

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
CAMP COURT SWAT

Service Appeal No. 99/2016

Date of Institution... 27.01.2016

Date of decision... 30.01.2018

Rajab Ali, Assistant office of the Commissioner Malakand Division, Saidu Sharif,
Swat. ... (Appellant)

Versus

1. The Chief Secretary, Khyber Pakhtunkhwa Peshawar and 5 others.
... (Respondents)

MR. UMAR FAROOQ,
Advocate

... For appellant.

MR. MUHAMMAD JAN,
Deputy District Attorney

... For respondents.

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

... CHAIRMAN
... MEMBER

JUDGMENT

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

FACTS

2. The appellant was appointed as Junior Clerk in 1987 in the office of Deputy
Commissioner, Swat. Then he was adjusted as Computer Operator in BPS-11 on
20.08.2004. He was drawing annual increments from 1.12.2004 till 13.12.2013 when
the Pay Fixation Party objected to the said annual increment in September, 2013 and
the recovery was effected. The appellant then filed an application before the
Commissioner, Malakand Division which was turned down and thereafter he filed a

departmental appeal before the Senior Member Board of Revenue which was not responded to and thereafter he filed the present service appeal.

ARGUMENTS


3. The learned counsel for the appellant argued that under Rule 10(3) of the Pay Revision Rules, 1978 read with notification of the Finance Department dated 16.3.1999 the appellant was entitled for this annual increment.

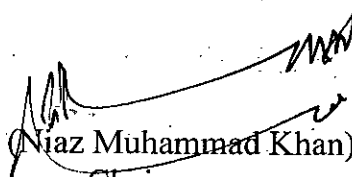
4. On the other hand, the learned Addl. Advocate General argued that the present appeal was time barred. That on merits too, the appellant was not entitled for the annual increment as decided by this Tribunal in service appeal No. 617/2014 decided on 02.1.2018 entitled "*Rahim Zada Vs. Secretary Education and 4 others*".

CONCLUSION

5. Since the matter of Pay Fixation is financial matter no period of limitation would be attracted. However, the same issue has already been decided by this Tribunal in the above mentioned service appeal. The appellant is not entitled for the annual increment as prayed for.

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


(Gul Zeb Khan)
Member


(Niaz Muhammad Khan)
Chairman
Camp Court, Swat

ANNOUNCED

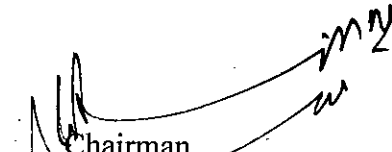
30.1.2018

30.01.2018

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Muhammad Irshad, SO 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

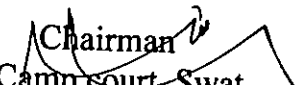

Chairman
Camp Court, Swat

ANNOUNCED
30.01.2018

09.11.2017

Appellant in person and Addl. AG for the respondents present. Appellant seeks adjournment as his counsel is busy in the Worthy Peshawar High Court (Dar-ul-Qaza, Swat). Granted. To come up for arguments on 30.01.2018 before the D.B at camp court, Swat.

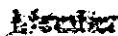

Member



Chairman
Camp court, Swat

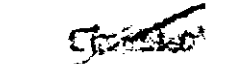
30.01.2018

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Muhammad Irshad, SO 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 committed to the record room.

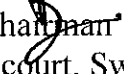

Member


30.01.2018


Chairman
Camp Court Swat

08.12.2016


Appellant with counsel, M/S Mukhtiar Ali, Supdt. Muhammad Irshad, SO, Bakht Jamil, Tehsildar and Siddique Ahmad, AAO for the respondents present. Written reply by the respondents submitted. Cost of Rs. 1000/- paid and receipt thereof obtained from learned counsel for the appellant. The appeal is assigned to D.B for rejoinder and final hearing for 04.04.2017 at camp court, Swat.


Chairman
Camp court, Swat

04.04.2017

Appellant in person present. Mr. Mukhtiar Ali, Superintendent, Mr. Bakht Jamil, Tehsildar and Mr. Zakiullah, Senior Auditor alongwith Mr. Muhammad Zubair, Senior Government Pleader for respondents also present. Appellant submitted rejoinder and requested for adjournment on the ground that one senior counsel has died and his counsel is busy in Quran Khawani. Adjourned. To come up for rejoinder and arguments on 09.08.2017 before D.B at Camp Court Swat.


(AHMAD HASSAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
Camp Court Swat.

09.08.2017

Appellant in person Mr. Muhammad Zubair, District Attorney for the respondents present. Rejoinder submitted. Appellant seeks adjournment as his counsel is out of station. Adjourned. To come up for arguments on 09.11.2017 before the DB at camp court, Swat.


Member



Chairman
Camp court, Swat

99/16

03.08.2016

Appellant with counsel, M/S Muhammad Irshad, S.O, Bakht Jamil, Tehsildar, and Siddique Ahmad, AAO alongwith Mr. Muhammad Zubair, Sr.GP for the respondents present. Written reply not submitted. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 06.10.2016 before S.B at camp court, Swat.




Chairman
Camp court, Swat.

06.10.2016

Appellant with counsel, M/S Muhammad Irshad, SO and Siddique Ahmad, AAO alongwith Mian Amir Qadar, GP for the respondents present. Written reply not submitted despite last opportunity. Last opportunity is further extended subject to payment of cost of Rs. 1000/- which shall be borne by the respondents from their own pockets. To come up for written reply/comments and cost on 8.12.2016 at camp court, Swat.


Chairman
Camp Court, Swat

06.04.2016

Counsel for the appellant present. The learned counsel for the appellant argued that the appellant was initially appointed as Junior Clerk in the year, 1987 and while serving so he applied to the post of Computer Assistant and was appointed against the said post in the year, 2004. That while fixing his salary one premature increment was extended to appellant on the basis of Rule 10 (1)(i) of the NWFP, Civil Services Pay Revision Rules, 1978 read with notification of Finance Department dated March 16, 1999. That the appellant is also entitled to another annual increment on the strength of Rules 10 (3) of the said rules which is not extended by the Finance Department vide a similar notification despite entitlement of the appellant. That the departmental representation of the appellant was rejected vide order dated 23.10.2014 where-after departmental appeal was preferred on 20.11.2014 which was not responded and hence the service appeal on 27.1.2016.

Appellant Deposited
Security & Process Fee

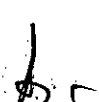
That financial matter is involved as such time limitation may not come in the way of the appellant.

Points urged need consideration. Admit subject to limitation. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 08.06.2016 before S.B at Camp Court, Swat.


Chairman
Camp Court, Swat.

08.06.2016



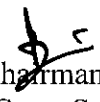

Appellant in person and Mr. Siddique Ahmad, AAO for respondents No. 2, 4 & 6 alongwith Mr. Amir Qadar, GP for the respondents present. Requested for adjournment. To come up for written reply/comments on 03.08.2016 before S.B at camp court. Swat.


Chairman
Camp court, Swat.

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 99/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	27.01.2016	<p>The appeal of Mr. Rajab Ali presented today by Mr. Umar Farooq Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	28-1-16	<p>This case is entrusted to Touring Bench Swat for preliminary hearing to be put up thereon <u>3-2-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	3.2.2016	<p>Appellant with counsel present. Learned counsel for the appellant requested for adjournment. To come up for preliminary hearing before S.B on 9.3.2016 at Camp Court Swat.</p> <p style="text-align: right;"> Chairman Camp Court Swat</p>
	09.03.2016	<p>Appellant in person present. Counsel for the appellant is not in attendance due to strike of the Bar. Adjourned for preliminary hearing before S.B to 6.4.2016 at Camp Court Swat.</p> <p style="text-align: right;"> Chairman Camp Court Swat</p>

BEFORE THE HONOURABLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL, PESHAWAR.

Service Appeal No. 99 /2016.

Rajab Ali, Assistant, office of the Commissioner Malakand Division, Saidu Sharif Swat.

APPELLANT

VERSUS

1. Chief Secretary Khyber Pakhtunkhwa and others.

RESPONDENTS


I N D E X.

S#	Particulars.	Annexture	Page#
1	Appeal.	-	1-4
2	Affidavit.	-	5
3	Copy of Commissioner Office letter dated 23.10.2014	A	6
4	Copy of D.C.A.Swat letter dated 20.10.2014	B	7
5	Copy of Finance Department Circular letter dated 16.3.1999	C	8
6	Copy of Finance Department Circular letter dated 02.9.2000	D	9
7	Copies of Service Book	E1 to E28	10-37
8	Copy of representation to the Commissioner (Respondent No.5)	F1 to F2	38 & 39
9	Copy of Forwarding letter of departmental appeal dated 17.11.2014	G	40
10	Copy of departmental appeal before the SMBR.	H1 to H3	41-43
11	Copy of application dated 18.12.2014	I	44
12	Copy of Board of Revenue letter dated 30.12.2014	J	45
13	Copy of Finance Department letter dated 15.01.2015	K	46
14	Copy of Board of Revenue letter dated 21.01.2015	L	47
15	Copy of Finance Department Circular letter dated 13.01.2000	M	48
16	Copy of Khyber Pakhtunkhwa Civil Services Pay Revision Rules, 1978.	N1 to N5	49-53
17	Attorney of Advocacy.	P	54

Dated:

Through

Appellant


UMAR FAROOQ (PAPA),
Advocate High Court,
Peshawar.

BEFORE THE HONOURABLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL, PESHAWAR.

Rajab Ali, Assistant, office of the Commissioner Malakand Division,
Saidu Sharif Swat.

Appeal No. 99/2016

APPELLANT

*A.W.F. Revision
Service Tribunal
Diary No. 67
Dated 27-1-16*

VERSUS

1. The Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Finance, Government of Khyber Pakhtunkhwa, Peshawar.
3. The Senior Member, Board of Revenue, Government of Khyber Pakhtunkhwa, Peshawar.
4. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
5. The Commissioner, Malakand Division, Saidu Sharif Swat.
6. The District Comptroller of Accounts Swat.

RESPONDENTS

APPEAL AGAINST THE DECISION DATED 23.10.2014 OF
RESPONDENT NO.5 MADE IN LIGHT OF LETTER/OPINION
NO.DCA-SWAT/PR-III/184 DATED 20.10.2014 OF THE
RESPONDENT NO.6, CONVEYED TO THE APPELLANT VIDE
LETTER NO.18427/P.F/ESTT, DATED 23.10.2014. COPIES OF
THE DECISION DATED 23.10.2014 AND OPINION DATED
20.10.2014 ARE ANNEXURES-'A' & 'B' RESPECTIVELY.

Prayer in Appeal.

By accepting this appeal, the impugned order of the Pay Fixation Party recorded on Page-6 of the Service Book regarding recovery of overpayment of Rs:36,479/- may be declared null and void, the District Comptroller of Accounts Swat may be ordered to stop the recovery forthwith and the appellant may be extended the benefit of option of re-fixation of pay contained in Rule-10(3) of the Khyber Pakhtunkhwa, Civil Services Pay Revision Rules,1978, with effect from 01.12.2004 with payment of arrears.

Any other relief deemed appropriate in the circumstances of the case, not specifically asked for, may also be granted to the appellant.

Respectfully sheweth:

Brief facts which gave rise to the present appeal are as under:-

1. That the appellant had been in regular continuous Government service as Junior Clerk (Selection Grade BPS-7) in the office of Deputy Commissioner, Swat since 29.9.1987.
2. That on 20.8.2004 (after about 17 years regular continuous service) the appellant was appointed as Computer Assistant BPS-11 in the District

Handwritten signature and date
→ 1/1/16

Public Safety Commission Swat by initial recruitment after applying for the said post through proper channel.

3. That after appointment on the post of Computer Assistant, pursuance to the Finance Department circular letter No.FD (PRC)1-1/97 dated 16.3.1999 (copy Annex-'C') pay of the appellant was fixed in the higher Pay Scale after allowing one pre-mature increment.
4. That on 01.12.2004, after option, pay of the appellant was re-fixed in the higher pay scale with reference to his presumptive pay in the lower scale on that date with grant of annual increment in light of Rule-10(3) of the Khyber Pakhtunkhwa Civil Services Pay Revision Rules,1978 and the Finance Department Circular letter dated 02.9.2000 (Annex-'D').
5. That later on, the Pay Fixation Party of the office of Accountant General (Respondent No.4) pointed out recovery of alleged overpayment of Rs:36,479/- with regard to one increment given to appellant with effect from 01.12.2004 (as mentioned in Para-4) with the verbal assertion that Rule-10(3) of the Khyber Pakhtunkhwa Civil Services Pay Revision Rules,1978 has not yet been extended to the cases where appointment from lower to higher post is made by initial recruitment and the circular letter dated 02.9.2000 of Finance Department (Respondent No.2) is meant only for the cases of promotion. For this reason, appellant's pay was fixed by the said Party with retrenching of annual increment of 01.12.2004 from appellant's pay; causing great financial losses with inconvenience and hardship to him (Attested copies of the Service Book are attached as Annex-E1-E28).
6. That due to causing heavy financial etc losses to the appellant in shape of retrenching one increment from his pay with the recovery of Rs.36,479/-, the appellant made representation dated 01.10.2014 (Annex F1to F2) to the Respondent No.5 for considering his case of re-fixation of pay and grant of annual increment in light of the Khyber Pakhtunkhwa F.D Circular letter dated 02.9.2000 and striking down recovery against the appellant, which was refused vide decision/letter dated 23.10.2014(Annex-A).
7. That against the decision dated 23.10.2014 of Respondent No.5 the appellant filed departmental appeal before the Senior Member Board of Revenue (Respondent No.3) on 20.11.2014. Attested copies of the

forwarding letter dated 17.11.2014 (containing Diary No.6671 dated 20.11.2014 of the SMBR) and departmental appeal are as Annex-G and Annex-H1 to H3.

8. That the Respondent No.3 after personal hearing of the appellant, principally agreed with him and his self-contained application dated 18.12.2014 (Copy as Annex-I) was sent to the Secretary Finance Department, Khyber Pakhtunkhwa (Respondent No.2) vide BOR letter No.B&AO/BOR/25520/ 2014 dated 30.12.2014 (Copy as Annex-J) for consideration in order to remove the anomaly as has been done by the Finance Department vide Circular letter No.FD(PRC)1-1/97 dated 16.3.1999 (Annex-C). In response to the Finance Department letter dated 15.01.2015 (copy Annex-K) the case was re-submitted to them vide BOR letter dated 21.01.2015 (copy Annex-L) with the request to re-examine the case accordingly.
9. That the case has been pending in Finance Department for the last more than 11 months for the reasons best known to them. Meeting of the Anomaly Committee was at last held on 29.10.2015, however the meeting ended with no result.
10. That the matter has been lingering on in F.D as a result of which the appellant has suffered both financially and mentally hence this appeal on the following among other grounds:-

GROUNDS:

- i. That orders of the Pay Fixation Party of Accountant General Office (Respondent No.4) recorded in Service Book of the appellant, the opinion/views as well as the impugned decision of both the respondents No.5 and 6, are unjustified and based on discrimination; hence, untenable and liable to be quashed.
- ii. That by refusing the benefit of Rule-10(3) of the Khyber Pakhtunkhwa Civil Services Pay Revision Rules, 1978 to the appellant by Respondents No.4,5 &6, the appellant has been deprived of the benefits available to the promoted government servants.
- iii. That the appellant (having about 17 years regular continuous service) has been less favorably treated than those who are promoted to the higher post from the lower posts. Such position has created an anomalous situation for the appellant.

- iv. That by the above treatment with the appellant, his human rights have also been violated and there is clear cut discrimination between the two human beings/Government servants i.e one promoted from the lower to the higher post and the other recruited by initial recruitment from lower post to the higher post, has been made, which is quite illogical.
- v. That the said discrimination and violation of human rights etc, needs to be looked into and appropriate remedy provided to the appellant by treating him equally with other Government Servants.
- vi. That inspite of the favour of SMBR (Respondent No.3) case of the appellant is pending in Finance Department for the last about one year for the reasons best known to them and may even take years obviously with no fruitful result at the end.
- vii. That the above and other facts clearly shows that the appellant deserves to be provided proper and legal remedy, prayed for.

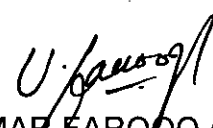
In view of the above and other facts, it is humbly prayed that on the analogy of Rule-10(1)(i) extended vide F.D. Circular letter dated 16.3.1999 (Annex-C), the appellant may kindly be extended the benefit of option for re-fixation of pay as contained in Rule-10(3) of the Khyber Pakhtunkhwa Civil Services Pay Revision Rules, 1978, with effect from the due date i.e. 01.12.2004 with all back benefits (including the payment of arrears and striking down the recovery as mentioned in Para-5 above, against the appellant). It may be pointed out here that the benefit of Rule-10(3) ibid has already been extend to the cases of Selection Grade vide F.D. Circular letter dated 13.01.2000 (copy Annex-M) and to the cases of same Scale Promotion vide F.D. Circular dated 02.9.2000 (Annex-D).

Copy of Rule-10 of the Khyber Pakhtunkhwa Civil Services Pay Revision Rules, 1978 is also Annexed as N1 to N5, please.


Appellant

Through

Dated:


UMAR FAROOQ (PAPA),
Advocate High Court,
Peshawar.

5

6

BEFORE THE HONOURABLE CHAIRMAN, KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR.

Service Appeal No. _____/2015.

Rajab Ali, Assistant, office of the Commissioner Malakand Division, Saidu Sharif Swat.

APPELLANT

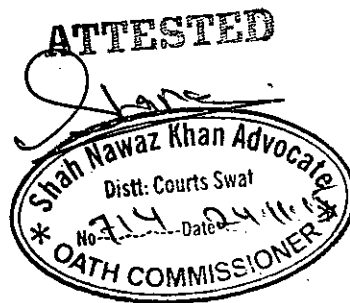
VERSUS

1. Chief Secretary Khyber Pakhtunkhwa and others.

RESPONDENTS

AFFIDAVIT

I Rajab Ali, Assistant, Office of the Commissioner Malakand Division, Saidu Sharif Swat do hereby solemnly declare and affirm that the contents of the accompanied service appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.



