

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Appeal No. 1243/2014

Date of Institution ... 16.10.2014

Date of Decision ... 10.10.2017

Riaz Ahmad, CT Teacher, GHS Shawawoo, Shangla. ... (Appellant)

VERSUS1. The Secretary, Education (E&SE), Government of Khyber Pakhtunkhwa,
Peshawar and 5 others. ... (Respondents)MR. MUHAMMAD ASIF YOUSAFZAI,
Advocate

For appellant.

MR. USMAN GHANI,
District Attorney

For respondents.

MR. NIAZ MUHAMMAD KHAN,
MR. GUL ZEB KHAN,CHAIRMAN
MEMBERJUDGMENT

NIAZ MUIHAMMAD KHAN, CHAIRMAN.- Arguments of the learned
counsel for the parties heard and record perused.

FACTS

2. The appellant was appointed as C.T teacher in the year, 1986. He passed his graduation in the year, 1988 and then Master in 1994. On 07.08.1991, the Finance Department issued a notification in which at S.No. 2 it was decided that all the present and future Elementary School Teachers who possesses the qualification of B.A/B.Sc (2nd Division plus existing prescribed professional training) shall be placed in BPS-14 with 1/3rd selection grade in BPS-15. The appellant could not avail the benefit of this notification as he was third division^{er} and he had already availed 3 advance increments.

on passing of B.A/B.Sc. in the light of Pay Revision of 1983. Then in the year, 2010, the Finance Department issued another notification wherein it was provided that those C.T Teachers who are in BPS-09 and possesses higher education of M.A/M.Sc. but have not been placed in BPS-14 are entitled to 4 advance increments while those who have availed BPS-14 are entitled to 2 advance increments on M.A/M.Sc. The appellant who was already availing 3 advance increments on the basis of Pay Revision Scheme of 1983 started drawing 4 more advance increments on the basis of notification dated 15.12.2010 making a total of 7 advance increments. The Pay Fixation Committee objected to the drawing of 7 advance increments by the appellant by holding that the appellant was entitled only for 4 advance increments and he was availing 3 extra advance increments against the sanctioned policy.

ARGUMENTS

3. The learned counsel for the appellant argued that 4 advance increments extended through letter dated 15.12.2010 are in addition to the pay revision scheme of 1983 making a total of 7.

4. On the other hand the learned District Attorney argued that 3 advance increments of scheme of 1983 merged into 4 advance increments of 2010 and the appellant was entitled to draw 4 advance increments after 15.12.2010 instead of 7 advance increments. The learned District Attorney relies upon a judgment of the august Supreme Court of Pakistan in Civil Petition No. 1245/2011 entitled "*Naeen Ahmad Vs. Director Higher Education Khyber Pakhtunkhwa and others*" decided on 08.09.2011 in which a similar situation was explained on the basis of Revision of Basic Pay Scales of 1991 issued on 11.08.1991.


CONCLUSION.

5. If we read both the scheme of 1983 and notification of 15.12.2010 one cannot reach to a definite conclusion. But the judgment of the august Supreme Court of Pakistan while dealing with the similar situation has clarified this position that whenever advance

increments for different higher qualifications are mentioned in the pay revision or any notification then the increments of lower qualification merged into increments of higher qualification and in this regard the table given in paragraph 5 of the Pay Revision Rules of 1991 had been discussed by the august Supreme Court of Pakistan and had settled a *ratio* to be followed by other courts in similar situation. The result is that appellant is entitled to 4 advance increments after 15.12.2010 and not 7.

6. As a result of above discussion, this appeal stands dismissed. Parties are left to bear their own costs. File be consigned to the record room.


(GUL ZEB KHAN)
MEMBER


(NIAZ MUIHAMMAD KHAN)
CHAIRMAN


ANNOUNCED
10.10.2017

10.10.2017

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Zakiullah, Senior Auditor, Muhammad Iqbal, ADO and Asghar Khan, Senior Auditor for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, this appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record room.


Member


Chairman

ANNOUNCED
10.10.2017

28.02.2017

Junior to counsel for the appellant and Mr. Usman Ghani, Sr.GP alongwith Mr. Muhammad Iqbal, ADEO and Mr. Zakiullah, Senior Auditor for respondents present. Junior to counsel for the appellant requested for adjournment as senior counsel was busy before the Peshawar High Court, Peshawar. To come up for arguments on 15.06.2017 before D.B.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AAMIR NAZIR)
MEMBER

15.06.2017

Clerk of the counsel for appellant present. Mr. Zakiullah, Senior Auditor alongwith Mr. Kabirullah Khattak, Assistant AG for the respondents also present. Clerk of the counsel for appellant requested for adjournment. Adjourned. To come up for arguments on 14.09.2017 before D.B.


(GUL ZEB KHAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

14.09.2017

Appellant with counsel, and Mr. Usman Ghani, District Attorney alongwith Zai Ullah, AAO and Muhammad Iqbal, ADEO for the respondents present. Arguments partly heard. To come up for further arguments before this D.B on 10.10.2017.


Member


Chairman

11.02.2016

Counsel for the appellant and Mr. Asar Ahmad, AAO
alongwith Mr. Ziaullah, GP for respondents present. Rejoinder
submitted. To come up for arguments on 30.05.2016.



Member



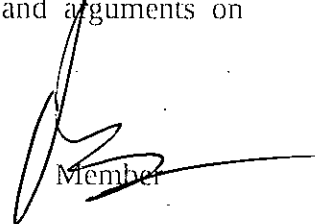
Member

30.5.2016

Counsel for the appellant and Mr. Ansar Ahmad, AAO
alongwith Ziaullah, GP for respondents present. Partial arguments heard
and record file perused. During the course of arguments as per para-3 of
the reply of responded No. 5, the appellant was entitled for 4 advance
increments, whereas the teachers availed 3 advance increments an
acquiring B.A, B.S.C and 4 increments of M.A, M.S.C. Further in
support of this contention respondents requested for adjournment to
provide complete record. To come up for record and arguments on
24.10.2016.



Member



Member

24.10.2016

Clerk to counsel for the appellant, M/S Muhammad Amin,
DEO and Zakiullah, Senior Auditor alongwith Assistant AG for
respondents present. Requested for adjournment. To come up for
arguments on 28.02.2017 before D.B.



Member



Chairman

5 30.04.2015

Appellant with counsel, M/S Khurshid Khan, SO, Javed Ahmed, Supdt., Ansar Ahmed, AAO, Irshad Muhammad, Supdt. and Muhammad Amin, Deputy DEO alongwith Addl: A.G for respondents present. Written statement by respondent No. 5 submitted while other respondents requested for adjournment. To come up for written reply on behalf of remaining respondents No. 1 to 4 and 6 on 28.7.2015 before S.B.


Chairman

6 28.07.2015

Appellant with counsel, M/S Khurshid Khan, SO for respondent No. 2 and Ansar Ahmed, AAO for respondent No. 5 alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 26.10.2015 before S.B.


Chairman

26.10.2015

Appellant with counsel, M/S Khurshid Khan, SO, Hameed-ur-Rehman, AD (lit.), Bakhat Rawan, ADO, Ansar Ahmed, AAO and Irshad Muhammad, SO alongwith Addl: A.G for respondents present. Written reply by respondent No. 1 to 4 submitted. Respondent No. 5 has already submitted written reply. Learned Addl: A.G relies on the written statement by respondents on behalf of respondent No. 6. The appeal is assigned to D.B for rejoinder and final hearing for 11.2.2016.


Chairman

3
Appeal No. 1243/2014
Mr. Rizq Ahmad


Reader Note:

31.12.2014

Appellant in person present. Since the Tribunal is incomplete, therefore, case is adjourned 02.03.2015 for the same.


Reader

02.03.2015

4
Appellant & counsel present for
11/5/15

Counsel for the appellant present. Preliminary arguments heard and case file perused. Through the instant appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, the appellant has impugned order dated 18.09.2014 communicated to the appellant on 24.09.2014, vide which the departmental appeal of appellant dated 07.03.2014 against the recovery of Rs. 62627/- in respect of over payment paid on the basis of advance increments on higher qualification was rejected and hence the present instant appeal on 16.10.2014. He further contended that the appellant has been deprived from the benefits of advance increments on the misinterpretation and misapplication of the Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Act, 2012 despite the fact according to the Section-2(2) of the said Act and amount and benefits already paid to the appellant is not recoverable.


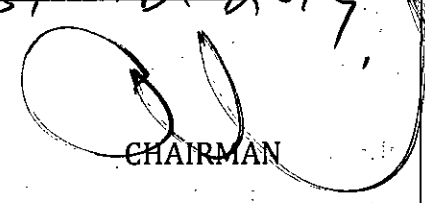
Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents. To come up for written reply/comments on 30.04.2015..


Member

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1243/2014

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	16/10/2014	<p>The appeal of Mr. Riaz Ahmad presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	21-10-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>31-12-2014</u></p> <p style="text-align: right;"> CHAIRMAN</p>

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

Appeal No. 1243 /2014

Mr. Riaz Ahmad

V/S

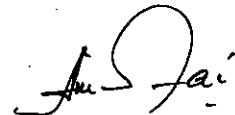
Education Department

INDEX


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APPELLANT

THROUGH:



(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

f. 
TAIMUR ALI KHAN
Advocate, Peshawar

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

Appeal No. 1243 /2014

Mr. Riaz Ahmad, CT Teacher, GHS,
Shawawoo, Shangla.

1266
16/10/2014

APPELLANT

VERSUS

1. The Secretary, Education (E&SE), Government of KPK, Civil Secretariat, Peshawar.
2. The Director Education (E&SE), KPK, Peshawar.
3. The District Education Officer (Male) E&SE, District Shangla.
4. The Dy: Director (Establishment), E&SE, Peshawar.
5. The Pay fixation Party through Accountant General, KPK, Peshawar.
6. The Secretary Finance, Government of KPK, Civil Secretariat, Peshawar.

RESPONDENTS

.....

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 18.9.2014 COMMUNICATED TO THE APPELLANT ON 24.9.2014 WHEREBY THE APPEAL FOR RESTORATION OF ADVANCE INCREMENTS AND REFUNDING OF DEDUCTED AMOUNT OF RS.62627/- HAS BEEN REJECTED FOR NO GOOD GROUNDS.

16/10/14

PRAYER:

.....

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 18.09.2014 MAY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO REFUND THE RECOVERED AMOUNT OF RS.62627/- AND TO RESTORE THE BENEFITS OF ADVANCE

INCREMENT GRANTED IN LIGHT OF SUPREME COURT JUDGMENT DATED 19.7.2007 & FD CIRCULAR DATED. 15.12.2010. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND PROPER THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLY SHEWETH:

1. That the appellant was appointed as CT /SV Teacher in the year 1986,. The appellant passed SSC in the year 1980, F.A in the year 1984, BA in the year 1988, MA (Islamiat) in the year 1994, CT in the year 1991, B.Ed in the year 2008. All entries are recoded in the Service Book, the copy of which is attached as Annexure-A.
2. That vide notification issued in the year 1991 all the teacher of different categories were upgraded to higher pay scale wherein the CT teachers on BA (2nd division) wee given BPS-14. As the appellant had passed B.A in 3rd Division, therefore, the appellant was not allowed scale -14 as per notification of 1991. Copy of Notification is attached as Annexure-B.
3. That in the mean-time the august Supreme Court of Pakistan vide its decision dated 19.7.2007 declared the teachers entitled for advance increment on higher qualification. Thus on the basis of that Judgment, the Finance Department issued the Circular dated 15.12.2010 and as per that Circular all those CT teachers who were not placed BPS-14 due to 3rd division in BA/B.Sc are held entitled for 4 advance increments while those who were upgraded to BPS-14 are held entitled for 2 advance increments on M.A/M.Sc. Thus vide order dated 22.1.2011 the appellant was granted /allowed 4 advance increments. Copies Judgment, Circular and Order are attached as Annexure-C, D and E.
4. That the appellant availed the said facilities for long time but on 27.3.2012 an Ordinance was issued by the Honorable Governor, KPK which was later on converted into Act by the Assembly vide Notification dated 15.5.2012 in the name of "An Act to cease the payment of arrear accrued on account of advance increment on higher education qualification". IN that ordinance and Act all the letters, circular, notification, instructions made for advance increment on higher qualification were declared revoked but in the 2nd clause it is

also clarified that the order passed implemented regarding the advance increment before the commencement of the Act and any amounts already paid there under on account of advance increments shall be deemed to be validly paid and shall not be recoverable. Copy of Order and Act are attached as Annexure-F and G.

5. That after the lapse of more than 2 years the pay fixation party deducted the amount of Rs.62627/- paid in respect of advance increments to the appellant in light of the Supreme Court Judgment and Notification/Circular of the Government. Copy of Recovery-sheet is attached as Annexure-H.
6. That the appellant agitated the matter at the district level but of no avail and finally the appellant submitted appeal for restoration of benefit of increment as well as refunding of recovered amount through the district education officer on 7.3.2014 which was forwarded to DEO E&SE Shangla on the same dated 7.3.2014 under Endorsement No.1687, the DEO further forwarded the representation of the appellant to the Director Education (E&SE), KPK on 13.3.2014, but the Director Education (E&SE) vide order dated 18.9.2014 rejected the appeal of the appellant for no good grounds. The said rejection order communicated to the appellant on 24.9.2014. Copy of Appeal, Forwarding letter and Rejection Order are attached as Annexure-I, J and K.
7. That now the appellant comes to this Honorable Tribunal on the following grounds amongst the others.

GROUND:

- A) That the impugned order dated 18.9.2014 communicated to the appellant on 24.9.2014 and the act of recovering amount of Rs.62627/- paid to the appellant in respect of advance increment is against the law, facts, material on record, therefore, liable to be set aside.
- B) That the appellant has not been treated according to law and rules and has been deprived from his legal right in an arbitrary manner.
- C) That the appellant was and is legally entitled to the benefit of 4 advance increments and refunding of deducted amount.

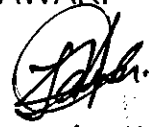
- D) That the appellant has been deprived from the benefits of advance increments on the misinterpretation and misapplication of the Act despite the fact according to the Section-2(2) of the said Act and amount and benefits already paid to the appellant is not recoverable.
- E) That the appellant was granted benefits in light of the Honorable Supreme Court judgment and Government Circular dated 15.12.2010, therefore, the same benefits can not be taken away from the appellant at any cost and especially by giving wrong effect of the Act of 2012 in case of appellant.
- F) That even the recovery and taking away of the benefits of four advance increments from the appellant is also the violation of principles of Locus Poenitentiae.
- G) That the final rejection order is not a speaking order which is contained no reasons and hence the same is the violation of Section-24 of the General Clauses Act and the Supreme Court Judgment reported as 1991 SCMR Page 2330.
- H) That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore, most humbly prayed that the appeal of the appellant maybe accepted as prayed for.

APPELLANT
Riaz Ahmad

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

9. 
TAIMUR ALI KHAN
Advocate, Peshawar

(For use in Police Department only).

A (5)

Heirs,

- 1.
- 2.
- 3.

Verification Roll No. dated received back

Left thumb-impression.

Passed S.S.C. Exam, Under Roll No. 30375
Marks obtained 181 session 1980 Ann.

C.T. Short term course
w.e.f. 14⁷/₉₀ to 13⁸/₉₀

Result declared on 30-7-1980 R.No. Exam. Marks: Result Dec

Qualification: Passed Intermediate exam
under R.N. 24597 - Marks: 604/1100
English
Grade 'C'

Date:

Qualification: 1343 - C.T. 246 - 14-3-91
Date

First Arts

Sub Divl: Education Officer (M)

B. L. or B. A.

Session 1984 (Annual)
Date of issue of certificate: 18-10-84

Order

Pleadership examination

Plan drawing
Sub Divl: Edn Off

Training School Final examination

(3) Finger print Exam 11 marks date of issue of cert

Other qualifications

Passed B. Ed Exam
under Roll No. 8284
Marks obtained 635
out of 1100. in the
Session 2008
Division II Ind.

