

Sr. No.	Date of order/ proceedings	Order or other proceedings with signature of Judge/ Magistrate
1	2	3
1.	12.06.2015	<p style="text-align: center;">KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, <u>PESHAWAR.</u></p> <p style="text-align: center;">Appeal No. 852/2012. Ghani-ur-Rahman Versus Government of Khyber Pakhtunkhwa through Secretary, E&SE, Peshawar etc.</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>ABDUL LATIF, MEMBER.-</u> Appellant with counsel (Mr. Khalid Rahman, Advocate) and Assistant Advocate General (Mr. Kabeerullah Khan Khattak) with Javed Ahmad, Supdt. for the respondents present.</p> <p>The instant appeal has been instituted by Mr. Ghaniur Rahman, Head Master, GHS Jaroba, District Nowshera under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against impugned order dated 12.07.2012 whereby his departmental appeal for the grant of three advance increments as personal pay w.e.f. 02.12.2000 on the basis of acquiring higher qualification, was rejected. He prayed that impugned order may be set aside and respondent department may be directed to sanction three advance increments as personal pay w.e.f. 02.12.2000 to the appellant with all consequential benefits.</p> <p>2. Facts of the case are that appellant was appointed as C.T on 13.02.1978 then appointed as SET on 24.11.1988. He acquired higher qualification of M.A on 26.6.2000 and</p>

consequently the department sanctioned him three advance increments vide notification dated 3.3.2001. That the appellant was at the maximum of BPS-16 at Rs. 5490/- hence benefit of only one increment could be availed of on 26.6.2000. But the said benefit was lost on 1.12.2000 as being at the ceiling of BPS-16 the annual increment which was due on 1st December could not be availed. That 3 increments were required to be fixed as personal pay in light of Pay Revision Rules, 1991 and Finance Department letter dated 20.5.1985 which was not done. That in identical cases, the Service Tribunal granted relief to similarly placed employees vide orders dated 5.09.2007 and 13.07.2009 therefore, appellant made representation to the department which was regretted vide order dated 12.07.2012, hence this appeal.

3. The learned counsel for the appellant argued that the appellant was not treated in accordance with the law, rules and policy on the subject. That Finance Department vide letter dated 11.08.1991 and 20.5.1984 provided to settle the anomaly, hence no legal justification arise to deny the benefit of advance increments to the appellant. He further argued that the Service Tribunal granted relief in light of judgment of the august Supreme Court of Pakistan reported in 1996-SCMR-1185, 2005-PLC(C.S)368 and 2009-SCMR-1 and prayed that on acceptance of this appeal, the relief prayed for may be granted and the impugned orders may be set aside.

4. The learned Government Pleader argued that Government of Khyber Pakhtunkhwa promulgated Khyber

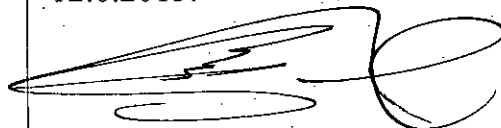
DF 1.

Pakhtunkhwa Cession of Payment of Arrears on Advance Increments on Higher Educational Qualification Act, 2012 wherein facility of advance increments ceased to be available and no claim of arrears whatsoever is admissible under Section 2 of the said Act. He argued that the appeal stands abated and is not maintainable under the law, hence may be dismissed. The learned Government Pleader further submitted that a similar case of advance increments was decided and dismissed by this Tribunal vide judgment dated 18.5.2015, in Appeal No. 1487/2011, titled "Shamsur Rahman Vs. EDO (E&SE) Swabi etc. He requested that the appeal may be dismissed.

5. The learned counsel for the appellant in rebuttal stated that the Act *ibid* has since been challenged in the hon'ble Peshawar High Court and verdict of the hon'ble court is awaited.

6. In view of the foregoing, the Tribunal is convinced that the instant appeal is not maintainable under the Khyber Pakhtunkhwa Cession of Payment of Arrears on Advance Increments on Higher Educational Qualification Act, 2012 and the Tribunal is not inclined to interfere in the matter. The appeal is, therefore, dismissed. Parties are left to bear their own costs. File be consigned to the record.

ANNOUNCED
12.6.2015.



(PIR BAKHSH SHAH)
MEMBER



(ABDUL LATIF)
MEMBER

852/12

12.6.2015

Appellant with counsel and Mr. Kabeerullah Khan Khattak, Asstt. A.G for the respondents present. Arguments heard and record perused. Vide our detailed judgment of to-day and placed on file, this appeal is dismissed. Parties are left to bear their own costs. File be consigned to the record.

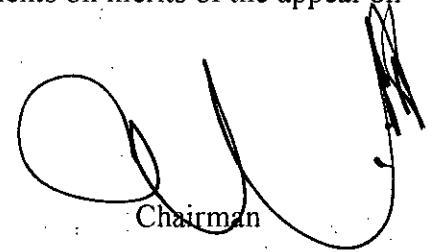
ANNOUNCED
12.06.2015


MEMBER


MEMBER

25.2.2014

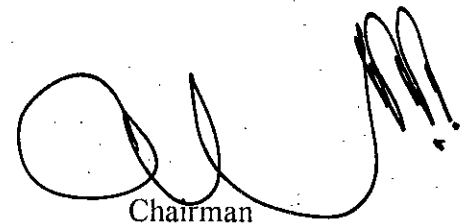
Appellant with counsel, M/S Khurshid Khan, SO for respondent No. 1, Mosam Khan, AD for respondent No. 3 and Inayatullah, ADO for respondent No. 4 with AAG for the respondents present. Arguments on the application for rejection of the appeal heard. In view of contention of learned counsel for the appellant that the Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Act, 2012 (Khyber Pakhtunkhwa Act No. IX of 2012) has been made applicable from 1st day of December 2001, ^{where} the appellant has based his claim on the sanction notified vide notification dated 3.3.2001, the application of Act No. IX of 2012 needs to be argued threadbare in the light of facts and circumstance of the case and decided alongwith decision of the appeal on merits. To come up for arguments on merits of the appeal on 1.7.2014.



Chairman

01.7.2014

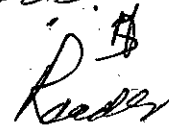
Clerk of counsel for the appellant, M/S Khurshid Khan, SO for respondent No. 1, Irshad Muhammad, Supdt. for respondent No. 2, Mosam Khan, AD for respondent No. 3 and Muhammad Irfan, ADO for respondent No. 4 with Mr. Usman Ghani, Sr. GP present. Request for adjournment made on behalf of the appellant due to indisposition of learned counsel for the appellant. To come up for arguments on 29.12.2014.



Chairman

09.12.2014

Appellant in person and Mr. Muhammed Irfan, ADO for respondent No. 4 with Mr. Muhammed Azeel Bhatt, AAG for the respondents present. The Tribunal is incomplete. To come up for arguments on 11.6.2015.