Rajab Ali

Deponent



Annex A 6

OFFICE OF THE
COMMISSIONER MALAKAND DIVISION
SAIDU SHARIF SWAT

No. 18427 /P.F/Estt:

Dated 23 /10/2014

To:

Mr. Rajab Ali, Assistant (Local).

Subject: -

APPLICATION/REPRESENTATION FOR RE-FIXATION OF PAY OF THE APPLICANT AFTER GRANT OF ANNUAL INCREMENT, IN LIGHT OF KHYBER PAKHTUNKHWA F.D CIRCULAR LETTER DATED 02.09.2000 AND STRUCKING DOWN RECOVERY AGAINST THE APPLICANT.

Memorandum:

Reference your application/representation dated 01.10.2014 on the subject noted above.

The case was referred to the District Comptroller of Accounts, Swat for his views/comments. As per his comments, it has been stated that "Re-fixation of pay has been allowed to government servants on promotion and not in case of appointment to higher posts. The action taken by the Pay Fixation Party is correct".

As such this office is not in a position to provide any remedy, however you may approach to the proper forum.

Encl: As above.


**SECRETARY TO COMMISSIONER
MALAKAND DIVISION**
Ph# 0946-9240458

No. 18428 /P.F/Estt:

Copy forwarded to the District Comptroller of Accounts, Swat with reference to his Memo: No. DCA-Swat/PR-III/184, dated 20.10.2014 for information, please.


**SECRETARY TO COMMISSIONER
MALAKAND DIVISION**

OFFICE OF THE DISTRICT COMPTROLLER OF ACCOUNTS SWAT

No. DCA- Swat/PR-III/154

Dated: 20/10/2014.

78

To

OFFICE OF THE COMMISSIONER
Malakand Division.

The Commissioner,
Malakand Division
at Saidu Sharif. Swat.

Diary No. 13269

Date: 20-10-2014

File No.

Annex-B

Subject: APPLICATION/REPRESENTATION FOR RE-FIXATION OF THE APPLICANT AFTER GRANT OF ANNUAL INCREMENT, IN LIGHT OF KHYBER PAKHTUNKHWA F.D CIRCULAR LETTER DATED 02/09/2000 AND STRUCKING DOWN RECOVERY AGAINST THE APPLICANT.

Memo:

Kindly refer to your office memo: No. 166621/P.F/Estt: dated 02/10/2014 on the subject.

In this connection, it is stated that re-fixation of pay has been allowed to government servants on **promotion** to higher post carrying the same scale and not in case of appointment to higher posts vide Finance Department letter dated 02/09/2000, therefore the action taken by the Pay Fixation Party is correct.

EA

~~4A~~
District Comptroller of Accounts
Swat

Secy:
20/10/14

Annex - C 8
957

DA I

GOVERNMENT OF N.W.F.P.
FINANCE, EXCISE & TAXATION DEPT.

NO. FD(PRC) 1-1/97
Dated Peshawar the, March 16, 1999.

To

1. All Administrative Secretaries to Govt. of NWFP, Peshawar.
2. The Senior Member Board of Revenue, NWFP.
3. The Secretary to Government NWFP, Peshawar.
4. The Secretary to Chief Minister, NWFP.
5. The Secretary, Provincial Assembly, NWFP.
6. All Heads of Attached Departments NWFP.
7. All the Commissioners/Deputy Commissioners/Political Agents/District & Session Judges NWFP.
8. The Registrar, Peshawar High Court, Peshawar.
9. The Chairman, Service Tribunal NWFP, Peshawar.
10. The Chairman, NWFP, Public Service Commission.
11. The Secretary, Board of Revenue, NWFP, Peshawar.

SUBJECT: - FIXATION OF PAY ON APPOINTMENT TO A HIGHER POST FROM A LOWER POST BY INITIAL RECRUITMENT.

Sir,

I am directed to refer to the subject noted above and to say that rule 10(1) (1) of the NWFP, Civil Services Pay Revision Rule 1978 provides that subject to the provisions of rule 11 thereof, when a Civil Servant is promoted from a lower to a higher post in Revised National Pay Scales 20 to 19 where the stage in the Revised National Scale of the higher post next above the pay of the Civil Servant concerned in the Pay Scale of the lower post gives a Pay increase equal to or less than a full increment of the pay scale of the higher post the initial pay in the Revised National Pay Scale of the higher post shall be fixed after allowing a premature increment in the Revised National Pay Scale of the higher post.

2. It has been observed that in some cases the Government Servants holding lower posts secure appointment to higher posts by initial recruitment. They are deprived of the benefits available to the promotees in terms of rule 10(1) (1) of the NWFP, Civil Services Pay Revision Rules, 1978 referred to above. They are thus treated less favourably than those who are appointed to a higher post by promotion in normal course. This creates anomalous situation.

In the cases where appointment to a higher post from a lower post, made by normal recruitment.

The orders in para 3 above would be effective from 01.05.1999. No arrears will be allowed on account of fixation of pay prior to the date of issuance of this letter.

Your obedient servant

M. Arbab
(MUHAMMAD SHAHZAD ARBAB)
ADDITIONAL SECRETARY-III

ENDST. NO. & DATE EVEN

Copy forwarded for information to:-

- 1. All the Heads of Autonomous/Semi Autonomous Bodies/Corporations NWFP, Peshawar.

M. Khan
(MUHAMMAD KHAN)
DEPUTY SECRETARY (REGULATION)

ENDST. NO. & DATE EVEN

Copy forwarded to:-

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

9 copies may be issued to all banks & will be to the u/s
R. Rashid Khan
(RASHID KHAN)
SECTION OFFICER (SR.I)

ON FILE

Last Pay of the proceeding He has as the foll particular Substant Officer Exchang

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GOVERNMENT OF N.W.F.P
FINANCE, EXCISE & TAXATION DEPTT:

No.FD(PRC)1-1/97.

Dated Peshawar the March 16, 1999

To:

1. All Administrative Secretaries to Govt. of NWFP. Peshawar.
2. The Senior Member Board of Revenue, NWFP.
3. The Secretary to Governor NWFP, Peshawar.
4. The Secretary to Chief Minister, NWFP.
5. The Secretary, Provincial Assembly, NWFP.
6. All Heads of Attach Department NWFP.
7. All the Commissioner/ Deputy Commissioner/ Political Agents/ District & Session Judges NWFP.
8. The Registrar Peshawar High Court, Peshawar.
9. The Chairman, Service Tribunal NWFP, Peshawar.
10. The Chairman, NWFP Public Service Commission.
11. The Secretary Board of Revenue NWFP, Peshawar.

Subject :- FIXATION OF PAY ON APPOINTMENT TO A HIGHER POST FROM A LOWER POST BY INITIAL RECRUITMENT

Sir,

I am directed to refer to the subject noted above and to say that rule 10(1) (i) of the NWFP, Civil Services Pay Revision Rules, 1978 provides that subject to the provisions of rule 11 thereof, where in Civil Servant is promoted from a lower to a higher post in Revised National Pay Scale 2 to 19 where the stage in the Revised National Pay Scale of the higher post, next above the pay of the Civil Servant concerned in the Pay Scale of the Lower post gives a Pay increase equal to or less than a full increment of the pay scale of the higher post, the initial pay in the Revised National Pay Scale of the higher post shall be fixed after allowing a premature increment in the Revised National Pay Scale of the higher post.

2. It has been observed that in some cases the Government Servants holding lower posts secure appointment to higher posts by initial recruitment. They are deprived of the benefits available to the promotees in terms of rule 10 (1) (i) of the NWFP, Civil Services Pay Revision Rules 1978 referred to above. They are thus treated less favorably than those who are appointed to a higher post by promotion in normal course. This creates an anomalous situation.

3. It has, therefore, been decided that rule 10 (1) (i) of the NWFP, Civil Services Pay Revision Rules, 1978 shall also equally apply in the cases where appointment to a higher post from a lower post is made by initial recruitment.

4. The orders in para 3 above would be effective from 01.05.1977 but no arrears will be allowed on account of re-fixation of pay prior to 16.03.1999 i.e the date of issuance of this letter.

Attested

Your obedient servant

[Signature]
SUPERINTENDENT,
COMMISSIONER OFFICE,
MALAKAND DIVISION.

-sd-
(MUHAMMAD SHAHZAD ARBAB)
ADDITIONAL SECRETARY-III

NO. FD (PRC) 1-1/2000
GOVERNMENT OF N.W.F.P.
FINANCE, EXCISE & TAXATION DEPARTMENT

Dated Peshawar the, Sept. 2, 2000.

From :- Secretary to Govt. of NWFP,
Finance, Excise & Taxation Department.

To

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

SUBJECT:- REFIXATION OF PAY AFTER DRAWAL OF ANNUAL INCREMENT IN
CASES OF PROMOTION WHERE PAY SCALE REMAINS UNCHANGED.

Sir,

I am directed to refer to the subject noted above and to say that according to Rule 10(3) of the NWFP Civil Services Pay Revision Rules 1978, if a Civil Servant before reaching the maximum of a pay scale is promoted to a higher pay scale between the 2nd June and the 30th November, of a calendar year and his initial pay in the later scale is fixed with reference to his pay in the former scale, he may, at his option, get his pay refixed in the higher scale with effect from the 1st day of December of the year of his promotion with reference to his presumptive pay on that date in his pre-promotion scale; provided that his promotion is not subject to the length of service.

2. It has been decided that the Government Servants promoted, between the 2nd June and 30th November of a calendar year, to a higher post carrying the same pay scale in which they are already drawing pay shall also be entitled to the refixation of pay in the above manner.

3. The above decision will be effective from the first of June, 1991 without arrears prior to September 2, 2000.

Your obedient servant

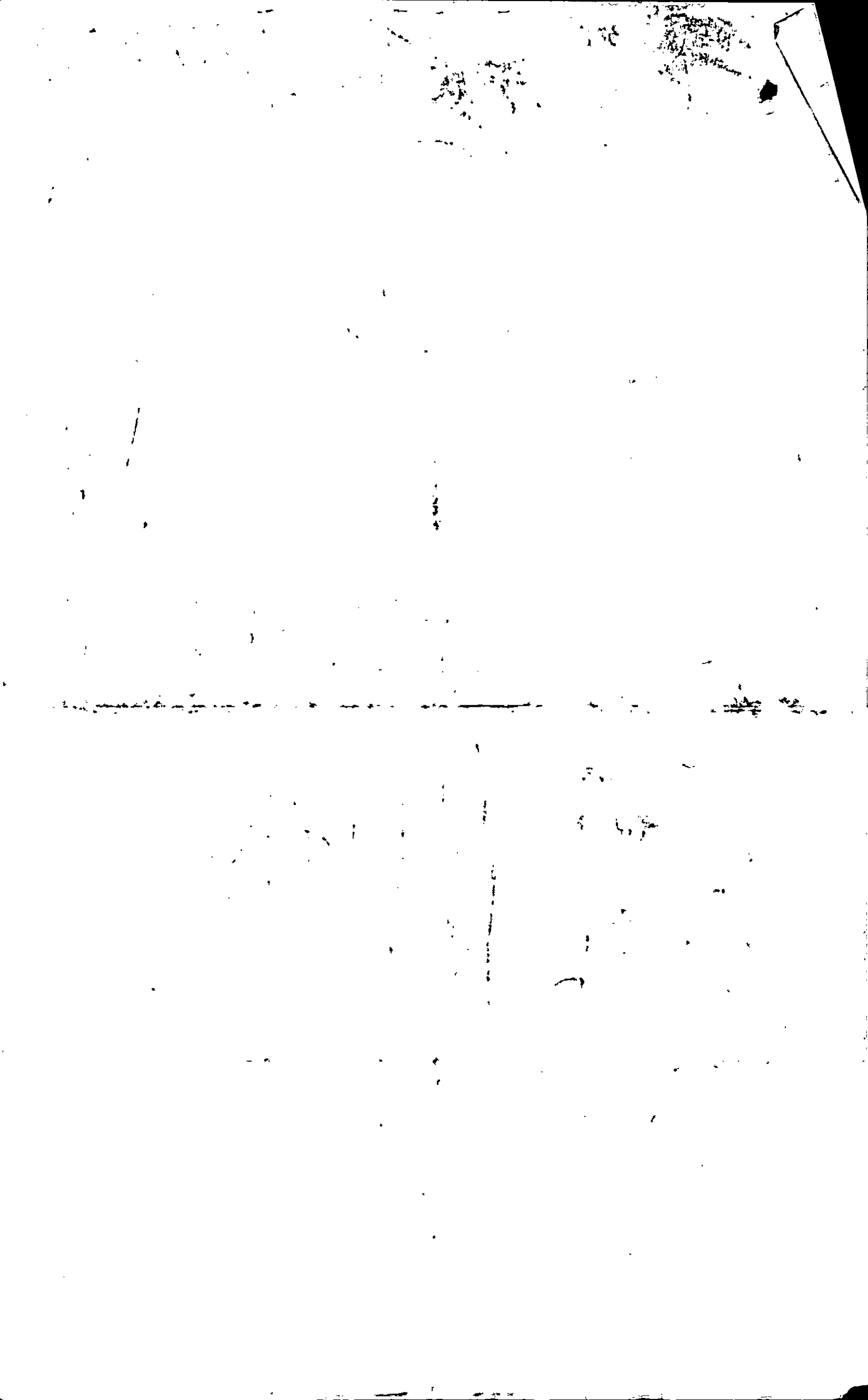
(ABDUS SAMAD KHAN)
ADDITIONAL FINANCE SECRETARY-I

ENDST. NO & DATE EVEN.

Copy is forwarded for information to :-

ATTESTED

Accounts Officer
Commissioner's Office
Malakand Division.



(For use in Police Department only).

10

Heirs,

Annex - E 1

- 1.
- 2.
- 3.

Verification Roll No. dated received back

Left thumb impression.

Qualification	Date	Qualifications
Passed LLB from Maulana Law College, Swat (University of Peshawar) U. Roll No. 2458		Passed Metric examination from P.T.S.E. Peshawar U. Roll No. 7006 in 1st Div: by 578/850 M. Date in 1985
English		First Arts (P.S.C) Annual 87 from B.S.E. Pesh.
Pashtu		B.L. or B. A. in third Div: 488/700
in 2nd Division by securing Urdu 21 Marks in Annual 2007		B.A. passed under Roll No. 14885
Plan-drawing		Leadership examination 19-2-90 / numbers obtained 289/500
Finger print	ACO. Secretary, District Public Safety and Police Complaints Commission, SWAT	Other qualifications—
Drill instructing		
Court duties		
Reserve duties under Session 1993 (Annual) in 1st Div.	Passed M.A. examination Roll No. 19262 in 1993 (Annual) in 1st Div.	Deputy Local Commissioner & Deputy Commissioner Swat
	Deputy Commissioner Swat	

N. B—Line to be drawn under the qualification possessed.

Note:—The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

1. Name **MR. RAJAB ALI.**
2. Race **PAKISTANI.**
3. Residence **VILLAGE - P.O. SAIDU SHARIF DISTT. SWAT.**

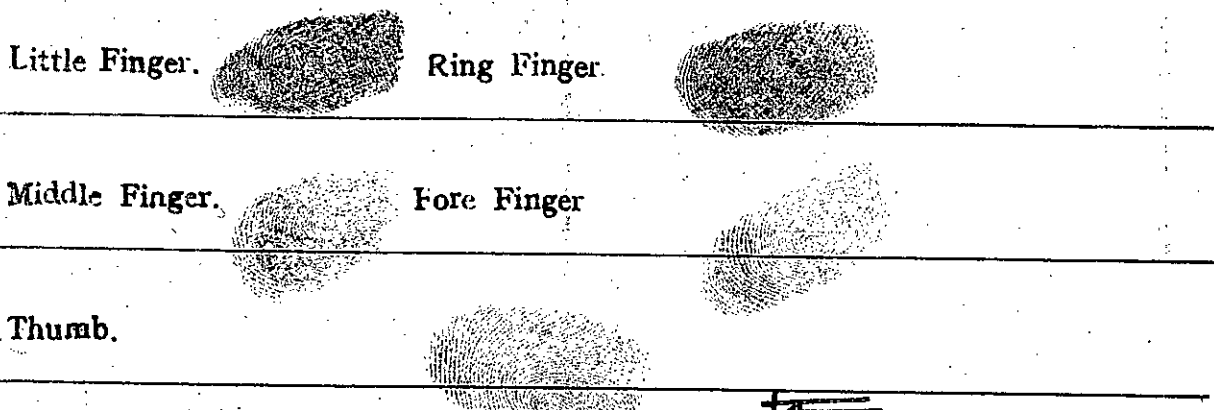
4. Father's name and residence **MR. SHER REHMAN - AS ABOVE -**

5. Date of birth by Christian era as nearly as can be ascertained **3-2-1969** (Third February N.H. + sixty Nine)

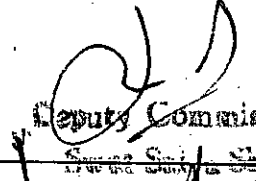
6. Exact height by measurement **5' 6"**

7. Personal marks for identification... **A wound on Right eyebrow.**

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



9. Signature of Government servant 

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

Deputy Commissioner,
Swat District, Swat.