Drill instructing
B.A. 230 - Div. 30-11-89

Courier duties
Sub Divl: Education Officer (M)

Reserve duties

ed MA in (Arabic) Islamiat under roll
19242 in 1993 Annual obtaining 623/1100
Marks in the 2nd Division.
result was declared on 4/2 Oct 1994
Madhram.

Shills
Head Master,
Govt. High School,
Shewawoo, Bhangla.

N. B. - Aline to be drawn under the qualification possessed.

ATTESTED

Head master,
Govt. High School

6

Riaz Ahmad

Afghan

VILL & P.O. Chakiser Teh. Alpura Distt. Swat

name and residence: Sar Faraz Khan

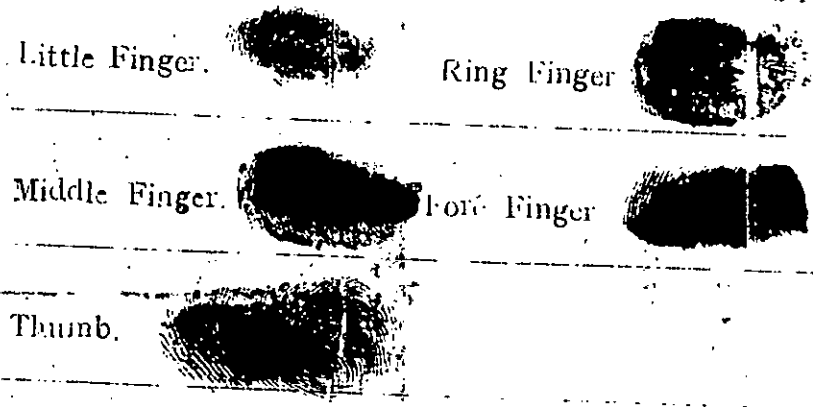
... by Christian era as can be ascertained

Twentieth April, Nineteen hundred and sixty four (20-4-1964)

... height by measurement 5-6

... special marks for identification... NIL

8. Left hand thumb and Finger impression of (non-gazetted) officer



ATTESTED

A

9. Signature of Government servant

Riaz Ahmad

10. Signature and designation of the Head of the Office, or other Attesting Officer.

Masooda Khan
Sub-Div. P.O. Officer,
Alpura, Distt. Swat. ✓
20/8767

7

Date of termination of 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 debitable 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.
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Scale revised
3-91
Ann
Incr
Scale
revised

[Signature]
Alpurat Swar

All calling attested

S.D.E.O. (M)
Alpurat Swar

Sub Divl. Education Officer
Alpurat Swar

S.D.E.O. (M)
Alpurat Swar

Ann Inc

S.D.E.O. (M)
Alpurat Swar

Pay fixation revised BPS No. 9 - 1 - e - 8301 - Fixed w.e. 7.1.7-87

Ann Inc

S.D.E.O. (M)
Alpurat Swar
16/8/53

Pay 30-6-87 in BPS No. 9 - 60201 -
Pay fixed w.e. 2-7-87 BPS No. 9 - 8301 -

[Signature]
Sub Divl. Education Officer
Alpurat Swar
26/8/87

③ Advance on BA
Office of the Assistant General
M. V. P. P. P. P. P.
Pay fixed in the Revised Pay Scales 1984
of No. 1185-72-2265 (9)
Rel. 1473/P.M. W.E.P. 1-4-1991
1st Max Increment on 1-12-1991
Account Officer
Asst. Accountant General
M. V. P. P. P. P. P.

Service
1-10-86
① No 30-11-87
A/Roll & other records

Sub Divl. Education Officer
Alpurat Swar

1-12-87
30-11-91
& other records

Service Verified w.e. 1-12-91
to 30-11-92 from acq. Roll
& other records of this Office.

Sub Divl. Education Officer
Alpurat Swar
16/8/53

ATTESTED

Office of The Accountant General

Pay fixed in the scale basic pay scales 1994

of Rs. 2284/- Whether substantive or officiating and whether (i) substantive or (ii) officiating appointment or service for general under Art. 371 C.S.R.

Name of posts increment in temporary

Accounts Officer

Pay Fixation Party B.W.F.P. Peshawar

Pay in substantive post

Additional Pay for officiating

Emoluments falling under the term "Pay"

Date of appointment

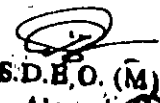
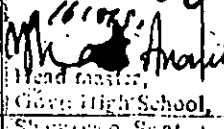
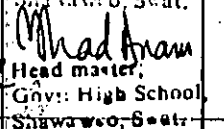
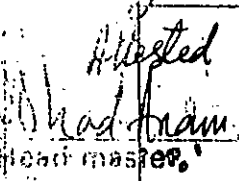
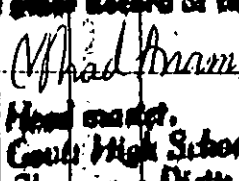
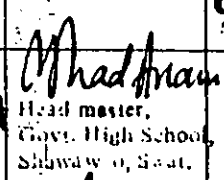
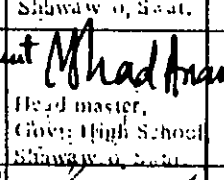
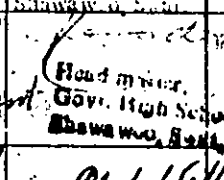
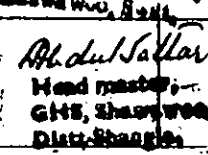
Signature of Government servant

Scale B.S. No. 9 = 1185-72-2265

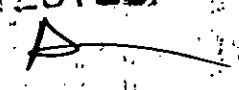
G.M.S. Shaw	Subs.						
S.V. at	Per						
G.H.S. SHAWANOO, Swat	- do -		Rs. 1617/-			1-12-92	Xiaz
- do -	- do -		Rs. 1617/-			1-7-93	Xiaz
- do -	- do -		Rs. 1689/-			1-12-93	Xiaz
Existing pay on 31-5-94		in B.P.S No 9 (1185-72-2165) = Rs. 1689/-		35% Increase on Basic pay = Rs. 591/5		Total Rs. 2280/15	
Equal / next above stage in B.P.S No 9		Rs. 2284/-		Rs. 2284/-			
Pay fixed in B.P.S No 9 (1605-97-3060)		Rs. 2284/-		Rs. 2284/-			
v. at G.H.S		Subs/		per			
SHAWANOO, Swat		Rs.		2284/-		1-6-94 Xiaz	
Do		Do		2381/-		31-12-94 Xiaz	
T. S. SHAWANOO, Swat		Rs.		2381/-		5-1-95 Xiaz	
Do		Do		2478/-		1-12-95 Xiaz	

M. Had Anam
Head master,
Govt. High School,
Shawanoo, Dist. Swat.

M. Had Anam
Head master,
Govt. High School,
Shawanoo, Dist. Swat.

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	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment of censure, or reward or praise of the Government Servant.
				Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government	Period to which Government to which debitabale		
9/3/93	Shifted to High School	 S.D.E.O. (M) Alpurai, Badar				Service Verified w.e.f. 1.12.92 to 30.11.93 from acq. Roll & other Record of this Office.	
	Mr. D.C. Scale Revised	 Madhram Head master, Govt. High School, Shawawoo, Dist. Shajhpur				Suo Divn. Education Officer (M) Alpurai Badar 16/8/97	
5/2/94		 Madhram Head master, Govt. High School, Shawawoo, Dist. Shajhpur				Service Verified w.e.f. 1.7.93 to 31.12.93 from acq. Roll & other Record of this Office.	
R. TAKING							
I, S. G. S. Shewawoo, Smt do hereby certify to the effect that if any arrears be made to me as a result of casual fixation of my pay w.e.f. be made good by recovery from gratuity etc.							
		 Madhram Head master, Govt. High School, Shawawoo, Dist. Shajhpur				Signature of G. Servant Service Verified w.e.f. 1.12.94 to 31.12.94 from acq. Roll & other Record of this Office.	
		 Madhram Head master, Govt. High School, Shawawoo, Dist. Shajhpur				Service Verified w.e.f. 1.12.95 to 31.12.95 from acq. Roll & other Record of this Office.	
30.11.94	Annual Increment	 Madhram Head master, Govt. High School, Shawawoo, Dist. Shajhpur				Head master, Govt. High School, Shawawoo, Dist. Shajhpur	
1.1.95	Adjustment against CT Post	 Madhram Head master, Govt. High School, Shawawoo, Dist. Shajhpur				Service Verified w.e.f. 1.1.96 to 30.11.96 from acq. Roll & other Record of this Office.	
30.11.95	Annual Increment	 Madhram Head master, Govt. High School, Shawawoo, Dist. Shajhpur				Abdul Khatir Head master, Govt. High School, Shawawoo, Dist. Shajhpur	
1.1.96	Annual Increment	 Abdul Khatir Head master, GHS, Shawawoo, Dist. Shajhpur					

ATTESTED



1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature Government servant
POPS No. 9 (1605-97-3060)							
C.T. Shauwano	Subs per		B. 2575/- P.M.			1/12/96	Riaz
do	do		B. 2672/- P.M.			1/12/97	Riaz
do	do		A. 2769/- P.M.			1/12/98	Riaz
do	do		B. 2866/- P.M.			1/12/99	Riaz
POPS No. 12 (1830-130-3780)							
C.T. Shauwano	do		A. 3000/- P.M.			1/7/99	Riaz
do	do		B. 3000/- P.M.			1/12/99	Riaz
do	do		B. 3130/- P.M.			1/12/2000	Riaz
<p>pay fixation in POPS - No. 12 (1830-130-3780)</p> <p>pay on 30.6.99 in POPS-9 = Rs. 2769/-</p> <p>pay fixed on 1.7.99 in POPS-12 = Rs. 2870/-</p> <p>pay to one premium increment = 3000/-</p>							
<p>Refixation on POPS-12</p> <p>pay on 1.7.99 in POPS No. 9 = Rs. 2866/-</p> <p>pay on 1.7.99 in POPS No. 12 = Rs. 2870/-</p> <p>5% grade</p> <p>pay with one pre mature inc. B. 3000/-</p>							
<p>Abdul Kalam Head master Govt. High School. Shauwano Distt. Shangla.</p>				<p>All correct attested Abdul Kalam Head master. Govt. High School. Shauwano Distt. Shangla.</p>			

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Signature of Government servant	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government servant.
				Nature and duration of leave taken	Allocation of period of leave on average pay upto for months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.	30/11/97	Annual Increment	Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.			Service Verified w.e.f 1-12-96 to 30-11-97 from acq: Roll & other Record of this office.	
Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.	30/11/98	Ann: Inc:	Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.			Abdul Sattar Head master, Govt: High School, Shawawoo, Distt-Shangla.	
Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.	30/11/99	Ann: Inc:	Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.			Abdul Sattar Head master, Govt: High School, Shawawoo, Distt-Shangla.	
Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.		Entires Scale Revised	Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.			Abdul Sattar Head master, Govt: High School, Shawawoo, Distt-Shangla.	
Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.	30/11/99	Scale Revised	Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.			Service Verified w.e.f 1-12-97 to 30-11-98 from acq: Roll & other Record of this office.	
Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.	30/11/2000	Ann: Inc:	Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.			Abdul Sattar Head master, Govt: High School, Shawawoo, Distt-Shangla.	
Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.	30/11/2001	Ann: Inc: Scale Revised	Abdul Sattar Head master, GHS, Shawawoo, Distt-Shangla.			Service Verified w.e.f 1-12-98 to 30-11-99 from acq: Roll & other Record of this office.	

GRADUA PAY SCALE

Awarded gradua pay scale H. Ref 14391 dt SNo. 1 of 11/99 order vide DDE M/dsd/vn: Exd No. 9816-19 dt 16-3-98

Awarded Selection Grade Bps. No. 12 w.e.f. 1-7-99 vide D.E. D(M) Secdy, Swat Order Encl: No. 6613-25/Selection Grade/ Shangla dtd. 7-7-2000

Undertaking

I Mr. Riaz Khanad c/o G.H.S. Shawawoo Distt. Shangla do hereby undertake in writ that if any over payment is made to me as a result of incorrect fixation and debited to any stage will be refunded at a good from my pay/pension and gratuity

Signature of Govt servant
Attested
Abdul Sattar
Head master,
Govt: High School,
Distt. Shangla.

ATTESTED

cp 10/2000
Drawn ans of S-8 B-12

Ref 1/99 dt 30/11/2000
amintg dt 15-12-2000
2/11/2

1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R. S.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature Government servant
pay fixation in Revised RPS No. 12							
<p>pay on 20/12/2001 in all RPS No. 12 = Rs. 3130-00</p> <p>pay on 1/12/2001 in all RPS No. 12 due to A.M. = Rs. 3260-00 Stage No. 11</p> <p>pay on 1/12/2001 in Revised RPS No. 12 = Rs. 4890-00 Stage No. 11</p>							
<p>Abdul Vallav Head master, G.H.S. Shawawoo, Distt-Shangla.</p>							
C.T. G.H.S. Shawawoo Distt. Shangla	Subs per m.		Rs. 4890/- P.M.			1/12/2001	Riaz
- do -	- do -		Rs. 5085/- P.M.			1/12/2002	Riaz
- do -	- do -		Rs. 5280/- P.M.			1/12/2003	Riaz
- do -	- do -		Rs. 5475/- P.M.			1/12/2004	Riaz
<p>S.V. No. 7128</p> <p>195-18885</p> <p>1-12-2004</p> <p>12</p>							
						<p>undertaking</p> <p>I Mr. Riaz Ahmad C.T. G.H.S. Shawawoo do hereby undertake that if any over-payment is made in my pay, due to incorrect fixation it will be made good by recovery from my pay/pension and gratuity etc.</p>	
						<p>Signature Riaz</p> <p>Abdul Vallav</p>	

8	9	10	11	12	13		14	
					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		
Signature and designation of the officer or other person attesting in attestation columns 1 to 8		Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer		Leave Allocation of period of leave on average pay upto four months for which leave salary is debitable 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 debitable	
Option								(10) Service Verified w.e.f 1-12-99 to 30-11-2000 from acq. Roll & other record of this office. Abdul Kallal Head master, Govt. High School, Shawawoo Distt: Shungla.
Mr. Riya Ahmad c.T. G.H.S. Shawawoo do hereby opt the revised Scale 2001 instead of old scale				Signature				(12) Service Verified w.e.f 1-12-2000 to 30-11-2001 from acq. Roll & other Record of this office. Abdul Kallal Head master, Govt. High School, Shawawoo Distt: Shungla.
Undertaking								(13) Service Verified w.e.f 1-12-2000 to 30-11-2001 from acq. Roll & other Record of this office. Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.
Mr. Riya Ahmad c.T. G.H. School Shawawoo do hereby undertake that if any overpayment is made to me due to incorrect fixation of the revised pay scale 2001 it will be made good by recovery from my pay/pension and gratuity etc.								(14) Service Verified w.e.f 1-12-2001 to 30-11-2002 from acq. Roll & other Record of this office. Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.
Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.		30/11/2002	Ann. Inc.	Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.				(15) Service Verified w.e.f 1-12-2002 to 30-11-2003 from acq. Roll & other Record of this office. Abdul Kallal Head master, Govt. High School, Shawawoo Distt: Shungla.
Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.		30/11/2003	Ann. Inc.	Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.				(16) Service Verified w.e.f 1-12-2003 to 30-11-2004 from acq. Roll & other Record of this office. Abdul Kallal Head master, Govt. High School, Shawawoo Distt: Shungla.
Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.		30/11/2004	Ann. Inc.	Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.				(17) Service Verified w.e.f 1-12-2004 to 30-11-2005 from acq. Roll & other Record of this office. Abdul Kallal Head master, Govt. High School, Shawawoo Distt: Shungla.
Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.		30/6/2005	Scale Revised	Abdul Kallal Head master, GHS, Shawawoo, Distt-Shungla.				(18) Service Verified w.e.f 1-12-2005 to 30-11-2006 from acq. Roll & other Record of this office. Abdul Kallal Head master, Govt. High School, Shawawoo Distt: Shungla.
Pay fixation in Revised BPS No. 12								
Pay on 30/11/2005 in old BPS No. 12 Stage No. 14 = Rs. 5475/-								
Increase on Existing pay @ = Rs. 821/-								
Total = Rs. 6296/-								
Equal/most above stage in BPS No. 12 Revised Scale = Rs. 6305/- P.M.								
Option								
Mr. Riya Ahmad c.T. G.H.S. Shawawoo do hereby opt the revised scale 2005				Signature				
Abdul Kallal Head master, Govt. High School, Shawawoo, Distt-Shungla.								

