BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD.

Appeal No. 1298/2022

Muhammad SarfrazAppellant

VERSUS

Govt: of Khyber Pakhtunkhwa & Others......Respondents

<u>**Joint Parawise Comments on behalf of Respondents**</u>

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5	Copy of Office Memorandum No. F.1 (5) Imp/2001 dated 04-09-2001	13 to 20	"D"

Dated: 09-10-2023

District Education Officer (M)
Abbottabad.
(Respondent No.5)
MUHAMMAD TANVEER

12-12-8-23

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR CAMP COURT ABBOTTABAD.

Appeal No. 1298/2022

Sorvice Tribus al

Dated 1-12-23

Muhammad Sarfraz.....Appellant

VERSUS

Govt: of Khyber Pakhtunkhwa & Others......Respondents

Joint Parawise Comments on behalf of Respondents

Respectfully Sheweth:-

Comments on behalf of respondents are submitted as under:-

PRELIMINARY OBJECTIONS:-

- 1. That the instant service appeal is not maintainable in its present form as the previous Service Appeal No. 1110/2022 having the same cause of action was dismissed by this Honorable Tribunal on 19-07-2022 and appellant did not challenge order dated 19-07-2022 before the August Supreme Court of Pakistan. Hence, instant service appeal is liable to be dismissed without any further proceedings.
- 2. That in compliance of the judgment dated 19-02-2018 passed by this Honorable Tribunal, competent authority rejected the case of the appellant regarding selection grade/ re-fixation of pay vide Notification Endstt: No. 3173-79 dated 07-01-2022, whereas appellant did not impugn Notification dated 07-01-2022 in the instant service appeal. Hence, Service Appeal in hand is liable to be dismissed on this score alone.
- 3. That the instant appeal is not maintainable because there is no final order. Hence, the instant appeal is liable to be dismissed on this score alone.

- 4. That appellant did not file application for condonation of delay and his previous Service Appeal No. 1110/2022 having the same cause of action was dismissed by this Honorable Tribunal on 19-07-2022 and appellant did not challenge order dated 19-07-2022 before the August Supreme Court of Pakistan. Hence, instant service appeal is liable to be dismissed without any further proceedings.
- 5. That the appellant has got no cause of action/locus standi to file present Service Appeal.
- 6. That the instant appeal is time barred hence, liable to be dismissed.
- 7. That the present appeal is hit by the Principle of <u>Latches</u> and <u>Estoppel</u>.
- 8. That as per Government of Pakistan Finance Division (Regulation Wing)

 Office Memorandum No. F.1 (5) Imp/2001 dated 04-09-2001 selection

 grade was discontinued w.e.f date of issuance of office memorandum.
- 9. That the petitioner retired on 23-06-2013 on attaining the age of superannuation and as per 2006 PLC (CS) 1034 promotion from back date being not available to a retired Civil Servant, relief claimed by appellant for retrospective promotion after his retirement was not admissible under the Law.
- 10. That the appellant has no locus standi to file instant service appeal.
- 11. That the appellant has filed the present service appeal just to pressurize the respondents.
- 12. That the appellant has not come to this Honorable Tribunal with clean hands hence, not entitled for any relief and appeal is liable to be dismissed.
- 13. That as per judgment reported as 2013-SCMR-99, this Honourable

 Tribunal has got no jurisdiction to entertain the instant Service

 Appeal as Tribunal has got nothing to do with the fitness for promotion case hence, instant service appeal is liable to be dismissed without further proceedings.
- 14. That the appellant is estopped to sue due to his own conduct.
- 15. That the instant service appeal is not maintainable due to non-joinder and mis-joinder of necessary parties.



- 16. That the appellant has suppressed the original facts from this Honorable Tribunal hence, not entitled for any relief and instant service appeal is liable to dismissed without any further proceeding.
- 17. That the instant service appeal is against the prevailing rules and policy of the Provincial Government hence, instant service appeal is liable to be dismissed.
- 18. That the Notification dated 07-01-2022 was issued by the competent authority and same is liable to be maintained.