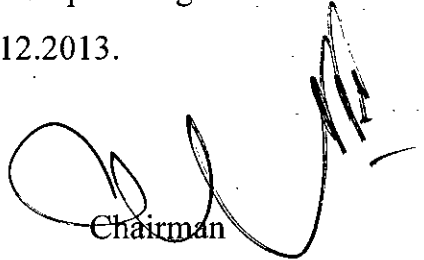


Chairman

852/12

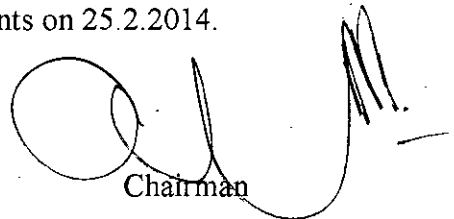
31.10.2013.

Appellant in person and Mr. Khursheed Khan, SO for respondents No. 1, and Mr. Muhammad Irfan, ADO on behalf of respondent No.4 with Sr.GP for the respondents present. Reply to the application has not been received, neither rejoinder has been received. A last chance is given for the purpose with direction to the appellant/respondents to file rejoinder as well as reply to the application in the meantime with a copy for the opposite sides ~~in the meantime~~, otherwise, it will be presumed that the appellant does not want to contest the application and application will be decided on its merits accordingly. To come up for arguments on the application/further proceedings on 12.12.2013.


Chairman

12.12.2013

Appellant in person, M/S Khurshid Khan, SO for respondents No. 1, Javed Ahmad, Supdt. for respondent No. 3 and Muhammad Irfan, ADO for respondent No. 4 with AAG for the respondents present. Rejoinder as well as reply to application for rejection of the appeal received on behalf of the appellant, copies whereof are handed over to the learned AAG for arguments on 25.2.2014.


Chairman

24.12.2012

Clerk of counsel for the appellant and Mr. Muhammad Irfan, ADO on behalf of respondents No. 1, 3 and 4 with Mr. Shakirullah, Govt: Pleader for the respondents present. To come up for written reply/comments on 13.3.2013.


Chairman

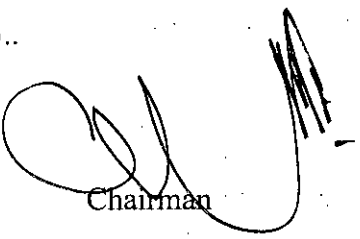
13.03.2013

Appellant in person, M/S Khurshid Khan, SO for respondent No.1, Irshad Khan, Supdt for respondent No. 2 and Muhammad Irfan, ADO for respondent No. 4 with AAG for the respondents present. Respondent No. 4 submitted application for rejection of appeal. To come up for arguments on application on 4.7.2013.


Member

04.07.2013

Appellant in person, M/S Khurshid Khan, SO for respondent No. 1 and Tariq Hussain, Supdt for respondent No. 3 with Mr. Usman Ghani, Sr. GP for the respondents present. Written reply on behalf of respondents No. 1 to 3 received, copy whereof is handed over to the appellant for rejoinder. Reply to application for rejection of appeal has not been received. Appellant requested for further time. To come up for reply to application for rejection of appeal moved on behalf of respondent No. 4 and rejoinder on 31.10.2013..


Chairman

Appeal No. 452/2012.

3. 20.9.2012

Counsel for the appellant present and heard. Contended that the appellant was appointed as C.T on 13.2.1978 and Later on, appointed as SET on 24.11.1988. He acquired M.A on 26.6.2000 and was awarded three advance increments vide Notification dated 3.3.2001. Then the appellant was at the maximum of BPS-16 i.e. Rs. 5490/-, therefore, the advance increments then sanctioned stood usurp except one increment on 26.6.2000 but since the duration between 20.6.2000 and 1.12.2000 was less than six months, therefore, the only increment thus granted was also lost because of the loss of annual increment, which fell due on 1.12.2000 but because of duration of less than six months that was denied. The ceiling of BPS-16 i.e. Rs. 5490/- was required to be settled as a personal pay in the light of Pay Revision Rules dated 11.8.1991 and letter dated 20.5.1984 of Finance Department. In identical case this Tribunal granted has the same relief to similarly placed employees vide order dated 5.9.2007 and 13.7.2009 duly implemented by the Finance Department. The appellant preferred a departmental appeal but the same was regretted, communicated to the appellant on 12.7.2012. Hence, the instant appeal. Counsel for the appellant further contended that the appellant has not been treated in accordance with the law/rules. This Tribunal has already granted the similar relief to similarly placed employees in identical circumstances, therefore, the appellant is also entitled to the same relief in the light of judgments of the Hon'ble Supreme Court of Pakistan reported in 1996-SCMR-1185, 2005-PLC-(CS)-368 and 2009-SCMR-1. Points raised at the Bar need consideration. The appeal is admitted to full hearing, subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Case adjourned to 24.12.2012 for submission of written reply.

Appellant deposited security & process fee Rs 1800/- Bank receipt is attached with file



Member.

4. 20.9.2012

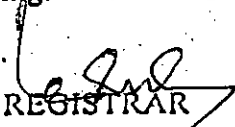
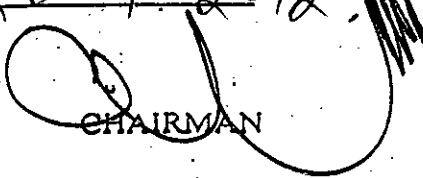
This case be put before the Final Bench I for further proceedings.

Member.

Form- A
FORM OF ORDER SHEET

Court of 852

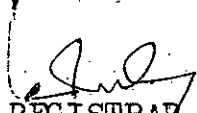
Case No. _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	01/08/2012	<p>The appeal of Mr. Ghani-ur-Rehman H. Master submitted today by Mr. Khaled Rehman Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p> REGISTRAR</p>
2	6-8-2012	<p>This case is entrusted to Primary Bench for Preliminary Hearing to be put up there on <u>20-9-2012</u>.</p> <p> CHAIRMAN</p>

The appeal of Mr. Ghani-ur-Rehman H.M.GHS Jaroba received today i.e. on 20/07/2012, is returned to the counsel for the appellant with the remarks that the page Nos. 23 to 25 and 27 of the appeal are illegible which may be replaced by legible one and resubmit the same within 15 days.

NO. 814 /S.T;

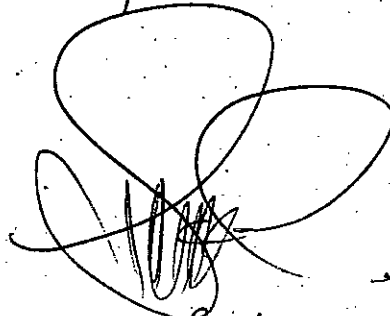
Dt. 25/07 /2012.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

MR. KHALED REHMAN ADV. PESH.