TESTED

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1 Name of post	2 Whether substantive or officiating and whether permanent or temporary	3 If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of appointment	8 Signature Government servant
Revised BPS No. 12 (3155-225-9905)							
C.T. G.H.S. Shawa	Subs Perm.		Rs. 6305/- P.M.			01/12/2005	[Signature]
- do -	- do -		Rs. 6530/- P.M.			1/12/2005	[Signature]
- do -	- do -		Rs. 6755/- P.M.			1/12/2006	[Signature]
2005 OFFICE OF THE ACCOUNTANT GENERAL PAY FIXATION PARTY N.W.F.P. Peshawar OF RS. 3155-225-9905 AT RS. 6305/- With Next Increment on 1-12-2005							
Accounts Officer Pay Fixation Party N.W.F.P. Peshawar							
C.T. G.H.S. Shawa	Subs Per						
- do -	- do -		Rs. 7790/- P.M.			01/07/2007	[Signature]
- do -	- do -		Rs. 8050/- P.M.			01/07/07	[Signature]
Revised in BPS No. 12 (4655/- 4355-310-13055)							

No. of 4
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 GHS.
 Dist.
 No.
 GHS.
 Dist.

11

Signature and office of the attesting officer Signature of Government servant	10 Date of termination of 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 Allocation of period of leave on average pay upto four months for which leave salary is payable to another Government servant Nature and duration of leave taken Period to which applicable	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
Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.	30/11/2005	Ann Amc.	Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.		Service Verified w.e.f 1-11-2005 to 29-11-2005 from acq & other Record of this office Abdul Nalla Head master, Govt High School, Shawawoo, Distt-Sh
Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.	30/11/2005	Ann Inc.	Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.		Service Verified w.e.f 1-11-2005 to 31-11-2005 from acq & other Record of this office Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.
Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.	30/6/07	B/revise	Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.		Service Verified w.e.f 1-11-2005 to 29-11-2005 from acq & other Record of this office Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.
Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.	30/6/08	Annual Inc	Abdul Nalla Head master, GHS, Shawawoo, Distt-Shangla.	Under taking I, Mr. Rizal-Ahmad C.T. B.H.S.S. do hereby undertake that if any payment is made as a result in correct fixation on revised No.12 Revised pay scale 2007 it be made good by recovery from pay/ pension & gratuity Signature: Rizal Head master, Govt High School, Shawawoo, Distt-Sh	Signature: Rizal Head master, Govt High School, Shawawoo, Distt-Sh

(Approved Advance Refundable)
 Application NO 797-98 Distt Sh
 Rs = 1,00,000/- one lac only
 drawn acc. NO 174
 11/11/07

ATTESTED

Attested: Abdul Nalla
 Head master,
 Govt High School,
 Shawawoo, Distt-Sh

C. T. Shrivastava

Name	Post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, (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 Government servant
		Sub Per		Rs 9625/-	1 7/8			Xiaz
			Pay Fixation in BPS No 15					
			Pay on 01/7/27	BPS 12	7790/-			
			" "	BPS 15	7850/-			
			01/12/67	BPS 12	8050/-			
			" "	BPS 15	8550/-			
			1 7/8	BPS 12	9840/-			
			" "	BPS 15	10960			
			11/11/89					
			12/12/27					
			Scale Revised in BPS No 15 (5920-420-12620)					
	do	Subs Per		Rs 10260/-	Pm 1 7/8			Xiaz
	do	do		Rs 10680/-	Pm 1 12/8			Xiaz
	do	do		(B:9=Rs=620-29-1200)				Xiaz
	do	do		620/-	1 10/88			Xiaz
	do	do		620/-	1 12/88			Xiaz
	do	do		(B:9=830-38-1590)				Xiaz
	do	do		830/-	1 7/87			Xiaz
	do	do		868/-	1 12/87			Xiaz
	do	do		906/-	1 12/88			Xiaz

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8	9	10	11	12	13	14	
Signature and designation of the office or other attesting officer in attestation forms 1 to 8		Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government. Nature and duration of leave taken Period Government to which debitible	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.
	9/8/08	Scale Revised	Scale Revised			Service verified w.e.f 28/11 to 31/01/08 from acc: Rec & other record of this office.	DD: Head master, Govt. High School, Shapawoo Dist: Shangla
	30/11/08	Scale up graded	Scale up graded		Scale up graded to BPS-15 vide No. 50 (FR) 10-22 B 2005 dated 01/10/2007.	T 893 Drawn acc: 13/9	Paye allowed up grade - 6.34.15 R. 734
	30/11/88	A/Int	A/Int				Drawn acc: of Rs. 14 on calc of Rs. 15 for Rs. 11318/-
	30/8/87	SR	SR				Entry revised due to awardance of increments of untrain period.
	30/11/87	A/Int	A/Int				ATTESTED
	30/11/88	A/Int	A/Int				
	30/11/89	A/Int	A/Int				

1. Name of post	2. Whether substan- tive or officiating and whether permanent or temporary	3. If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	4. Pay in substantive post	5. Additional Pay for officiating	6. Other emolument falling under the term "Pay"	7. Date of appointment	8. Signature Government servant
C. T. GHS Swanarao	Sub: Per:	✓	3134/-			1 ⁷ / ₉₉	✓
- Do -	- Do -		3260/-			1 ¹² / ₉₉	✓
- Do -	- Do -		3390/-			1 ¹² / ₂₀₀₀	✓
- Do -	- Do -		3520/-	2745		1 ¹² / ₂₀₀₁	✓
- Do -	- Do -		5280/-			1 ¹² / ₂₀₀₁	✓
- Do -	- Do -		5475/-			1 ¹² / ₂₀₁₂	✓
- Do -	- Do -		5670/-			1 ¹² / ₂₀₀₃	✓
- Do -	- Do -		5865/-			1 ¹² / ₂₀₀₄	✓
- Do -	- Do -		6855/-			1 ⁷ / ₀₅	✓
- Do -	- Do -		6980/-			1 ¹² / ₀₅	✓
- Do -	- Do -		7205/-			1 ¹² / ₀₆	✓
- Do -	- Do -		8310/-			1 ⁷ / ₀₇	✓
- Do -	- Do -		8574/-			1 ⁰⁷ / ₁₈	✓
- Do -	- Do -		8550/-			1 ¹⁸ / ₀₇	✓

(B:12 = 1830-130-3780)

(B:12 = 1830-130-3780)

(B:12 = 2885-195-8535)

(B:12 = 3155-225-9905)

(B:12 = 3630-260-11430)

(B:15 = 4350-350-14850)

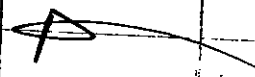
14
15

No. of appointment	Signature of Government servant	Name and designation of the office or institution 1 to 8	Date of termination of 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 record of punishment, censure, or reward or praise of the Government servant.
						Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	Period to which Government to which debitable		
1303780			3/3 grade						
7		Head master, Shawaroo, Shongla	30/99	Re-fixation	Head master, GHS, Shawaroo, Distt-Shongla				
9		Head master, S, Shawaroo, Distt-Shongla	3 11/2000	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
10		Head master, S, Shawaroo, Distt-Shongla	30 11/2001	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
11		Head master, HS, Shawaroo, Distt-Shongla	30 11/2002	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
12		Head master, HS, Shawaroo, Distt-Shongla	30 11/2003	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
13		Head master, HS, Shawaroo, Distt-Shongla	30 11/2004	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
14		Head master, HS, Shawaroo, Distt-Shongla	30 11/2005	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
15		Head master, HS, Shawaroo, Distt-Shongla	30 11/2006	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
16		Head master, HS, Shawaroo, Distt-Shongla	30 11/07	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
17		Head master, HS, Shawaroo, Distt-Shongla	30 06	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
18		Head master, HS, Shawaroo, Distt-Shongla	30 06	S/R	Head master, GHS, Shawaroo, Distt-Shongla				
19		Head master, HS, Shawaroo, Distt-Shongla	30 07	A/P/T	Head master, GHS, Shawaroo, Distt-Shongla				
20		Head master, HS, Shawaroo, Distt-Shongla	30 06	S/R	Head master, GHS, Shawaroo, Distt-Shongla				
21		Head master, HS, Shawaroo, Distt-Shongla		Re-fixation due to graded pay scale in BP, S.No=15	Head master, GHS, Shawaroo, Distt-Shongla				

with Takris
 I hereby to some time this
 of over pay will be made
 on account of wrong fixation
 I will refund it from my pay a
 pension etc.
 Signature of Govt Servant

D.D.O
 Head Master,
 Govt High School,
 Shawaroo, Shongla.

PRINTED



Name / Post	Whether substantive or relating to a temporary post	If relating to a substantive appointment, or (b) whether service counts under Art. 371, C.S. 1956	Date of appointment	Other conditions	Remarks
C.T. GHS Shawmwood	Sub. Peri.		8900/		(B.15 = Rs-4350-350+4850) (B.15 = Rs-5200-420-17820)
			10680/		17/8
			11100/		12/8
			11580		1/12
			11700/		1/12
			1833		1/12
			2478		1/16
			2866		4/10
			2963		1/11
			3061		1/11
			3158		1/11
			3263		1/11
			3349		1/11
			3520		1/12
			3651		1/12

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 Governor servant
C 1	(13) (1950-144-4110)		3780	357		1/12/2001	Niaz
	B 12 1730-445-4110		3822				
	B 12 2745 (1950-5599)		5865		✓	30/11/05	Niaz
N	"	"	6060			1/12/02	Niaz
N	"	"	6255			1/12/03	Niaz
	B 12 3155-225-9805		6450			1/12/06	Niaz
N	"	"	7430	6755		1/7/05	Niaz
N	"	"	7655			1/12/05	Niaz
	B 12 3630-260-1142		7880			1/12/06	Niaz
	B 12 3630-260-1142		9090	8310	→	1/7/05	Niaz
	B 15 4350-350-14850		9250	6510		1/10/05	Niaz
			9600			1/12/05	Niaz
	B 15 5220 420-17820		11520		✓	1/7/05	Niaz
N	"	"	11940			1/12/08	Niaz
N	"	"	12360			1/12/05	Niaz
			12280			1/12/07	Niaz

16

Date 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	Leave		Signature of the head of the office or other attesting officer	Reference to any record of punishment or censure, or reward or praise of the Government servant.
			Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	Government to which debitable		
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/01	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	Annual leave			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/01	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	Annual M.O. 312 to 3 and sc. f. review			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/02	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	A-1 increment			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/03	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.				
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/04	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.				
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/05	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	Scale leave			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/05	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	A-1 increment			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/06	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.				
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/07	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	Scale leave			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/07	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	award of 15			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/07	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	A-1 increment on basis			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/08	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	Scale leave			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/08	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.	A-1 increment			
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/09	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.				
Head master, GHS, Shawawoo, Distt-Shangla. 30/11/2010	Mukhtar	Head master, GHS, Shawawoo, Distt-Shangla.				

Grant of four advance.
 drawn on MA Advance
 on 21/11/01
 find enclosed N.I. 100/01
 2-12/2009
 2/11/2009

278/26/11/11
 Drawn arrears
 MA Advance
 amount Rs 136.
 Scale
 26/11

58/21/08/11
 Drawn arrears of
 B/P = Rs 6440/-
 ARIO = Rs 2940/-
 ARMN = Rs 1260/-
 Total 9500/-
 a/c has drawn from 1-1-2004 to 31-12-2004

ATTESTED

NAT
 hangla
 11/3/11

(For use in Police and other similar Departments)

RECORD OF POSTINGS

No. of District Order	Date	District and post	No. of District Order	Date	District and post
-----------------------	------	-------------------	-----------------------	------	-------------------

T GHS Shrawaha Subs Pur

do

do

do

Rs 2150/- P.M 1/2011

Rs 2180/- P.M 01/2011

(8500-762-29500)

Rs 22500/- P.M 01/2012

1-07-2008
1-12-2008

522-420-17820 KMS

OFFICE OF THE ACCOUNTS GENERAL
INVESTMENT & FINANCIAL
PAYMENT IN THE PRESCRIBED BASIC

1-7-2011
1-12-2011

25000-700-25000 KMS

2011

THE ACCOUNTS GENERAL
OFFICE OF THE ACCOUNTS GENERAL
INVESTMENT & FINANCIAL
PAYMENT IN THE PRESCRIBED BASIC

No. 6

2/2012

Recovery may be made

1-7-2013 to 30/12/2013

Accounts Officer Postwar

11/95 v. 2252
11/01 v. 3120
11/05 v. 8385

11/07 v. 5400
11/08 v. 780
11/09 v. 3150

11/10 v. 15120
11/11 v. 14705/-

626271

24 March 2013
T. G. S. Shrawaha Subs
T. G. S. Shrawaha Subs
T. G. S. Shrawaha Subs
T. G. S. Shrawaha Subs

11/08 v. 11984
11/09 v. 11988
11/10 v. 11998
11/11 v. 12498
11/12 v. 1301
11/13 v. 1301
11/14 v. 1301
11/15 v. 1301
11/16 v. 1301
11/17 v. 1301
11/18 v. 1301
11/19 v. 1301
11/20 v. 1301
11/21 v. 1301
11/22 v. 1301
11/23 v. 1301
11/24 v. 1301
11/25 v. 1301
11/26 v. 1301
11/27 v. 1301
11/28 v. 1301
11/29 v. 1301
11/30 v. 1301

Signature of the head of the office or other attesting officer

Reference to any recorded punishment or censure or praise of the Government Servant

Leave

Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government

Nature and duration of leave taken.

Period

Government to which debitable

No. of District Order

Designation of the office

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

Service year to 30.11.2010

30.11.11 Ann; Inc; Head Master Govt High School, Shawawoo, Shangla.

30.11.12 Ann; Inc; Head Master Govt High School, Shawawoo, Shangla.

30.11.15 Ann; Inc; Head Master Govt High School, Shawawoo, Shangla.

UNDER TAKING
I Mr. Riaz Ahmad S.C.T BPS 16 do hereby undertake that if any over payment is made to me in BPS 16 it will be good to Recover from my pay/ Pension or gratuity
Sign Riaz Ahmad

Attested

28/2/13
Head Master Govt High School, Shawawoo, Shangla.

ATTESTED

BASIC PAY SCALES 2011
ACCOUNTANT GENERAL
KUKHWA PESHAWAR
PESHAWAR

OF RS 8500 700 29500 B 15
AT RS 20600
With Next Increment

P.W.F.F. 1-12-2011

Accounts Office
Pay Division
K Paktunkwa
Peshawar.