006
985
987
85
Dm
sd

1	2	3	4	5	6	7	8	
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	Signature of head of other officer in col
700-251200					Incl. Pay			
J/clerk	offg: Temp:			700/-	20/-	29-9-87		
do	do			700/-	20/-	1-7-88		
Junior clerk Xerox Ref. mems	Do			700/-	20/-	13-8-88		
do	do			Rs 725/-	Rs 20/-	1-12-88		
do	do			750/-	Rs 21/-	1-12-89		
u	u			775/-	Rs 22/-	1-3-90		



9	10	11	12	13		14	15
				Leave			
				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 head of the office or other attesting officer in attestation of 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	Period	Government to which debitable	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.
<p><i>[Signature]</i> Deputy Commissioner 12/28/88</p>	<p>8 12/28/88</p>	<p>Transfer to Lower before Hill</p>	<p><i>[Signature]</i> Deputy Commissioner 12/28/88</p>			<p>Appointed as J/C in the B.S No 5 of Rs. 990-25-1200 with usual Allowances vide DC's order No. 10633 dt. 21-9-87.</p>	
<p><i>[Signature]</i> D.C. / D.C. SWAT</p>		<p>Granted one advance increment on having acquired higher educational qualification i.e. B.A. vide office order No. 2379/1/46/cont dt. 03-4-90</p>	<p><i>[Signature]</i> Deputy Commissioner SWAT</p>			<p><i>[Signature]</i> Deputy Commissioner SWAT</p>	
<p><i>[Signature]</i> D.C. / D.C. SWAT</p>	<p>30 11/88</p>	<p>Annual increment</p>	<p><i>[Signature]</i> D.C. / D.C. SWAT</p>			<p>Service verified from 13 8/88 to 30 11/88 from the office - copies of Pay Bills of this office</p>	
<p><i>[Signature]</i> D.C. / D.C. SWAT</p>	<p>30 11/89</p>	<p>Annual increment</p>	<p><i>[Signature]</i> D.C. / D.C. SWAT</p>			<p><i>[Signature]</i> D.C. / D.C. SWAT</p>	
<p><i>[Signature]</i> D.C. / D.C. SWAT</p>	<p>28 2/90</p>	<p>Qualifi- cation increment</p>	<p><i>[Signature]</i> D.C. / D.C. SWAT</p>			<p>Service verified from 1 12/88 to 30 11/89 from the office copies of pay bills of this office.</p>	
<p><i>[Signature]</i> D.C. / D.C. SWAT</p>	<p>30 11/90</p>	<p>Annual increment</p>	<p><i>[Signature]</i> D.C. / D.C. SWAT</p>			<p>Service verified from 1 12/89 to 30 11/90 from the office copies of pay bills of this office.</p>	

1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	Signature or designation of head of the office or other attesting officer in attest of columns 1
700-25-1200 Junior Clerk	Offg. Temp.			800/PM	In. Pay Rs=222/PM	1/12 1/90		L N Scale 5 Part of No. FDC dated
<p>3. Advanced on Fsc + BA</p> <p>Pay Band in the Revised Pay Scale 1925</p> <p>of Rs. 1035-49-1770 (15)</p> <p>No. 1427/2001 W.P.F. 1-6-2001</p> <p>1st Next Increment on 1-12-1991</p> <p>Account No. _____</p> <p>Ann. Account No. _____</p> <p>N.W.P.F. Form No. _____</p>								
P.S. No 5 = 1035-49-1770 Junior Clerk and Refoms	Offg. Temp.			Pay fixed in R.P.S=1280 Three on Iner: } 147 One on B.A & Funs } on F.Sc.	Total = 1427	1/6 1/91		L 8/11
1035-49-1770 Junior Clerk and Refoms	Offg. Temp.		1,476			1/12 1/91		L 8/11
1035-49-1770 S/Clerk D.C. Office	Offg. Temp.		1,476			1/4 1/92	Anon	L 8/11

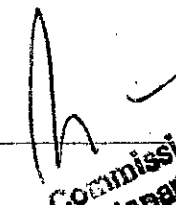
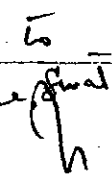
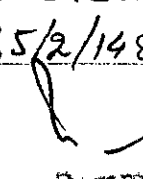
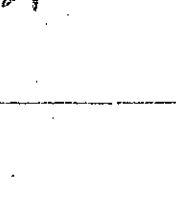
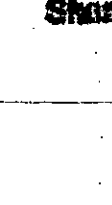
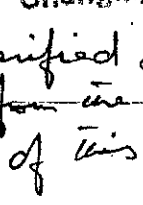

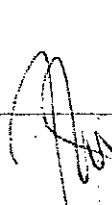
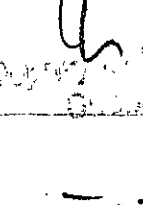
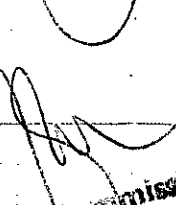
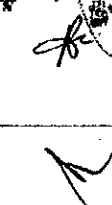
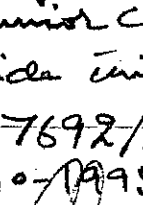
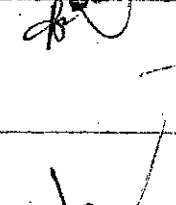
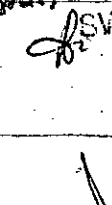
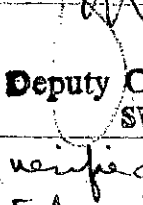

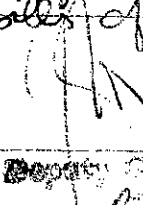
9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.	Signature of the head of the office or other attesting officer	Leave		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 four months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
<p>Scale revised with Part of NWFP Notification No. FDC(RPL)1-1/89, dated 1.7.91.</p>	<p>31/5/91</p>	<p>Scale Revised.</p>	<p>li</p>	<p>15 days E/Leave on full pay</p>	<p>Wex 27/4/91 to 11/5/91 granted vide his office order no. 2810/89 dt 11/5/91.</p>	<p>Deputy Commissioner Swat 12/5</p>	
<p>li</p>	<p>30/11/91</p>	<p>Annual Increment</p>	<p>li</p>			<p>Service verified from 1/8/90 to 30/11/91 from the office - copies of pay bills of this office.</p>	
<p>li</p>	<p>3/3/92</p>	<p>Transferred to D.C. Office.</p>	<p>li</p>			<p>Service verified from 1.12.91 to 31.3.92 from the office copies of pay bills of this office.</p>	
<p>li</p>	<p>30/11/92</p>	<p>Annual Increment</p>	<p>li</p>			<p>Service verified from 1.4.92 to 30.11.92 from the office copies of pay bills of this office.</p>	<p>li</p>

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 of Government servant
							Annex-E 7
1035-49-1770 S/CLERK D.C. Office, Smt.	Temp: 07/78		1595/-			12/92	[Signature]
do	do		1574/-			12/93	[Signature]
1400-66-2390 (RPS-05) S/CLERK, O/O The D.C. Smt.	do		2126/-			6/94	[Signature]
do	do		2258/-			4 ¹⁰ / ₉₄	[Signature]
<p>Office of the Assistant General Magistrate, Peshawar. Pay fixed in accordance with basic pay scales 1976 of Rs-1400-66-2390 B-5 a, Rs-2126/- P.M.W.F. 1-6-1994 With effect from 1-12-1994</p> <p>Assoc. Officer. Pay Fixation Party, W.F.P. Peshawar.</p>							
1400-66-2390 (RPS-05) S/CLERK O/O THE D.C. Smt. J. Temp: 07/78			2324/-			12/94	[Signature]
1400-66-2390 (RPS-05) S/CLERK O/O THE D.C. Shangharpor. do			2324/-			3 ⁸ / ₉₅	[Signature]
P.T.O.							

9	10	11	12	13	14	15	
				Leave			
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	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		
<i>[Signature]</i>	30/11/93	Annual Increment Scale	<i>[Signature]</i>			1-12-93	
<i>[Signature]</i>	31/5/94	Raised Two (2) Qualification	<i>[Signature]</i>	Granted two (2) Advance Increments on having acquired higher Education qualification i.e. M.A w.e.f. 4.10.94 vide this office order No. 8603/1/6 Acct: dated 1.11.94.	Service from To 30.11.93 and found ✓	Verified from the office copy of pay bills for D.C. Swat	
<i>[Signature]</i>	3/10/94	Increment on M.A	<i>[Signature]</i>				
<i>[Signature]</i>	30/11/94	Annual Increment	<i>[Signature]</i>			Deputy Commissioner Swat 1.12.93	
<i>[Signature]</i>	6/11/94	Address of T.O. Ad. g.e. o/o Pass - S MA - Exa - 10 to 31/10/94 w.e.f. 4/94	<i>[Signature]</i>		Service from To 30.11.94 and found ✓	Verified from the office copy of pay bills for D.C. Swat	
<i>[Signature]</i>	2/8/95	Services placed at the disposal of D.C. Shanglapur.	<i>[Signature]</i>	Deputy Commissioner, SWAT		Service verified from 7.12.94 to 2.8.95 for the office copies of pay bills of this office	
<i>[Signature]</i>	6/8/95	Promoted as S/Clk.	<i>[Signature]</i>	Deputy Commissioner, Shanglapur.		Services placed at the disposal of D.C. Shanglapur vide CMD order No. 9417/2/148 (AC) dated 3.8.95.	
<i>[Signature]</i>		Promoted as Senior Clerk vide order no. 365/2/1/Act: dated 7.8.95.	<i>[Signature]</i>	Deputy Commissioner, Shanglapur.		Posted as Junior Clerk vide this office order No. 315/2/1/Act: dated 6.8.1995.	

Annex - E 9
 June 7 1820

1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	Signature of head of the office or other officer in charge of column
1480-81-2695 (BPS-07) Senior Clerk o/o THE D. C. Shanglapar. Office	o/o THE Office	Pay fixed in B-7 = Rs 2371/- Pres. nature Increment = Rs 81/- Total pay fixed = Rs 2452/-		81/-		7-8/95	<i>[Signature]</i>	<i>[Signature]</i> Deputy C.S.
1400-66-2390 (BPS-5) Junior Clerk o/o The D. C. Swill	o/o The do		2324/-			27-9/95	<i>[Signature]</i>	<i>[Signature]</i> Deputy C.S.
do do	do do		2390/-			1-12/95	<i>[Signature]</i>	<i>[Signature]</i> Deputy C.S.
1440-73-2535 (BPS-6) do	do		2462/-			1-12/96	<i>[Signature]</i>	<i>[Signature]</i> Deputy C.S.
do	do		2535/-			1-12/97	<i>[Signature]</i>	<i>[Signature]</i> Deputy C.S. No.

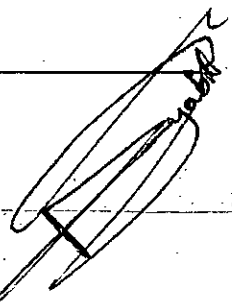

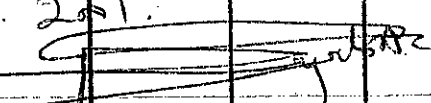
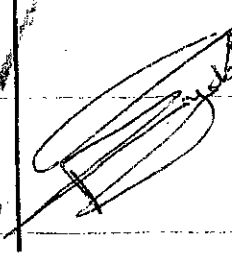
9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave		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 four months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
 Deputy Commissioner, Shanglapat.	26/9/95	Repatriated to D.C.'s office.	 Deputy Commissioner, Shanglapat.		Repatriated as Junior clerk to the office of D.C. Swat vide CMI order No. 12065/2/148 (AC) dt. 27/9/95	 Deputy Commissioner, Shanglapat.	
 Deputy Commissioner, SWAT.	30/11/95	Annual Increment	 Deputy Commissioner, SWAT.		Service verified from 3.8.95 to 26.9.95 from the office copies of pay bills of this office.	 Deputy Commissioner, SWAT.	
 Deputy Commissioner, SWAT.	30/11/95	Granted Move-over	 Deputy Commissioner, SWAT.		Stands repatriated to this office as Junior Clerk w.e.f. 27-9-95 vide this office order No. 7692/XIII/2/AC dt. 10-10-1995.	 Deputy Commissioner, SWAT.	
 Deputy Commissioner, SWAT.	30/11/97	Annual Increment	 Deputy Commissioner, SWAT.		Service verified from 27.9.95 to 30.11.95 from the office copies of pay bills of this office.	 Deputy Commissioner, SWAT.	
 Deputy Commissioner, SWAT.	30-11-1998	Granted Move-over.	 Deputy Commissioner, SWAT.		1.12.1995 to 30.11.1996 verified from the office copies of pay bills & found correct.	 Deputy Commissioner, SWAT.	
Granted Move-over to BPS-6 w.e.f. 1.12.96 vide office order No. 10696/1/46/Ann: dt. 26.8.1998.			 Deputy Commissioner, SWAT.			 Deputy Commissioner, SWAT.	

1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	Signature designation head of the other att officer in att of columns
B.P.S. 07: 1480-81-2695.								
Junior Clerk	Sub: / Perms	-	2614/-	/	-	01-12-1998		
-	do - Sub / Perms	-	2695/-	/	-	01/12/99		
		Revised Entries w.e.f. 01-12-2000 on account of Non-over and 8 hrs rule.						
B.P.S-7	(1480-81-2695)		2695/-	/		01/12/99		
-	do - do -		2772/-	/		01/12/2000		
PS-8	(1500-88-2860)		2860/-	/		15/3/2000		
-	do - do -							
-	do - do -							
		Service from 01-12-2000 To 30.6.2001. Verified from the office records of ... & found correct.						

21

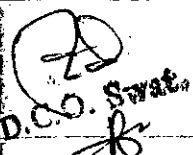
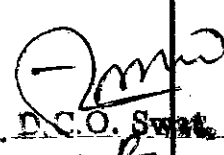
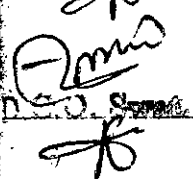
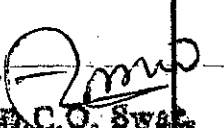
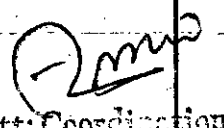
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B
o

9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination 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 four months for which leave salary is debit to another Government		
				Period	Government to which debit to		
<p><i>[Signature]</i> B.C. Swat 07/11/99</p>	<p>30-11-99</p>	<p>Annual Incr.</p>	<p><i>[Signature]</i> B.C. Swat</p>		<p>Service from 01-12-1996... To 30-11-1997 Verified from the office copies of pay bills & found correct.</p>	<p><i>[Signature]</i> B.C. Swat</p>	
<p><i>[Signature]</i> B.C. Swat</p>	<p>15-3-2001</p>	<p>Granted move-over and 4/8</p>	<p><i>[Signature]</i> B.C. Swat</p>	<p>1303/98</p>	<p>Order of pay + 7% CA</p>	<p>Do move-over from 15-5-1996 to 12/96 to 31/8/98 Not for 31/8/98</p>	
<p><i>[Signature]</i> B.C. Swat</p>	<p>30-11-2000</p>	<p>Move-over.</p>	<p><i>[Signature]</i> B.C. Swat</p>		<p>Service from 01-12-98 to 30-11-99 Verified from the office copies of pay bills & found correct.</p>	<p><i>[Signature]</i> B.C. Swat</p>	
<p><i>[Signature]</i> B.C. Swat</p>	<p>14-3-2001</p>	<p>Granted S/Grade</p>	<p><i>[Signature]</i> B.C. Swat</p>		<p>Service from 01-12-98 to 30-11-99 Verified from the office copies of pay bills & found correct.</p>	<p><i>[Signature]</i> B.C. Swat</p>	
<p><i>[Signature]</i> B.C. Swat</p>	<p>30-6-2001</p>	<p>Adjusted in the 40 DLO Swat.</p>	<p><i>[Signature]</i> B.C. Swat</p>		<p>Service from 01-12-1997 to 30-11-1998 ... Verified from the office copies of pay bills & found correct.</p>	<p><i>[Signature]</i> B.C. Swat</p>	
<p>Amount of Pay @ 7% CA Move-over for the period from 1-12-98 to 31-3-99 drawn through Computer Amounting to Rs. 338/-</p> <p>Granted move-over from BPS-7 to BPS-8 w.e.f. 01-12-2000 vide order No. 2454/1/96/Am: dt: 15-3-2001</p>		<p>13/4/98</p>	<p><i>[Signature]</i> B.C. Swat</p>	<p>Granted move-over from B.P.S. 06 to B.P.S. 07, with effect from 01-12-1998, vide order No. 3071/146/Actt: dated 03/11/1998.</p>	<p><i>[Signature]</i> B.C. Swat</p>	<p><i>[Signature]</i> B.C. Swat</p>	

1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term 'Pay'	Date of appointment	Signature of Government servant	Signal designat head of t other officer in of colour
BPS-8 (1540-88-2860) J/clk O/o W/O Swd.	Sub: Perm.		2860/-			01/7/2001		 D.C.C.
<u>OPTION.</u>								
<p style="text-align: center;">In pursuance of the Order of NWFP Finance Deptt. circular letter No FD(PRL) 1-1/2001 dt. 27.10.2001, I exercise my option for new (Revised) Basic Pay Series w.e.f. 01.12.2001.</p> <p style="text-align: right;"> (RAJAB ALI) J/clk.</p>								
<u>DEPARTMENTAL FIXATION OF PAY W.E.F. 01.12.2001.</u>								
Pay on 30.11.2001 in B-8 = 2860/-								
Pay fixed in Revised BPS-7 (S. Grade) on 01/12/2001 = 4380/-								
BPS-7 (2220-120-5820) J/clk O/o W/O Swd.	Sub: Perm.		4380/-			01/12/2001		Accd Dist: C