Sir,

Resubmitted after
Completion



1-8-12

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 852/2012

Ghani-ur-Rahman

.....Appellant

Versus

The Govt. of KPK and
others

.....Respondents

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Memo of Service Appeal			1-4
2.	Extracts from Service Book		A	5-15
3.	Notification for the grant of Advance increments	03.03.2001	B	0-16
4.	Letter of Pay Revision	11.08.1991	C	17-20
5.	Letter of Finance Department	20.05.1984	D	0-21
6.	Orders of the Hon'ble Tribunal	05.09.2007 13.07.2009	E	22-25
7.	Implementation letter	10.09.2008	F	0-26
8.	Departmental Representation		G	0-27
9.	Correspondence letters	29.04.2012 16.05.2012	H	28-29
10.	Impugned letter	12.07.2012	I	0-30
11.	Wakalat Nama			


Appellant

Through


Khaled Rahman
Advocate, Peshawar

9-B, Haroon Mansion,
Khyber Bazar, Peshawar.
Cell # 0345-9337312

Dated: 18 / 07 / 2012

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 852 /2012

Mr. Ghani-ur-Rahman,
Headmaster, GHS Jaroba,
Tehsil and District Nowshera.....Appellant.

A. W. J. P. Peshawar
Service Tribunal
Case No. 835
Date 20/7/12

Versus

1. The Govt. of Khyber Pakhtunkhwa,
through Secretary,
Elementary & Secondary Education,
Civil Secretariat, Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa,
Finance Department, Civil Secretariat, Peshawar.
3. The Director,
Elementary & Secondary Education,
Khyber Pakhtunkhwa,
Attached Department Complex,
Khyber Road, Peshawar.
4. The Executive District Officer,
Elementary & Secondary Education,
District Nowshera.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
AGAINST THE IMPUGNED ORDER COMMUNICATED
VIDE LETTER DATED 12.07.2012 WHEREBY THE
DEPARTMENTAL REPRESENTATION FOR THE GRANT
OF THREE ADVANCE INCREMENTS AS PERSONAL PAY
W.E.F. 02.12.2000 ON THE BASIS OF ACQUIRING THE
HIGHER QUALIFICATION OF M.A WAS REGRETTED.

PRAYER:

On acceptance of the instant appeal, the impugned
order communicated vide letter dated 12.07.2012 may
graciously be set aside and consequently the Department

So submitted to

and filed.

20/7/12
20/7/12

be directed to sanction three advance increments as a personal pay w.e.f. 02.12.2000 to the appellant on the basis of acquiring higher qualification with all consequential back benefits.

Respectfully Sheweth,

Facts giving rise to the present appeal are as under:-

1. That appellant initially joined the services of Education Department as S.V (C.T) way back on 13.02.1978 and later on was appointed as S.E.T on 24.11.1988 (Extracts from Service Book *Annex:- A*).
2. That appellant acquired the higher qualification of M.A on 26.06.2000 and consequently the Department sanctioned three advance increments vide Notification dated 03.03.2001 (*Annex:-B*) w.e.f the date of acquiring the higher qualification.
3. That by then appellant was at the maximum of BPS-16 i.e. Rs.5490/-, therefore, the advance increment then sanctioned in favour of the appellant stood usurp except one increment on 26.06.2000 but since the duration between 26.06.2000 and 01.12.2000 was less than six months, therefore, the only increment thus granted was also lost because of the loss of annual increment, which fell due on 01.12.2000 but because of the duration of less than six months that was denied.

4. That the ceiling of BPS-16 i.e. Rs.5490 was required to be settled as a personal pay in the light of Pay Revision vide letter dated 11.08.1991 (*Annex:-C*) and letter dated 20.05.1984 (*Annex:-D*) issued by the Finance Department so as to do away with the anomalous state of affairs and to save the appellant from financial loss.

5. That in identical cases, this Hon'ble Tribunal granted relief to similarly placed employees vide orders dated 05.09.2007 and 13.07.2009 (*Annex:-E*) duly implemented by the Finance Department vide letter dated 10.11.2008 (*Annex:-F*), therefore, appellant, when came to know, immediately approached the departmental authority for the same relief vide departmental Representation (*Annex:-G*) which was processed vide letters dated 29.04.2012 and 16.05.2012 (*Annex:-H*) and finally regretted vide impugned order communicated vide letter dated 12.07.2012 (*Annex:-I*), hence this appeal inter-alia on the following grounds:-

Grounds:

- A. That Respondents have not treated appellant in accordance with law, rules and policy on subject and acted in violation of Article 4 of the Constitution of Islamic Republic of Pakistan, 1973 and unlawfully refused to sanction the requisite advance increments on the basis of acquiring higher qualification, which is unjust, unfair and

hence not sustainable in the eye of law.

- B. That once the Finance Department vide letters dated 11.08.1991 and 20.05.1984 *ibid*, has provided for the anomalous situation then no legal justification can arise to deny the same benefit to the appellant. Thus the refusal of the Respondents to grant the appellant the requisite increments above the maximum is unlawful and as such not sustainable in the eye of law.
- C. That this Hon'ble Tribunal also granted similar relief to similarly placed employees in identical circumstances, therefore, appellant is also entitled to the same relief in the light of Judgments of the Hon'ble Supreme Court of Pakistan reported in **1996 SCMR 1185, 2005 PLC (CS) 368, 2009 SCMR 1.**

It is, therefore, humbly prayed that the instant appeal may graciously be accepted as prayed for above.

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


Through


Appellant

Khaled Rafiq
Advocate, Peshawar.

Dated: 18 / 07/ 2012

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

Name ... LAHANI-UR-REHMAN ✓ 
Race ... KHATIAK ✓ ANNEA ✓

Residence VILLAGE o P. JERABA, TEH. NAUSHEHRA DIST. PESHAWAR ✓

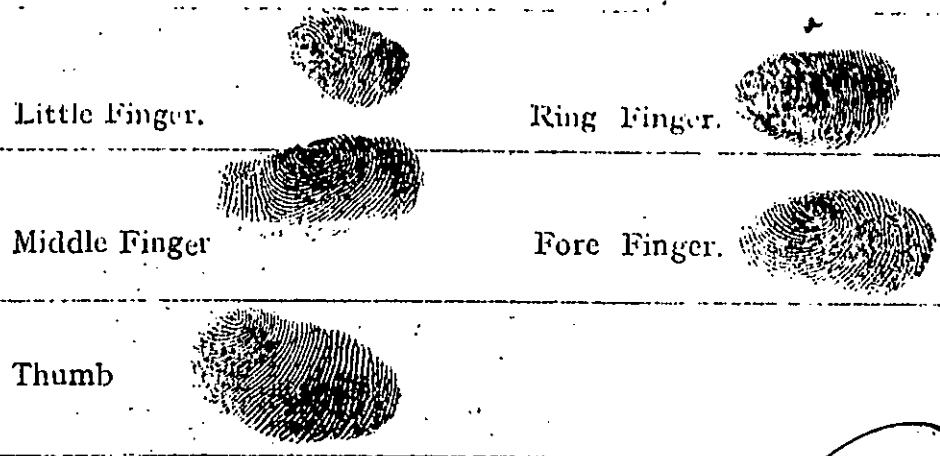
Father's name and residence ZIARAT KHAN VILL. o P. JERABA, TEH. NAUSHEHRA DIST. PESHAWAR