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2015
CN

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1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art 371 CSR	Pay in substantive post	Address of officiating payee	Other emoluments falling under the term	Date of appointment	Signature of Government Secretary and head of office in address column	10
S. C. T. (S. C. T. / S. C. T. / S. C. T.)	Per					1/13	[Signature]	
B-16 (1000-880-3600)								

<p>9</p> <p>Nature and Designation of the head of the office attesting officer columns 1 to 8</p>	<p>10</p> <p>Date of appointment or termination of the office</p>	<p>11</p> <p>Person of termination such as promotion, transfer, etc.)</p>	<p>12</p> <p>Signature of the head of the office or other attesting officer</p>	<p>13</p> <p>Nature and duration of leave taken</p>	<p>14</p> <p>Allocation of period of leave</p>	<p>15</p> <p>Signature of the head of the office or other attesting officer</p>	<p>16</p> <p>Reference to any record or certificate of merit or commendation or praise of the Government or Service</p>	<p>17</p> <p>Reference to any record or commendation or praise of the Government or Service</p>

ATTESTED

Promoted to BPS
 16 as S.C. T. rule
 order no. 5088-74
 Date 21/02/2013

18

GOVERNMENT OF NORTH WEST FRONTIER PROVINCE
FINANCE DEPARTMENT.

138 (19)

NOTIFICATION

Peshawar, dated the 7th August, 1991.

No. FD(PCR)1-1/89; In exercise of all the powers enabling him in this behalf the Governor of the North West Frontier Province is pleased to order the following scales of pay/benefit to various categories of Teachers with effect from 1.7.1991.

Sl.

No.

Name of the Post

Benefits extended

1- Primary School Teachers/(PTC/JV)

All the present and future primary school teachers, who hold the qualification of F. A/F.Sc. (2nd Division) plus existing prescribed professional training shall be placed in BPS-9 with 1/3rd in selection grade BPS-10.

All other teachers who do not possess higher qualification shall continue getting existing pay scale with selection grade accordingly.

However, the higher scales/grades allowed to these teachers will be personal to them and the inter-se-seniority will remain intact.

2. Elementary School Teachers/(E.S.T)/ S.V./P.E.T./ Drawing Masters/ PTI.

All the present and future elementary school teachers who possess the qualification of B. A/ B.Sc. (2nd Division) plus existing prescribed professional training shall be placed in BPS-14 with 1/3rd in Selection Grade BPS-15.

All other teachers who do not possess higher qualifications shall continue getting existing pay scales with Selection Grade accordingly.

However, the higher scales/grade allowed to these teachers will be personal to them and the inter-se-seniority will remain intact.

3-

Arabic Teachers.

All the present and future Arabic Teachers who possess the qualification of Trained Fazil with B. A/B.Sc. (2nd Division) and five years teaching experience or M. A. Arabic or equivalent qualifications shall be placed in BPS-14 with 1/3rd in Selection Grade BPS-15.

All other teachers who do not possess higher qualification shall continue getting existing pay scale with Selection Grade accordingly.

However, the higher scale/grade allowed to these teachers will be personal to them and the inter-se-seniority will remain intact.

4- Secondary School Teachers.

All the present and future Secondary School Teachers with prescribed qualification under the Rules shall be placed in BPS-16 with 1/3rd in Selection Grade BPS-17.

ATTESTED

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20 19

The advance increments sanctioned by Finance Department vide Para-9 of its letter No.FD(SR-I)1.67/82; dated 24.8.1983 will not be admissible on acquiring/possessing qualifications for which higher pay scales are being sanctioned through this notification.

Sd/- SECRETARY TO GOVERNMENT OF NWFP, FINANCE DEPARTMENT.

Endst.No.FD(PRC)1-1/89

Dated Pesh; the 7th August, 1991.

A copy is forwarded to the Accountant General, NWFP, Peshawar for information and necessary action.

Sd/- (GULAM DASTGIR AKHTAR)
DEPUTY SECRETARY (REGULATION)
FINANCE DEPARTMENT.

Endst.No.FD(PRC)1-1/89

Dated Pesh; the 7th August, 1991.

A copy is forwarded to :-

- 1- All Administrative Secretaries to Govt. of NWFP.
- 2- All Commissioners of Division, N.W.F.P.
- 3- All Heads of Attached Departments, NWFP.
- 4- The Secretary to Governor, NWFP.
- 5- The Registrar, Peshawar High Court, Peshawar.
- 6- The Secretary Public Service Commission, NWFP.
- 7- The Registrar Service Tribunal, NWFP.
- 8- All Dy:Commissioners/Political Agents/District and Session Judges in NWFP.

Sd/- Dy:Secretary(Regulation)
Finance Department.

Endst.No.FD(PRC)1-1/89

Dated Pesh; 7th August, 1991.

Copy forwarded for information to :-

- 1- The Secretary to Govt. of Punjab, Finance Deptt; Lahore.
- 2- The Secretary to Govt. of Sindh, Finance Deptt; Karachi.
- 3- The Secretary to Govt. of Baluchistan, Finance Deptt; Quatta.

Sd/- Dy:Secy:(Regulation),
Finance Department.

No.FD(PRC)1-1/89;

Dated Pesh; the 7th August, 1991.

Copy forwarded for information to :-

- 1- All District/Agency Accounts Officers in NWFP.
- 2- The Treasury/Officer Peshawar.
- 3- The P.S. to Finance Minister, NWFP.
- 4- The P.S. to Finance Secretary, NWFP.
- 5- PAs to Addl.Secy/Deputy Secy in Finance Department.
- 6- All Section Officers/Budget Officers in Finance Deptt;

ATTESTED

Sd/- (ABDUR RASHID)
Section Officer (PRC)
Finance Department.

Attention
Mr. Rizq CT Teacher
Chakasser

C
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12

In the Supreme Court of Pakistan
(Appellate Jurisdiction)

Present:
Mr. Justice Rana Bhagwandas, ACJ
Mr. Justice Sardar Muhammad Raza Khan

C.P.L.A. No. 525 of 2007
+ (On appeal from judgment of NWFP Service Tribunal, Peshawar dated 24.4.2007 passed in Service Appeal No.498 of 2006)

Rashid Iqbal Khan
Petitioner

Versus

District Coordination Officer, Abbottabad & others
Respondents

Petitioner: Rashid Iqbal Khan, in person

For the respondents: Sardar Shaukat Hayat Khan,
Additional Advocate General, NWFP

C.P.L.A. No. 526 of 2007
+ (On appeal from judgment of NWFP Service Tribunal, Peshawar dated 24.4.2007 passed in Service Appeal No.499 of 2006)

Muhammad Haroon Qureshi
Petitioner

Versus

District Coordination Officer, Abbottabad & others
Respondents

Petitioner: Muhammad Haroon Qureshi, in person

For the respondents: Sardar Shaukat Hayat Khan,
Additional Advocate General, NWFP

Date of hearing: 19.7.2007

ATTESTED

Judgment

Rana Bhagwandas, ACJ - Sole grievance of the petitioners

ATTESTED

Secretary
Supreme Court of Pakistan
ISLAMABAD

before the NWFP Service Tribunal (hereinafter referred to as the Tribunal) appears to be that after induction in BPS-14 as Elementary School Teachers, in terms of NWFP Government Circular dated 7.8.1991 they are entitled to four advance increments in terms of NWFP Government circular letter No.FD(PRC)1-1/89 dated 11.8.1991 on acquiring higher qualification MA/MSc. They have been non-suited by the Tribunal vide judgment dated

[Handwritten signature]

[Handwritten signature]

12

C.P.L.A Nos. 525 & 526 of 2007

24.4.2007 on the premise that they had been placed in higher grade i.e. BPS-14 on acquiring BA/BSc Second Division in terms of Finance Division circular letter No.FD(PRC)1-1/89 dated 7.8.1991, therefore, the provisions of circular letter dated 11.8.1991 issued by the Finance Department would not be applicable to teachers. Tribunal has expressed the view that this circular would be applicable only to ministerial staff, as such, the petitioners were not entitled to the relief claimed by them. Petitioners being aggrieved seek leave to appeal.

2. We have heard the petitioners, who argued their case in person whereas learned Additional Advocate General, NWFP has appeared on Court notice issued to the respondents. With the assistance of learned Additional Advocate General, we have examined both the circulars, which do not exclude the teachers in the Education Department from the benefits accruing out of circular letter dated 11.8.1991, as on its plain reading it applies to all civil servants in BPS 1 to 15 serving under the Provincial Government. Para 5 of the said circular provides mechanism for grant of advance increments to officials for possessing/attaining higher educational qualification. Para 5, clause (c) caters for the grant of four advance increments on attaining MA/MSc where prescribed qualification is FA/FSc. It would be seen, that the petitioners were placed in BS-14 by reason of having acquired the qualification of BA/BSc, Second Division which is the prescribed qualification for the post of Elementary School Teacher. It is not the case of respondent-Government that the petitioners have already drawn advance increments on-acquiring higher qualification of MA/MSc.

Quintal

ATTESTED

[Signature]
Subordinate Director
and, Court of Pakistan
ISLAMABAD

[Signature]

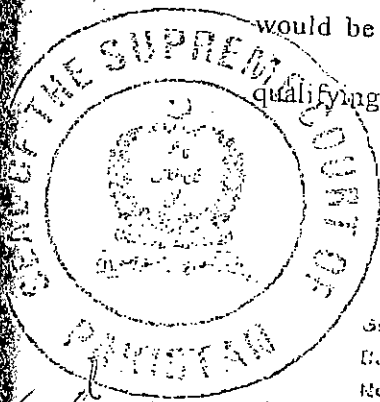
3. Learned Additional Advocate General attempted to argue that in view of the higher scale granted to Elementary School Teachers in pursuance of the circular letter dated 7.8.1991, which was personal to them, the

ATTESTED

petitioners would not be entitled to the incentive of advance increments contemplated by circular letter dated 11.8.1991 but he is unable to cite any principle of law or authority for placing this interpretation. We find that, while circular letter dated 7.8.1991 exclusively deals with the scales of pay of school teachers in different categories, circular letter dated 11.8.1991 provides for the revision of basic pay scales and grant of annual increments and advance increments for all Provincial civil servants in NWFP without any exception. Since the teachers or the employees in Education Department have never been expressly or impliedly excluded from the operation of the circular letter, view taken by the Tribunal being erroneous cannot be sustained at law. In fact, it suffers from clear misconception of law and misconstruction of the circular letter (supra).

3. For the aforesaid facts, circumstances and reasons, we are of the considered view that the Tribunal committed a serious error of law, therefore, the impugned judgment is liable to be set aside. Consequently, we convert these petitions into appeals and, on acceptance, declare that the petitioners would be entitled to four advance increments with effect from the date of qualifying MA/MSc exam.

Sd/ Javed Blegwanda, ACJ
Sd/ Justice Muhammad Raza Khan



Certified to be true copy
[Signature]
 Superintendent
 Supreme Court of Pakistan
 ISLAMABAD

4733/07
 Date of Presentation: 19.7.07
 No. of Petitions: 9
 No. of Petitioners: 9
 Islamabad, registration fee paid: 19th July, 2007
 Not approved for reporting: 10/07
 Riaz
 Date of Copy: 15-8-07
 Date of Copy: 15-8-07
 Copy:
 Control Sheet:
 Received by: *[Signature]*

ATTESTED
[Signature]

Section Officer (SR-1)
K. J. S. MID ALAM

ATTESTED

Yours faithfully,

Recovery may be made from those teachers/employees who have availed more advance increments over and above their entitlement on academic qualifications as prescribed in para-5(a) to 5(d) of Revision of 1991.

Those teachers who had secured their appointment or acquired higher qualification after 01-12-2001 are not entitled for the facility of the advance increments in view of the Pay Revision introduced vide Finance Department's letter No.FD(PRC)1-1/2001, dated October 27, 2001.

Advance increments will be allowed from the date of obtaining higher qualification or from the date of appointment which ever is later in terms of letter No.FD(PRC)1-1/89, dated 1st August, 1991.

Those C.T teachers who are in BPS-9 and possessing higher qualification of MA/MSc but have not been placed in BPS-14, are entitled to 4 advance increments while those who have availed BPS-14 are entitled to 2 advance increments on MA/MSc.

In light of the said observations of the honorable Apex Court, the record of the concerned teacher was gone through, which revealed that the said teacher had already availed the benefit of B-14 from B-9 which is the prescribed qualification for appointment as CT School Teacher. As such in the light of the judgement of the Apex Court referred to above the said petitioner is entitled to get two increments on the basis of acquiring higher qualification of Master Degree.

"It would be seen that the petitioners were placed in BPS-14 by reason of having acquired the qualification of BA / BSc, 2nd Division which is the prescribed qualification for the post of Elementary School Teacher."

The Supreme Court of Pakistan in its judgement dated 19-07-2007 vide para No.2 has observed in the following words:-

"I am directed to refer to your letter No.H-24(74)/Peshawar/Vol-III/2009-10/68 dated 12/07/2010 on the subject noted above and to say that the matter has not thoroughly been examined in consultation with concerned Departments during the meetings held on 10-08-2010, 14-10-2010, 15-11-2010, 23-11-2010 and 09-12-2010 towards the queries raised by your office, which are clarified as under:-

Dear Sir,

GRANT OF ADVANCE INCREMENTS ON THE BASIS OF ACQUIRING HIGHER QUALIFICATION

The Accountant General,
Khyber Pakhtunkhwa, Peshawar.

Subject

To

No. FD (SR-1) 2-123/2010
Dated Peshawar the 15-12-2010

GOVERNMENT OF PUNJAB
FINANCE DEPARTMENT
(REGULATION WING)



Affectionately,
K. J. S. MID ALAM

Handwritten initials and marks at the bottom left corner.

ATTACHED

W
3

1. The District Co-ordinator of the District.
2. The District Accounts Officer, District.
3. The Head Master, District.
4. The District Officer, District.

Copy of the above is forwarded to:-

505 / (A-1) dated 22/10/2009

W
3

Copy of the above is forwarded to:-

505 / (A-1) dated 22/10/2009

Copy of the above is forwarded to:-

505

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EXTRAORDINARY
GOVERNMENT



F 26
REGISTERED NO. P
GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 27TH MARCH, 2012.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA
LAW, PARLIAMENTARY AFFAIRS AND
HUMAN RIGHTS DEPARTMENT

NOTIFICATION

Dated Peshawar, the 27th March, 2012.

No. Legis:1(11)2011-4867.—The following Ordinance by the Governor of the Khyber Pakhtunkhwa is hereby published for general information:

**THE KHYBER PAKHTUNKHWA CESSATION OF PAYMENT OF
ARREARS ON ADVANCE INCREMENTS ON HIGHER EDUCATIONAL
QUALIFICATION ORDINANCE, 2012.**

(KHYBER PAKHTUNKHWA ORDINANCE NO. I OF 2012)

**AN
ORDINANCE**

*to cease the payment of arrears accrued on account of advance
increments on higher educational qualification.*

WHEREAS advance increments have been granted to certain Provincial Government employees on the basis of acquiring or possessing higher educational qualification over and above the prescribe educational qualification from time to time;

AND WHEREAS the Provincial Government vide Notification N. (PRC)1-1/2001, dated 27.10.2001, had already discontinued the scheme of advance increments on higher educational qualification;

700

ATTESTED

(Signature)

AND WHEREAS due to financial constraints, it is not possible for Provincial Government to pay the claimed and unclaimed arrears accrued from the said increments;

AND WHEREAS the Provincial Assembly is not in session and the Governor of the Khyber Pakhtunkhwa Province is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of the Khyber Pakhtunkhwa is pleased to make and promulgate the following Ordinance:-

1. Short title, application and commencement. — (1) This Ordinance may be called the Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Ordinance, 2012.

(2) It shall apply to all the employees of the Provincial Government, who were entitled to received advance increments on higher educational qualification.