9	10	11	12	13		14	15						
				Leave									
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination 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.					
					Period	Government to which debitable							
<p><i>[Signature]</i> D.C.O. Swat</p>	<p>30/11/2001</p>	<p>Reversion of Scales</p>	<p><i>[Signature]</i> Accounts Officer, Distt: Coordination Office, Swat</p>	<p>Period</p>	<p>Government to which debitable</p>	<p>Referenced S/Grade BPS-7 w.e.f. 15.3.2001 vide order no. 2426/1/46/ Acct. dt: 15.3.2001.</p>	<p><i>[Signature]</i> D.C.O. Swat</p> <p>Adjusted in the office of DCO Swat w.e.f. 01.7.2001 vide DCO Swat order no. 1127/ DTW/DCO dt: 29.8.2001.</p> <p>Move one to B-8 w.e.f. 12/11/2001 S/grade B-7 w.e.f. 15.3.2001 4/2001</p> <p>7/04/2001 A/c of ... 1/12/2001 to ... To ... Through Computer Amounting to ...</p> <p>Bein Pay Scales revised vide order of NWFP Finance Deptt. Circular letter No. FD(PRC) 1/1/2001 dt: 27.10.2001.</p> <p><i>[Signature]</i> Accounts Officer, Distt: Coordination Office, Swat</p> <p>30/11/2001</p>	<p><i>[Signature]</i> Accounts Officer, Distt: Coordination Office, Swat</p> <p><i>[Signature]</i> Accounts Officer, Distt: Coordination Office, Swat</p> <p><i>[Signature]</i> Accounts Officer, Distt: Coordination Office, Swat</p>	<p>Adjusted in the office of DCO Swat w.e.f. 01.7.2001 vide DCO Swat order no. 1127/ DTW/DCO dt: 29.8.2001.</p> <p>Departmental Finalization on account of S/Grade BPS-8 = 27721 Pr. nature incr. on 15.3.2001 = 88/- Pg fixed on 15.3.2001 = 28601</p> <p>Service CI-12-99 To 30-11-2000 the & fo</p> <p>5/5</p> <p>Some verified for 01.7.2001 to 30.11.2001 from the Pay Roll of Exlt. of this office</p>	<p><i>[Signature]</i> Accounts Officer, Distt: Coordination Office, Swat</p> <p><i>[Signature]</i> Accounts Officer, Distt: Coordination Office, Swat</p> <p><i>[Signature]</i> Accounts Officer, Distt: Coordination Office, Swat</p>	<p>Departmental Finalization on account of S/Grade BPS-8 = 27721 Pr. nature incr. on 15.3.2001 = 88/- Pg fixed on 15.3.2001 = 28601</p> <p>Service CI-12-99 To 30-11-2000 the & fo</p> <p>5/5</p>	<p><i>[Signature]</i> Accounts Officer, Distt: Coordination Office, Swat</p>	<p>Referenced S/Grade BPS-7 w.e.f. 15.3.2001 vide order no. 2426/1/46/ Acct. dt: 15.3.2001.</p> <p>Departmental Finalization on account of S/Grade BPS-8 = 27721 Pr. nature incr. on 15.3.2001 = 88/- Pg fixed on 15.3.2001 = 28601</p> <p>Some verified for 01.7.2001 to 30.11.2001 from the Pay Roll of Exlt. of this office</p>

1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	Sig desig head (other officer of co
BPS-7 (2220-120-5820)			4500/-			01/12/02	<i>[Signature]</i>	D.O
S/Clark	Sub: Perm		4620/-			01/12/03	<i>[Signature]</i>	D.O
		<p>Office of District Officer Peshawar</p> <p>Pay Fixed by order of Rs 2220-120-5820 (7) scales 2001</p> <p>1-12-2001</p> <p>1-12-2002</p> <p>2000</p> <p>Pay Fixation Party Peshawar</p>					<p>Appointment order of Computer Assistant (BPS-11) in District Public Safety Commission SWAT bearing No. 2051/70/DCO/Ext. dt. 2.8.2004, substituted and made effective w.e.f. 01.12.2004 vide Endst. No. 454-56/Ext./DPSC dt. 01.12.2004</p>	<p>D</p> <p>16</p> <p>A</p> <p>By</p> <p>By</p> <p>B</p> <p>CO</p> <p>T</p>
							<p>Distt. Coordination Officer, SWAT.</p>	

8	9	10	11	12	13		14	15
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		
	Signature and designation of the head of the office or other attesting officer in attestation of 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	Period	Government to which debit	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.
MAR	 D.C.O. Swat	30-11-03	Annual Increment	 D.C.O. Swat			Service from 01.12.2002 to 30.11.2003 verified for computerized pay roll of this office of Estab. of this office	
AK	 D.C.O. Swat	20-8-2004	Appointed/Selected as C. Asstt.	 D.C.O. Swat			(Distt: Coordination Officer) SWAT.	
		31-8-2004	Service from 01.12.2002 to 31-8-2004 verified from computerized pay roll of this office	 D.C.O. Swat			Service from 01.12.2002 to 30.11.2003 verified for computerized pay roll of Estab. of this office	
			Departmental fixation of pay in BPS-11 on account of Appointment/Selection as Safety-Computer Assistant.	(Distt: Coordination Officer) SWAT.			(Distt: Coordination Officer) SWAT.	
			Pay on 20-8-04 as J.C. = 4620/-				Appointed/Selected as Computer Assistant BPS-11 in the District Public Safety Commission Swat on regular basis vide order of D.C.O. Swat bearing no. 262-64/7 BCO/Estab. dt: 20.8.2004.	
			Pay fixed on 21-8-04 as BPS-11 as C. Asstt = 4690/-					
			Pro. matter allowance = 175/-					
			Total Pay fixed on 21-8-04 = 4865/-				Assistant Operating Officer SWAT	
				Assistant Operating Officer SWAT				

1	2	3	4	5	6	7	8
Name of post	Whether substan- tive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
BPS-11 (25901-175-7840) Computer Assistant DPSC.	Perm:		4865/-	4690 + 175 4865	Permanent	21/8 2004	[Signature]
-dr-	-dr-	-dr-	5040/-	4865		01/12 2004	[Signature]
<p>DEPARTMENTAL FIXATION OF PAY W.E.F. 01-7-2005 on ACCOUNT OF REVISION OF BASIC PAY SCALE.</p>							
<p>Pay on 30.6.2005 in E.B.P.S-11 = 5040/- Pay Fixed on 01.7.2005 in RBPS-11 on Point to Point Basis = 5780/- ✓</p>							
RBPS-11 (2980-200-8980) Comp. Assst. DPSC & PCC, PWD	Perm:	2000/-	5780/-	5580	Permanent	01/7 2005	[Signature]

SUPERINTENDENT,
COMMISSIONER'S OFFICE,
MALAKKAN

9	10	11	12	13	14	15	
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination 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 four months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
<p>Assistant District Public Safety Commission, SWAT.</p> <p>30/11/04</p> <p>Re-fixation of pay of ...</p> <p>A.C.O. Swat / Secretary, Distt. Public Safety Commission, SWAT.</p>				<p>OPTION</p> <p>I hereby opt for the re-fixation of my pay in BPS-11 w.e.f 01.12.2004 with reference to my presumptive pay in BPS-7 on that date.</p>		<p>(RAJAB-ALI) CA, DPSC, Swat.</p>	
<p>A.C.O. Swat / Secretary, Distt. Public Safety Commission, SWAT.</p> <p>30/11/04</p> <p>Scale Paid.</p> <p>A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p> <p>Service from 21.8.2004 to 30.11.2004 verified from ...</p> <p>Service from 01.9.2004 to 30.11.2004 verified from ... computerized pay roll of DPSC, Swat.</p> <p>A.C.O. Swat / Secretary, Distt. Public Safety Commission, SWAT.</p>				<p>DEPARTMENTAL RE-FIXATION OF PAY ON ACCOUNT OF OPTION, W.E.F. 01.12.2004</p> <p>Pay in BPS-7 on 30.11.2004 = 4620/-</p> <p>Annual Increment on 01.12.04 = 120/-</p> <p>Total Pay on 01.12.2004 B-7 = 4740/-</p> <p>Pay fixed in BPS-11 on 01.12.2004 = 4865/-</p> <p>Pro-mature increment = 175/-</p> <p>Total Pay fixed in BPS-11 on 01.12.2004 = 5040/-</p>		<p>A.C.O. Swat / Secretary, Distt. Public Safety Commission, SWAT.</p> <p>Annual Increment.</p> <p>A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p> <p>ATTESTE</p> <p>SUPERINTENDENT, COMMISSIONER OFFICE, SWAT.</p>	
<p>A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p> <p>30/11/04</p>							

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
<u>BPS-11(2980-200-8980)</u>							
Comp. Assst. DPS & PCC, Swat	Perm:		5980/-			01/12/05	R/SAR
-do-	-do-		6180/-			01/12/06	R/SAR
DEPARTMENTAL FIXATION OF PAY ON 01-7-2007.							
Basic Pay on 30-6-2007 in B-11 = 6180/- Pay fixed in R.B. Pay Scale-11 on 01-7-2007 in the corresponding stage = 7110/-							
AC. General Secretary, District Public Safety and Police Complaints Commission, SWAT. <i>[Signature]</i>							
<u>RBPS-11(3430-230-10330)</u>							
Comp. Assst.:	-do-		7110/-	6880		01/7/07	R/SAR
-do-	-do-		7340/-			01/12/07	R/SAR
ATTESTED <i>[Signature]</i> SUPERINTENDENT, COMMISSIONER OFFICE, M.A. AKAND DIVISION.							

9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer 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		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
				Period	Government to which debitable		
<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	30/11/06	Annual Increment	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>		Service from 01.12.2004 to 30.11.2005 verified from the computerized Pay Roll of DPS & PCC, Swat.		
<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	30/6/07	Scale Raised	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>		Service from 01.12.05 to 30.11.06. Verified from the Computerized Pay Roll of DPSC, Swat.	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	
					<p>Basic Pay Scales raised w.e.f 01.7.2007 vide Govt. of NWFP Finance Deptt. letter No.FD (PRC) 1-1/2007 dt: 20.7.2007.</p>	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	
<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	30/11/07	Annual Increment	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>		Service from 01.12.06 to 30.11.07. Verified from the Computerized Pay Roll of DPSC, Swat.		
<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	30/6/08	Scale Raised	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>			<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	

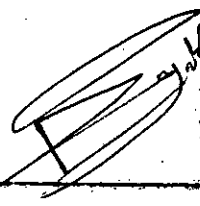

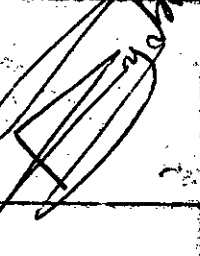
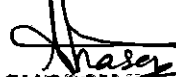

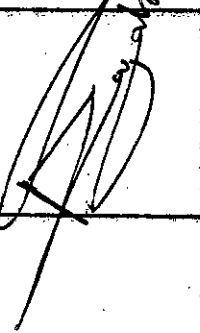
SUPERINTENDENT,
COMMISSIONER OFFICE,
MALAKAND DISTRICT.

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
DEPARTMENTAL FIXATION OF PAY ON 01.7.2008.							
Basic Pay on 30.6.2008 in BPS-11 = 7340/- Pay Fixed in R.B. Pay Scale -11 on 01.7.2008 in the corresponding stage = 8790/-							
RBPS-11 (4115-275-12365) Comp. Asstt.	Perin.	275/11	8790/-	8515		01/7/08	R/AR
do-	do-	275/11	9065/-	8790		01/12/08	R/AR
do-	do-	275/11	9340/-	9065		01/12/09	R/AR
580/11	5	DEPARTMENTAL FIXATION FIXATION OF PAY ON ACCOUNT OF APPOINTMENT AS ASSISTANT BPS-14.					
6880/11	07	9065					
8515/11	8	B. Pay on 18/12/09 in BPS-11 = 9340/- ✓					
1575/11	11	B. Pay fixed in BPS-14 on 19/12/09 on point to point basis in the next above stage = 9480/- ✓					
1575/11	14	Pre-mature increment = 380/-					
Total Pay fixed on 19/12/09				9860/-			9480

TESTING
SUPERINTENDENT,
COMMISSIONER OFFICE
MALAKAND DIVISION.

9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination 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 four months for which leave salary is debit to another Government		
				Period	Government to which debit		
<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	30/11/08	Annual Increment	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>		<p>Basic Pay Scales Revised w.e.f. 01.7.2008 vide letter of NWPP F.D. letter no. FD (PRC) 11-1/2008 dt: 10.7.2008.</p>	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	<p>Service from 01.12.07 to 30.11.08 Verified from the Computerized Pay Roll of DPSC, Swat.</p>
<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	3/09	Annual Increment	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>			<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	<p>Service from 01.12.08 to 30.11.09 Verified from the Computerized Pay Roll of DPSC, Swat.</p>
<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	18/12/09	Appointed as Asst. in the (AN) CMD's office.	<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>			<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	<p>Service from 01.12.09 to 18.12.09 Verified from the Computerized Pay Roll of DPSC, Swat.</p>
<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>			<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>			<p><i>[Signature]</i> A.C.O. / Secretary, District Public Safety and Police Complaints Commission, SWAT.</p>	

[Signature]
SUPERINTENDENT,
POLICE COMPLAINTS COMMISSION,
SWAT.



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. 374 C.S.R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "p"	7 Date of appointment	8 Signature of Government Servant
B.P.S-14 (4920-380-16320)	Perm:		9480				
Assistant	Perm:	3007 P.M.	9860			19/12/09 (F.N)	
do		300	9860			01/10/10 (FN)	
<p>DEPARTMENTAL FIXATION OF PAY ON 01.7.2011, vide F.D Notification No. FD (PRC) 1-1/2011 dt. 14.7.2011</p>							
<p>B. Pay on 30.6.2011 in B-14 = 10240/- Pay fixed in the R.B. Pay Scales on 01.7.2011 on point to point Basis = 16540/-</p>							
 SUPERINTENDENT, COMMISSIONER OFFICE, MALAKAND DIVISION.	 Assistant to Commissioner (Rev) Malakand Division.						
B.B.P.S-14 (8000-610-26300)	Assistant Perm:	610/-	16540/-	159307/-		01/7/2011	

Name and Designation of the head of the office or other attesting officer or the stationing officer	Date of termination or appointment	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
				Nature and duration of leave taken.	Application of period of leave and average pay upto four months for which leave salary is debtable to Government to which debtable		
<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.	30/11/10 (AN)	Annual Increment	<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.	Appointed as Assistant (BPS-14) in the office of Commissioner, Malakand Division. Said Shrif vide rule Endrt: No. 3909-17/21 2/VP: II/E Stab: dt: 17.12.2009.			
<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.	30.6.2011	Scale Revised	<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.	Service from 19/12/09 to 30/11/2010 Verified from the office copies of pay rolls and other record & found correct.		<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.	
<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.			<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.			<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.	
ATTESTED							
<i>[Signature]</i> SUPERINTENDENT, COMMISSIONER OFFICE, MALAKAND DIVISION.							
<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.	30/11/2011	Annual Increment	<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.	Service from 01/12/2010 to 30/11/2011 Verified from the office copies of pay rolls and other record & found correct.		<i>[Signature]</i> Asstt. to Commissioner (Revenue) Malakand Division.	

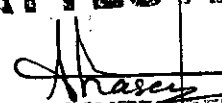
Draw - diff: 7 B-14 B-14
up 12 to 31 12 09 Rs 3631
Asstt. to Commissioner
of Accounts Dept.
1/9/11

1004
23/4/10
84000
84000
149
2/5/10
3/5/12
A.O. D.A.O. 10
12 11

Service from 01/12/2010 to 30/11/2011
Verified from the office copies
of pay rolls and other record &
found correct.

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 "p"	7 Date of appointment	8 Signature of Government Servant
<i>Annex - E 25</i>							
BPS-14 (8000-610-26300)							
Assistant Pw			17150	1654/-		01/12/2011	
do			17760	17150/-		01/12/2012	
<p>Note over Payment may be recovered</p>							
13		As 175/PM	12/04	to 6/2005	Rs 12257/-		
		2007-	7/05	- 6/07	Rs 48007/-		
		2307	7/07	- 6/08	Rs 27607/-		
		2757	7/08	- 18/12/09	Rs 99007 48357/-		
		3807	19/12/09	- 6/2011	Rs 51007 6999		
		6107	7/2011	- 8/2013	Rs 158607		
					Total Rs 367447 36479		
							Accounts Officer Pay fixation party

12/18
12/18

ATTESTED

 SUPERINTENDENT,
 COMMISSIONER OFFICE,
 MALAKAND DIVISION.

Accounts Officer
 Pay fixation party

8	9	10	11	12	13	14	15	
Nature of Service	Name and Designation of the head of the office or other attesting officer. Attestation of columns 1 to 8	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
					Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government Period Government which debitible.		
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	
	Asstt. to Commissioner (Revenue) Malakand Division	30/11/2012	Annual Increase	[Signature]	136	13.08.2012	[Signature]	

30/11/2012
Annual Increase
2012
NET Rs 13000/-
SOURCE REG No 30
DATED 15.08.2012


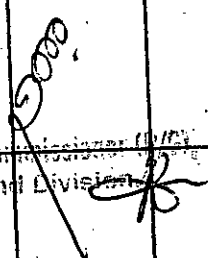
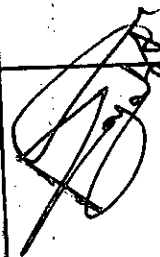
2009 2005
OFFICE OF THE ACCOUNTANT GENERAL
KHYBER PAKHTUNKHWA PESHAWAR
PAY FIXED IN THE ...
OF RS 2880 200 2880 - 11
AT RS 5880

R.B.F. 34300 2805 10330 11
Pay Scale 6880
415-22-12305 11
8375
800-618-26300-5-04

ATTESTED
[Signature]
SUPERINTENDENT,
COMMISSIONER OFFICE,
MALAKAND DIVISION.