Factual objections:-

- 1. That the Para No. 1 of the instant service appeal relates to service record of the appellant hence, need no further comment.
- 2. That the Para No. 2 of the instant service appeal also relates to service record.
- 3. In reply to Para No. 3 of the instant service appeal it is submitted that appellant filed Service Appeal No. 875/2011 before this Honorable Tribunal for the grant of graded pay w.e.f 26-01-1986 to 23-12-1987 and the same was allowed on 19-02-2018 and sanction was accorded to the appellant for graded pay vide office order Endstt: No. 648-53 dated 31-12-2018. (Copy of order dated 31-12-2018 is already annexed as Annexure "C" at Page No. 13 of the Service Appeal however, copy of judgment dated 19-02-2018 is annex as Annexure "A")
- 4. That the Para No. 04 of the instant appeal as composed is incorrect hence, denied as per order dated 31-12-2018 entries were revised but pay fixation party raised observation that no arrear prior to 16-03-1999 is admissible. As per receipt provided by the District Account Officer Abbottabad dated 21-08-2019 original service book of appellant is under his custody, however, attested copy of the relevant page of the service book provided by Principal Government High School Sherwan Abbottabad. (Copy of relevant page of Service Book and receipt regarding Service Book is annexed herewith as Annexure "B" & "C" respectively)
- 5. That the Para No. 05 of the instant appeal as composed is incorrect hence, denied. As per Government of Pakistan Finance Division (Regulation Wing) Office Memorandum No. F.1 (5) Imp/2001 dated 04-09-2001 selection grade was discontinued w.e.f date of issuance of office memorandum and



- appellant did not impugn that very Notification when juniors to appellant were granted selection grade hence, the instant service appeal is hit under the **Principle of Latches and Acquiescence**. (Copy of Government of Pakistan Finance Division (Regulation Wing) Office Memorandum No. F.1 (5) Imp/2001 dated 04-09-2001 is annexed as **Annexure "D"**)
- 6. That the Para No. 06 of the instant appeal as composed is incorrect, hence, denied. The promotion order of Headmasters (BPS-17) was issued on 27-03-2010 while appellant is claiming <u>arrears of Graded Pay</u>, <u>Selection Grade</u> & <u>promotion of Headmaster</u> in the instant Service Appeal which is badly time barred and without filing of Departmental Appeal hence, instant service appeal is not maintainable in its present form.
- 7. That the Para No. 07 of the instant appeal is correct to the extent of rejection of Departmental Appeal dated 07-01-2022 while, rest of the Para as composed is incorrect hence, denied as appellant did not annex any cogent proof regarding receiving letter dated 07-01-2022 on 03-02-2022. Hence, the instant service appeal is time barred.
- 8. That the Para No. 08 of the instant appeal relates to record.
- 9. That the Para No. 9 of the instant appeal as composed is incorrect, hence, denied. The instant service appeal is not maintainable in its present form as the previous Service Appeal No. 1110/2022 having the same cause of action was dismissed by this Honorable Tribunal on 19-07-2022 and appellant did not challenge order dated 19-07-2022 before the August Supreme Court of Pakistan. Hence, instant service appeal is liable to be dismissed without any further proceedings.

Grounds:-

- a. That the ground a, of the instant appeal as composed is incorrect hence, denied. As per order dated 31-12-2018 entries were revised but pay fixation party raised observation that no arrear prior to 16-03-1999 is admissible.
- b. That the ground b, as composed is incorrect hence, denied.
- c. That the ground c, as composed is incorrect hence, denied.
- d. That the ground d, as composed is incorrect hence, denied. Instant Service appeal is hopelessly time barred and nit maintainable in its present form.
- e. No comment.

That answering respondents seek leave of this Honorable Tribunal to raise additional grounds/ points during the course of final arguments.

Under the circumstances it is humbly requested that in the light of above referred facts appeal in hand may please be dismissed with cost.

Secretary E&SED Khyber Pakhtunkhwa Péshawar

(Respondent No. 01 & 02) MOTASIM BILLAH SHAH

Secretary Finance Khyber Pakhtunkhwa

Peshawar

(Respondent No. 3)

AMIR SULTAN TAREEN

Director E&SE Khyther Bakhtunkhwa

Peshawar

(Respondent No. 4) DR. IQBAL KHAN

District Education Officer (M)

Abbottabad (Respondent No. 5)

MUHAMMAD TANVEER

Before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar Camp Court Abbottabad.

	<u>Appeal No. 1298/202</u>	<u>2</u>
Muhammad Sarfraz	Appel	lan
VERSUS		
Govt: of Khyber Pakhtunkhwa & Others,	Respondent	S

Joint Parawise Comments on behalf of Respondents

AFFIDAVIT

I, Mr. Muhammad Tanveer, District Education Officer (M)

Abbottabad, do hereby affirm and declare that contents of forgoing comments are correct and true according to the best of my knowledge and belief and nothing has been suppressed from this Honorable Tribunal.