(3) It shall come into force at once and shall be deemed to have taken effect on and from 1st day of December, 2001.

2. Cessation of payment of arrears on advance increments on higher educational qualification: — (1) Notwithstanding anything contained in any decision, judgment and order of any Tribunal or Court including High Court or Supreme Court of Pakistan; for the purpose of any claim for payment of arrears on account of advance increments on higher educational qualification sanctioned in pursuance of any order, letter, office memoranda, notification, instructions and other instruments issued before 1.12.2001, such orders, letters, office memoranda, notifications, instructions and other instruments shall be deemed to be non-existent, ceased or revoked and no further claim whatsoever on the basis of these instruments shall be entertained and all cases in respect of such claims pending in any Court or Tribunal including High Court and Supreme Court of Pakistan shall stand abated.

(2) Any order made, instruction issued, decision, judgment or order of any Court or Tribunal including a High Court or the Supreme Court implemented immediately before the commencement of this Ordinance, shall

be deemed to have been validly made, issued and implemented by the date of commencement of this Ordinance, and any amount already paid there-under on account of advance increments or arrears thereof shall be deemed to have been validly paid and shall not be recoverable from the recipient Government employees.

3. ~~Removal of difficulties.~~ If any difficulty arises, in giving effect to the provisions of this Ordinance, the Provincial Government may make such orders as it may deem just and equitable.

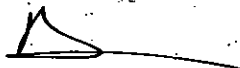
Peshawar,
Dated 22-03-2012

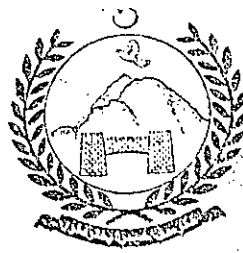
(BARRISTER SYED MASOOD KAUSAR)
Governor, Khyber Pakhtunkhwa

(MUHAMMAD ARIFEEN)
Secretary,
Government of the Khyber Pakhtunkhwa
Law, Parliamentary Affairs and
Human Rights Department.

Printed and published by the Manager,
Staty. & Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar

ATTESTED





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KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 15TH MAY, 2012.

PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 15th May, 2012.

No. PA/Khyber Pakhtunkhwa/Bills/2012/20711.—The Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Bill, 2012 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 8th May, 2012 and assented to by the Governor of the Khyber Pakhtunkhwa on 11th May, 2012 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**THE KHYBER PAKHTUNKHWA CESSATION OF PAYMENT OF ARREARS ON
ADVANCE INCREMENTS ON HIGHER EDUCATIONAL QUALIFICATION
ACT, 2012.**

(KHYBER PAKHTUNKHWA ACT NO. IX OF 2012)

*(first published after having received the assent of the Governor of the Khyber
Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa
(Extraordinary), dated the 15th May, 2012).*

AN
ACT

*to cease the payment of arrears accrued on account of advance increments on
higher educational qualification.*

WHEREAS advance increments have been granted to certain Provincial Government employees on the basis of acquiring or possessing higher educational qualification over and above the prescribe educational qualification from time to time;

ATTESTED

AND WHEREAS the Provincial Government vide Notification No. (PRC) 1/2001, dated 27.10.2001, had already discontinued the scheme of advance increments on higher educational qualification;

AND WHEREAS due to financial constraints, it is not possible for Provincial Government to pay the claimed and unclaimed arrears accrued from the said increments;

It is hereby enacted as follows:-

1. Short title, application and commencement.— (1) This Act may be called the Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Act, 2012.

(2) It shall apply to all the employees of the Provincial Government, who were entitled to received advance increments on higher educational qualification.

(3) It shall come into force at once and shall be deemed to have taken effect on and from 1st day of December, 2001.

2. Cessation of payment of arrears on advance increments on higher educational qualification.—(1) Notwithstanding anything contained in any decision, judgment and order of any Tribunal or Court including High Court or Supreme Court of Pakistan, for the purpose of any claim for payment of arrears on account of advance increments on higher educational qualification sanctioned in pursuance of any order, letter, office memoranda, notification, instructions and other instruments issued before 1.12.2001, such orders, letters, office memoranda, notifications, instructions and other instruments shall be deemed to be non-existent, ceased or revoked and no further claim whatsoever on the basis of these instruments shall be entertained and all cases in respect of such claims pending in any Court or Tribunal including High Court and Supreme Court of Pakistan shall stand abated.

(2) Any order made, instruction issued, decision, judgment or order of any Court or Tribunal including a High Court or the Supreme Court, implemented immediately before the commencement of this Act, shall be deemed to have been validly made, issued and implemented by the date of commencement of this Act, and any amount already paid there-under on account of advance increments or arrears thereof shall be deemed to have been validly paid and shall not be recoverable from the recipient Government employees.

3. Removal of difficulties.— If any difficult arises, in giving effect to the provisions of this Act, the Provincial Government may make such orders as it may deem just and equitable.

4. Repeal.— The Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Ordinance, 2012 (Khyber Pakhtunkhwa Ordinance NO. 1 of 2012), is hereby repealed.

BY ORDER OF MR. SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)

Secretary

Provincial Assembly of Khyber Pakhtunkhwa

Printed and published by the Manager,
Staty. & Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar

ATTESTED

PAYROLL SYSTEM
AMENDMENT FORM
MULTIPLE EMPLOYEE ENTRY

OFFICE OF THE

H.M.C.H.S. Shawawoo Shangria

FOR THE MONTH OF

July 2013

DDO Code
(Cost Center)

SH6045

Description

GHS Shawawoo

FROM : 14133

DATE

PAGE NO.

H
30

EMPLOYEE DETAILS

GENERAL DATA CHARGE

Employee Number	Employee Name	ABC NUMBER	Type	Rate	Start Date	Effective Date	Remarks
00203841	RIAZ AHMAD		ROP	2610		1/13	Recovery is made through fixa party due in current fixation please.
	SCT BPS 16						
<p>Total Recovery = 62627/- @ 2610/- for 24 months Per month = 2610 w.e.f 1-7-2013 to 30-6-2015 (24 months)</p>							

[Signature]
Head of Office
Govt. High School,
Shawawoo, Shangria.

[Signature]
Head of Office
Govt. High School,
Shawawoo, Shangria.

ATTESTED

Audited/checked by

Emp

Verified

بخدمت جناب اکاؤنٹ جنرل صاحب صوبہ خیبر پختونخوا ایشاور
 بوساطت جناب ڈائریکٹر صاحب ابتدائی و ثانوی تعلیم صوبہ خیبر پختونخوا ایشاور
 بوساطت جناب DEO صاحب، E&S, ED ضلع شانگلہ

اپیل برائے بحالی انکریمنٹس آن ہائیر کوالیفیکیشن

جناب عالی!

مؤدبانہ گزارش کی جاتی ہے کہ میں محکمہ تعلیم میں بحیثیت SCT مدرس گورنمنٹ ہائی سکول شواؤ، ضلع شانگلہ میں اپنے فرائض انجام دے رہا ہوں۔ مجھے ہائیر کوالیفیکیشن پر سپریم کورٹ آف پاکستان کی Decision انڈوسٹمنٹ نمبر 525 / NO: August 2007, CPLA / اور 526، August 2007 اسی طرح فنانس ڈپارٹمنٹ برائے خیبر پختونخوا انڈوسٹمنٹ نمبر FD / PRC 1/1/1989 مورخہ 07/08/1991 اور بحوالہ نمبر FD/PRC-1/1/1988 اور ایک سرکلر نمبر EVEN NO. & Date کے بموجب محکمہ ابتدائی و ثانوی تعلیم برائے خیبر پختونخوا جاری کیا گیا، بعد ازاں فنانس ڈپارٹمنٹ ریگولر ونگ کے سرکلر نمبر 2-KC/FD(SR-1) مورخہ 123/2009 مجریہ 3/12/2009 اور 123/2009 FD(SR-1) 2- مورخہ 15/12/2010 کے تحت صوبائی سرکاری ملازمین خصوصاً اساتذہ کرام کو ہائیر کوالیفیکیشن پر انکریمنٹس دینے کا حکم نامہ جاری کیا گیا ہے۔

بنیادی طور پر میں 9 - BPS میں بھرتی ہوا تھا اور سلیکشن گریڈ لے کر BPS NO 12 - حاصل کیا۔ پھر سکیل نمبر 15 حاصل کیا۔ روز کے تحت مذکورہ سکیلوں پر کام کرنے والے اساتذہ کرام کے لئے 4 انکریمنٹس اور BPS نمبر 9 پر بھرتی سکیل نمبر 14 کو ترقی پانے، پھر سکیل نمبر 15 حاصل کرنے والے اساتذہ کرام کو 2 انکریمنٹس کی منظوری دی گئی۔ اور میں پالیسی کے تحت Critirea نمبر 1 کا ملازم رہا۔ اور 4 انکریمنٹس اور مراعات لئے۔

(جاری)

ATTESTED

A

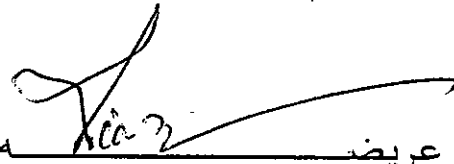
جناب والا!

مجھے ان قوانین کی رو سے سکیل نمبر 9، سلیکشن گریڈ نمبر 12 اور 15 سکیل کے تحت M.A پر
14 ایڈوانس انکریمنٹس ملے۔ جن کا میں نے سیلری میں ایڈجسٹمنٹ اور بقایا جات لے لئے۔ یہ مراعات لینے
والے صوبائی ایمپلائیز اور اساتذہ کے بارے میں جناب گورنر صاحب خیبر پختونخوا نے ایک آرڈینینس بروئے
نمبر 1, Of, 2012 مورخہ 27/03/2012 بنام گورنمنٹ آف خیبر پختونخوا محکمہ فنانس ڈپارٹمنٹ
بحوالہ آرڈر نمبر 12 / 2012 - 2 (SR-1) FD مورخہ 18/04/2012 اور سرکلر محکمہ ابتدائی و ثانوی
تعلیم صوبہ خیبر پختونخوا بحوالہ نمبر 16/09 - 1 SO (B&A) ایڈوانس انکریمنٹس مجریہ
02/05/2012 کے مطابق ایک تفصیلی حکم نامہ سرکلیٹ ہو جس میں واضح کہا گیا ہے کہ جن ایمپلائیز اور
اساتذہ کرام نے یہ مراعات و انکریمنٹس لے لئے ہیں ان سے ان انکریمنٹس کی Cutting
اور Deduction نہ ہوگی۔ لیکن یہ مرحلہ ان ملازمین کے لئے Stop ہوگا جو اس آرڈینینس کے بعد
Claim کرے۔

جناب والا!

میں نے اپنا کیس برائے فیکسیشن، بقایا جات اور سیلری میں ایڈجسٹمنٹ کے لئے Through ہائی سکول شواوو،
اور EDO صاحب E&S, ED شانگلہ کے سکنشن Approval کی رو سے مجھے DAO صاحب ضلع شانگلہ نے
سروس بک انٹریز اور Revised fixation اور
Arrearsources وریفائی کر کے 26/01/2011 پر مجھے بقایا جات اور انکریمنٹس اضافہ سیلری میں دیا گیا۔
لیکن AG صاحب کے تشکیل کردہ Pay Fixation Party نے 7/2013 میں سروس بک
میں Fixation کر کے مجھ سے انکریمنٹس کاٹ کر صرف یہ کہا کہ آپ کا حق نہیں بنتا اور مجھ
سے Deduction اور انکریمنٹس شارٹ کئے گئے۔ جو کہ میرے ساتھ گورنر صاحب کے آرڈینینس اور
فنانس ڈپارٹمنٹ اور میرے محکمہ ابتدائی و ثانوی تعلیم کے سرکلرز کو بلائے طاق رکھ کر نا انصافی کی گئی۔
اس لئے میں اپنا اپیل آپ صاحبان کو پیش کر رہا ہوں کہ مجھے انصاف دلایا جائے اور میرے کیس پر
نظر ثانی کا حکم صادر فرمائیں تو تاحیات دعا گور ہوں گا۔

Encl. No 1687 dated 7-3-2014
Forwarded to D.E.O. Shangla
for n/a please.

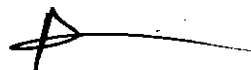

عریض

ریاض احمد ولد سر فراز خان

S.C.T گورنمنٹ ہائی سکول شواوو

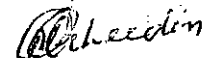
ضلع شانگلہ

ATTESTED



DA




Head Master,
Govt. High School,
Shawawoo, Shangla

J
= (33)

OFFICE OF THE DISTRICT EDUCATION OFFICER (D) DISTRICT SHAHGLA.

No. 1329 /DEO SH

Dated 13 /3/2014.

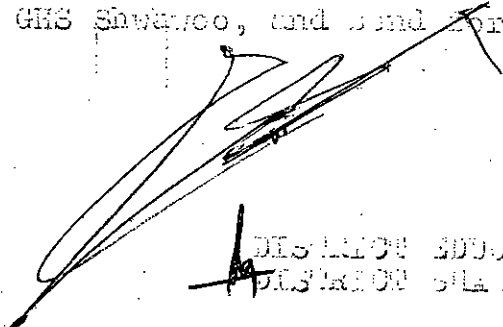
To,

The Director,
Elementary & Secondary Education Khyber Pakhtunkhwa
Peshawar.

Subject: APPEAL REGARDING RESTORATION OF ADVANCE INCREMENT ON
HIGHER QUALIFICATION.

Re:

Enclosed please find herewith self explanatory appeal
in R/O Mr Rizq Juma d son GHS Shwanco, and send for further
necessary action please.



DISTRICT EDUCATION OFFICER (D)
DISTRICT SHAHGLA.

ATTESTED

D

OFFICE OF THE DIRECTOR ELEMENTARY & SECONDARY EDUCATION KHYBER
PAKHTUNKHWA, PESHAWAR

K

34

No: 6309/F.No:A-15/Advance increments

Dated Peshawar the 18/9 /2014

To

The District Education Officer
(Male) Shangla

SUBJECT:- APPEAL REGARDING RESTORATION OF ADVANCE INCREMENT ON
HIGHER QUALIFICATION.

Memo:-

I am directed to refer to your letter No:1329 dated 13-03-2014 on the subject noted above and to inform you that the appeal in respect of Riaz Ahmad S-CT Govt. High School, Shwawoo District Shangla, has been examined but filed due to not coverable under the rules.

18/9/14
Deputy Director Establishment
(E&SE) Khyber Pakhtunkhwa

/Noor/

OFFICE OF THE DISTRICT EDUCATION OFFICER(M) SHANGLA.

Copy of the above is forwarded to

Mr. Riaz Ahmad S-CT CHS Shwawoo For information.

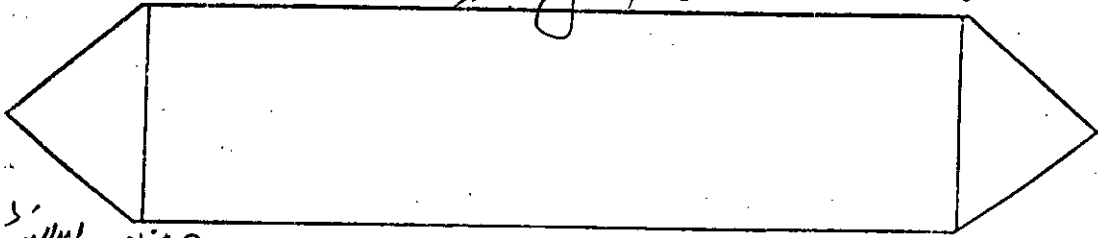
NO - 3491 Dated 24-9-14

District Education officer(M),
Shangla.