Accounts Officer,
Pay Fixation Party,
Peshawar

Annex - E 27 36

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "..."	Date of appointment	Signature of Government Servant
BPS-14 (8000-610-26300) Asst. Perm.			17760/-			01/12/13	
<p>DEPARTMENTAL FIXATION OF PAY ON ACCOUNT OF UP-GRADATION OF PAY SCALE OF POST OF ASSISTANT.</p>							
<p>Basic Pay in BPS-14 on 19.5.14 = 17,760/-</p>							
<p>Pay fixed in the next above stage in BPS-16 on 22.5.2014 = 18,000/-</p>							
<p>Assistant Commissioner (IT) Malakand Division</p> 							
BPS-16 (10,000-800-34000) Assistant Perm.			18,000/-			20/5/14	

nature of the head other at in attached column

8 Signature of Government Servant	9 Name and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	10 Date of termination or appointment.	11 Reason of termination such as promotion, transfer, dismissal, etc.)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	15 Reference to any recorded punishment or censure or praise of the Government Servant.
					Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
					Period	Government to which debitable		
							<i>Anwar-E 28</i>	
					CP-1037 dt 9/9/2013 Overpayment of Rs 36479/- pointed out by pay fixation party is being recovered @ 1000/pm due to 7/9/2013			
	<i>Assistant to Commissioner (R/G) Malakand Division</i>	$20 \frac{5}{14}$	Post upgraded.					
		$19 \frac{5}{14}$		<i>Assistant to Commissioner (R/G) Malakand Division</i>			The post of Assistant upgraded for BPS-14 to BPS-16 vide Govt: of Khyber Pakhtunkhwa Finance Dept (Regulation Wing) Notification No. FD/50(FR)16-22/2014 dt: 20.5.14.	
			All cuttings attested.				<i>Assistant to Commissioner (R/G) Malakand Division</i>	
				<i>Assistant to Commissioner (R/G) Malakand Division</i>			Service from $01/12/13$ to $19/5/14$ Verified from the office copies of pay rolls and other records found correct.	
	<i>Assistant to Commissioner (R/G) Malakand Division</i>						<i>Assistant to Commissioner (R/G) Malakand Division</i>	

ST

17760

3000/-

ST

TC A swat

11/2/13

Assistant to Commissioner (R/G) Malakand Division

Assistant to Commissioner (R/G) Malakand Division

Annex - F1

3840

To:

The Commissioner,
Malakand Division, Saidu Sharif.

Subject. APPLICATION/REPRESENTATION FOR RE-FIXATION OF PAY OF THE APPLICANT AFTER GRANT OF ANNUAL INCREMENT, IN LIGHT OF KHYBER PAKHTUNKHWA F.D. CIRCULAR LETTER DATED 02.9.2000.AND STRUCKING DOWN RECOVERY AGAINST THE APPLICANT.

Respected Sir,

I, the Petitioner submit as under for your kind perusal and favourable consideration:-

1. That I (the applicant) had been in regular continuous Government service as Junior Clerk (Selection Grade BPS-7) in the office of Deputy Commissioner Swat since 29.9.1987.
2. That on 20.8.2004 I was appointed as Computer Assistant BPS-11 in the District Public Safety Commission Swat by initial recruitment after applying for the said post through proper channel.
3. That after appointment on the post of Computer Assistant, pursuance to the Finance Department circular letter No.FD (PRC)1-1/97 dated 16.3.1999 (copy Annex-A) my pay was fixed in the higher scale after allowing me (applicant) one pre-mature increment.
4. That On 01.12.2004 again, my pay was re-fixed in light of the Finance Department Circular letter dated 02.9.2000 (Annex-B), due to exercising my option, with reference to my presumptive pay in the lower Scale on that date with grant of annual increment.
5. That later on the Pay Fixation Party of the office of Accountant General pointed out recovery of alleged overpayment of Rs:36,479/- with regard to one increment given to me with effect from 01.12.2004 with the verbal assertion that the circular letter dated 02.9.2000 of Finance Department is meant only for the cases of promotion and that is not applicable to the cases of initial recruitment. For this reason, my pay has now been fixed by the concerned Party with retrenching of one increment from my pay with effect from 01.12.2004, causing great financial loss to me.
6. That as a result of refusing the benefit of circular letter dated 02.9.2000 of Finance Department to me; I (the applicant) have been deprived of the benefits available to the promoted government servants.
7. That I (the applicant) have been less favorably treated than those who are promoted to the higher post from the lower posts. Such position has created an anomalous situation for the applicant.

8. That by the above treatment with the applicant, human rights of the applicant have been violated and clear cut discrimination between two human beings i.e one promoted from the lower to the higher post and the other recruited by initial recruitment to the higher post from the lower post has been made, which is not understandable.
9. That the said discrimination and violation of human rights etc, need to be looked into and appropriate remedy provided to the applicant.

In light of the above it is humbly prayed that the applicant may kindly be extended the benefit of re-fixation of pay as mentioned in the circular letter dated 02.9.2000 by making applicable/extended it to the case of applicant with effect from the due date i.e. 01.12.2004 with the request that the recovery mentioned in Para-5 above, against the applicant, may kindly be struck down and obliged.

Copy of Rule-10 of the Khyber Pakhtunkhwa Civil Services Pay Revision Rules, 1978 is Annex-C1 to C5, please.

Yours obediently,



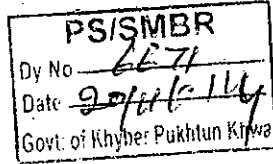
(RAJAB ALI) ASSISTANT,
COMMISSIONER OFFICE,
MALAKAND DIVISION.

Dated:01.10.2014



Annex - 2 46
7/11/2014

OFFICE OF THE
COMMISSIONER MALAKAND DIVISION
SAIDU SHARIF SWAT 4



No.19820/P.F/Estt.

Dated 17/11/2014

To:

The Senior Member, Board of Revenue,
Revenue & Estate Department,
Khyber Pakhtunkhwa, Peshawar.

Received by PS to
SMBR

✓
20/11/14

Subject: - DEPARTMENTAL APPEAL.

Sir,

I am directed to refer to the subject noted above and to enclose herewith a Departmental Appeal of Mr. Rajab Ali, Assistant of this office, the contents of which are self-explanatory.

2. I am further to request that an application/representation of the appellant addressed to this office was examined by the District Comptroller of Accounts Swat and informed him that "Re-fixation of pay has been allowed to government servants on promotion and not in case of appointment to higher post. The action taken by the Pay Fixation Party is correct" vide this office Memo: No.18427/P.F/Estt; dated 23.10.2014 (copy enclosed with the departmental appeal as Annexure-A), please.

Encl: As above.


SECRETARY TO COMMISSIONER
MALAKAND DIVISION
Ph# 0946-9240458

No.19821-22/P.F/Estt:

Copy forwarded to:-

1. The District Comptroller of Accounts, Swat for information, please.
2. Mr. Rajab Ali, Assistant of this office with reference to his application dated 12.11.2014.


SECRETARY TO COMMISSIONER
MALAKAND DIVISION

Annex - H1 41

BEFORE THE SENIOR MEMBER, BOARD OF REVENUE, GOVERNMENT OF
KHYBER PAKHTUNKHWA, REVENUE & ESTATE DEPARTMENT, CIVIL
SECRETARIAT, PESHAWAR.

THROUGH PROPER CHANNEL.

Rajab Ali Assistant, Office of the Commissioner , Malakand Division,

Saidu Sharif.....APPELLANT.

VERSUS:

1. The Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Peshwar.
2. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. The Commissioner, Malakand Division, at Saidu Sharif, Swat.
4. The District Comptroller of Accounts, Swat, at Saidu Sharif, Swat.

..RESPONDENTS.

APPEAL AGAINST THE DECISION DATED 23.10.2014 OF
RESPONDENT NO.3 MADE IN LIGHT OF LETTER/OPINION
NO.DCA-SWAT/PR-III/184 DATED 20.10.2014 OF THE
RESPONDENT NO.4, CONVEYED TO THE APPELLANT VIDE
LETTER NO.18427/P.F/ESTT, DATED 23.10.2014. COPIES OF
THE DECISION DATED 23.10.2014 AND OPINION DATED
20.10.2014 ARE ANNEXURES-'A' & 'B' RESPECTIVELY.

Respectfully sheweth:

1. That the appellant had been in regular continuous Government service as Junior Clerk (Selection Grade BPS-7) in the office of Deputy Commissioner, Swat since 29.9.1987.
2. That on 20.8.2004 the appellant was appointed as Computer Assistant BPS-11 in the District Public Safety Commission Swat by initial recruitment after applying for the said post through proper channel.
3. That after appointment on the post of Computer Assistant, pursuance to the Finance Department circular letter No.FD (PRC)1-1/97 dated 16.3.1999 (copy Annex-'C') pay of the appellant was fixed in the higher scale after allowing One pre-mature increment.
4. That on 01.12.2004 pay of the appellant was re-fixed in light of the Finance Department Circular letter dated 02.9.2000 (Annex-'D') due to exercising of appellant's option, with reference to his presumptive pay in the lower Scale on that date with grant of annual increment.
5. That later on, the Pay Fixation Party of the office of Accountant General (Respondent No.2) pointed out recovery of alleged overpayment of Rs:36,479/- with regard to one increment given to appellant with effect from 01.12.2004 with the verbal assertion that the circular letter dated 02.9.2000 of Finance Department (Respondent No.1) is meant only for the cases of promotion and is not applicable to the cases of initial recruitment. For this reason, appellant's pay has now been fixed by the concerned Party with

retrenching annual increment of 01.12.2004 from appellant's pay, causing great financial losses with inconvenience and hardship to him (Attested copies of the Service Book's Pages-18 to 23 and P-4 to P-7 are attached as Annex-E1-E10).

6. That due to causing heavy financial etc losses to the appellant in shape of retrenching one increment from him with the recovery of Rs.36,479/-, the appellant made representation dated 01.10.2014 to the Respondent No.3 for considering his case of re-fixation of pay and grant of annual increment in the light of Khyber Pakhtunkhwa F.D Circular letter dated 02.9.2000 and striking down recovery against the appellant, which was refused vide decision/letter dated 23.10.2014; hence, this appeal on the following amongst other grounds:

G R O U N D S:

- i. That the opinion/views as well as the impugned decision of both the respondents, respectively, are unjust as well as the result of discrimination; hence, untenable and liable to be quashed.
- ii. That by refusing the benefit of circular letter dated 02.9.2000 of Finance Department the appellant has been deprived of the benefits available to the promoted government servants.
- iii. That the appellant has been less favorably treated than those who are promoted to the higher post from the lower posts. Such position has created an anomalous situation for the appellant.
- iv. That by the above treatment with the appellant, his human rights have been violated and clear cut discrimination between two human beings/Government servants i.e one promoted from the lower to the higher post and the other recruited by initial recruitment to the higher post from the lower post, has been made, which is quite illogical.
- v. That the said discrimination and violation of human rights etc, need to be probed into and appropriate remedy provided to the appellant.
- vi. That the above and other facts clearly shows that the appellant deserves to be provided proper and legal remedy, prayed for.

In view of the above and other facts, it is humbly prayed that the appellant may kindly be extended the benefit of re-fixation of pay as mentioned in the circular letter dated 02.9.2000 by making applicable/extended its benefit to the case of appellant with effect from the due date i.e. 01.12.2004, with the request to struck down the recovery mentioned in Para-5 above, against the appellant.

Copy of Rule-10 of the Khyber Pakhtunkhwa Civil Services Pay Revision Rules, 1978 is Annexed as D1 to C4, please.

Annex - H3

43
43

APPELLANT,



(RAJAB ALI) ASSISTANT,
COMMISSIONER OFFICE,
MALAKAND DIVISION.

Dated: __.11.2014.

Certified that contents of the above appeal are
true and correct to the best of my knowledge and
belief and nothing has been concealed from this
Hon'ble forum.



Rajab Ali Deponant.

Annex-I 44

THROUGH PROPER CHANNEL.

To:

The Senior Member Board of Revenue,
Government of Khyber Pakhtunkhwa,
Revenue & Estate Department, Peshawar.

Subject. APPLICATION FOR APPROPRIATE REMEDY.

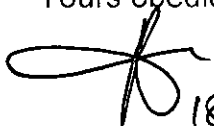
Respected Sir,

The applicant most humbly submits as under for your kind perusal and consideration:-

1. That the applicant had been in regular continuous Government Service as Junior Clerk (Selection Grade BPS-7) in the office of Deputy Commissioner, Swat since 29.9.1987.
2. That on 20.8.2004 the applicant was appointed as Computer Assistant BPS-11 in the District Public Safety Commission Swat by initial recruitment after applying for the said post through proper channel.
3. That after appointment on the post of Computer Assistant, pursuance to the Finance Department circular letter No.FD (PRC)1-1/97 dated 16.3.1999 (copy Annex-C) pay of the applicant was fixed in the higher scale after allowing one pre-mature increment.
4. That on 01.12.2004 pay of the applicant was re-fixed in light of the Finance Department Circular letter dated 02.9.2000 (Annex-D) due to exercising of applicant's option, with reference to presumptive pay in the lower Scale on that date with grant of annual increment.
5. That later on, the Pay Fixation Party of the office of Accountant General pointed out recovery of alleged overpayment of Rs:36,479/- with regard to one increment given to applicant with effect from 01.12.2004 with verbal assertion that the circular letter dated 02.9.2000 of Finance Department is meant only for the cases of promotion and is not applicable to the cases of initial recruitment. For this reason, applicant's pay has now been fixed by the concerned Party with retrenching annual increment of 01.12.2004, causing great financial losses with inconvenience and hardship (Attested copies of the Service Book's Pages-18 to 23 and P-4 to P-7 are attached as Annex-E1 to E10).
6. That due to causing heavy financial etc losses to the applicant in shape of retrenching one increment from the applicant's pay with recovery of Rs:36,479/- the applicant made representation dated 01.10.2014 to the Commissioner for considering the case of re-fixation of pay and grant of annual increment in light of the Finance Department Circular letter dated 02.9.2000 and striking down the recovery as mentioned above. However the representation was declined vide letter dated 23.10.2014 (Annex-A).

In view of the above, it is humbly prayed that the Finance Department may kindly be asked to extend the benefit of re-fixation of pay as mentioned in the circular letter dated 02.9.2000 by making applicable/extended its benefit to the case of applicant with effect from the due date i.e. 01.12.2004, so that the applicant is saved from the financial losses of one increment and recovery as mentioned in Para-5 above against the applicant.

Yours obediently,


(RAJAB ALI) Assistant,
COMMISSIONER OFFICE
MALAKAND DIVISION.

Annex-5

45

Better copy.

GOVERNMENT OF KHYBER PAKHTUNKHWA,
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT.

No. B&AO/BOR/25520/2014
Peshawar dated the 30/12/2014.

To:

The Secretary to Government of Khyber Pakhtunkhwa,
Finance Department, Peshawar.

SUBJECT. APPLICATION FOR APPROPRIATE REMEDY.

I am directed to enclose herewith a self-explanatory application submitted by Mr. Rajab Ali, Assistant of Office of Commissioner Malakand Division. He has taken exception to order of District Comptroller of Accounts Swat wherein recovery of one increment from pay of the official has been ordered. The official while serving as Junior Clerk in office of Deputy Commissioner, Swat was appointed to the post of Computer Assistant in (BPS-11) through initial recruitment and allowed one increment on basis of Finance Department Circular letter No.FD(PRC)1-1/2000, dated 2nd September, 2000. The applicant asserts that the aforementioned circular discriminates Government Servants working in lower grade when appointed to higher grade through initial recruitment. Similar anomaly was removed by Finance Department vide Circular No.FD(PRC)1-1/97, dated 16th March, 1999 allowing benefit to initial appointment recruits.

The application is forwarded for consideration in order to remove the anomaly.

(Mukhtar Ahmad Rana),
Budget & Accounts Officer.

No. & Date Even:

Copy forwarded to the Secretary to Commissioner, Malakand Division, Saidu Sharif with reference to his letter NO.18427/PF/Estt: dated 23.10.2014 for information, please.

Sd/-
Budget & Accounts Officer.

Annex-5

45

GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

No. B&AO/BOR/ 25520/2014

Peshawar dated the 30/12/2014.

To

The Secretary to Government of Khyber Pakhtunkhwa,
Finance Department, Peshawar.

SUBJECT: APPLICATION FOR APPROPRIATE REMEDY

I am directed to enclose herewith a self explanatory application submitted by Mr. Rajab Ali Assistant of Office of Commissioner Malakand Division. He has taken exception to order of District Comptroller of Accounts Swat wherein recovery of one increment from pay of the official has been ordered. The official while serving as Junior Clerk in office of Deputy Commissioner, Swat was appointed to the post of Computer Assistant in (BPS -- 11) through initial recruitment and allowed one increment on basis of Finance Department Circular No. FD(PRC)1-1/2000, dated 2nd September, 2000. The applicant asserts that the aforementioned circular discriminates Government Servants working in lower grade when appointed to higher grade through initial recruitment. Similar anomaly was removed by Finance Department vide Circular No. FD(PRC)1-1/97, dated 16th, March, 1999 allowing benefit to initial appointment recruits.

The application is forwarded for consideration in order to remove the anomaly.

(Mukhtar Ahmad Rana)
Budge & Accounts Officer

No. & Date Even:

Copy forwarded to the Secretary to Commissioner, Malakand Division, Saidul Sharif with reference to his letter No.18427/PF/Estt: dated 23.10.2014 for information, please.

EA

Secy:

21/1/15

Budge & Accounts Officer



Annou K

46

**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)**

NO. FD (SOSR-1) 12-5/ 2015
Dated Peshawar the: 15-01-2015

To:

The Budget & Accounts Officer,
Revenue & Estate Deptt,
Peshawar.