It is further stated that in this appeal the answering parte have neither been placed extends among nor their defence is struck officest

DEPONENT-NO-S

MUHAMMAD TANVEER
District Education Officer
(Male) Abbottabad



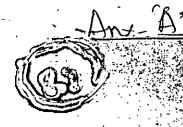


DIRECTORATE ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR.

AUTHORITY LETTER

I, Dr. Iqbal Khan, Director (E&SE) Khyber Pakhtunkhwa Peshawar do hereby authorized Mr. Behramand Khan, Assistant Director Litigation-II of this Directorate for submission of Joint Parawise Comments in Service Appeal No. 1298/2022 case titled Muhammad Sarfaraz Vs Government of Khyber Pakhtunkhwa & others fixed for hearing on 12-12-2023, hence, an authority letter is hereby issued in favor of the above-named officer.

E&SE Department Khyber Pakhtunkhwa, Peshawar



HE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 2575 /2011

Muhammad Sarfáraz SET Govt High School Sherman Abbotabad. (Appellant)

VERSUS

1. Province of Klyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa Peshawar.

21 Secretary to Gove of Knyber Pakhtunkhwa Finance Department. Kliyber Pakhtunkhwa, Peshawar.

3. Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.

4. Executive District Officer (Elementary and Secondary Education) Abbotabad.

(Respondents)

Appeal under 4 of the kHYBER Section PAKHTUNKHWA Service Tribunal Act, 1974 for the grant of Graded pay w.e. [26.01.1986] to 23:12:1987, the departmental appeal dated 11:02:2011 has more been replied despite the lapse 6190 days.

Prayer in Appea

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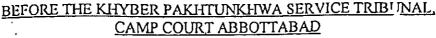
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On acceptance of this appeal the appellant may please be held entitled to the graded pay well 26:01:1986 with airears and benefits.

- That initially the appelled was appointed as PTC in the Education. Department.
- That while serving as such herappellant in the ved his ottal figure and passed the Bachelof of Legication degre
- degree is attached as Annexito Ask



Service Appeal No. 875/2011

Date of Institution...28.05.2011

Date of decision... 19.02.2018



Muhammad Sarfaraz SET, Government High School, Sherman Abbottabad. ... (Appellant)

Versus

 Province of Khyber Pakhtunkhwa through Secretary, Elementary & Secondary Education Department, Peshawar and others. (Respondents)

Haji Sabir Hussain Tanoli,

Advocate

For appellant.

Mr. Kabir Ullah Khattak,

Additional Advocate General

For respondents.

MR NIAZ MUHAMMAD KHAN,

CHAIRMAN

MR. MUHAMMAD HAMID MUGHAL,

MEMBER

<u>JUDGMENT</u>

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

FACTS

2. The appellant was serving as PST right from 1974. He was given the charge of post of SET (BPS-15) on 26.01.1986 in his own pay and grade. He was then given regular promotion w.e.f. 23.12.1987. The appellant has approached this Tribunal through the present service appeal for the payment of pay of SET post from 26.01.1986 to

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23.12.1987. The appellant filed a departmental appeal on 11.02.2011 which was not responded to and thereafter he filed the present service appeal on 28.5.2011.

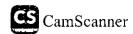
ARGUMENTS

- 3. The learned counsel for the appellant argued that the matter in controversy could not be declared time barred being a recurring cause of action. Secondly he argued that in the light of judgments of the Superior Courts any civil servant posted against a higher post was entitled for the pay of the higher post. One of such judgments relied upon by the learned counsel for the appellant is unreported judgment in case Civil Appeals No. 1081-1088 of 2006 entitled "Habibur Rahman and others Vs. Director of Education etc." decided on 06.09.2007.
- 4. On the other hand learned AAG argued that the present appeal was time barred for the reason that the appellant filed departmental appeal after 25 years. That this Tribunal had no jurisdiction on the basis of judgment reported as PLD 1990-Supreme Court-1190 because the present appeal was one relating to fixation and re-fixation of pay.

CONCLUSION.

5. It has been consistent jurisprudence as developed in administrative law that the financial matter gives recurring cause of action. The next question for determination is whether the present controversy is matter of fixation/re-fixation of pay. This Tribunal is of the view that this is not a matter of fixation and re-fixation of the pay because the appellant is aggrieved from the order of departmental authority which added the words "in his own pay and grade" in the impugned order. So long as these words remain in the impugned order, no question of fixation and re-fixation arises. In view of the judgments of the Superior Courts including the one pressed into service by the learned counsel for

PRINCIPAL SCHOOL AND ALL AND A



the appellant regarding pay of higher post, this fribunal allows the appeal of the appellant. Parties are left to bear their own costs. File be consigned to the record room.