Bakhtawar Khan
For M/actg
24-9-14

ATTESTE

بعدالت روس ٹریڈنگ کمپنی



2 جناب ایڈیٹر
مراصل احمد بنام تحلیف و غیرہ

موزخہ
مقدمہ
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کاروائی متعلقہ
آن مقام کے سندھ اور کیلئے شہزادہ ہف پوسٹل ایڈریس + ٹیم سرورڈی اور

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثتہ فیصلہ برحلقہ دینے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برادگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔
کوئی تاریخ پیشی۔ تمام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

المرتوم _____ ماہ _____ 20 _____
واہ الع

Attested by
K. S. S. S.

Am Jai
S. S. S.

کے لئے منظور ہے۔

بمقام

Before the Service Tribunal Peshawar

Appeal No. 1243/2014

Riaz Ahmad.....Appellant.

V/S

Secretary to Government of Khyber Pakhtunkhwa

E&SE Department, Peshawar and others.....Respondents.

(Para wise reply on behalf of respondent No.5)

Preliminary Objections:-

- 1). That the appellant has no cause of action.
- 2). That the appellant has no locus standi.
- 3). That the appeal in hand is not maintainable.
- 4). That the instant appeal is time barred.

Respectfully Sheweth:-

- 1). No Comments.
- 2). Proved by the record hence, no comments.
- 3). The Appellant was appointed C.T Teacher on the basis of requisite qualification i.e F.A/FSc+ C.T under the provision of para No.5-1 (c) of Finance Department Circular Letter No.FD(PRC)1-1/88 dated 11.08.1991. The appellant is entitled for 4 (Four) Advance increments on MA /MSc i.e two for BA /BSc and two for MA /MSc, whereas the Teacher has availed 3 (Three) Advance increments on B.A/BSc and four Advance increment on M.A/MSc. Hence the pay Fixation Party has fixed his pay in the light of decision made by Honorable Supreme Court of Pakistan as Annexure-(A).
- 4). The Pay Fixation Party of office of the Accountant General Khyber Pakhtunkhwa Peshawar, made recovery in light of Para-IV Finance Department letter No.FD(SR-1)2-123/2010 dated 15.12.2010, (Annexure-C) from those Teachers / Employees who have availed/advance increments over and above their entitlement on higher qualification as prescribed in Para-5, 1, a, b, c, d of pay Scales 1991.

5). The pay Fixation Party of the office of the Accountant General of Khyber Pakhtunkhwa, Peshawar has therefore, fulfilled its duty in compliance of the Notifications, Orders, Rules issued by Finance Department Khyber Pakhtunkhwa from time to time as well as direction / judgment made by Honorable Supreme Court of Pakistan.

6). That respondent No. 1, 2, 3 and 4, being administrative departments are in better position to show the status of the case. However it is pertinent to mention that they have rightly acted upon under the rules.

7). No Comments.

Grounds.

- A). As mentioned in para 3 and 6 above.
- B). That respondent No.5, is bound to follow the rules and instructions and has not violated any rule or law.
- C). As mentioned in para 3 above.
- D). Incorrect, As mentioned in para 3 above, the advance increments which the appellant has availed over and above the entitlement are liable to be recovered under the rules.
- E). Incorrect, As mentioned in para 3 and 4 above.
- F). As mentioned above.
- G). As mentioned in para 3 above.
- H). The pay Fixation party through respondent No.5 have fulfilled its duty. Hence the advance increments received by the appellant over and above the entitlement are liable to be recovered under the rules.

Keeping in view the above mentioned facts, it is humbly prayed that appeal in hand having no merits may be dismissed with cost.

[Handwritten Signature]
ACCOUNTANT OFFICER
PAY FIXATION PARTY

[Handwritten Signature]
ACCOUNTANT GENERAL
KHYBER PAKHTUNKHWA

Adv: Government

A N 8

NO. PD(SR-I)1-67/83 24-8-83
GOVERNMENT OF N.W.F.P.
FINANCE DEPARTMENT

Dated, Peshawar, the 24th August, 1983. (9)

From
To

The Secretary to Government of N.W.F.P.,
Finance Department.

1. All Administrative Secretaries to Govt. of N.W.F.P.
2. The Senior Member, Board of Revenue N.W.F.P.
3. All Heads of Attached Departments in N.W.F.P.
4. All Commissioners/Deputy Commissioners/Political Agents/District and Session Judges in N.W.F.P.
5. The Registrar, High Court, Peshawar.
6. The Secretary to Governor, N.W.F.P.
7. The Chairman, Public Service Commission N.W.F.P.
8. The Chairman, Services Tribunal N.W.F.P.
9. The Secretary, Board of Revenue N.W.F.P.

SUBJECT:- SCHEME OF BASIC PAY SCALES AND FRINGE BENEFITS OF PROVINCIAL CIVIL SERVANTS (1983).

Sir,

In pursuance to the decision of the President of Pakistan, the Governor, N.W.F.P has been pleased to sanction, with effect from 1st July, 1983, a Scheme as detailed below, of the Basic Pay Scales, Allowances and other Fringe Benefits, 1983 for the Provincial Civil Servants:-

PART-I-BASIC SCALES AND ALLIED MATTERS.

2. Basic Scales of Pay:- The Basic Scales of Pay, 1983, as shown in Annexure-I to this circular letter shall replace the existing revised National Scales of Pay (RNPS). The Basic Scales shall not be regarded as "grades" and shall not be referred to as grades in official communications. Officials shall henceforth be appointed/promoted to posts and not in grades.

3. Initial Fixation of Pay:-(i) The initial pay of an existing employee, i.e. an employee, who has been in Government Service since before the 1st of July, 1983, shall be fixed at the stage in the relevant Basic Pay Scales which is as many stages above the minimum as the stage occupied by him above the minimum of the existing revised National Pay Scales, provided that where the pay so determined does not give the employee concerned a minimum advantage of 10% of his existing Basic Pay plus Dearness Allowance over and above the present emoluments drawn by him, his pay shall be fixed at the lowest stage in the Basic Scale that gives him that advantage; provided further that the maximum of the relevant Basic Scale shall not be exceeded in any case. In this fixation formula, "emoluments" would mean the sum of pay, Dearness Allowance and Local Compensatory Allowance, if any.

T.T.O.

3

(14)

thereafter their pays in the higher Basic Scales shall be fixed at the next higher stage.

B. SPECIAL PAYS:- (a) The existing special pays admissible to officials of various categories working as Private Secretaries and Personal Assistants shall be revised as under:-

<u>Name of Post.</u>	<u>Existing</u> RS.	<u>Revised</u> RS.
P.S to Ministers/ Chief Secretary	150/220	200
P.S to Addl:Chief Secretary	150/220	150
P.S to Secretaries.	100	150
P.A to Minister.	60	100
P.A to Chief Secretary/ Additional Chief Secretary/ Secretary.	50	75

(b) The existing Private Secretaries who are in receipt of special pay exceeding Rs.150/- p.m shall continue to draw it at the existing rates as personal to them for so long as they hold these posts.

Advance increments to School Teachers on attaining higher qualifications.

Primary, Middle and High School teachers who possess or acquire while in service higher qualifications shall be allowed advance increments as under:-

I. Primary School.

- (i) A teacher who possesses or acquires F.A./P.Sc shall be allowed two advance increments.
- (ii) A teacher who (in addition to FA/P.Sc) also acquire C.T shall be allowed one additional advance increment.
- (iii) A teacher who acquires a Degree of B.A./B.Sc shall be allowed three additional advance increments.

II. Middle School.

A teacher who possesses or acquires a Degree of B.A/B.Sc shall be allowed three advance increments.

III. High School.

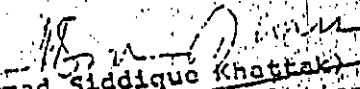
A teacher who possesses or acquires Master's Degree shall be allowed three advance increments. In case of a teacher who possesses or acquires Master's Degree in Education (M.Ed) and also a Master's Degree in any academic subject shall be allowed six advance increments.

Provided that a teacher who has already drawn increments for possessing higher educational qualification under the existing scales shall be allowed increments equal to shortfall in the number of increments, if any between the increments obtained by him and the increments which have now been prescribed.

NO.FD(SR-I)1-67/82. Dated, Peshawar, the 24th August, 1983.

Copy forwarded for information to:-

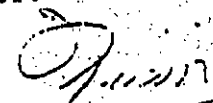
1. All Autonomous and Semi-Autonomous Bodies in N.W.F.P.
2. The Secretary, Finance Department, Government of the Punjab, Sind and Baluchistan.


(Mohammad Siddique Khattak)
Deputy Secretary (Regulations),
Government of N.W.F.P.
Finance Department.

No.FD(SR-I)1-67/82. Dated, Peshawar, the 24th August, 1983.

Copy forwarded for information to:-

1. The Accountant General, N.W.F.P. Peshawar.
2. All District/Agency Accounts Officers in N.W.F.P.
3. The Treasury Officer, Peshawar.
4. The Private Secretary to Finance Minister, N.W.F.P.
5. P.S to Secretary, P.As to Additional Secretaries/
Deputy Secretaries in Finance Department.
6. All Section Officers/Budget Officers in Finance Department.
7. The Director, Local Fund Audit, N.W.F.P.


(Iftikhar Hussain)
Section Officer (SR-I),
Government of N.W.F.P.
Finance Department.

'S.A11'

To

1. All Administrative Secretaries, Government of N.W.F.P.
2. The Senior Member Board of Revenue, N.W.F.P., Peshawar.
3. The Secretary to Governor, NWFP, Peshawar.
4. The Secretary to Chief Minister, NWFP, Peshawar.
5. The Secretary, Provincial Assembly, NWFP, Peshawar.
6. All Heads of Attached Departments in NWFP.
7. All Commissioners/Dy. Commissioners/Political Agents/District & Sessions Judges in N.W.F.P.
8. The Registrar, Peshawar High Court, Peshawar.
9. The Secretary, Public Service Commission, NWFP, Peshawar.
10. The Registrar, Services Tribunal, NWFP, Peshawar.
11. The Secretary, Board of Revenue, NWFP, Peshawar.

*Farmanullah
PST*

Subject: REVISION OF BASIC PAY SCALES AND FRINGE BENEFITS OF CIVIL EMPLOYEES (BPS-1 - 15) OF THE PROVINCIAL GOVERNMENT (1991).

Sir,

I am directed to refer to the subject noted above and to say that the Governor, N.W.F.P., has been pleased to sanction Revision of the Basic Pay Scales for the Provincial Civil Servants (BPS-1 - 15) as detailed in the following paragraphs :-

BASIC PAY SCALES

2. The existing, modified and revised pay scales are detailed in the annexure to this letter. The revised pay scales shall replace the Basic Pay Scales, 1987 and shall be effective from the 1st of June, 1991.

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Farrmanullah
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INITIAL FIXATION OF PAY

(i) The initial pay of the existing employees who have been in Government Service since before the 1st June, 1991, shall first be fixed in the modified scale at the stage having the same pay or if there is no such stage at the next higher stage. Thereafter the pay shall be fixed in the Revised Pay scale "on point to point basis" i.e. at the stage in the relevant revised basic pay scale which is as many stages above the stage occupied by him above the minimum of the modified basic scale.

(ii) In the case of those employees whose pay is fixed in the revised scale at a stage which gives less than Rs.100/- increase in pay of May, 1991 a minimum increase of Rs.100/- in pay over May, 1991 level, would be allowed and thereafter pay fixed at the corresponding stage equal to this pay or if there is no such stage, at the next higher stage, the pay fixation formula has been illustrated through examples I, II & III in Appendix.

(iii) The annual increment shall continue to be admissible subject to the existing conditions on the 1st of December each year.

(iv) The increases allowed since 1-7-1988, as detailed below shall cease to be admissible from 1-6-1991 :-

(a) Indexed pay sanctioned vide Finance Department circular No. FD(PRC)1-3/85, dated 4.8.1988.

(b) Ad-hoc increase of 5% of pay sanctioned vide circular No. FD(PRC)1-3/85, dated 13.1.1990.

(c) Ad-hoc increase of 10% sanctioned vide Finance Department circular No. FD(PRC)1-3/89, dated 21-7-1990.

(d) Dearness Allowance of Rs.200/- p.m. sanctioned vide Finance Department circular No. FD(PRC)1-3/89, dated 16.1.1991.

FIXATION OF PAY ON PROMOTION.

- 4.
- i. In cases of promotion from a lower to higher post/ scale before the introduction of these scales, the pay of the employee concerned in the revised scale may be fixed and so enhanced that it would not be less than the pay that would have been admissible to him if his promotion to the higher post/scale had taken place after the introduction of these scales.
 - ii. Government employees who are allowed selection grade shall be granted one premature increment from 1-6-1991 as is allowed in the case of promotion.

(4)

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PST

SPECIAL PAYS

The existing Special Pay admissible to various categories of Personal Assistants in BPS-15 shall be revised from 1.6.1991 as under :-

NAME OF POST.	EXISTING RS. PER MONTH.	REVISED RS. PER MONTH.
P.A. to Minister.	100	150
P.A. to Chief Secretary/ Addl. Chief Secretary/ Secretaries/Additional Secretaries.	75	120

8.

TEACHING ALLOWANCE

The existing rate of teaching allowances admissible to qualified teachers of High Schools who teach Science subjects of Physics, Chemistry, Biology & Mathematics and Junior Instructors in Poly-Technic shall be enhanced as under :-

- (a) For High School Science Teachers
From Rs.100/- P.M.
To Rs.200/- P.M.
- (b) For Junior Instructors in Poly-
Technic who possess Technical
Teachers Diploma.
From Rs.100/- P.M.
To Rs.200/- P.M.

9.

MEDICAL ALLOWANCE

The existing rate of Medical Allowance of Rs.50/- per month admissible to the employees in BPS-1 - 15 shall be enhanced to Rs.60/- P.M.

10. (a) MESSING/DIET ALLOWANCE

The existing rate of messing/diet allowance for Nursing Cadre (below BPS-16) shall be enhanced from Rs.300/- to Rs.500/-

(b) UNIFORM ALLOWANCE

The existing rate of uniform allowance for Nursing (below BPS-16) shall be enhanced from Rs.125/- P.M. to

(5)

For manual
15/5

c) NIGHT DUTY ALLOWANCE.
The Night Duty Allowance shall be admissible as under:-

- i) For Assistants/Clerks. Rs.8/- per night.
- ii) For staff car Drivers/Despatch Riders. Rs.4/- per night.
- iii) For Naib Qasids. Rs.3/50 per night.

d) WASHING GRANT/ALLOWANCE ADMISSIBLE TO LIVERIED STAFF.

The existing rates of Washing Grant/Allowance shall be enhanced from Rs.25/- per month to Rs.30/- per month.

e) CONVEYANCE CHARGES FOR LATE STARTING AFTER OFFICE HOURS.

The existing rates of Conveyance Charges admissible to employees in BPS-1 - 16(Non-Gazetted) shall be enhanced as under:-

i) ON WORKING DAYS.

For Officials in BPS 1-2 From Rs.3.50 per day to Rs.4.50 per day.

For Officials in BPS-3-15 From Rs.4.50 per day to Rs.5.50 per day.

ii) ON CLOSED HOLIDAYS.

For Officials in BPS-1-2. From Rs.4.50 per day to Rs.5.50 per day.

For Officials in BPS-3-15 From Rs.7.00 per day to Rs.8.00 per day.

Yours obedient servant

(GHULAM DASTGIR AKHTAR)
DEPUTY SECRETARY (REGULATION)
FINANCE DEPARTMENT.

Dated the 11/8/1991.

No.FD(PRC)1-1/89

- Copy forwarded for information to:-
- 1- All Autonomous and Semi Autonomous Bodies in NWFP.
 - 2- The Secretary Finance Department, Government of the Punjab, Sindh and Balochistan.