9.72)

General Diary

By No. 163

Date 16-1-2015


Revenue & Estate
Khyber Pakhtun Khaw

Subject: - APPLICATION FOR APPROPRIATE REMEDY

I am directed to refer to your letter No.B&AO/
BOR/25520/2014(Rajab Ali) dated 30-12-2014 on the subject noted above
and to state that the instant case may kindly be examined / decided at your
own level in light of this Department's circular letter dated 16-03-1999
(copy enclosed) which is so much clear upon the issue.

put up on file


SECTION OFFICER (SR-1)


A/Bud. I


16/01


16/1/2015

(12) Letters in (Office Work Local D)

Services Pay Revision Rules, 1978 shall also equally apply in the cases where
appointment to a higher post from a lower post is made by initial recruitment.

Annou - L 47
90
107

**GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT**

No.Bud:I/General/Instruction/2014-15/ 1592
Peshawar Dated the 21/01/2015

To,

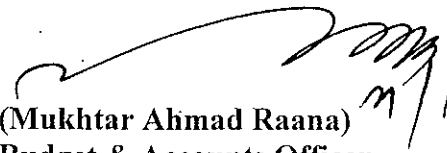
Annou - L

The Section Officer (SR-1),
Government of Khyber Pakhtunkhwa,
Finance Department.

SUBJECT: APPLICATION FOR APPROPRIATE REMEDY/REQUEST FOR ANNUAL INCREMENT W.E.F 01-12-2004.

Kindly refer to your letter No.FD(SOSR-1)12-5/2015 dated 15-01-2015 on the subject noted above and to say that this office letter No.B&AO/BOR/25520/2014 dated 30-12-2014 was meant for removing the anomaly/discrimination in Finance Department circular letter No.FD(PRC)1-1/2000 dated 02-09-2000 (copy enclosed), by extending the benefit of option for re-fixation of pay w.e.f 1st December to those who are appointed from Lower to the Higher post by initial recruitment.

It is, therefore, requested to re-examine the case accordingly, please.


(Mukhtar Ahmad Raana)
Budget & Accounts Officer,
Telephone No. 091-9210045

Annex - L
47
Better copy.

GOVERNMENT OF KHYBER PAKHTUNKHWA,
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT.

No. Bud:/General/Instruction/2014-15/1592
Peshawar Dated the 21/01/2015.

To:

The Section Officer (SR-I),
Government of Khyber Pakhtunkhwa,
Finance Department.

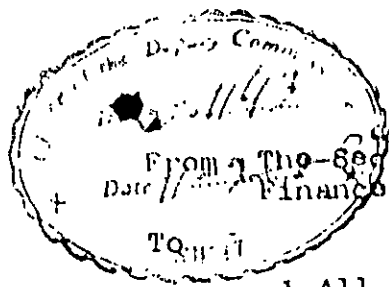
SUBJECT. APPLICATION FOR APPROPRIATE REMEDY/REQUEST FOR ANNUAL INCREMENT W.E.F 01-12-2004.

Kindly refer to your letter No.FD(SOSR-1)12-5/2015 dated 15.01.2015 on the subject noted above and to say that this office letter No. B&AO/BOR/25520/2014 dated 30/12/2014 was meant for removing the anomaly/discrimination in Finance Department circular letter No. FD(PRC)1-1/2000, dated 02.9.2000 (Copy enclosed) by extending the benefit of option for re-fixation of pay w.e.f. 1st December to those who are appointed from Lower to the Higher post by initial recruitment.

It is, therefore requested to re-examine the case accordingly, please.

Sd/-
(Mukhtar Ahmad Rana),
Budget & Accounts Officer.
Telephone No.091-9210045

Dated Peshawar the, Jan. 13, 2000.



From the Secretary to Govt. of NWFP,
Finance, E&T, Department, Peshawar.

To: Mr. I

Amru - M

1. All Administrative Secretaries to Govt. of NWFP.
2. The Senior Member, Board of Revenue, NWFP, Peshawar.
3. The Secretary, Provincial Assembly, NWFP, Peshawar.
4. All Heads of Attached Departments in NWFP.
5. The Secretary to Governor, NWFP, Peshawar.
6. The Secretary to Chief Minister, NWFP, Peshawar.
7. All Commissioners/Deputy Commissioners/Political Agents/District and Session Judges in NWFP.
8. The Registrar, Peshawar High Court, Peshawar.
9. The Secretary, Public Service Commission, NWFP, Peshawar.
10. The Registrar, Service Tribunal, NWFP, Peshawar.
11. The Secretary, Board of Revenue, NWFP, Peshawar.

SUBJECT: -OPTION FOR RE-FIXATION OF PAY.

Sir,

I am directed to refer to the subject noted above and to say that enquiries are being received regarding application of Rule 10(3) of NWFP, Civil Services Pay Revision Rules 1978, reproduced below, in the cases of Selection Grade :-

"If a civil servant before reaching the maximum of a Revised National pay Scale is promoted to a higher pay scale between the 2nd June and the 30th November, of a calendar year and his initial pay in the later scale is fixed with reference to his pay in the former scale, he may, at his option, get his pay re-fixed in the higher scale with effect from the 1st day of December of the year of his promotion with reference to his presumptive pay on that date in his pre-promotion scale, provided that his promotion is not subject to length of service."

2. I am to clarify that Rule 10(3) of NWFP Civil Services Pay Revision Rules 1978, reproduced above, equally applies in the case of Selection Grade, which is treated at par with promotion for the purpose of fixation of pay.

Your obedient servant

Deets
DES
10/3

(ABDUS SAMAD KHAN)
ADDITIONAL FINANCE SECY. I

Contd: On P.2...

ENDST.NO & DATE EVEN.

Copy forwarded for information to :-

1. All the Heads of Autonomous/Semi Atuonomous Bodies/
Coporations in NWFP.

Muhammad Khan
(MUHAMMAD KHAN)
DEPUTY SECRETARY (REG.)

ENDST.NO & DATE EVEN.

Copy forwarded for information to :-

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

Rashid Khan
(RASHID KHAN)
SECTION OFFICER (REG.)

N. A. KHAN, I.L.

Annex - N1

49



GOVERNMENT OF
THE
NORTH-WEST FRONTIER PROVINCE

Amir Ali
4/1/1983

FINANCE DEPARTMENT

THE NORTH-WEST FRONTIER PROVINCE

CIVIL SERVICES PAY REVISION
RULES, 1978.

(CORRECTED UPTO 31ST AUGUST, 1982)

ATTESTED

Amir Ali

SUPERINTENDENT,
COMMISSIONER OFFICE,
MALAKAND DIVISION.

Printed by the Manager,
Government Stationery & Printing Department,
North-West Frontier Province,
Peshawar.

1982

Annex - N2
50

FINANCE DEPARTMENT

NOTIFICATION.

31st May, 1978.

No. F. D. S. O. (PRC)/1-2-/77.—In exercise of the powers conferred by section 26 of the North-West Frontier Province, Civil Servants Act, 1973, the Governor of the North-West Frontier Province is pleased to make the following rules namely :—

**THE NORTH-WEST FRONTIER PROVINCE CIVIL SERVICES
PAY REVISION RULES, 1978.**

1. **Short title, application and commencement.** (1) These rules may be called the North-West Frontier Province Civil Services Pay Revision Rules, 1978.

(2) They shall come into force at once and shall be deemed to have taken effect on and from the 1st day of May, 1977.

(3) Except as provided in rule 4, these rules shall apply to all civil servants holding posts specified in the schedule.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context,—

(a) "Annexure" means an annexure appended to these rules ;

(b) "existing civil servant" means a civil servant who was in service on 30th April, 1977, and continued in service after that date ;

(c) "existing pay" means the pay, other than special pay, personal pay, teaching pay or any other pay or allowance that an existing civil servant would have drawn on 30th April, 1977.

(d) "existing pay scale" means the scale of pay to which a civil servant was entitled immediately before the coming into force of these rules ;

(e) "Government" means the Government of the North-West Frontier Province ;

(f) "National Pay scale" means the scales of pay prescribed under :—

(i) the North-West Frontier Province (Non-Gazetted) Civil Services, (National Scales of Pay) Rules, 1972 ;

or

(ii) the North-West Frontier Province (Gazetted) Civil Services (National Scales of Pay) Rules, 1974 ;

or

(iii) the North-West Frontier Province (Non-Gazetted), Teaching Staff (National Scales of Pay) Rules, 1973 ;

or

(iv) the North-West Frontier Province (Gazetted) Teaching Staff (National Scales of Pay) Rules, 1974 ;

(g) "Revised National Pay Scales" means the scales of pay as specified in column 3 of Annexure "A" to these rules ; and

(h) "Schedule" means the schedule appended to these rules.

3. **Applicability of the Revised National Pay Scales.**—(1) A civil servant appointed on or after 1st May, 1977, to a post specified in the Schedule shall draw pay in the Revised National Pay Scales as shown against the post.

ATTESTED


**SUPERINTENDENT,
COMMISSIONER OFFICE,
MALAKAND DIVISION.**

Annex - N3

51

ii

(2) Subject to the provisions of rule 4, an existing civil servants shall draw pay in the Revised National Pay Scales as shown against the post held by him ; provided that an existing civil servant drawing pay in a National Scale of Pay higher than a scale prescribed for the post by virtue of any of the following rules, namely :—

- (i) rule 10 and 11 of the North-West Frontier Province (Non-Gazetted) Civil Services (National Scales of Pay) Rules, 1972 ;
- (ii) rule 8 and 11 of the North-West Frontier Province (Gazetted) Civil Services (National Scales of Pay) Rules, 1974 ;
- (iii) rule 8 and 10 of the North-West Frontier Province (Non-Gazetted) Teaching Staff (National Scales of Pay) Rules, 1973 ;
- (iv) rule 7 and 11 of the North-West Frontier Province (Gazetted) Teaching Staff (National Scales of Pay) Rules ; 1974 ;

shall draw pay in such Revised National Pay Scale as corresponds to that higher National Pay Scale shown in Annexure "A".

4. **Option.**—All existing civil servants who, under the Finance Department's Letter No. FD (SO) PRC/1-2/77, dated 16th May, 1977, had opted to retain their existing scales of pay shall not be governed by these rules and the option exercised by them shall be deemed to have been exercised under these rules. Such civil servants shall continue to be governed by the rules, orders, etc., which were applicable to them immediately before the coming into force of these rules.

5. **Admissibility of compensatory allowance and other benefits.**—(1) Compensatory Allowances and other benefits sanctioned in the Finance Department's Letter No. FD (SO) PRC/1-2/77, dated 16th May, 1977, shall be admissible only to those existing civil servants who draw pay in the Revised National Pay Scales.

(2) An existing civil servant who opts to retain the existing pay scale shall continue to draw the dearness pay/allowances and the compensatory allowances admissible to him immediately before the coming into force of these rules.

6. **Fixation of pay in Revised National Pay Scales.**—(1) The pay of all existing civil servants who do not opt for the existing pay scales shall be fixed in the Revised National Pay Scales with effect from 1st May, 1977.

(2) The pay shall be fixed at a stage in the Revised National Pay Scales which is equal to or, if there is no such stage, at the stage next above the aggregate of the following :—

- (i) the existing Pay ;
- (ii) the amount being received as,—
 - (a) dearness allowance sanctioned by Government *vide* Letter No. FD (SR-I) 7-1/73, dated 27th September, 1973 ;
 - (b) special dearness allowance, sanctioned by Government *vide* Letter No. FD (SR-I) 7-2/74, dated 25th June, 1974, to be calculated on existing pay as defined in clause (c) of rule 2 ;
 - (c) additional dearness allowance sanctioned by Government *vide* Letter No. FD (SR-II) 7-2/75, dated 16th April, 1975 ; and
- (iii) the amount determined at the rate of 10% of the total of (i) and (ii) above :

ATTESTED

Handwritten signature

Provided that if the aggregate of (i), (ii) and (iii) exceeds the maximum of the relevant Revised National Pay Scale, the pay of a civil servants shall be fixed at the maximum of the Revised National Pay Scale :

Provided further that the pay of the existing civil servants already fixed in the Revised National Pay Scales under Letter No. FD (SO) PRC/1-2/77

dated 16th May, 1977, shall be deemed to have been so fixed under these rules.

(3) The dearness allowance, special dearness allowance and additional dearness allowance referred to in the preceding sub-rules shall not be admissible to those who draw pay in the Revised National Pay Scales.

(4) No specific orders for crossing of efficiency bar will be necessary if by virtue of the formula given in sub-rule (2), the pay of a civil servant is fixed at a stage beyond the efficiency bar.

(5) The pay of every civil servant covered by this rules shall be fixed both in the scale of his substantive post and the scale of the post held by him in a temporary/Officiating capacity or on *ad hoc* basis, or if already fixed under Letter No. FD(SO) PRC/1-2/77, dated 16th May, 1977, shall be deemed to have been fixed under these rules.

7. **Increments in the Revised National Pay Scales.**—The increments in the Revised National Pay Scales shall fall due on 1st day of December, following the completion of at least six months service at a stage in the relevant Revised National Pay Scale.

8. **Admissibility of next higher Revised National Pay Scale.**—(1) A civil servant holding post in the Revised National Pay Scales 1 to 15, who has reached the maximum of a Revised National Pay Scale shall be allowed the next higher Revised National Pay Scale with effect from the 1st day of December, of the year in which he completes one year of such service at the said maximum as counts for increment under these rules, subject to the condition that there is no adverse entry in the Annual Confidential Reports of the civil servant in Revised National Pay Scale 4 to 15 for the last four years. If this condition is not fulfilled, he shall wait at the said maximum till he has earned in succession four Annual Confidential Reports without any adverse entry and his move over to the next higher Revised National Pay Scale shall take effect from the 1st day of December of the year, following the year for which the earns the fourth such annual confidential report.

(2) (a) A civil servant who has reached the maximum of Revised National Pay Scale 16 or 17 shall be brought to Revised National Pay Scale 17 or 18, respectively, with effect from the 1st day of December, of the year in which he completes three years of such service at the aforementioned maximum as counts for increment under these rules subject to the condition that there is no adverse entry in his Annual Confidential Reports from the year of reaching of maximum upto the year of moving over (both years inclusive). If this condition is not fulfilled, he shall wait at the maximum till he has earned in succession four annual confidential reports without any adverse entry and his move over to the next higher Revised National Pay Scale shall take effect from the 1st day of December, of the year, following the one for which the last such report is earned.

(b) A civil servant holding post in Revised National Pay Scale 16 shall be allowed to move over only to Revised National Pay Scale 17 and the one holding post in Revised National Pay Scale 17 shall be allowed to move over only to the Revised National Pay Scale 18.

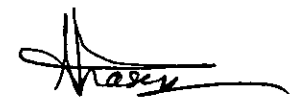
9. **Fixation of pay on transfer from a lower scale to a higher scale.**—When a civil servant is allowed to draw pay in the next higher Revised National Pay Scale under rule 8 or his post having been upgraded, his pay in the higher scale shall be fixed at a stage next above his pay in the lower scale.

10. **Fixation of pay on promotion.**—(1) Subject to the provisions of rule 11—

(i) Where a civil servant is promoted from a lower to a higher post in Revised National Pay Scales 2 to 19 where the stage in the Revised National Pay Scale of the higher post, next above the pay of the civil servant concerned in the pay scale of the lower post gives a pay increase equal to or less than a full increment of the pay scale of the higher post, the initial pay in the Revised National Pay Scale of the higher post shall be fixed after allowing a premature increment in the Revised National Pay Scale of the higher post ;

(ii) Where a civil servant is promoted from a lower post to a higher post in Revised National Pay Scale 20 and above after completion of the the minimum length of service prescribed for the relevant grade, his pay in

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**SUPERINTENDENT,
COMMISSIONER OFFICE,
MALAKAND DIVISION.**

the scale of the higher post shall be fixed at the stage next above his pay in the scale of the lower post; and

(iii) Where a lower and a higher pay scale have been prescribed for the same post, the pay on promotion from the lower to the higher scale upto National Pay Scale 19 shall be fixed in the manner given in clause (1) above

(2) If, by virtue of the benefit admissible under rule 8, a civil servant at the time of his promotion to a higher post is already drawing pay in the Revised National Pay Scale of the higher post, he will be allowed, one advance increment in that scale with effect from the date of promotion.

(3) If a civil servant before reaching the maximum of a Revised National Pay Scale is promoted to a higher pay scale between the 2nd June and the 30th November, of a calendar year and his initial pay in the later scale is fixed with reference to his pay in the former scale, he may, at his option, get his pay re-fixed in the higher scale with effect from the 1st day of December of the year of his promotion with reference to his presumptive pay on that date in his pre promotion scale; provided that his promotion is not subject to the length of service prescribed in Annexure "B".

11. Admissibility of increments on promotion to a post in Revised National Pay Scale 18 and above.—If a civil servant is appointed by promotion to a post in Revised National Pay Scale 18 or above before he completes the length of service prescribed for the higher post in Annexure "B", he shall be entitled to draw the pay,—

(i) at the minimum of the Revised National Pay Scale of the higher post till such time as he completes the prescribed length of service and the next increment shall accrue to him on the first day of December, following the completion of the prescribed length of service or following the completion of at least six months' service in the scale, whichever is later.

(ii) admissible to him from time to time in the lower post held by him immediately before his promotion to the higher post, if that be more beneficial to him till such time as he completes the prescribed length of service when his pay shall be fixed in the manner prescribed in rule 10 and the next increment shall accrue to him in the manner prescribed in rule 7

Note:—In computing the length of service prescribed in Annexure "B",

(a) half of the service rendered in Revised National Pay Scale 16 or National Pay Scale 16 or in the former Class-II and 1/4th of the service rendered in Revised National Pay Scale below Scale- 16 or the National Pay Scale below Scale 16 or the former Non-Gazetted service, if any, shall be added to the length of service in Revised National Pay Scale 17, and above or National Pay Scale, 17 or above or in the former Class-I, as the case may be; and

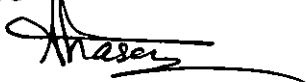
(b) the service rendered in the Federal Government or any other Provincial Government shall also be taken into account for the purposes of, and in the manner specified in, clause (a).