Date of Birth by Christian Era as FIFTEENTH AUGUST ONE THOUSAND NINE HUNDRED AND FIFTY SEVEN (15.8.1957) ✓

Exact height by measurement 5.8

Personal marks for identification ... A WOUND MARK ON LEFT LEG. ✓

Left-hand thumb and finger impression of (non-gazetted) officer



Signature of Government servant ... Lahani

Signature and designation of the Head of the Office, or other Attesting Officer Re-attested

ATTESTED [Signature]
District Inspector of Schools
Peshawar 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. 37, C. S. R.	Pay in substantive post	Additional pay for officiating	Other emoluments falling under the term 'Pay'	Date of appointment	Signature of Government servant

Rs. 370-16-514/12-640

Sr. (Agt.) GMS Gorraki	Off./Temp.		Rs. 370/-	Per		13.2.78	[Signature]
do	do		Rs. 386/-	Per		1.12.78	[Signature]
do	do		Rs. 402/-	Per		1.12.79	[Signature]
GMS Spin Khak (ASK)	do		Rs. 402/-	Per		1.4.80	[Signature]
Govt. High School, Spin Khak	do		Rs. 402/-	Per		1.9.80	[Signature]
"	"		Rs. 418/-	Per		1.12.80	[Signature]
"	"		Rs. 434/-	Per		1.7.81	[Signature]
"	"		Rs. 450/-	Per		1.12.81	[Signature]

1981
RECREATION ALLOWANCE
EQUATED MONTHLY
PAYABLE AS 225/-
ADMITTED FOR PAYMENT
DURING THE MONTH 12/81
UNDER NO. 2943
DATED 27-12-81

[Signature]
Assistant Accounts Officer
Assistant Accounts General
N.W.P.

27/12

161082
672/1980
RECREATION ALLOWANCE
EQUATED HALF MONTH
PAYABLE AS 201/-
ADMITTED FOR PAYMENT
DURING THE MONTH 12/81
UNDER NO. 2954, 2678
DATED 28-12-81

[Signature]
Assistant Accounts Officer
Assistant Accounts General
N.W.P.

29/12

1	2	3	4	5	6	7	
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 emoluments falling under the term 'Pay'	Date of appointment	Sign Gove se
SU S.H.S. spin khair (Perm)	Part	-	466/-	-	-	1.12.82	EV
			B.S. No 9 (620-29-1200)				
- do -	Permt	should be	881/-	(852/-)	-	1.7.1983	GV
- do -	Permt	823/-	(881/-)	-	-	1.12.1983	EV
- do -	"	10/84 - B 910/-	910/-	-	-	1.12.1984	EV
- do -	"	"	939/-	-	-	1.12.1985	EV

Please see
revised entries
on Page No 8.

Certified that pay of Ghaniur-Rehman Sr. drawn as below.

Month	Pay drawn	B.D. No.	Date
7/83	466 + 210 ^{DA} (674) =	1352	23.6.1983
8/83	466 + 210 ^{DA} (676/-)	353	18.9.83
9/83	765/-	356	2.10.83
10/83	765/-	572 572	13.10.83
11/83	765/-	280	23.11.83
12/83	794/-	778	17.12.83
1/84	794/-	281	25.1.1984

Head Master
Govt High School,
Spin Khair (Noukhair)

Note: In view of Diff. of Pay for 7/83 & 8/83 drawn via B.D. No 358 dt 2.10.83 (Amounting = Rs. 278/-) Hence, no overpayment has been made & hence the entries have been made due to clerical error.

15
7

10	11	12	13	14	15
Signature and designation of the officer in attestation of columns to 8	Date of appointment	Reason of termination (such as promotion transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government. Government-Period to which debitable	Signature of the head of the office or other attesting officer Refrence to any recorded punishment for censure, or reward or praise of the Government servant
M. S. Spinkhal	30-6-82	Inc.	M. S. Spinkhal Head Master Govt. High School, Spin Khak	Prof. Ma. D. P. I. S.	I hereby exercise my opinion in favour of the Recreation allowance sanction with secretary to Govt of W. Pak Finance Deptt Notification No. 50 (SR)-V-2235/68 D 22-3/69
M. S. Spinkhal	30-11-83	Inc.	M. S. Spinkhal Head Master Govt. High School, Spin Khak		Attested Signature of Govt Servant 17/12/80
M. S. Spinkhal	30-11-84	Inc.	M. S. Spinkhal Head Master Govt. High School, Spin Khak		Services verified w.e.f. 1-12-80 to 30-11-81 from Reg Roll & other record of this office
M. S. Spinkhal	30-11-85	Inc.	M. S. Spinkhal Head Master Govt. High School, Spin Khak		Services verified w.e.f. 1-12-80 to 30-11-81 from Reg Roll & other record of this office
<p>(*) Over payment of Rs 58. PM w.e.f. 1-7-83 to 30-11-84 may be recovered.</p> <p>1983</p> <p>U. FILE OF THE ACCOUNTANT GENERAL N. W. P. PESHAWAR Pay File No. 620-29-1200 (9) 799/- Next Payment: 12-83</p> <p>ASST. ACCOUNT OFFICER N. W. P. PESHAWAR 8/5</p>			<p>ASST. ACCOUNT GENERAL N. W. P. PESHAWAR 2/8/85</p> <p>ASST. ACCOUNT GENERAL N. W. P. PESHAWAR 2/8/85</p>		<p>Services verified w.e.f. 1-12-80 to 30-11-81 from Reg Roll & other record of this office</p> <p>ASST. ACCOUNT GENERAL N. W. P. PESHAWAR (Nowshera)</p> <p>2/8/85 Services verified w.e.f. 1-12-80 to 30-11-81 from Reg Roll and other record of this office</p> <p>M. S. Spinkhal Head Master Govt. High School, Spin Khak Nowshera.</p> <p>Passed Intermediate Examination in 1981 (LA) from P. I. S. E Peshawar under JP Roll No 13589 obtained 5.83 Marks out of 1000</p> <p>M. S. Spinkhal Head Master</p>

