-1235/67, dated 18th July, 1967.

- (2) Pension is fixed in rupee and should be calculated to the nearest paisa.

4.2. (1) If the service of a Government servant has not been thoroughly satisfactory, the authority sanctioning the pension may make such reduction as it may think proper in the amount of pension.

(2) The special additional pension admissible under rule 4.5 is not given as a matter of course, but only where the service rendered is approved as satisfying the standard of work and conduct required in the special conditions of the post held for which special additional pension is admissible.

4.3 If a Government servant has held more than one post in respect of each of which, if he had held it separately and alone, pension would have been admissible to him, the pension admissible to him is the sum of the several pensions which would have been admissible to him if he had held each post separately and alone. The consolidated pension shall, however, be subject to the maximum limit prescribed in rule 4.4.

#### SECTION-II-Amount of full Pension

4.4 **Amount of full pension:-**(1) After a qualifying service of not less than 10 years, full Superannuation, retiring, invalid or compensation pension may be granted not exceeding the maximum limits prescribed below:-

Completed years of qualifying service	Scale of pension expressed as fraction of average emoluments	Maximum limit of pension Per annum
10	10/50	2500
11	11/50	2800
12	12/50	3100
13	13/50	3400
14	14/50	3700
15	15/50	4000
16	16/50	4300
17	17/50	4600
18	18/50	4900
19	19/50	5200
20	20/50	5500
21	21/50	5800
22	22/50	6100
23	23/50	6400
24	24/50	6700
25 and over	25/50	7000

Note- For Government servants who opted or were deemed to have opted for pensionary benefits admissible under the Government of West Pakistan Circular No. S.O. (SR) V-257/67, dated 27<sup>th</sup> April, 1967 para 4 Annexure-I (Appendix-I).

**REVISED PENSION TABLE.**

Completed years of qualifying service	Scale of pension expressed as fraction of average emoluments
10	70/300
11	77/300
12	84/300
13	91/300
14	98/300
15	105/300
16	112/300
17	119/300
18	126/300
19	133/300
20	140/300
21	147/300
22	154/300
23	161/300
24	168/300
25	175/300
26	182/300
27	189/300
28	196/300
29	203/300
30 and above	210/300

Note:- Any amount in excess of Rs.1000/- PM calculated in accordance with the scale shown in column-(2) of this table shall be reduced by 50%.

Annexure-I of Govt. of Khyber Pakhtunkhwa Finance Department letter No.SO(SR-III)FD/4-199/77 dated 10-2-77 (Appendix-VI).

Note.- The figures in the Note raised to Rs. 2,000 P.M with effect from 1-7-1980 Vide Government of KHYBER PAKHTUNKHWA Finance Department Letter No.SO (SR-III) F.D. 4-199/80, dated 9-8-1980 (Appendix-XXX)

According to the existing rules/instructions, pension is calculated at the rate of 70% of average emoluments on completion of 30 years qualifying service. Where qualifying service is less than 30 years but not less than 10 years, the pension is calculated at the percentage applicable according to length of service. Any amount of pension in excess of Rs. 2500/- is reduced by 50%. The provincial Government have been pleased to direct that with effect from the 1<sup>st</sup> July, 1985, the reduction by 50% of the pension in excess of 2500/- shall not be applied in the case of those Government Servants who retire on or after 1.7.1985. In all such cases the pension shall be calculated at the rate of 70% of average emoluments or other percentage rate applicable according to length of qualifying service without applying any reduction.

ANNEXURE-I  
FD, Khyber Pakhtunkhwa.