12. Special Pay.—If a special pay was attached to a post in the existing pay scale such special pay shall, unless otherwise specified in the Schedule be admissible at the existing rates with the Revised National Pay Scale till further orders.

13. Modification of existing rules.—All existing rules or order shall be deemed to have been modified to the extent indicated in these rules.

14. Relaxation.—Any of these rules may, for reasons to be recorded in writing, be relaxed by Government where the strict application thereof causes undue hardship to a civil servant.

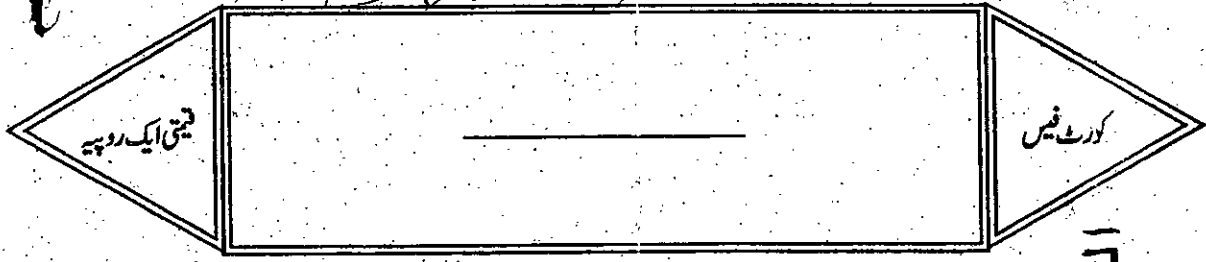
ATTESTED



By order of the Governor.

MUZAFFAR MAHMOOD QURASHI,
Secretary to Government of N. W. F. P.
Finance Department.

بعدالت جناب سپریمین صبرہ تختیوں خواہ سہرہ میں شراہینوں لٹیا ویر



مورخہ 18 ماہ نومبر 2015ء منجانب اپیل نمٹ
مقدمہ رحمت علی بنام چیف سیکریٹری وغیرہ
دعویٰ اپیل
نمبر ۴

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب وہی وکیل کارروائی متعلقہ آن مقام بتیہ اور کے لئے عجم فاروق (یا یا) ایڈووکیٹ کم مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقریر ثالث و فیصلہ پر حلف دینے جواب وہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و رزیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق و فراہم پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یک طرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنا اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا اختیار قانونی کو اپنے ہمراہ یا اپنی بجائے تقریر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور و قبول ہوگا و دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب موصوف ہوں گے۔ نیز بقایا و خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں۔ لہذا وکالت نامہ لکھ یا کہ سندر ہے۔

المرقوم 18 ماہ نومبر 2015ء

د گواہ شہ

بمقام ستامہ کے لئے منظور ہے۔
Attested & Accepted by
UMAR FAROOQ (PAPA)
Advocate High Court.

Before Service Tribunal court at Swat/Conf Court.

Rajab Ali vs Chief Secretary etc.

Service Appeal

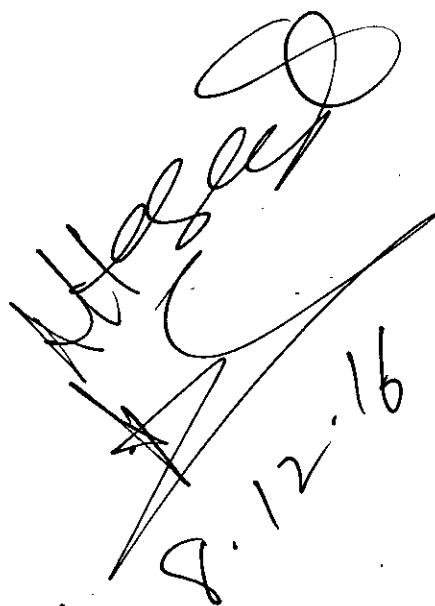
Receipt :-

I have received 1000/- fine/court
in case titled above.

U. Farooq

UMAR FAROOQ (PAPA)

Advocate High Court.


8.12.16

Dated :- 08-12-016

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR AT CAMP COUT SWAT.**

Service Appeal No.99/2016

Mr. Rajab Ali Appellant

VERSUS

The Chief Secretary Khyber Pakhtunkhwa, Peshawar & Others.

..... Respondents

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO. 1
TO 6**

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 case is time barred.
5. That the Appellant has not come to this Tribunal, with clean hands.
6. That this Honorable Tribunal lacks jurisdiction to entertain the instant Appeal.

Respectfully Sheweth.

FACTS.

1. Pertains to record, hence no comments.
2. Pertains to record, hence no comments.
3. Finance Department Khyber Pakhtunkhwa, Peshawar letter No.KC/FD/(SR-1)/12-40/2010 dated 05.05.2011 is so much clear upon the issue(Copy at Annexure-A).
4. Re-fixation of pay has been allowed on promotion and not on appointment to higher pay scale, hence pay of the appellant was wrongly fixed on 01.12.2004 by the Department.

5. Incorrect, Re-fixation of pay has been allowed to government servants on promotion to higher post carrying the same scale and not in the case of appointment to higher post as clarified by the Finance Department vide letter No.KC/FD/(SR-1)/12-40/2010 dated 05.05.2011, hence recovery of Rs.36,479/- + allowances pointed out by the pay fixation party constituted by the Accountant General Khyber Pakhtunkhwa, Peshawar is correct and the appellant is bound to deposit the recovery in question, through bank Challan positively.
6. As, stated above at Para No.4, 5.
7. Pertain to record, hence no comments.
8. Incorrect. A meeting of Anomaly Committee was held on 29.10.2015, wherein appellant case was discussed thoroughly as item No.I. The Committee observed that anomaly raised in appellant case for allowing option in connection with fixation of pay upon appointment between the 2nd June & 30th November of a calendar year, was not found fit for grant of annual increment during the said year on the ground that there exists no rule to cover it. Additionally the Committee also agreed to ask the Revenue & Estate Department to clarify/intimate the Law/Rule(s) where under (previously) the said official was transferred from the office of Commissioner, Malakand and adjusted in the office of District Public Safety Commission, Swat despite the imposition of ban on adjustment. Accordingly, the illegal adjustment of appellant from the office of Commissioner, Malakand in the office of District Public Safety Commission, Swat was agitated before Respondent No.3(SMBR) vide Finance Department letter No.FD(SOSR-1)ACM/2015 dated 30.11.2015. Copy of minutes of anomaly committee meeting dated 29.10.2015 and letter of Finance Department dated 30.11.2015 are enclosed as Annexure-B & C respectively.
9. Incorrect. As explained vide Para-8 above.
10. Incorrect. As explained vide Para-8 above.

Grounds.

- i. Recovery pointed out by the pay fixation party Rs.36479/- is under the prevailing rules and orders.
- ii. Recovery was made by the pay fixation party under the preview of Finance Department.
- iii. The other government servant receiving the required benefits is based on rules and orders.
- iv. Incorrect, the benefits are receiving by the government servant under the rules and orders.
- v. All government servants possess equal rights and they are granting the required benefits under the rules & orders.
- vi. Pertain to records, hence no comments.
- vii. As stated above at para No.V.

Conclusion

It is prayed that the instant appeal has no merits, and may be dismissed with cost please.

The Chief Secretary
Khyber Pakhtunkhwa Peshawar. (Respondent No.1) *Ali Meen*
26/7/2016 Chief Secretary
Govt. of Khyber Pakhtunkhwa

The Secretary Finance,
Khyber Pakhtunkhwa Peshawar (Respondent No.2) *No*

The Senior Member,
Board of Revenue Khyber Pakhtunkhwa Peshawar (Respondent No. 3) *21/7/2016*

The Accountant General
Khyber Pakhtunkhwa Peshawar (Respondent No.4) *Sher*

The Commissioner Malakand Division
At Saidu Sharif (Respondent No.5) *Womengy*
Commissioner, Malakand Division.

The District Comptroller of Accounts
Swat (Respondent No.6) *wee*

~~Distt: Controller of Accounts,
SWAT.~~

Senior Government Pleader
Swat at Gulkada.

Annex: A



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

NO. KC/FD/(SR-1)12-4/2010
Dated Peshawar the: 05-05-2011

To:
The Accountant General, Khyber Pakhtunkhwa,
Peshawar.

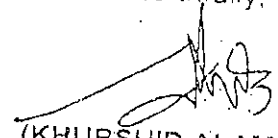
Subject: - REQUEST FOR ALLOWING OPTION IN RE-FIXATION OF PAY ON 1ST
DECEMBER ON APPOINTMENT AGAINST THE HIGHER POST.

Dear Sir,

I am directed to refer to your letter No H-/PROMOTION
FIXATION/2010-11/796-99, dated 21-02-2011 on the subject noted above.

It is to clarify that Rule 10(3) of Pay Revision Rules 1978 is not
applicable in the instant case and cannot exercise option for fixation of pay
w.e.f 2nd December rather fixation will be made according to Rule 10(1)(i) vide
this Department's letter bearing No.FD (PRC)1-1/97, dated 16-03-1999.

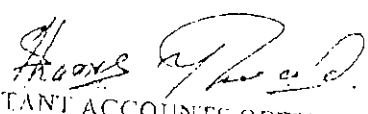
Yours Faithfully,


(KHURSHID ALAM)
Section Officer (SR-1)

KHAD

OFFICE OF THE ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA PESHAWAR
No: HAD/PROVL:RBPS/2007-08/977
DATED: 13.06.2011

- Copy to:
- 1- All DAOs/AAOs
 - 2- All Payrolls (Main)
 - 3- Pension (Main)
 - 4- Pay Fixation Party


ASSISTANT ACCOUNTS OFFICER (HAD)
KHYBER PAKHTUNKHWA PESHAWAR



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Annex B

NO.FD(SOSR-1)Minutes of ACM/2015
Dated Peshawar the: 20-11-2015

To:

- 1) Senior Member Board of Revenue, Khyber Pakhtunkhwa Revenue & Estate Department.
- 2) The Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
- 3) The Secretary to Govt. of Khyber Pakhtunkhwa, Law, Parliamentary Affairs & Human Rights Deptt.
- 4) The Secretary to Govt. of Khyber Pakhtunkhwa, Elementary & Secondary Education Deptt: Peshawar.
- 5) The Provincial Ombudsman Sectt: Khyber Pakhtunkhwa.
- 6) The Accountant General, Khyber Pakhtunkhwa.
- 7) The Registrar, Peshawar High Court, Peshawar.
- 8) The Director, Local Fund Audit Deptt: Peshawar.
- 9) Mr. Abbas Khan, Chairman, Sectt: Employees Coordination Council, Khyber Pakhtunkhwa.

Subject: MINUTES OF THE ANOMALY COMMITTEE MEETING HELD ON 29-10-2015.

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith minutes of the Anomaly Committee meeting held on 29-10-2015 under the Chairmanship of Special Secretary Finance in the Committee Room of Finance Department for information, please.

Yours faithfully,


(Muhammad Iqbal)
Section Officer (SR-1)

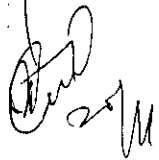
Copy to:

1. PS to Special Secretary Finance.
2. PA to ~~Adm~~: Secretary (Reg), Finance Deptt.
3. PA to Deputy Secretary (Reg-II), Finance Department.
4. Section Officer (SR-II), Finance Department.


Section Officer (SR-1)

20-11-15

20-11-15



92

MINUTES OF THE ANOMALY COMMITTEE MEETING HELD ON
29-10-2015 AT 11:30 A.M UNDER THE CHAIRMANSHIP OF
SPECIAL SECRETARY FINANCE

Subject:- ANOMALY COMMITTEE MEETING.

A meeting of the Anomaly Committee was held on 29th October, 2015 at 11:30 A.M under the Chairmanship of **Special Secretary Finance** in the Committee Room of Finance Department. List of participants is attached (**Annex-I**)

2. Meeting started with the recitation of verses from Holy Quran. Chair welcomed the participants and asked SO (SR-1) to explain the background of the meeting. He stated that the main objective of the meeting is to discuss anomaly cases and formulate recommendation for consideration / approval of the competent authority. The Anomaly Committee discussed and considered all the 07 cases on the agenda / working paper threadbare and made the following decisions unanimously:-

Item No.1: Case of Mr. Rajab Ali, Assistant, Office of the Deputy Commissioner, Malakand

The anomaly raised in his case for allowing option in connection with fixation of pay upon appointment between the 2nd June & 30th November of a calendar year, was not found fit for grant of annual increment during the said year on the ground that there exists no rule to cover it. Additionally the committee also agreed to ask the Revenue & Estate Deptt to clarify / intimate the Law / rule(s) whereunder (previously) the said official was transferred from the office of Commissioner, Malakand and adjusted in the office of District Public Safety Commission, Swat, despite the imposition of ban on adjustment:


29

Item No.2: Mr. Sarir-ud-Din, Assistant Professor Physics, Govt. Degree College, Hayatabad, Peshawar:

The officer concerned was serving as Lecturer (Physics BPS-17). He was appointed as Associate Professor (BPS-18), on the recommendation of Public Service Commission on 11-10-2010 and was not allowed annual increment falling on 01-12-2010. He has requested for annual increment w.e.f 01-12-2010 in BPS-17. The Committee after detailed discussion decided that the officer concerned is not entitled for the benefit of grant of annual increment in BPS-17, falling on 01-12-2010 under the rules.

Item No.3: Syed Kamal Hussain Shah, Addl: District & Session Judge / IZQ Buner at Daggar:

The officer concerned was appointed as Naib Tehsildar on 17-03-1988. He joined the service on 30-03-1988. He was appointed as Civil Judge on 25-05-1988 and he assumed his charge on 05-06-1988. Resultantly, he was not allowed annual increment on 01-12-1988. The applicant has requested for the grant of annual increment w.e.f 01-12-1988 alongwith back benefits. The committee decided that condonation is not allowed under the existing rules.

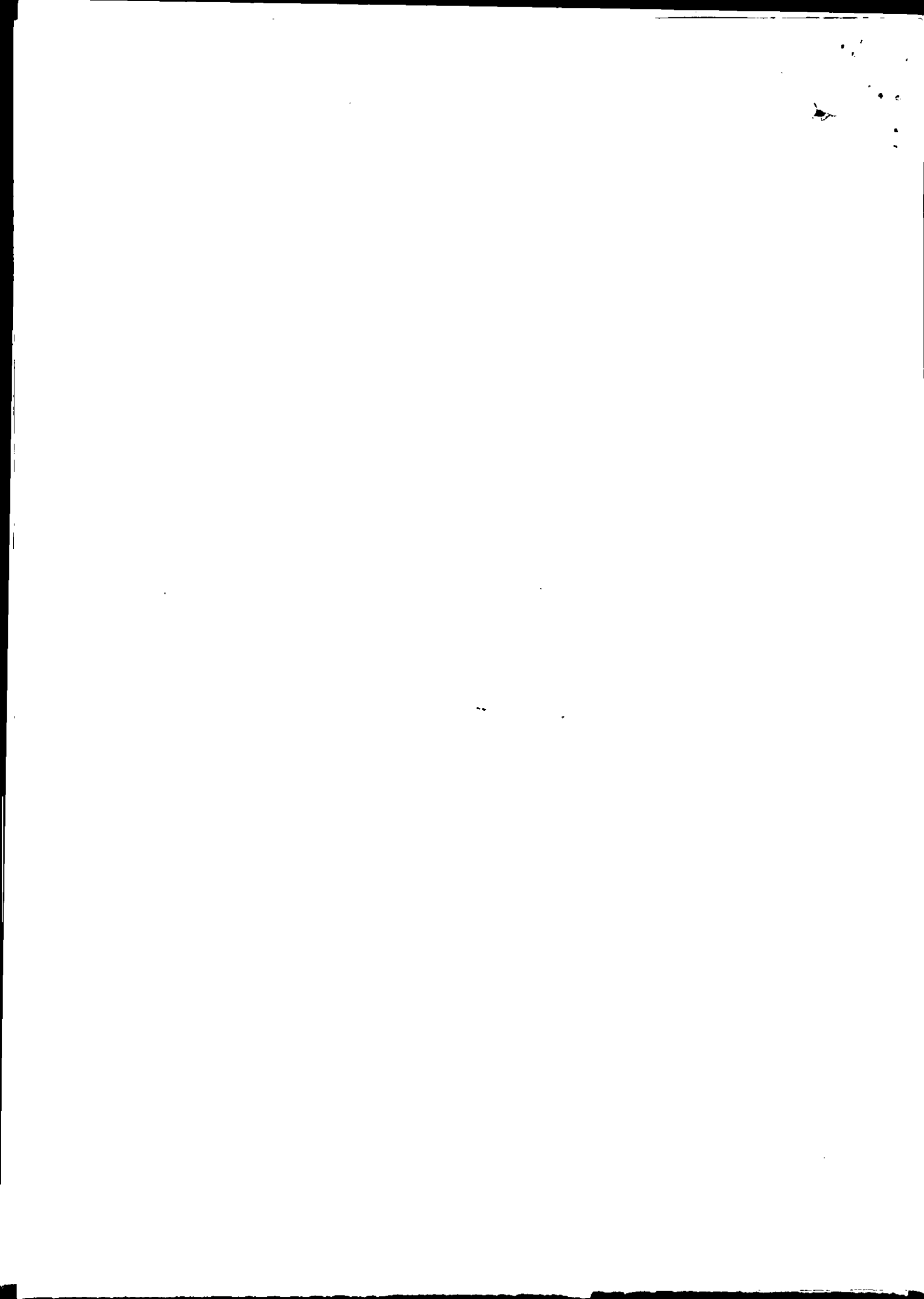

Item No.4: President of Sectt: Employees Coordination Council, KP

Item No.5: Local Fund Audit, Khyber Pakhtunkhwa

Item No.6: Mr. Irfanullah, Subject Specialist (Statistics)

Item No.7: Mr. Sarzamin, Private Secretary, Provincial Ombudsman Sectt: Khyber Pakhtunkhwa

In the cases from S.No.4 to 7, the issue involved is the difference between the salaries of the promoted / appointed /



upgraded officers / officials and the new entrants serving in the same scales with respect to certain allowances such as Adhoc Relief Allowance 2010 (50%) Adhoc Relief Allowance 2011 (15%) & Medical Allowance. The Civil Servants who are already in service, receive the said allowance on their old (frozen) rates while the new comers receive it on the new rates according to new pay scales i.e. 2015. Resultantly, the new entrants enjoy more salary viz-a-viz the experienced one.