ATTESTED

939
58
997

794

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 emoluments falling under the term "Pay"	Date of appointment	Signature of Government servant
<p>S.V GHS Spin Khale</p>	<p>B.S. No 9 (620-29-120) fixation</p>	<p>(i) Pay fixed in B.S. No 9 on 1/2 1983 (ii) Pay on 1.12.1983. (iii) 3 advance increments for passing BA @ 29/- u.e. 7 10.1.1984. (iv) Pay on 1.12.1986.</p>	<p>Rs. 794/- Rs. 823/- Rs. 910/- Rs. 939/-</p>	<p>Rs. 765/- Rs. 794/- Rs. 881/- Rs. 910/-</p>	<p>1/2 1983 1.12.1983 10.1.1984 1.12.1986</p>	<p>Drawn while drawn</p>	<p>Signature</p>
<p>23/86 12/85 12/86</p>	<p>Note: As the official remained on study leave, therefore increments for 1/12 & 1/12 were not allowed, but the increments were allowed on 23/12/1986 after his arrival to duty.</p>	<p>BS. No 9 (620-29-120)</p>	<p>968/- 968/-</p>	<p>997/-</p>	<p>23/86</p>	<p>2939/-</p>	<p>Signature</p>
<p>S.V GHS Spin Khale</p>	<p>Permt</p>	<p>Rs 830-38-1590</p>	<p>1324/-</p>	<p>1.7.87</p>	<p>24/87</p>	<p>Signature</p>	<p>Signature</p>
<p>GHS Spin Khale</p>	<p>Permt</p>	<p>1324/-</p>	<p>1324/-</p>	<p>Signature</p>	<p>Signature</p>	<p>Signature</p>	<p>Signature</p>

8

10	11	12	13	14		15	
				Leave			
				Period	Government to which debitable		
Signature and designation of the officer attesting in attestation of columns 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 periods of leave on average pay up to 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 for censure, or reward or praise of the Government servant
<i>Mur Kamal</i> Head Master GHS Spin Khak (Pesh.) 30/83	<i>Inc</i>		<i>Mur Kamal</i> Head Master GHS Spin Khak (Pesh.)			<i>Mur Kamal</i> Head Master GHS Spin Khak (Pesh.)	Services verified w.e.f. 16.10.82 to 31.3.1983 from A/Roll & other record of this school
<i>Mur Kamal</i> Head Master GHS Spin Khak (Pesh.) 10/84	<i>Inc</i>		<i>Mur Kamal</i> Head Master GHS Spin Khak (Pesh.)			<i>Mur Kamal</i> Head Master GHS Spin Khak (Pesh.)	Sanction accorded to the grant of leave from 21.4.1983 to 5.6.1983 (45 days) on full pay vide Divl. Divl. Edn (S) Encl. NO 2262 dt. 19.4.1983
<i>Mur Kamal</i> Head Master GHS Spin Khak (Pesh.) 30/86	<i>Inc</i>		<i>Mur Kamal</i> Head Master GHS Spin Khak (Pesh.)			<i>Mur Kamal</i> Head Master G.H.S. Spin Khak (Pesh.)	Passed B.A. (Arts) from university of Peshawar, August 1983
<i>Mur Kamal</i> Head Master Govt. High School Spin Khak (Nowshera) 30/87	<i>Inc</i>		<i>Mur Kamal</i> Head Master Govt. High School Spin Khak (Nowshera)			<i>Mur Kamal</i> Head Master G.H.S. Spin Khak (Peshawar)	under Roll No. 4740 obtained 299 marks of 550, second Divn on 1.1.1984.
<i>Mur Kamal</i> Head Master Govt. High School Spin Khak (Nowshera) 4/87	<i>Transf</i>		<i>Mur Kamal</i> Head Master Govt. High School Spin Khak (Nowshera)			<i>Mur Kamal</i> Head Master G.H.S. Spin Khak (Peshawar)	Service verified w.e.f. 1/4/83 to 12/83 from the A/Roll and other record of this school.

TESTER

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 emoluments falling under the term 'Pay'	Date of appointment	Signature of Government servant
SN GMS Jansher	Per	BSS NO 9	Rs. 1324/-	(830-38-1590)		11/87	[Signature]
GMS Jansher GMS Jansher	do	A	Rs. 1362/PM	✓		1/12/87	[Signature]
SET GMS S. Prakash	do	A	Rs. 1362/PM	✓		24/11/88	[Signature]
do	do	do	Rs. 1362/PM	✓		1/12/88	[Signature]
do	do	do	Rs. 1400/- PM	✓		1/12/88	[Signature]
SET S. Prakash	do	do	Rs. 1378/- PM	✓		2-12-85	[Signature]
SET S. Prakash	do	do	Rs. 1662/- PM	✓		1-12-89	[Signature]
S. Prakash Kalan	do	do	Rs. 1662/- PM	✓		19-11-90	[Signature]
Pay Fixation in B.S. No 15 (Appointed as SET)							
<p>Pay on 24.11.1988 in B.S. No 9 = Rs. 1362.00</p> <p>Pay on 24.11.1988 adjusted in B.S. No 15 = Rs. 1378.00</p> <p>(1165-71-2585)</p> <p>(with 3 advance increment @ Rs. 71/- on 24.11.1988) Rs. 1591.00</p> <p>with next increment on 1/12/1989 Rs. 1662.00</p>							
<p>* These revised entries have been made for fixation only.</p>							

High School
Kalan (Now...)

15

Signature of the head of the office or other attesting officer	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 for, censure, or reward or praise of the Government servant
				Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months for which leave salary is debit-able to another Government.		
<i>[Signature]</i>	30/11/87	Annual leave	<i>[Signature]</i>	Period	Government to which debit-able	To 24/11/87 and Other	S.D.E.O. (M) Nowshera
<i>[Signature]</i>	30/11/87	Transfer as per	<i>[Signature]</i>				Services verified from A/Roll and other record of the school w.e.f. 1-1-84 to 10-3-85
<i>[Signature]</i>	30/11/87	Inc.	<i>[Signature]</i>				Head Master Govt High School, Spis Khak Nowshera
<i>[Signature]</i>	2/12/87	Inc.	<i>[Signature]</i>				Study leave sanctioned w.e.f. 21/9 to 30/6/1984 vide Divl. Director (S) Peshawar Division Endot No 33645-46 dt 15/12/1984 on half pay + study allowance of Rs. 300/- P.M. or 75% of the total pay which ever is favorable
<i>[Signature]</i>	2/12/87	Inc.	<i>[Signature]</i>				Head Master Govt. High School, Spis Khak Nowshera
<i>[Signature]</i>	19.11.95	Transfer	<i>[Signature]</i>				Passed C.T. Exam: from RDE NWFP Peshawar Edu. District under R.N. 2307 in 1984. Marks obtained 579/1000 in 2nd Division
<i>[Signature]</i>	21.2.87	Head-Master	<i>[Signature]</i>				Services verified w.e.f. 11/3/1985 to 31.5.86 from A.C. roll & other record of this office

Presumptive Certificate

Head Master, Govt High School, Spis Khak Nowshera

Head Master, Govt High School, Spis Khak Nowshera

OFFICE OF THE ACCOUNTANT GENERAL, N.W.F.P. PESHAWAR.