Hnsionneed 19.02-2018

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Under taking Undertake rpay as Result Tip substantite MIRIKE Buch & CU 1zev substantive or C Additional Play for officiating emplument lighting under the Signature Pay in appointment, or officiating and Appoint Name of Post substantív (ii) whether Cernment Ser. whether service counts e Post term "Pay" permanent or for pension temporary under Art. 371 C.S.R. Sul Reine シェルブルヨ لمن نه. نا 1281 -26-01 01.12 85 0-15 900-55-2000 NTSV. 1520 B-15 (1165-71-2585 1.12.8 ls: 1591 1.12.88 Rs: 1662 Pg 1733/1 12-90 DB : 1804 R-15 (1624-131-3585) 2799 B-16 (185-146-4065) Pet 2897/ 3043 3189 Pa 3335 B-16 (2335-197-5496) 4505 lg: 20 4703 White of the Accountant of the Qg 4899 Kuhau; bakulinkuma keregan lg 5-96 2335-197 3.N Frace (2 Rs 1208) PRINCIPAL Cove Higher Secondary School Bren (Aututulati 12. 2. 42.4.3.

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The District Comptroller Accounts ABBOTTABAD.

Sub. Request of Issuance of Service Book

St is sequested that I am

Self retired SST from SHS Sherwan

According to court decision

According to court decision

I have been awarded graded

Fay from The back date so 9

Need my Service Book Kindly issue

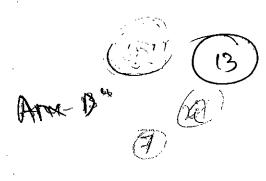
my Service Book.

Thanks

Dated: 215+Aug, 2019.

EX. SST Comp. No 7623/12450

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Government of Panishan ' glance Division ', Repolations Wing)

(16.6.1 (2) Imp/2001 -

Talacabad, the 4th teptender, 2,003

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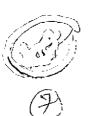
Subject: REVISION OF BABIC DRY SCHLES AND FAI OF CIVIL EMPLOYEES (LPS.1-22) OF GOVERNMENT (2001) OF THE ENDINGE

The President has been pleased to sanction, with offert from 1" December 2001, a Scheme, as detailed tealow, as the harman Pay Scales, Allowances and Postsions, 2001 for the civil complayer, of the Federal Government in BPS I to BPS 22 paid from the civil Estimates and from the Defence Estimates respectively as sector of the following paragraphs.

PART I .- BASIC PRY SCRIEG AND RELIED MATURES

- 2. Banto Pay Scales. The extating basic pay modes and the revised basic pay scales are shown in Ammunuse-1 in that O.M. The revised basic pay scales shall replace the existing basic Pay Scales, 1994, and shall be offective from 12 Decisions.
- 3. <u>Discontinuation of Allowances</u>. The following allowances shall cease to be payable on introduction of the revised pay scales w.a.f.1-12-2001.
 - Cost of Living Aklawance to BS 1 to BS 23 0 7% of basis pay
 - Adhoc relief of Rs. 300/- p.m. and Rs. 196/- p.m. to HS 1 to 16 (inclusive of BPS-17 by victur of two. Overl.
 - iii) Secretariat/Personal Allowages.
- 4. <u>Special Additional Allawance</u>. Special Additional Allawance sanctioned vide Finance Division O.M.No.F.1(7)(imp/9) dotted 23rd July 1999 shall be fromto at the level drawn as the date of issue of this O.M.,
- S. Initial Plantion of Pay. (1) Pay of the employees in service on 30.11.2001 shall be fixed at the stage in the reviser. pay scales which is as many stages above the miditum as the steep occupied by him above the minimum of the 1994 Basic Pay Scale.

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Government of Pakistan Finance Division (Regulation Wing)

No. F.1 (5) Imp / 2001

Islan abad, the 4th September, 2001

OFFICE MEMORANDUM

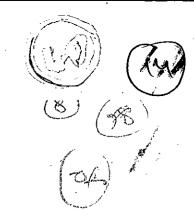
Subject: REVISION OF BASIC PAY SCALES AND FRINGE BENEFITS
OF CIVIL EMPLOYEES (BPS 1-22) OF THE FEDERAL
GOVERNMENT (2001)

The president has been to sanction, with 1^{st} December 2001, a scheme as detailed below, of the Basic Pay Scales, Allowances and Pensions, 2001 for the civil employees of the Federal Government in BPS 1 to BPS 22 paid from the civil Estimates and from the Defence Estimates respectively as shown the following paragraphs.