3. The Committee, after detailed discussion agreed that another meeting will be called to decide these issues once for all. The Chairman directed that views / comments of Federal Government and other sister provinces may also be invited in this respect whereas FMIU will prepare financial implication to be involved in their case.



4. The meeting ended with a vote of thanks from and to the Chair.

List of participants who attended the Anomaly Committee meeting on 29-10-2015:-

1. **Mr. Kamran Rehman Khan,** Inchair
Special Secretary Finance
2. **Mr. Razaullah,** Addl: Secretary (Reg)
Finance Department.
3. **Mr. Gohar Zaman,** Dy. Accountant Genl,
Accountant General, Khyber Pakhtunkhwa.
4. **Mr. G.A Khakwani,** Deputy Registrar,
Peshawar High Court, Peshawar.
5. **Mr. Naib Khan,** Director,
Local Fund Audit, KP, Peshawar.
6. **Mr. Muhammad Iqbal,** Deputy Secretary,
Law, Parliamentary Affairs & Human Rights Deptt:
7. **Mr. Muhammad Younas,** Deputy Secretary (Reg-II),
Finance Department.
8. **Mr. Saifullah Khan,** Section Officer (R-VI),
Establishment Department.
9. **Mr. Shakirullah Khan,** Section Officer,
Provincial Ombudsman Sectt: Peshawar.
10. **Mr. Noor Alam Khan,** Section Officer (B&A)
Elementary & Secondary Education Deptt:
11. **Mr. Abbas Khan,** President, Sectt: Employees
Coordination Council, Khyber Pakhtunkhwa.
12. **Mr. Muhammad Iqbal,** Section Officer (SR-1)
Finance Department.
13. **Mr. Wazir Muhamamd Afgar,** Section Officer (SR-II)
Finance Department.



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

30
Annex C

NO.FD(SOSR-1)ACM/2015
Dated Peshawar the: 30-11-2015

To: The SMBR,
Revenue & Estate Deptt:
Peshawar.

Subject: - ANOMALY COMMITTEE MEETING.

P-92/c

Dear Sir,

I am directed to refer to the Anomaly Committee Meeting held on 29-10-2015 on the subject cited above and to request to clarify / intimate the Law / rule(s) whereunder (previously) Mr. Rajab Ali, Assistant was transferred from the office of Commissioner, Malakand and adjusted in the office of District Public Safety Commission, Swat, despite the imposition of ban on adjustment.

2. An early reply in this respect will highly be appreciated, please.

SECTION OFFICER (SR-I)

Recd.
11/2/15

BEFORE THE HONOURABLE CHAIRMAN, KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL, PESHAWAR.

Service Appeal No.99/2016

Rajab Ali, Assistant, office of the Commissioner Malakand Division,
Saidu Sharif Swat.

APPELLANT

VERSUS

The Chief Secretary Khyber Pakhtunkhwa, Peshawar and others.

RESPONDENTS

Rejoinder to Comments of the Respondents.

Respectfully Sheweth:

1. Agreed.
2. Agreed.
3. Finance Department letter dated 05.5.2011 states that Rule 10(3) is not applicable in the cases of appointments to higher posts. The appellant has therefore requested the court in appeal that the benefit of option of Rule 10(3) may be extended to him on the analogy of Rule 10(1)(i) which has been extended to the appointments to higher posts vide Finance Department letter dated 16.3.1999. Grounds given in the said letter by the Finance Department itself are quite clear. The F.D in Para-2 of the said letter admits the anomaly about Rule 10(1)(i) but refuses the same about Rule 10(3) which is violation of the human rights and principles.
4. As explained in Para-3 above.
5. As explained in the appeal and Para-3 above.
6. As stated above.
7. Agreed.
8. When case of the appellant was placed on agenda and discussed in the meeting a superficial sight might have been run on the application dated 18.12.2014 of the appellant which was sent by the SMBR to FD. The same already clarified the position and the query vide letter dated 30.11.2015 was not needed. However the position as desired was again clarified in the application dated 19.02.2016 which was forwarded by the Commissioner vide letter dated 23.02.2016. Copies are enclosed as Q1 to Q9.
9. As explained in the appeal and above.
10. As explained in the appeal and above.

GROUND.

- i. The FD has astonishingly adopted different view about two sub rules of the Pay Revision Rules, 1978. On the one hand has extended rule 10(1)(i) to the appointments from lower to higher posts and on the other refuses extension of rule 10(3) of the same Rules in the same case.

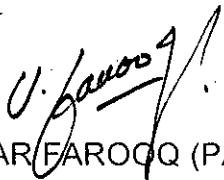
- ii. As explained in the appeal and above.
- iii. As explained in the appeal and above.
- iv. Violation of the human rights of the appellant and discrimination made is quite clear as explained in the appeal and above.
- v. As explained in the appeal and above.
- vi. Agreed.
- vii. As explained in the appeal and above.

It is humbly requested that prayer in the appeal may kindly be considered favorably, please.

Appellant

Through

Dated: 04/4/2017.


UMAR FAROOQ (PAPA),
Advocate High Court,
Peshawar.

OFFICE OF THE
COMMISSIONER MALAKAND DIVISION
SAIDU SHARIF SWAT

No. 721 /P.F/Estt:

Dated 10 /02/2016



To:

Mr. Rajab Ali, Assistant (Local).

Subject. - DEPARTMENTAL APPEAL.

Memorandum:

In continuation of this office Endst: No.30735/P.F/Estt; dated 02.12.2014. a copy of the Assistant Secretary Board of Revenue, Revenue & Estate Department, Khyber Pakhtunkhwa, Peshawar letter No. Estt:II/ DPC/MKD/3509, dated 01.02.2016 alongwith its enclosures, the contents of which are self-explanatory is sent herewith for information and necessary action, please.

Encl: As above.

**SECRETARY TO COMMISSIONER
MALAKAND DIVISION**
Ph# 0946-9240428

No. 722 /P.F/Estt:

Copy forwarded to the Assistant Secretary (Estt:), Board of Revenue, Khyber Pakhtunkhwa, Peshawar for information, please.

**SECRETARY TO COMMISSIONER
MALAKAND DIVISION**



GOVERNMENT OF KHYBER PAKHTUNKHWA
BOARD OF REVENUE
REVENUE & ESTATE DEPARTMENT

No. Estt:II /DPC/MKD 3509


Peshawar dated the 01 /02/2016.

To

The Commissioner,
Malakand Division Saidu Sharif Swat.

SUBJECT: - ANOMALY COMMITTEE MEETING IN CASE OF MR. RAJAB ALI,
ASSISTANT OFFICE OF COMMISSIONER MALAKAND

I am directed to refer to the subject noted above and to enclose a copy of letter No. FD(SOSR-I)ACM/2015, dated 30.11.2015 alongwith its enclosure received from Finance Department with the request to clarify the observation for onward submission to Finance Department please.


Assistant Secretary (Estt.)

EA

Secy

4.2.16



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

NO.FD(SOSR-1)ACM/2015
Dated Peshawar the: 30/11-2015

To: The SMBR,
Revenue & Estate Deptt:
Peshawar.

PS/SMBR
Dy No. 6684
Date 2/12/15
Govt. of Khyber Pakhtun Khwa

Subject: - ANOMALY COMMITTEE MEETING.

Dear Sir,

I am directed to refer to the Anomaly Committee Meeting held on 29-10-2015 on the subject cited above and to request to clarify / intimate the Law / rule(s) whereunder (previously) Mr. Rajab Ali, Assistant was transferred from the office of Commissioner, Malakand and adjusted in the office of District Public Safety Commission, Swat, despite the imposition of ban on adjustment.

1/15

SMBR
3/12/15

2. An early reply in this respect will highly be appreciated, please.

AB/2015

3/12

3/12/15

3/12/15

SECTION OFFICER (SR-I)

WORKING PAPER

S.#	Nature of Individual's case	Nature of Anomaly	Clarification:
1	<p><u>Mr. Rajah Ali, Assistant, Office of Commissioner Malakand.</u> Fixation Party has ordered recovery of the overpaid amount of Rs 36,479/- from the said official on account of exercising option as to pay fixation in connection with his appointment as Computer Assistant (BPS-11) in District Public Safety Commission, Swat on <u>20-08-2004</u>.</p>	<p>In all the said cases (S.Nos. 1 to 3) the appointment has / had been made between the 2nd June and the 30th November of the Calendar year. Consequently, annual increment has / had been denied to such appointees on the ground that under Rule 7 of Pay Revision Rules, 1978 increment(s) falling due on 1st day of December, require completion of at least six months service at a stage in the Revised National Pay Scale.</p>	
2	<p><u>Mr. Sarir-ud-Din, Assistant Professor, Physics, Govt. Degree College, Hayatabad, Peshawar.</u> While working as Lecturer Physics since 19-03-2003; the said officer, was appointed / adjusted as Assistant Professor (BPS-18) on the recommendations of Public Service Commission, Khyber Pakhtunkhwa on <u>11-10-2010</u>. Resultantly, the annual / casual increment falling due on 1st December, 2010 was not allowed to him. The officer has requested for annual increment w.e.f December, 2010 in BPS-17 by removing the anomaly.</p>	<p align="center">-do-</p>	

The Secretary to Commissioner,
Malakand Division, Saidu Sharif.

Malakand Division.

2199

Date: 22-2-16

File No: P/F/Rajab Ali

Subject. DEPARTMENTAL APPEAL.

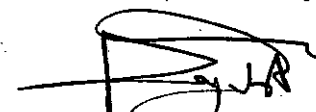
Sir,

With reference to office letter No.721/PF/Estt: dated 10.2.2016, it is submitted as under:-

- i. That I was appointed as Junior Clerk in the office of Deputy Commissioner Swat on 29.9.1987 vide Order No.10633/Acctt: dated 21.9.1987. Copy of the order is enclosed.
- ii. That on 20.8.2004 (after about 17 years regular service) I was appointed as Computer Assistant BPS-11, in the District Public Safety Commission Swat by initial recruitment after applying for the said post through proper channel. Copy of the District Coordination Officer Swat order bearing No.2061/70/DCO/Estab: dated 20.8.2004 is enclosed.
- iii. That on 17.12.2009 I was appointed as Assistant BPS-14, in the Office of Commissioner Malakand Division, Saidu Sharif, by initial recruitment after applying for the said post through proper channel. Copy of order bearing Endst: No.3909-17/2/2/Vol:III/Estab: dated 17.12.2009 is enclosed.

It is pertinent to mention that in Working Paper of the meeting of Anomaly Committee received with the letter under reference, Rule-7 of the Pay Revision Rules 1978 has been mentioned which is meant for the fresh appointments made between the 2nd June and 30th November of a Calendar Year. My case is different because my appointment was not fresh but from lower to higher post as mentioned in (ii) above. As such my request is for extending the benefit of Rule-10 of the Rules ibid to me on the analogy of Rule-10(i) extended vide Finance Department Circular letter dated 16.3.1999, please.

Yours obediently,



(RAJAB ALI) Assistant BPS-16,
Commissioner Office,
Malakand Division.

Dated:19.2.2016.

E.A.
Secy
22.2.16

60

OFFICE OF THE DEPUTY COMMISSIONER, S.M.T.

No. 10633 / Acctt: Dated Saidu Sharif the 21. Sept 1987.

U S S E S.

On the basis of the merit list prepared by the District Selection Committee, the following candidates are hereby appointed as Junior Clerks in BPS-5 (RR700-25-1200) against the existing vacancies in this office with effect from the date of their assuming charge as such:-

- 1) Mr. Muhammad Khalid s/o S. Noor of Bakoral (Smt).
- 2) Mr. Mohammad Akbar s/o Huan Jan of Sangran (Smt).
- 3) Mr. Ghani Rahman s/o Fazal Qader of Gulkada (Smt).
- 4) Mr. Rajab Ali s/o Sher Rahman of Attarabad (Saidu Sharif), Smt.

Their appointment is purely on temporary basis and their services can be terminated at any time without any notice. They will remain on probation for one year. Their appointment is further subject to the production of the following documents:

- i) Age and Health Certificate (original).
- ii) Attested photo copy of the Matriculation Certificate.
- iii) Attested photo copy of the higher educational Certificate, if any.
- iv) Attested photo copy of Domicile Certificate.

Sd/-
Deputy Commissioner,
S.M.T.

No. 10634-40 / Acctt: Dated 21/9/1987.

Copy forwarded to:-

- 1) The Addl. Deputy Commissioner, S.M.T.
- 2) The District Accounts Officer, S.M.T.
- 3) The Estate Clerk (local office), _____ for information.

4-7). The candidates concerned for information. They are directed to report arrival in this office on 29.9.87, if they are willing to join the post. In case a candidate or candidate failed to report arrival in this office on 29-9-87 it will be presumed that he does not accept the offer.

ATTESTED

[Signature]
SUPERINTENDENT,
COMMISSIONER OFFICE,
MALAKAND DIVISION.

[Signature]
Deputy Commissioner,
S.M.T.

OFFICE OF THE DISTRICT COORDINATION OFFICER SWAT.

ORDER.

Dated the 20/8 /2004.

No. 2061 /70/DCO/Estab: On the basis of recommendation of Departmental Promotion Committee/Departmental Selection Committee, Mr. Rajab Ali, Junior Clerk of the office of District Coordination Officer Swat is hereby appointed/selected as Computer Assistant BPS-11(2590-175-7840) plus usual allowances (on regular basis) against the newly created post in District Public Safety Commission, Swat with immediate effect in the public interest.

The official will however retain his lien as Junior Clerk in this office as admissible under the rules.

DISTRICT COORDINATION OFFICER,
SWAT.

No. 2062-64 /70/DCO/Estab:

Copy forwarded to :-

1. The Assistant Coordination Officer Swat/
Secretary District Public Safety Commission Swat.
2. The District Accounts Officer Swat.
For information.
3. Official concerned for compliance.

DISTRICT COORDINATION OFFICER,
SWAT.



**OFFICE OF THE COMMISSIONER
MALAKAND DIVISION
SAIDU SHARIF.**

No. _____ /2/2/Vol:III/Estt.

Dated 17 /12/2009.

ORDER.

Consequent upon the recommendation of the Departmental Selection Committee, Mr. Rajab Ali s/o Sher Rehman r/o Mohallah Darusalam, Banr, Mingoara, Tehsil and District Swat presently working as Computer Assistant, in the District Public Safety and Police Complaints Commission, Swat is hereby appointed as Assistant in BPS-14 (4920-380-16320) with usual allowances as admissible under the rules on temporary basis against the vacant post in this office on the terms and conditions given below:-

TERMS AND CONDITIONS:-

- i. He shall, for all intents and purposes, be Civil Servant and shall be governed by the NWFP, Civil Servants Act 1973, and all the laws applicable to the Civil Servants and Rules made there under.
- ii. He shall initially be on probation for a period of two years extendable upto three years as per Rule 15 of the NWFP Civil Servants (Appointment, Promotion and Transfer Rules 1989).
- iii. His services will be liable to termination at any time without assigning any reason before the expiry of the period of his probation/extended period of probation. If his work during this period is not found satisfactory, in such an event he will be given a month's notice for termination from the service or one month's pay in lieu thereof. In case he wishes to resign at any time, one month's notice shall have to be given otherwise one month's pay shall be forfeited from him.


Sd/-

Commissioner Malakand Division.

No. 3909-17/2/Vol:III/Estt

Copy forwarded to :-

- 1- The Secretary Board of Revenue, NWFP, Peshawar.
- 2- The District Coordination Officer, Swat.
- 3- The Deputy Secretary-I, Board of Revenue, NWFP, Peshawar.
- 4- The Assistant Director (Monitoring/Programme) Provincial Public Safety and Police Complaints Commission, NWFP, Peshawar with reference to his office memo: No.PPS & PCC/Misc./08/Vol:I dated 05-09-2009.
- 5- The Assistant to Commissioner (Revenue), Malakand Division.
- 6- The District Comptroller of Accounts, Swat.
- 7- The Accounts Officer (Local Office).
- 8- Mr. Rajab Ali s/o Sher Rehman r/o Mohallah Darusalam, Banr, Mingoara Tehsil and District Swat.
- 9- Office order file.


Assistant to Commissioner (Political/Adm.)
Malakand Division.



OFFICE OF THE
COMMISSIONER MALAKAND DIVISION
SAIDU SHARIF SWAT

No. 846 /P.F/Estt:

Dated 23 /02/2016

To:

The Assistant Secretary (Estt;)
Board of Revenue,
Khyber Pakhtunkhwa, Peshawar.

Subject: - ANOMALY COMMITTEE MEETING IN CASE OF MR. RAJAB ALI, ASSISTANT OFFICE OF COMMISSIONER, MALAKAND.

Sir,

I am directed to refer to your letter No: Estt:II/DPC/MKD/3509, dated 01.02.2016 on the subject noted above and to enclose herewith a copy of application dated 19.02.2016 along with enclosures submitted by Mr. Rajab Ali, Assistant of this office, the contents of which are self explanatory for further necessary action, please.

Encl: As above.

**SECRETARY TO COMMISSIONER
MALAKAND DIVISION**

Ph# 0946-9240458

No. 845 /P.F/Estt:

Copy forwarded to Mr. Rajab Ali, Assistant of this office for information, please.

**SECRETARY TO COMMISSIONER
MALAKAND DIVISION**