ACCOUNTS OFFICER, N.W.F.P. PESHAWAR

Passed MA Education (Elementary) under Student Roll No 84 659 obtaining 77% marks. Head-grade B. Result declared on 21.2.87. Head-Master Govt High School Spis Khak (Nowshera)

Head Master, Govt High School, Spis Khak Nowshera

Govt. High School, Spis Khak Nowshera

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 emoluments falling under the term 'Pay'	Date of appointment	Signature Government servant
1165-71-2585	BPS NUIS		14911				
GHSNO 2 Nowshera Kalan	Per/		1378/	cutting slip		20/90	C. S. R.
-S-	"		1733/	P.M. #		1/12/90	C. S. R.
-Do-	"		2537/	P.M. #		1.6.91	C. S. R.
B-16 G.H.S. No 2 Nowshera Kalan Per/	Per/		2605/	P.M. #	Revised entries in B-16 1875-148	1.6.91	C. S. R.
-Do-	"		2751			1.12.91	C. S. R.
-Do-	"		2897/			1.12.92	C. S. R.
<p>3 New</p> <p>OFFICE OF THE ACCOUNTANT GENERAL</p> <p>N. W. F. P. DASHAWAR</p> <p>Pay fixed in Revised Basic Pay Scale of Rs. 830-38-1590</p> <p>● Rs. 1324/-</p> <p>with next increment of 1.12.92</p>	at B.A.						
<p>As seen of pay of 17 to 31/90</p> <p>in BPS-16 vide No. FDC (R.C.) 1-1/85</p> <p>dt 7/8/91 & Edu. No. 6412-79/A-250</p> <p>RBPS-91 dt 23/11/91 amounting to Rs. 749/50.</p>	<p>As seen of pay of 6/91 and 11/91 to 11/93 amounting to Rs. 2112/-</p> <p>ded. of P.A. etc, 295/85</p> <p>1815/15</p>		<p>TIL 1340</p> <p>9/12/92</p>				

DISTRICT OFFICER

[Signature]

District Accounts Officer

[Signature]

Nowshera

11/11/92

TIL 2259

7/12/92

As seen of pay of 6/91 and 11/91 to 11/93 amounting to Rs. 2112/-

ded. of P.A. etc, 295/85

1815/15

District Accounts Officer

11/11/93

10

9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 9 to 12	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 for censure, reward or praise of the Government servant
				Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months for which leave salary is debit-able to another Government Period Government to which debit-able		
<i>M. Ghossein</i> H.M. G.H.S. No. 11 Nowshera Kalan	15.3.11 96	Incr.	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Appointed Promoted to S.E.T. post vide D.E.(S) Pesh. Division Edvt No: 14483-596/E.No. 43 Dated 23.11.88.
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	31.5.91	Revision of pay	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Head Master Govt High School, Epla Khak (Nowshera). Approved on S.E.T. post in BS No 15 vide D.E.(S) N.W.F.P. Pesh. Edvt. No: 2475/575 Dated - 5.9.1989. W.F. 24.11.88
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	31.5.91	Promoted to B-16	<i>M. Ghossein</i> B.M. G.H.S. No. 24 Nowshera Kalan			<i>M. Ghossein</i>	Head Master Govt High School, Epla Khak (Nowshera)
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	3.9.91	Incr.	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Services verified w.e.f. 24.11.88 to 31.12.89 from Hq. Roll of this office.
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	30.11.91	Incr.	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Head Master Govt High School, Epla Khak (Nowshera)
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	30.11.91	Incr.	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Services verified w.e.f. 1.1.1990 to 30.11.1990 from A. Roll & other record of this office
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	30.11.91	Incr.	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Services verified w.e.f. 1.1.1990 to 18.11.1990 from Hq. Roll & other record of this office
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	28/4/93	Transfer to TR 769/912	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Head Master Govt High School, Epla Khak (Nowshera)
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	28/4/93	Transfer to TR 769/912	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Allowed relaxation of FR-22(b) to enable the official to get his pay regularized on BS No 15 on the eve of his appointment in BS No 15. Vide Govt. of N.W.F.P. Edvt. Deptt Notification No 50(S) 7-16 dt 9.10.90 & vide D.E.(S) N.W.F.P. Pesh. Edvt. No. 8156 dt 27.11.22.10.90.
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	28/4/93	Transfer to TR 769/912	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Head Master Govt High School, Epla Khak (Nowshera)
<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan	28/4/93	Transfer to TR 769/912	<i>M. Ghossein</i> H.M. G.H.S. No. 2 Nowshera Kalan			<i>M. Ghossein</i>	Head Master Govt High School, Epla Khak (Nowshera)

One day going time i.e. 19¹¹/₉₀ is allowed for transaction/journal

RE-STEED

District Accounts Officer
Nowshera
10/12 11/2

H.M. G.H.S. No. 2

1 Name of post	2 Whether substantive or officiating, and whether permanent or temporary	3 If officiating state— (i) substantive appointment or (ii) whether service counts for pension under Art. 371. C. S. R.	4 Pay in substantive post	5 Additional pay for officiating	6 Other emoluments falling under the term 'Pay'	7 Date of appointment	8 Signature Government servant
SET GHS D. I. Khar NYC	Perf/		2897/-			29/12/93	[Signature]
- Do -	- Do -		3043/-			12/1/93	[Signature]
<p>③ Adm Insn (MA)</p> <p>Office of the Accountant General N. W. F. P. Peshawar</p> <p>Pay fixed in the Revised Pay Scales 1991 of Rs. 16200-13100-3550 (B-15)</p> <p>Rs. 20537/2 P. M. W. E. P. 1-6-1991 with next increment on 1-12-1991</p> <p>Accounts Officer Pay Fixation Party N. W. F. P. Peshawar</p>	<p>MA Educational</p>	<p>pay fixed in the Revised Pay Scales 1991 of Rs. 18200-14600-4050-16</p> <p>Rs. 20605 P. M. W. E. P. 1-6-1991 with next increment on 1-12-1991</p> <p>Office of the Accountant General N. W. F. P. Peshawar</p>	<p>197</p>	<p>1</p>	<p>1</p>	<p>12/1/94</p>	<p>[Signature]</p>
- Do -			4111/-			12/1/94	[Signature]
- Do -			4308/-			12/1/94	[Signature]
SET GHS Jaroba	Temp/off		4308/-			30/5/95	[Signature]
do	"		4235/-			12/1/95	[Signature]
do	"		4505/-			12/1/95	[Signature]
- do -	"		4235/-			12/1/96	[Signature]