حکومت سندھ صوبہ سرحد  
معدومہ دفتر آنہ

مراسلہ نمبر: پی۔ او۔ ا۔ ا۔ ۱۱۔ ۲۲/۸۱۔ ۲۰۰۷۔ ۲۰۰۷ ایف۔ ڈی  
مورخہ ۲۹ جنوری، ۲۰۰۸ء

بخدمت:

- ۱۔ تمام انتظامی معتمدین حکومت صوبہ سرحد۔
- ۲۔ معتمد برائے گورنر صوبہ سرحد، پشاور۔
- ۳۔ پرنسپل سٹاف آفیسر برائے وزیر اعلیٰ صوبہ سرحد۔
- ۴۔ تمام سربراہان ماتحت ننگہ جات صوبہ سرحد۔
- ۵۔ تمام ضلعی رابطہ افسران صوبہ سرحد۔
- ۶۔ رجسٹرار پشاور ہائی کورٹ، پشاور۔
- ۷۔ رجسٹرار، سر ڈسٹریکٹ، صوبہ سرحد، پشاور۔
- ۸۔ سیکرٹری، صوبائی پبلک سروس کمیشن، صوبہ سرحد، پشاور۔
- ۹۔ سیکرٹری بورڈ آف ریونیو، صوبہ سرحد۔

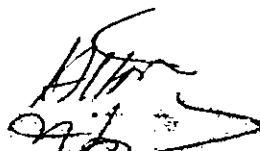
عنوان:۔ بھٹ تقریر ۰۸۔ ۲۰۰۷۔ ۲۰۰۷ میں درجہ پنجم کے مقررہ تنخواہ پانے والے (Fixed pay) ملازمین کے لیے سی۔ پی۔ فنڈ کا اعلان۔

جناب عالی!

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

۲۔ مذکورہ ملازمین کی تنخواہوں کا تیسرے (Fixation of pay) دن کی بھرتی کے تاریخ (Date of Appointment) سے کیا جائے گا۔ تاہم یہ ملازمین تنخواہوں اور دوسرے وغیرہ کی مد میں کسی قسم کی بقا جات (arrears) کے حقدار نہیں ہونگے۔

۳۔ اس سلسلے میں پہلے سے جاری شدہ تمام پالیسی ہدایات یکم جولائی ۲۰۰۸ء سے منسوخ تصور

  
Supervisor  
D. to Secy (Admin)  
(Punjab) S. 101.

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نقل برائے اطلاع:

- (۱) اکاؤنٹ جنرل، صوبہ سرحد بمبئی ڈسٹرکٹ کے مندرجہ ذیل اقدامات کو یقینی بنایا جائے۔
- (۲) جملہ ایگزیکٹو ڈسٹرکٹ آفیسرز، فنانس اینڈ پیمنٹ، صوبہ سرحد۔
- (۳) جملہ ضلعی آفیسران حساب داران، صوبہ سرحد۔

میرزا نسیب احمد  
محکمہ خزانہ

تظہیر نمبر و تاریخ ایضاً:

نقل برائے اطلاع:

- (۱) سنی معتمد برائے چیف سیکرٹری صوبہ سرحد۔
- (۲) جملہ اضافی معتمدین و نائب معتمدین محکمہ خزانہ، صوبہ سرحد۔
- (۳) جملہ بجٹ آفیسرز سیکشن آفیسرز محکمہ خزانہ، صوبہ سرحد۔
- (۴) ڈائریکٹر، FM، محکمہ خزانہ، صوبہ سرحد۔
- (۵) سنی معتمد برائے فنانس سیکرٹری صوبہ سرحد۔

میرزا نسیب احمد  
محکمہ خزانہ

OFFICE OF THE EXECUTIVE DIRECTOR OF GOVT. (ELEMENTARY & SECONDARY EDUCATION) SWABI.

Order No. DS-82 / CLASS OF APPOINTMENT FILE/DA:G/DATER, 9/7 /05

Necessary action to be taken. The above is forwarded for information &

- 1. Deputy District Officer (M/F) Swabi/Leher & Topi.
- 2. Principal/Headmistress of GHSS, GGHSS, GHS & GMS (Distt: Swabi)
- 3. District Account Officer Swabi.
- 4. District Officer Local Govt. Office.
- 5. AEO (Establishment) Swabi.
- 6. Suptt: (M&F) Local Govt. Office.
- 7. Working Asstt: Swabi.

Handwritten signature and date: 07/7/05  
EXECUTIVE DIRECTOR OF GOVT. (ELEMENTARY & SECONDARY EDUCATION) SWABI.  
Another handwritten signature and date: 07/7/05