(GHULAM DASTGIR AKHTAR)
DEPUTY SECRETARY (REGULATION)
FINANCE DEPARTMENT.

No.FD(PRC)1-1/89

Dated the 11/8/1991.

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 - 2- All District/Agency Accounts Officers in NWFP.
 - 3- The Treasury Officer, Peshawar.
 - 4- The Private Secretary to Finance Minister NWFP.
 - 5- The PS to Secretary, PAs to Additional Secretaries/ Deputy Secretaries in Finance Department.
 - 6- All Section/Budget Officers in Finance Department NWFP.
 - 7- The Director, Local Fund Audit, NWFP, Peshawar.

(ABDUL RASHID)
SECTION OFFICER (PRC) 12/8
FINANCE DEPARTMENT. 91

GOVERNMENT OF PUNJAB
 DEPARTMENT OF EDUCATION
 11/11/2011

11/11

...person having basic qualification. He filed constitution petition before
 addition to the two advance increments to which he was entitled on
 the five advance increments for his B.Sc. qualification, would be in
 case 1997. He to six advance increments. The petitioner claims that
 and six A/Five qualification to four advance increments, and in
 post with A/Five qualification was entitled to two advance increments,
 basic qualification as a post was vacant, a person appointed to that
 by the Government of N.W.F.P. According to the Notification where the
 four advance increments, under Notification dated 31.03.1991, issued
 Pakistan. At the time of his induction in service, he was granted
 the year 1999 in the Higher Education Department of Khyber
 degree in the year 1997 and was appointed as Laboratory Assistant in

RESPONDENTS

08.09.2011

Date of the file

For the Respondents: M.R.

In person

Respondents

Director of Education
 Khyber Pakhtunkhwa and others

VERSUS

Petitioner

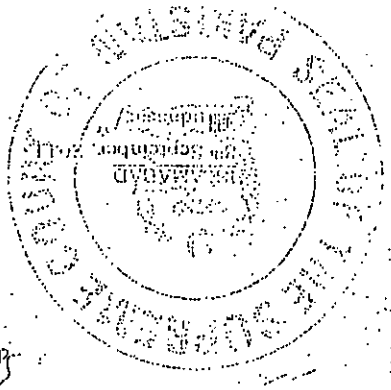
Name of App and

STATE PETITION NO. 433 OF 2011
 for appeal for the judgment of the
 Honorable High Court, Abbottabad Bench
 dated 11.11.2011 in W.P. No. 67 of 2011

MR. JUSTICE NASIR-U-MULK
 MR. JUSTICE FARIQ PARVEZ
 Present

HONORABLE COURT OF PUNJAB
 Lahore

Amended
 A



Handwritten notes and signatures at the top of the page, including a signature that appears to be 'M. S. Narayana' and some illegible text.

Handwritten notes: 'Set, Main & Mark, 5' and 'Set, Main & Mark, 5'.

in force in this petition, the same is dismissed. Leave refused.

rightly declined advance increments for his B.Sc. qualification. Finding

CP 1425/2011

ATTEST
Secretary
Government of Karnataka

for the foregoing reasons, we hold that the petitioner was

BA/B.Sc. four for BA/B.Sc. and six for MA/M.Sc.

therefore would not be entitled to claim a total 12 increments, two for

and BA/B.Sc. qualification would merge into his final degree. He

para-5, would be entitled to only six advance increments as his BA/B.Sc.

Education Department with MA/M.Sc. degree falling in category 'b' of

merges with his B.Sc. and similarly an employee of the Higher

could not have obtained B.Sc. degree. Thus his B.Sc. qualification

two additional increments for B.Sc. as without such qualification he

was straight away granted four advance increments. He cannot claim

The petitioner having B.Sc. degree at the time of induction in service

advance increments are to be granted for every additional qualification.

for BA/B.Sc. and six for MA/M.Sc. It appears that two additional

granted to the petitioner who have the additional qualification of BA/B.Sc. four

for the present purpose is category 'b' relating to posts carrying the

higher than the basic qualification prescribed for the post. The relevant

BETTER COPY

In the Supreme court of Pakistan
(Appellant Jurisdiction)

President:
MR. JUSTICE NASIR-UL-MULK
MR. JUSTICE TARIQ PERVEZ

Civil Petition No.1425 of 2011

(On appeal from the judgment of the
Peshawar High Court, Abbottabad Bench
dated 21.06.2011 in WPNO.67 of 2011).

Naeen Ahmad

.....Appellant.

V/S

Director Higher Education
Khyber Pakhtunkhwa and others

....Respondents.

For the Petitioner: In person
For the respondents: N.R
Dated of hearing: 08.09.2011.

JUDGMENT

NASIR UL MULK, J--- The Petitioner obtained his BSC Degree in the year 1997. He was appointed as laboratory Assistant in the year 1999, in the Higher Education department KPK. At the time of his induction in service, he was granted four advance increments, under notification dated 11.08.1991, issued by the Government of NWFP. According to the notification the basic Qualification for a post was Matric a person appointed to that post with FA / FSC Qualification was entitled to two advances increments, and with BA / BSC Qualification to four advance increments, and in case MA / MSC, to six advance increments. The petitioner claims that the four advance increments for his BSC Qualification would be in addition to the two advance increments to which he was entitled on account having FSC Qualification. He filed constitution petition before Peshawar High Court Peshawar the advance increments which was discussed impugned judgment on 21.06.2011.

2. We heard the petitioner in-persen, who reiterated that he was granted four advance increments at the time of his appointment for his B.Sc qualification. This is a Hawed construction placed on the grant of increment for addition qualification under Notification dated 31.08.1991. Under para-5 of the Notification relating to advance increments for higher educational qualification, four different categories are listed specifying the number of advance

increments for qualification higher than the basic qualification prescribed for the post. The relevant for the present purpose is category 'b' relating to posts carrying the basic qualification of Matric. Two advance increments are stated to be granted to those who have additional qualification of FA/Fsc, four for BA/Bsc and six for MA/Msc. It appears that two additional advance increments are to be granted for every additional qualification. The petitioner having Bsc degree at the time of induction in service was straight away granted four advance increments. He cannot claim two additional increments for Fsc as without such qualification he could not have obtained Bsc degree. Thus his FSc qualification merges with his Bsc and similarly an employee of the Higher Education Department with MA/MSc degree, falling in category 'b' of para-5, would be entitled to only six advance increments as his FA/Fsc and BA/Bsc qualification would merge into his final degree. He therefore would not be entitled to claim a total 12 increments, two for FA/Fsc, so four for BA/Bsc and six for MA/Msc.

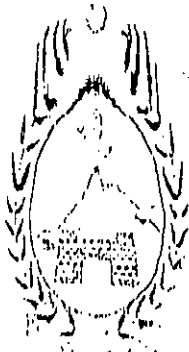
3. For the foregoing reasons, we hold that the petitioner was

CP 1425/2011

Rightly declined advance increments for his Fsc qualification. Finding no force in this petition, the same is dismissed. Leave refused.

Certified to be true copy

Superintendent
Supreme Court of Pakistan
Not approved for reporting

Annexum
S

GOVERNMENT OF KHYBER PAKHTUNKHWA

FINANCE DEPARTMENT

(REGULATION) MIN

No. 11 (SR-1) 2-123/2010
Dated Peshawar the: 15-12-2010

TO

Pay Fixation Party

The Accountant General,
Khyber Pakhtunkhwa, Peshawar.

Subject: GRANT OF ADVANCE INCREMENTS ON THE BASIS OF ACQUIRING HIGHER QUALIFICATION.

Dear Sir,

I am directed to refer to your letter No.H 24(74)/Peshawar/Vol-III/2009-10/68 dated 17/01/2010 on the subject noted above and to say that the matter has thoroughly been examined in consultation with concerned Departments during the meetings held on 10-08-2010, 14-10-2010, 18-10-2010, 15-11-2010, 29-11-2010 and 09-12-2010 towards the queries raised by your office, which are clarified as under:-

2. The Supreme Court of Pakistan in its Judgement dated 19-07-2007 vide para No.2 has observed in the following words:-

"It would be seen that the petitioners were placed in BPS-14 by reason of having acquired the qualification of BA / BSc, 2nd division which is the prescribed qualification for the post of Elementary School Teacher".

3. In light of the said observations of the honourable Apex Court, the record of the concerned teacher was gone through, which revealed that the said teacher had already availed the benefit of B-14 from B-9 which is the prescribed qualification for appointment as CT School Teacher. As such in the light of the Judgement of the Apex Court referred to above the said petitioner is entitled to get two increments on the basis of acquiring higher qualification of Master Degree.

- i) Those CT teachers who are in BPS-9 and possessing higher qualification of MA/MSc but have not been placed in BPS-14, are entitled to 4 advance increments while those who have availed BPS-14 are entitled to 2 advance increments on MA/MSc.
- ii) Advance increments will be allowed from the date of obtaining higher qualification or from the date of appointment which ever is later in terms of para 5(ii) of Pay Revision Rules 1991, issued vide Finance Department's letter No.FD(PRC)1-1/89, dated 14th August, 1991.
- iii) Those teachers who had secured their appointment or acquired higher qualification after 01-12-2001 are not entitled for the facility of the advance increments on higher qualification in view of the Pay Revision introduced vide Finance Department's letter No.FD(PRC)1-1/2001, dated October 27, 2001.
- iv) Recovery may be made from those teachers/employees who have availed more advance increments over and above their entitlement on academic qualifications as prescribed in para-5(a, b, c & d) of Revision of Basic Scale 1001.

Yours Faithfully

Before the Service Tribunal Peshawar

Appeal No. 1243/2014

Riaz Ahmad.....Appellant.

V/S

Secretary to Government of Khyber Pakhtunkhwa

E&SE Department, Peshawar and others.....Respondents.

(Para wise reply on behalf of respondent No.5)

Preliminary Objections:-

- 1). That the appellant has no cause of action.
- 2). That the appellant has no locus standi.
- 3). That the appeal in hand is not maintainable.
- 4). That the instant appeal is time barred.

Respectfully Sheweth:-

1). No Comments.

2). Proved by the record hence, no comments.

3). The Appellant was appointed C.T Teacher on the basis of requisite qualification i.e F.A/FSc+ C.T under the provision of para No.5-1 (c) of Finance Department Circular Letter No.FD(PRC)1-1/88 dated 11.08.1991. The appellant is entitled for 4 (Four) Advance increments on MA /MSc i.e two for BA /BSc and two for MA /MSc, whereas the Teacher has availed 3 (Three) Advance increments on B.A/BSc and four Advance increment on M.A/MSc. Hence the pay Fixation Party has fixed his pay in the light of decision made by Honorable Supreme Court of Pakistan as Annexure-(A).

4). The Pay Fixation Party of office of the Accountant General Khyber Pakhtunkhwa Peshawar, made recovery in light of Para-IV Finance Department letter No.FD(SR-1)2-123/2010 dated 15.12.2010, (Annexure-C) from those Teachers / Employees who have availed/advance increments over and above their entitlement on higher qualification as prescribed in Para-5, 1, a, b, c, d of pay Scales 1991.

5). The pay Fixation Party of the office of the Accountant General of Khyber Pakhtunkhwa, Peshawar has therefore, fulfilled its duty in compliance of the Notifications, Orders, Rules issued by Finance Department Khyber Pakhtunkhwa from time to time as well as direction / judgment made by Honorable Supreme Court of Pakistan.

6). That respondent No. 1, 2, 3 and 4, being administrative departments are in better position to show the status of the case. However it is pertinent to mention that they have rightly acted upon under the rules.

7). No Comments.

Grounds.

- A). As mentioned in para 3 and 6 above.
- B). That respondent No.5, is bound to follow the rules and instructions and has not violated any rule or law.
- C). As mentioned in para 3 above.
- D). Incorrect, As mentioned in para 3 above, the advance increments which the appellant has availed over and above the entitlement are liable to be recovered under the rules.
- E). Incorrect, As mentioned in para 3 and 4 above.
- F). As mentioned above.
- G). As mentioned in para 3 above.
- H). The pay Fixation party through respondent No.5 have fulfilled its duty. Hence the advance increments received by the appellant over and above the entitlement are liable to be recovered under the rules.

Keeping in view the above mentioned facts, it is humbly prayed that appeal in hand having no merits may be dismissed with cost.

[Signature]
ACCOUNTANT OFFICER
PAY FIXATION PARTY

[Signature]
ACCOUNTANT GENERAL
KHYBER PAKHTUNKHWA

from the 1st of June, 1991. The existing, modified and revised pay scales are detailed in the annexure to this letter. The revised pay scales shall replace the Basic Pay Scales, 1987 and shall be effective

BASIC PAY SCALES

Servants (BPS-1 - 15) as detailed in the following paragraphs :-

sanction Revision of the Basic Pay Scales for the Provincial Civil

and to say that the Governor, N.W.F.P., has been pleased to I am directed to refer to the subject noted above

Sir,

REVISION OF BASIC PAY SCALES AND PRINCE BENEFITS OF CIVIL EMPLOYEES (BPS-1 - 15) OF THE PROVINCIAL GOVERNMENT (1991)

Subject:

11. The Secretary, Board of Revenue, NWFP, Peshawar.
10. The Registrar, Services Tribunal, NWFP, Peshawar.
9. The Secretary, Public Service Commission, NWFP, Peshawar.
8. The Registrar, Peshawar High Court, Peshawar.
7. All Commissioners/Dy. Commissioners/Political Agents/District & Sessions Judges in N.W.F.P.
6. All Heads of Attached Departments in NWFP.
5. The Secretary, Provincial Assembly, NWFP, Peshawar.
4. The Secretary to Chief Minister, NWFP, Peshawar.
3. The Secretary to Governor, NWFP, Peshawar.
2. The Senior Member Board of Revenue, N.W.F.P., Peshawar.

All Administrative Secretaries, Government of N.W.F.P.

Commonwealth
1991

(2)

(8)

Farmanullah
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INITIAL FIXATION OF PAY

- (i) The initial pay of the existing employees who have been in Government Service since before the 1st June, 1991, shall first be fixed in the modified scale at the stage having the same pay or if there is no such stage at the next higher stage. Thereafter the pay shall be fixed in the Revised Pay Scale "on point to point basis" i.e. at the stage in the relevant revised basic pay scale which is as many stages above the stage occupied by him above the minimum of the modified basic scale.
- (ii) In the case of those employees whose pay is fixed in the revised scale at a stage which gives less than Rs.100/- increase in pay of May, 1991 a minimum increase of Rs.100/- in pay over May, 1991 level, would be allowed and thereafter pay fixed at the corresponding stage equal to this pay or if there is no such stage, at the next higher stage, the pay fixation formula has been illustrated through examples I, II & III in Appendix.
- (iii) The annual increment shall continue to be admissible subject to the existing conditions on the 1st of December each year.
- (iv) The increases allowed since 1-7-1988, as detailed below shall cease to be admissible from 1-6-1991 :-
- (a) Indexed pay sanctioned vide Finance Department circular No. FD(PRC)1-3/85, dated 4.8.1988.
 - (b) Ad-hoc increase of 5% of pay sanctioned vide circular No. FD(PRC)1-3/85, dated 13.1.1990.
 - (c) Ad-hoc increase of 10% sanctioned vide Finance Department circular No. FD(PRC)1-3/89, dated 21.7-1990.
 - (d) Dearness Allowance of Rs.200/- p.m. sanctioned vide Finance Department circular No. FD(PRC)1-3/89, dated 16.1.1991.

FIXATION OF PAY ON PROMOTION.