11

10	11	12	13	14		15		
				Signature of the head of the office or other attesting officer	Reference to any recorded punishment for censure, or reward or praise of the Government servant			
Signature and designation of the head of the office or other attesting officer in attestation of columns 10 to 13	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	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment for censure, or reward or praise of the Government servant
					Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government	Period		
<p>Imam Shah Head Master G.H.S. Dak Ismail Khel Distt. Nowshera</p> <p>30/11/93</p>			<p>Imam Shah Head Master G.H.S. Dak Ismail Khel Distt. Nowshera</p> <p>Revision of pay</p>				<p>✓ Service verified w.e.f 19-11-90 to 28-11-91 from the A/Roll and other record of this office</p> <p><i>[Signature]</i> G.H.S. No. 2, Nowshera Kalan</p>	
<p>Imam Shah Head Master G.H.S. Dak Ismail Khel Distt. Nowshera</p> <p>31/5/94</p>			<p>Office of The Accountant General N.W.F.P. Peshawar.</p> <p>Pay fixed in the revised pay scale 1984 of Rs. 2535-197-540 (B. 16) with next increment 1-6-1994</p> <p><i>[Signature]</i> Accounts Officer</p> <p>Pay Fixation Party N.W.F.P. Peshawar.</p>				<p>✓ Service verified w.e.f 1-12-91 to 30-9-92 from the A/Roll and other record of this office</p> <p><i>[Signature]</i> G.H.S. No. 2, Nowshera Kalan</p>	
<p>Imam Shah Head Master G.H.S. Dak Ismail Khel Distt. Nowshera</p> <p>30/11/94</p>			<p>Imam Shah Head Master G.H.S. Dak Ismail Khel Distt. Nowshera</p>				<p>120 days earned leave w.e.f 1.10.92 to 28.1.1993 (both days inclusive) sanctioned vide Director of Secondary Education (S), NWFP Peshawar NO 2770-74/1-14/52 T. 16. Leave dated 16.1.1993</p> <p><i>[Signature]</i> Head Master G.H.S. No. 2, Nowshera Kalan</p>	
<p>Imam Shah Head Master G.H.S. Dak Ismail Khel Distt. Nowshera</p> <p>29/1/95</p>			<p>Transfer Head Master G.H.S. Dak Ismail Khel Distt. Nowshera</p>					
<p>Imam Shah Head Master G.H.S. Dak Ismail Khel Distt. Nowshera</p> <p>30/11/95</p>			<p>Imam Shah HEAD MASTER Govt. High School Jaroba (NSR)</p>				<p><i>[Signature]</i> Head Master G.H.S. No. 2, Nowshera Kalan</p>	
<p>Imam Shah HEAD MASTER Govt. High School Jaroba (NSR)</p> <p>30/11/96</p>			<p>Imam Shah HEAD MASTER Govt. High School Jaroba (NSR)</p>				<p>STED</p> <p>✓ Service verified w.e.f 29-1-93 to 31-12-93 from the A/Roll and other record of this office</p> <p><i>[Signature]</i> Head Master G.H.S. Dak Ismail Khel Distt. Nowshera</p>	
<p>Imam Shah HEAD MASTER Govt. High School Jaroba (NSR)</p> <p>30/11/96</p>			<p>Imam Shah HEAD MASTER Govt. High School Jaroba (NSR)</p>				<p>✓ Service verified w.e.f 1.10.92 to 28.4.93 from the A/Roll and other record of this office</p> <p><i>[Signature]</i> Head Master G.H.S. No. 2, Nowshera Kalan</p>	

P.T.O

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 emoluments falling under the term "Pay"	Date of appointment	Signature Government servant
Grade - BPS No 16 (2535-197-5490)							
AD SET Post							
GHS Jacoba (N.S.R.)	Temp/offg	-	Rs. 4702/-	Pf	-	12/196	[Signature]
do	Temp/offg	-	Rs. 4899/-	Pm	-	12/197	[Signature]
do	Part		Rs. 5096/-	Pf	Revised 5293/-	12/198	[Signature]
		one premature increment w/e 16 ³ / ₉₉ vide F.D. No. PRC 1-1-97 dt 16 ³ / ₉₉			5293/-	12/99	
do	Part		5293/-	P. 17		12/1999	[Signature]
do			5490/-	P.M		12/2000	
Revised BPS No 16 (3805-295-12655)							
	Part		Rs. 8230/-	PM		12/2001	
	Gazetted		Rs. 8525/-	PM		12/2002	
	web 18 ⁵ / ₉₇		Rs. 8820/-	PM		12/2003	
			Rs. 9115/-	PM		12/2004	

12

7	10	11	12	13	14	
Signature of Government servant	Signature and designation of the head of the office or other attesting officer in attestation of columns 7 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Leave Allocation of periods of leave on average pay up to four months for which leave salary is debit-able to another Government Nature and duration of leave taken Period Government to which debit-able	Signature of the head of the office or other attesting officer Reference to any recorded punishment for censure, or reward or praise of the Government servant
<i>[Signature]</i>	Zahid Sial Head Master G.H.S. Jaroba	30/11/97	Incr;	<i>[Signature]</i>	Service verified w.e.f 1.1.94 to 29.5.95 from Acc. Roll & other record of the school.	<i>[Signature]</i> PRINCIPAL G.H.S. Dar Ismail Khel Distt. Nowshera.
<i>[Signature]</i>	<i>[Signature]</i> G.H.S. Jaroba Nowshera	30/11/98	Incr.	<i>[Signature]</i>	Service verified w.e.f 30.5.95 to 31.12.95 from the Acc. Roll & other record of this School.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)
<i>[Signature]</i>	G.H.S. Jaroba Nowshera	30/11/99	Incr.	<i>[Signature]</i>	Service verified w.e.f 1.1.96 to 28-2-97 according to the Acc. Roll and other record of this office.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)
<i>[Signature]</i>	Head Master G.H.S. Jaroba, Distt: Nowshera.	30/11/2000	Incr.	<i>[Signature]</i>	Service verified w.e.f 1.3.97 to 30/8/97 according to the Acc. Roll and other record of this office.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)
<i>[Signature]</i>	Head Master G.H.S. Jaroba, Distt: Nowshera.	30/11/2002	Incr.	<i>[Signature]</i>	Service verified w.e.f 1-96 to 28-2-97 according to the Acc. Roll and other record of this office.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)
<i>[Signature]</i>	Head Master G.H.S. Jaroba, Distt: Nowshera.	30/11/2003	Incr.	<i>[Signature]</i>	Service verified w.e.f 1-96 to 28-2-97 according to the Acc. Roll and other record of this office.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)
<i>[Signature]</i>	Head Master G.H.S. Jaroba, Distt: Nowshera.	30/11/2004	Incr.	<i>[Signature]</i>	Service verified w.e.f 1-96 to 28-2-97 according to the Acc. Roll and other record of this office.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)
<i>[Signature]</i>	Head Master G.H.S. Jaroba, Distt: Nowshera.	30/11/2005	Incr.	<i>[Signature]</i>	Service verified w.e.f 1-96 to 28-2-97 according to the Acc. Roll and other record of this office.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)
<i>[Signature]</i>	Head Master G.H.S. Jaroba, Distt: Nowshera.	30/11/2006	Incr.	<i>[Signature]</i>	Service verified w.e.f 1-96 to 28-2-97 according to the Acc. Roll and other record of this office.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)
<i>[Signature]</i>	Head Master G.H.S. Jaroba, Distt: Nowshera.	30/11/2007	Incr.	<i>[Signature]</i>	Service verified w.e.f 1-96 to 28-2-97 according to the Acc. Roll and other record of this office.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)
<i>[Signature]</i>	Head Master G.H.S. Jaroba, Distt: Nowshera.	30/11/2008	Incr.	<i>[Signature]</i>	Service verified w.e.f 1-96 to 28-2-97 according to the Acc. Roll and other record of this office.	<i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR)