PART I - BASIC PAY SCALES AND ALLIED MATTERS

- 2. **Basic Pay Scales** The existing basic scales pay and the revised basic pay scales are shown in Annexure -1that O.M. The revised basic pay scales . shall replace the existing Basic Pay Scales, 1994, and 1 st shall effective he from December 2001.
- 3. <u>Discontinuation of Allowance</u>: The following allowances shall cease to be payable on introduction of the revised pay scales w.e.f 1-12-2001.
 - i). Cost of Living Allowance to BS 1 to BS 22 0 71 of basic pay
 - ii). Adhoc relief of Rs. 300/- p.m. and Rs.100/- p.m. to BS 1 to 16 (inclusive of BPS-17 by virtue of Move over)
 - iii). Secretariat / Personal Allowance.
- 4. Special Additional Allowance Special Additional Allowance sanctioned vide Finance Division G.M.No.F.1 (7)Imp/99 23^{rd} dated July 1999 shall be frozen at the level drawn date of issue of this O.M.
- 5. Initial Fixation of Pay. (1)Pay of the employees . in 30.11.2001 service shall be fixed the stage in the revision pay scales which is as many stages above the minimum as the occupied by him above the minimum of the 1994 Basic Pay Scale.

Alterteal



let Wir the extersion proff cebiploses (Dig) ű, of the Federal Government whall within 45 days from the to ave or the sectors to common that within an days is no the date of issue of this office memorandum, exercise in eption to writing, addressed to the Audit Office concerned in the case of employees in EPS. If and above and to the DDO concerned in the case of employees in EPS is and below, sither to draw pay in the existing Basic Pay Scales of 1994 or in the Revised Basic Pay Scales and passion/ commutation school 2001 as specified in this O.M. Option once assessed shell be final.

- the an authorist employed on afterwards, who done not executed and companion by a companion of the limit, shall be desped to have ented to continue to draw salary in basic pay scales of 1994 and Ponsion/Commitation as proariating formulas.
- The government pervent who will rotice w.a.f. 1,7,200; phase he given the benefit of ravised pay scales on presentive basis discounted by 5% increase in pension if availed, subject to the condition that all those who may like to avail this benefit should and for the entire package the revised schemes of the cap scales as contained in Partil and revised package of prestor as contained in Part-) if of this O.M.
- All existing rules/orders on the subject short in deemed to have been modified to the extent indicated above. All existing subastorders not no modified shall continue in force under this schame.
- The farmations in Anomalies Committee shall be set up in the Finance Division (Rugulations Wing) to sensite the anomalies of the Office Mesoscaphus. If any, arising in the implementation of the Office Mesoscaphus.

twpqui Kalli Julut Secretary (M)

All Ministries Elvisions/Sopertment

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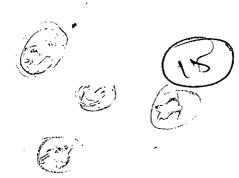


- Option:-(a) All the existing civil employees (BPS-1 22) the Federal Government shall within 15 days from the date of issue of this office memorandum, exercise an option writing, addressed to the Audit office concerned the case of employees in BPS-16 and above and to the DDO concerned the case of employees in **BPS-15** and below, either to draw pay the existing Basic Pay Scales of 1994 or the Revised Basic Pay Scales and pension / commutation scheme 2001 as specified in this O.M. option once exercised shall be final.
- (b) An existing employee on aforesaid, who does not exercise communicate such an option within the specified time limit, shall be deemed to have opted to continue to draw salary basic pay scales of 1994 and pension / commutation per existing formulae.
- (7) government servant who i will retire w.e.f 1.7.2001 shall given the benefit of revised pay scales on presumptive basis discontinued by 5% increase in pension if availed, subject the condition that all those who may like to avail deems fit for the entire package the be revised schemes this scales as contained in part-I and revised package as contained in Part-II of this O.M.
- (8) All existing rules/ orders on. the subject shall deemed to have been modified to the extent indicated above. All existing rules / orders not modified SO shall continue force under this scheme.
- (9) <u>Anomalies</u>: An Anomalies Committee shall be set up in the Finance Division (Regulation Wing) to resolve the anomalies if any, arising in the implementation of this Office Memorandum