- i. In cases of promotion from a lower to higher post/Scale before the introduction of these scales, the pay of the employee concerned in the revised scale may be fixed and so enhanced that it would not be less than the pay that would have been admissible to him if his promotion to the higher post/scale had taken place after the introduction of these scales.
- ii. Government employees who are allowed selection grade shall be granted one premature increment from 1-6-1991 as is allowed in the case of promotion.

(9)

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Commander
PST

(3)

GRANT OF ADVANCE INCREMENTS TO OFFICIALS FOR POSSESSING/
ATTAINING HIGHER EDUCATIONAL QUALIFICATION.

i- From 1-6-1991 onwards advance increments shall be allowed without the condition of the second Division to the officials in BPS 1-15 for possessing or acquiring higher educational qualifications over and above prescribed qualifications in the relevant Recruitment Rules to the extent given below :-

	No. of Advance Increments for obtaining			
	Matric	F.A./FSc	B.A./B.Sc	M.A./M.Sc.
a) Where the prescribed qualification is Non-Matric.	2	4	6	8
b) Where the prescribed qualification is Matric.	Nil	2	4	6
c) Where the prescribed qualification is F.A./F.Sc.	Nil	Nil	2	4
d) Where the prescribed qualification is B.A./B.Sc.	Nil	Nil	Nil	2

The advance increment already allowed in terms of para-6(a) of Finance Department's letter No.FD(PRC)1-1/87-Vol-VIII, dated 22.7.1987 would be doubled from 1.6.1991.

ii-

The advance increments shall be allowed at the time of recruitment or acquisition of higher qualification whichever is later. In cases where the employee is already at the maximum of the scale, he may be allowed the number of advance increments beyond the maximum of the scale as personal pay to be absorbed at the time of his move-over/promotion. Those employees who had acquired higher qualification in 3rd Division prior to 1.6.1991 and were not granted advance increments earlier would henceforth be allowed advance increments with effect from 1.6.1991.

6.

MOVE-OVER

The concession of Move-over shall be available from 1.6.1991 onwards to those who are enjoying selection grade.

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Fazlurrahmanullah
PST

7. SPECIAL PAYS

The existing Special Pay admissible to various categories of Personal Assistants in BPS-15 shall be revised from 1.6.1991 as under :-

NAME OF POST.	EXISTING RS. PER MONTH.	REVISED RS. PER MONTH.
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c) NIGHT DUTY ALLOWANCE.
The Night Duty Allowance shall be admissible as under:-

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e) CONVEYANCE CHARGES FOR LATE STARTING AFTER OFFICE HOURS.

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1) ON WORKING DAYS.

For Officials in BPS 1-2 From Rs.3.50 per day
to Rs.4.50 per day.

For Officials in BPS-3-15 From Rs.4.50 per day
to Rs.5.50 per day.

ii) ON CLOSED HOLIDAYS.

For Officials in BPS-1-2. From Rs.4.50 per day
to Rs.5.50 per day.

For Officials in BPS-3-15 From Rs.7.00 per day
to Rs.8.00 per day.

Yours obedient servant

(GHULAM DASTGIR AKHTAR)
DEPUTY SECRETARY (REGULATION)
FINANCE DEPARTMENT.

Dated the 11/8/1991.

No. FD(PRC) 1-1/89

Copy forwarded for information to:-

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- 2- The Secretary Finance Department, Government of the Punjab, Sindh and Balochistan.

(GHULAM DASTGIR AKHTAR)
DEPUTY SECRETARY (REGULATION)
FINANCE DEPARTMENT.

No. FD(PRC) 1-1/89

Dated the 11/8/1991.

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- 5- The PS to Secretary, PAs to Additional Secretaries/ Deputy Secretaries in Finance Department.
- 6- All Section/Budget Officers in Finance Department NWFP.
- 7- The Director, Local Fund Audit, NWFP, Peshawar.

(ABDUL RASHID)
SECTION OFFICER (PRC) 12/8
FINANCE DEPARTMENT. 91

PLAIN SUPREME COURT OF PAKISTAN
Appellate Jurisdiction

Amended
A,

Present:
MR. JUSTICE NASIR-UL-MULK
MR. JUSTICE TARIQ PARVEZ

CIVIL PETITION NO: 1425 OF 2011
(on appeal from the judgment of the
Peshawar High Court, Abbottabad Bench
dated 21.5.2011 in WP No. 07 of 2011)

Eshwar Ahmad

...Petitioner.

VERSUS

Director High Education,
Khyber Pakhtunkhwa, and others

...Respondents.

For the Petitioner: In-person.

For the Respondents: N.R.

Date of hearing: 08.09.2011.

JUDGMENT

NASIR-UL-MULK, J.— The petitioner obtained his B.Sc. degree in the year 1997 and was appointed as Laboratory Assistant in the year 1999 in the Higher Education Department of Khyber Pakhtunkhwa. At the time of his induction in service, he was granted four advance increments, under Notification dated 31.08.1991, issued by the Government of N.W.F.P. According to the Notification where the basic qualification for a post was Matric, a person appointed to that post with F.A./F.Sc. qualification was entitled to two advance increments, and with B.A./B.Sc. qualification to four advance increments, and in case MA/B.Sc. to six advance increments. The petitioner claims that the four advance increments for his B.Sc. qualification would be in addition to the two advance increments to which he was entitled on account of having F.Sc. qualification. He filed Constitution petition before

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ATTEST

Secretary
Supreme Court of Pakistan
11/09/2011

the petitioner's department. The petitioner has not made any application for the same which was refused by the Impugned Order dated 11.06.2011.

2. The Bench heard the petitioner in person, who reiterated that he was granted four advance increments at the time of his appointment for his B.Sc. qualification and denied the two further increments for his F.Sc. qualification. This is a flawed construction placed on the grant of increments for additional qualification under Notification dated 11.08.1970. Under para-5 of the Notification, relating to advance increments for higher educational qualifications, four different categories are listed, specifying the number of advance increments for qualification higher than the basic qualification prescribed for the post. The relevant for the present purpose is category 'b' relating to posts carrying the basic qualification of MA/Sc. Two advance increments are stated to be granted to those who have the additional qualification of FA/F.Sc., four for BA/B.Sc. and six for MA/M.Sc. It appears that two additional advance increments are to be granted for every additional qualification. The petitioner having B.Sc. degree at the time of induction in service was straight away granted four advance increments. He cannot claim two additional increments for F.Sc. as without such qualification he could not have obtained B.Sc. degree. Thus, his F.Sc. qualification merges with his B.Sc. and similarly an employee of the Higher Education Department with MA/M.Sc. degree, falling in category 'b' of para-5, would be entitled to only six advance increments as his FA/F.Sc. and BA/B.Sc. qualification would merge into his final degree. He therefore would not be entitled to claim a total 12 increments, two for FA/F.Sc., four for BA/B.Sc. and six for MA/M.Sc.

3. For the foregoing reasons, we hold that the petitioner was

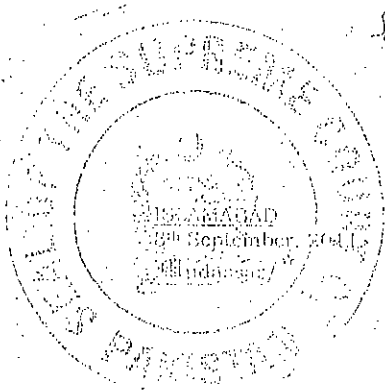
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Secretary
Government of Punjab
ISLAMABAD

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CP 1425/2011 3

rightly declined advance increments for his F.Sc. qualification. Finding in favour in this petition, the same is dismissed. Leave refused.

Sd/- Shafiq-ur-Rahman Malik, J.
Sd/- Tanzeem-ud-Din, J.



Certified to be a true copy
[Signature]
Secretary
Supreme Court of Pakistan
Islamabad
Tel: 37330000, 37330001

BETTER COPY

In the Supreme court of Pakistan
(Appellant Jurisdiction)

President:
MR. JUSTICE NASIR-UL-MULK
MR. JUSTICE TARIQ PERVEZ

Civil Petition No.1425 of 2011

(On appeal from the judgment of the
Peshawar High Court, Abbottabad Bench
dated 21.06.2011 in WPNO.67 of 2011).

Naeen Ahmad

.....Appellant.

V/S

Director Higher Education
Khyber Pakhtunkhwa and others

....Respondents.

For the Petitioner: In person
For the respondents: N.R
Dated of hearing: 08.09.2011.

JUDGMENT

NASIR UL MULK, J--- The Petitioner obtained his BSC Degree in the year 1997. He was appointed as laboratory Assistant in the year 1999, in the Higher Education department KPK. At the time of his induction in service, he was granted four advance increments, under notification dated 11.08.1991, issued by the Government of NWFP. According to the notification the basic Qualification for a post was Matric a person appointed to that post with FA / FSC Qualification was entitled to two advances increments, and with BA / BSC Qualification to four advance increments, and in case MA / MSC, to six advance increments. The petitioner claims that the four advance increments for his BSC Qualification would be in addition to the two advance increments to which he was entitled on account having FSC Qualification. He filed constitution petition before Peshawar High Court Peshawar the advance increments which was discussed impugned judgment on 21.06.2011.

2. We heard the petitioner in-persen, who reiterated that he was granted four advance increments at the time of his appointment for his B.Sc qualification. This is a Hawed construction placed on the grant of increment for addition qualification under Notification dated 31.08.1991. Under para-5 of the Notification relating to advance increments for higher educational qualification, four different categories are listed specifying the number of advance

Answer

GOVERNMENT OF KHYBER PAKHTUNKHWA

FINANCE DEPARTMENT

(REGULATION) MIN

No. 110 (SR-1) 2-123/2010
Dated Peshawar the 15-12-2010

For Distribution

The Accountant General,

Khyber Pakhtunkhwa, Peshawar

Dear Sir,

I am directed to refer to your letter No.H 24(74)/Revenue/01-11/2008-10/88 dated 15/01/2010 on the subject noted above and to say that the matter has thoroughly been examined in consultation with concerned Departments during the meetings held on 10-08-2010, 14-10-2010, 18-10-2010, 19-11-2010, 29-11-2010 and 09-12-2010 towards the queries raised by your office, which are clarified as under:-
2. The Supreme Court of Pakistan in its judgment dated 15-07-2007 vide para No.2 has observed in the following words:-

"It would be seen that the petitioners were placed in BPS-14 by reason of having acquired the qualification of BA / BSc, 2nd division which is the prescribed qualification for the post of Elementary School Teacher."
3. In light of the said observations of the honorable Apex Court, the record of the concerned teacher was gone through, which revealed that the said teacher had already availed the benefit of B-14 from B-8 which is the prescribed qualification for appointment as CT School Teacher. As such in the light of the judgment of the Apex Court referred to above the said petitioner is entitled to get two increments on the basis of acquiring higher qualification of Master Degree.

1) Those CT teachers who are in DPS-9 and possessing higher qualification of MA/MSc but have not been placed in BPS-14, are entitled to 4 advance increments while those who have availed BPS-14 are entitled to 2 advance increments on MA/MSc.

2) Advance increments will be allowed from the date of obtaining higher qualification or from the date of appointment which ever is later in form of para 5(ii) of Pay Revision Rules 1991, issued vide Finance Department's letter No. F1(P/R/C)1-1/89, dated 1st August, 1991.
3) Those teachers who had secured their appointment or acquired higher qualification after 01-12-2001 are not entitled for the facility of the advance increments on higher qualification in view of the Pay Revision introduced vide Finance Department's letter No.F1(P/R/C)1-1/2001, dated October 27, 2001.

4) Recovery may be made from those teachers/employees who have availed more advance increments over and above their entitlement on academic qualifications as prescribed in para-5(iii) of Revision of Basic Scale 1001.

Yours faithfully

BEFORE THE SERVICE TRIBUNAL COURT, KHYBER

PAKHTUNKHWA PESHAWAR.

Appeal No: 1243/2014

Riaz Ahmad _____ *petitioner.*

Verses

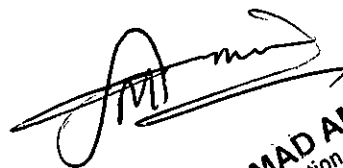
District Education officer (M) Shangla at

Alpurai _____ *respondent.*

Affidavit

I Muhammad Ameen DDEO (M) Shangla do hereby solemnly affirm and declare on oath that all the content of the instant comments are true and correct to the best of my knowledge and belief and nothing has been concealed.

Identified by:



MUHAMMAD AMIN Deponent.
Dy. District Education Officer
District Shangla
Muhammad Ameen.

15602-0508257-5

Appeal No: 1243/2014.

Mr. Riaz Ahmad CT teacher GHS Shawawoo District Shangla Appellant

Versus.

1. The Secretary Education (E&SE) Govt: of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
2. The Director Education (E&SE) Khyber Pakhtunkhwa Peshawar.
3. The Deputy Director (Establishment) E&SE Peshawar.
4. The District Education Officer (Male) E&SE District Shangla.
5. The Pay Fixation Party through Accountant General Khyber Pakhtunkhwa Peshawar.
6. The Secretary Finance, Govt: of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.

(Respondents)

PRELIMINARY OBJECTION:-

1. That the appellant has got no cause of action.
2. That the instant appeal is based by law.
3. That the instant appeal is not maintainable.
4. That the appeal has got no locus standi.
5. That the appellant has not come to the court with cleans hands.

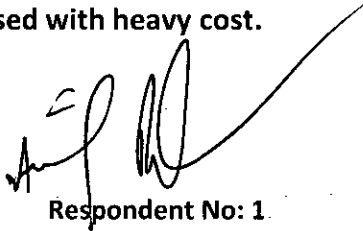
RESPECTFULLY SHEWETH:-

1. No comments, related to appellant qualification.
2. Correct.
3. Correct.
4. Pertaining to record.
5. Correct to the extent that the appellant was awarded four advance increments keeping in view court judgment and finance Department Notification but , pay and fixation party withdrawn the said facility from the appellant , for , which pay and fixation party can bitterly response in this context .
6. Correct, to the extent that the appellant submitted his appeal to this office which was forwarded to Director E&SE Khyber Pakhtunkhwa being, next higher authority, but was rejected by Director E&SE Khyber Pakhtunkhwa.
7. The appellant has got no cause of action to file instant appeal.

GROUNDS:-

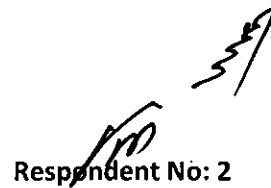
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- A). Incorrect pertain to pay and fixation party.
 - B). Incorrect, he was treated according to the law and rules,.
 - C). Related to respondent No: 5.
 - D). Related to respondent No: 5 & 6.
 - E). Incorrect the benefits have been granted to the appellant, but, as pay and fixation party considered it overpayment and against prevailing rules so with drawn by pay and fixation party.
 - F.) Incorrect as replied above.
 - G). Incorrect the final rejuentionorders is according to law rules and policy on the subject.
 - H). The respondent also seek permission to raise additional grounds at the time of arguments.

It is therefore requested that by acceptance these comments appeal of the appellatant may be dismissed with heavy cost.



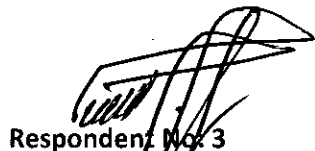
Respondent No: 1

The Secretary E&SE Khyber Pakhtunkhwa



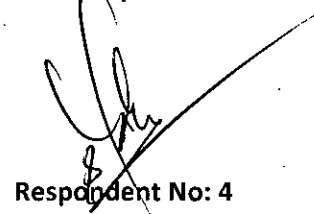
Respondent No: 2

The Director E&SE Khyber Pakhtunkhwa.



Respondent No: 3

The District Education Officer, Shangla.



Respondent No: 4

Deputy Director Estt: E&SE Khyber Pakhtunkhwa.