(Abdul Rauf Malik)
Joint Secretary HQ

All Ministries Division / Department

Attented



5. Pay Fixation on Promotion (2) The existing provisions regulating the liketion of pay is case of promotion from lower to a higher post shall continue to apply.

suncing of Basic Pay Scales and Roye Over - Selection Stade th the suncing of Basic Pay Scales and Roye Over scheme shall stand discontinued w.e.f. the date to beside of this O.M.

who have Moved Over to bloker reside. " Pay of se existing employee drawing pay by move ever shall be fixed with reference to the pay scale of the post for the time being hald by him. In case the employee was drawing pay in a Scheetlen Grade, his not will be fixed in the Colection Grade pay scale. The stops of fixation will be actived at after slipping increments an establish in the original scale of the post or the Sciention Grade, in 1994 Basic Pay Scales, upto the point of existing pay. Pay of the employees will then he fixed at the relevant stage in the revised pay scales 2001.

Example-1

Assistant, BS-11 Selection Grade, BS-15, Moved Over B5-16 and in receipt of Pay of Rs.SebG/- Poy will be Claud to B5-15 i.e. Selection Grade pay scale at Rs. 8320/- as under:

1994 Scale	Stage 15		TORON II	Stage 18	<u> 1850au 19</u>
	4845	5022	5199	5376	8553
2001 5-:310	7260	1525	7790	BUSS	0000

Examplo-II

Pay fination of an employee in BS-11 who has moved ever to BS-14 and is in receipt of basic pay of no.4400/m will be fixed after allowing notional increments. In BS-11 of 1994 Basic Pay Scales upto the stage of basic pay drown. Pay in perisod BPS-11 will be fixed at the corresponding scape of Rs. 6790/mas mades:

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Pay Fixation on Promotion (2) The existing provision regulating the fixation of pay in case of promotion from lower to a higher post shall continue to apply.

Selection grade and Move Over Selection grade in the scheme of basic pay scales and move over scheme shall stand discontinued w.e.f the date of issue of this O.M.

(7) Pay Fixation of employees in Selection Grade and those who have Moved Over to higher scale Pay of an existing employee drawing pay by move over shall be fixed with reference to the pay scale of the post for the time being held by him. In case the employee was drawing pay in a selection grade, his pay will be fixed in the selection grade pay scale. The stage of fixation will be arrived at after allowing increment on selection basis in the original scale of the post or the selection grade in 1994 basic pay scales, upto the point of existing pay. Pay of the employees will then be fixed at the relevant stage in the revised pay scales 2001.

Example-I

Assistant, BS-11 Selection Grade, BS-15, Moved Over BS-16 and in receipt of pay of the Rs. 5490/- Pay will be fixed in BS-15 i.e Selection Grade pay scale at Rs.8320/- as under:-

1994 Scale	<u>Stage 15</u> 4845	Stage 16 ~ 5022	Stage 17 5199	Stage 18	Stage 19
2001 Scale	7260	7525	7790	5376 8055	5553 8320

Example-II

Pay fixation of an employee in BS-11 who has moved over to BS-14 and is in receipt of basic pay of Rs.4400/- will be fixed after allowing notional increments. In BS-11 of 1994 Basic Pay Scales upto the stage of Basic Pay drawn. Pay in revised BPS-11 will be fixed at the corresponding stage of Rs. 6790/- as under:-

BS-11 1994 Pay	<u>Stg</u> 15	<u>Stg</u> 16	<u>Stg</u> 17	Stg 18	<u>Stg</u> 19	<u>Stg</u> 20	<u>Stg</u> 21	Stg 22	<u>Stg</u> 23	<u>Stg</u> 24
Scale BS-11 2001 Pay Scale	3465	3581	3697	3813	3929	4045	4161	4277	4393	4509
	5215	5390	5565	5470	5915	6090	6265	6440	6615	6790

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PART II - ALLOWANCES.

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Example-III

Pay fixation of an employee in BS-5 who has moved over to BS-11 and is in receipt of basic pay of Rs.1465/- will be fixed after allowing notional increments in BS -11 of 1994 upto the stage of basic pay of Rs. 1465/- is beyond the 30 stages in notional BS-5, 1994 BPS, resultantly more than 30 stages of BPS, 2001, therefore, his pay will be fixed at the notional 32nd stage i.e at Rs. 5300/-. The difference of Rs. 200/- (Rs. 5300-5100) will be personal to him as under:-

01 105, 2007 (105.	DDOO DIOO) WILL DO POXOC	mai te mim as anaci.		·
BS-5	Stage - 30	<u>Stage - 31</u>	<u>Stage – 32</u>	
1994	3300	3446	3512	
BS-5	5100	5200	5300	
2001			ļ	

such cases future increments upto a maximum of years also be allowed as personal to such employees.

<u>Date of Increment</u> Annual increment shall continue admissible subject to the existing conditions, on the be December each year.

The Special Pays/ Allowances for Offices special Pays / allowances sanctioned to officers as percentage of pay shall be discontinued on the introduction of revised pay scales 1-12-2001 and adjusted in future increments.

existing scheme c. Advance Increments The of advance increments is discontinued w.e.f 1-12-2001. A fresh scheme, if any, will be introduced in due course.

PART-II – ALLOWANCES

11. Conveyance Allowance The of conveyance allowance and Motorcycle / Motor Car maintenance allowance with reference to pay fixed presently drawn shall be increased and related to basic pay scales as follows:

Sr No.	Existing	Revised
i.	Government Servants drawing pay in	BS-16
	BS-16 (Gazetted) and above and	(Gazetted) or
	maintaining motor car POL registered	above .
	for commercial purpose Rs. 355/- p.m.	Rs. 620/-p.m.
ii.	Government Servants drawing pay of	
	Rs. 3240/- per month and above other	above
	than those at (i) above Rs. 193/-p.m.	Rs. 340/- p.m.
iii.	Government Servants drawing pay of	BS -10
	Rs. 1680/- per month and above but less than	
ľ	Rs. 3240/- p.m. and maintaining	Motor Cycle /
	Motorcycle / Scooter Rs. 130/-p.m.	Scooter
		Rs. 230/-p.m
iv.	Others	BS 1-10
·	Rs. 96/- per month	Rs. 170/- p.m.

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13. Montrel Allonance - Madical Allowance to captoyees in as. 1-16 obail be increased from Re. 90/- p.m. to ha. 160/- p.m.

The Computer Allowance. The Computer Allowance shall be processed purious to the extating conditions of admissibility as 019.59994

马利王世 5-2-12-1-1-1 Rail They be pain E-21 - 20 As.500/- p.m. Ra. 1500/- 9-1 -

15. Special Pays of tottowing a percentage of the action point as percentage of the action of the second of the action of the second of the action of the ac

- special Pays/Allowances . sanctioned & 20% and above a) of PBY:
- Special Pays/Alloworces -- sanctioned 8 10% 19% of hay.
- Special Pays/Allowsaces panetioned E Sk - 9%, of Pays.

Bubject to a gaxlaum of Rs. 2000/m. p. die

On existing rates subject to a maximum of Re. 1500/-P . W. -

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Daily Allowances:-Daily Allowances rates presently fixed with reference to pay drawn shall be increased and related to basic pay scales as under:-

BPS	Special Rates per day (Rs.)	Ordinary Rates Per Day (Rs.)
1-4	110	30
5-11	120	100
12-16	200	180
17-18	350	320
19-20	450	400
21-22	550	459

13. Medical Allowances:-Medical Allowances to employees in BS 1-16 shall be increased from Rs. 90/- p.m. to Rs. 160/-.p.m.

Computer Allowance:-The Computer Allowance shall be increased subject the existing conditions of admissibilities as under:-

> Existing Rates Rs. 500/- p.m. Rs.1000/-p.m

Revised Rates Rs. 750/-p.m. Rs. 1500/-p.m

15. Special Pays/Allowances:-All the special Pays and Allowances admissible on certain **POSTS** as percentage of pay are revised subject to the following limits:-

- a. Special Pays/ Allowances Sanctioned BS 20 and above of pay
- b. Special Pays/ Allowances Sanctioned BS 10 – 19 of pay
- Ç. Special Pays/ Allowances Sanctioned BS 1-9 of pay

Revised

On existing rates subject to a maximum of Rs. 2000/p.m

On existing rates subject to a maximum of Rs. 1500/p.m

On existing rates subject to a maximum of Rs. 1000/p.m

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is. Pension. The Government was made the following rejuras in pension/commutation owners w.e.ft 1.17.2001 in respect of civil pensionets of Faderal Tovarament individing civilian paid civil pensionets of Faderal Tovarament individing civilian paid civil pensionets of Faderal Tovarament Armed Forces Personnel.

- Commutation Table chall be replaced by the new Commutation Table at Manager 12 to this · office Memorandum.
- Commutation upto 40% of those pension shall be end pensioner to t
- rne additional benefit of 24 tor for entra years of service after completion of 38 years **C**1 of qualifying service in respect of Civil Pensioners chall be Glacontimued.
- The increase in pansion 9 20% 25% to Cluid Pensioners allowed vide this ofvicion's D.B. No. 4(1)-Beg. 6/99 dated 23.7.1999 shall be d), disectivitions.
- The benefit of restoration of surrendered portion of pension in line of assemutation/ e_i } descript anall be appreciated
- In future, the increase in pension to the pensioners shall be allowed on not pension £) Instead of grose penalon.
- All the possioners shall be allowed as increase in her pension (inclosive of dearness increases allowed in the past) as \mathbf{u} follows: "

Increase in not paraton

- Il Paneloners who retired prior to the introduction of 1991 Dawle 15% Pay Scoles
- il) Pensionara who reliced prior to the intruduction of 1994 Basis 100 - Pay Scales but on or ofter the Introduction of 1991 Pay Scales.
- 111) Femulaners who retired on or after the Law reduction of 1904, Busics Pay Scales and upto the date of improduction of revised Bapter Pay Scalos 1.e. 1-12-2001.

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PART III - PENSION AND COMMUTATION

16. The Pension Government following has made reforms pension in commutation scheme 1.12.2001 w.e.f in respect of civil pensioners of Federal Government including civilian paid from Defence Estimates as well as retired Armed Forces Personnel.

- a) Commutation Table shall be replaced by the new Commutation Table at Annexure-II to this Office Memorandum.
- b) Commutation upto 40% of gross pension shall be admissible at time option of the pensioner.
- c) The additional benefit of 24 10 for extra years of service completion of 30 years of qualifying service in of respect CIVII pensioners shall be discontinued.
- d) The increase in 20% pension 25% civil pensioners allowed vide this Division's O.M No. 4 (i) Reg 6/99 dated 23-7-1999 shall be discontinued.
- e) The benefit of restoration of surrendered portion of pension in lieu of commutation / gratuity shall be withdrawn.
- f) In future, the increase in pension to the pensioners shall be allowed on net pension instead of gross pension.
- g) All the pensioners shall be allowed an increase in net pension (inclusive of dearness increases · allowed the in past) follows:
 - i). Pensioners who retired prior 15% to the introduction of 1991 Basic Pay Scales.
 - ii). Pensioners who retired prior
 to the introduction of 1994 Basic
 Pay Scales but on or after the
 introduction of 1991 Pay Scales
 - iii). Pensioners who retired on or after the introduction of 1994 Basic 5%
 Pay Scales and upto the date of introduction of revised
 Basic Pay Scales i.e 1-12-2001

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ANNEXURE TO FINANCE DIVISION'S CALINO.E. H5Hmm/2601, duted Symeodist 4, 200 RXISTING AND REVISED PAY SCALES

PAY SCALES OF 1994 (CIVIL)

REVISIO PAYSCALES, 2001 (CIVIL)

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ANNEXURE TO FINANCE DIVISION'S O.M.NO.F.1(5)Imp/2001 dated September 4, 2001

EXISTING AND REVISED PAY SCALES

PAY SCALES OF 1994 (CIVIL)

REVISED PAY SCALES 2001 (CIVIL)

Scale	Min	Incr	Max	Stgs		Scale	Min	Incr	Max	Stgs
1	1245	35	1770	15		1	1870	55	3520	30
2	1275	44	1935	15		2	1915	65	3865	30
3	1320	50	2010	15		3	1988	75	4230	30
4	1360	58	2230	15		4	2040	85	4598	30
5	1400	66	1280	15		5	2100	100	5100	30
6	1440	73	2535	15		6	2160	110	5460	30
7	1480	81	2695	15		7	2220	120	5820	30
8	1540	88	2860	15		8	2310	130	6210	30
9	1605	97	3060	15		9	2410	145	6760	30
10	1660	107	3265	15		10	2490	160	7290 .	30
11	1725	116	3465	15		11	2590	175	7840	30
12	1830	130	3780	15		12	2745	195	8595	30
13	1950	144	4110	15_		13	2925	215	9375	30
14	2065	161	4480	15		14	3100	240	10300	30
15	2190	177	4845	15		15	3285	265	11235	30
16	2535	197 -	5490	15	_	16	3805	295	12655	30
17	3880	290	7360	12		17	6210	465	15510	20
18	5085	366	8745	10		18	8135	585	19835	20
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Financial Adviser and Chief Accounts fulfillers, Pakistan Railways, Lahore

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(ABDUL SATTAR SADIQ)
Deputy Secretary