ATTENDED

PRINCIPAL
G.H.S. Jaroba
Nowshera

PRINCIPAL
G.H.S. Jaroba
Nowshera

PRINCIPAL
G.H.S. Jaroba
Nowshera

PRINCIPAL
G.H.S. Jaroba
Nowshera

Zahid Sial
Head Master
G.H.S. Jaroba
Nowshera

13

8	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 8 to 12	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 for censure, or reward or praise of the Government servant
				Nature and duration of leave taken	Allocation of periods of leave on average pay up to four months for which leave salary is debitable to another Government Period to which debitable		
							<p>Service verified w.e. 7.1.1997 to 31.12.1998 from Reg. Roll & other record of this office.</p> <p><i>[Signature]</i> Head Master G.H.S. Jaroba Nowshera</p>
							<p>Service verified w.e. 1-1-99 to 31st 99 from Reg. Roll and other record of this office.</p> <p><i>[Signature]</i> HEAD MASTER Govt. High School Jaroba (NSR).</p>
							<p>Service verified w.e. 1st 99 to 30th 99 from Reg. Roll & other record</p> <p><i>[Signature]</i> Head Master, GHS Jaroba, Distt: Nowshera.</p>
							<p>Service verified w.e. 1-12-1999 to 30-9-2000 from Reg. Roll & other record of this office.</p> <p><i>[Signature]</i> Head Master, GHS Jaroba, Distt: Nowshera.</p>

REGISTERED

14

8	10	11	12	13	15	14	13
Signature and designation of the head of the office or other attesting officer in attestation of columns 7 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	Leave Allocation of periods of leave on average pay up to four months for which leave salary is debit-able to another Government Government-Period to which debit-able	Signature of the head of the office or other attesting officer	Reference to any recorded punishment for censure, or reward or praise of the Government servant
							<p>Passed MA Islamiyat (Annual 1999) from University of Peshawar in Second Div; under the roll no 22283 result declared on 26-6-2000</p> <p><i>[Signature]</i> Head Master, GHS-Jaroba, Dist: Nowshera.</p>
							<p>Granted 3 advance increment in B.S. No 16 for passing M. A W. e. 7 26-06-2000 vide DE (S) NWFP. Peshawar Enclt. No 5.8-40/A-258 dt 3-3-2000 only me inc. adjusted</p> <p><i>[Signature]</i> Head Master, GHS Jaroba, Dist: Nowshera;</p> <p>✓ Service verified w.e.f. 1-10-2001 to 30-06-2001 from A/Roll & other record of this office.</p> <p><i>[Signature]</i> Head Master GHS Jaroba N.S.R</p>
							<p>Service verified w.e.f. 1-7-2001 to 31-3-2003 from A/Roll & other record of this office.</p>

ATTESTED

16

ANNEX B

OFFICE OF THE DIRECTOR SECONDARY EDUCATION N.W.F.P. PESHAWAR.

NOTIFICATION

Sanction is hereby accorded to the grant of Three/six Advance increments on passing MA/M.Sc/M.Ed Examination in respect of the following candidates/teachers from the date of passing MA/M.Sc/M.Ed Examination or from the date of their taking over charge against SET post as a result of appointment by the Departmental Selection Committee/Public Service Commission NWFP Peshawar which-over is later subject to the condition that proper entry has been made in his S/Book by the Principal/D.L.O(M/S), concerned in case of Middle School/ Head Master of GHS/GHSS under their proper signature and Office seal.

S.No.	Name & Address.	Adv: Increments
1.	Habibur Rehman SET Sc; GHS Gabasani Gadoon.	3-Adv: Increments.
2.	Mr. Ibadur Rehman SET GHS No. 1. Nowshera Cantt;	---do---
3.	Ghaniur Rehman SET(G) GHS No. 1. Nowshera Cantt;	---do---
4.	Faizullah Khan SET Sc; GHS Iknampur Mardan.	---do---
5.	Mohammed Tahir SS(Eng) GHSS Wari Dir Upper.	---do---
6.	Mohammed Shahzad SS GHSS Sharpur(Mansohra).	---do---
7.	Faqir Mohammed SET GHS Mohar Mansohra.	---do---

Service Books attached.

DIRECTOR SECONDARY EDUCATION N.W.F.P. PESHAWAR.

Endst; No. 508-40 A-258/Adv: Incr: F.F-2. Dated Pesh: the 3/3 /2001.

- 1. Copy of the above is forwarded to the;-
- 2. District Edu; Officers concerned.
- 3. District Accounts Officers concerned.
- 4. Principals/Head Masters concerned.
- 5. Teachers concerned.
- 6. Supdt; Estt; Branch.

3/3/2001
 DEPUTY DIRECTOR SECONDARY EDUCATION NWFP PESHAWAR.

ATTESTED

GOVERNMENT OF NWFP,
FINANCE DEPARTMENT.
(PAY REVISION CELL).

NO. FD(PRC)1-1/89.
Dated Peshawar the 11th Aug. 1991.

17

From: The Secretary to Government of NWFP,
Finance Department, Peshawar.

To

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

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

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

BASIC PAY SCALES

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

Page...2..

ATTESTED

(2)

INITIAL FIXATION OF PAY

(i)

The initial pay of the continuing employees who have been in Government Service since before the 1st June, 1991, shall first be fixed in the modified scale at the stage having the same pay or if there is not such stage at the next higher stage. Thereafter the pay shall be fixed in the Revised pay scale "on point to point basis" i.e. at the stage in the relevant revised basic pay scale which is as many stages above the stage occupied by him above the minimum of the modified basic scale.

(ii)

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

(iii)

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

(iv)

The increase allowed since 1-7-1989, which is detailed below shall cease to be admissible from 1-6-1991 :-

- (a) Indexed pay sanctioned vide Finance Department circular No. FD(PRC) 1-3/89, dated 4.1.1989.
- (b) Ad-hoc increase of 5% of pay sanctioned vide circular No. FD(PRC) 1-3/89, dated 13.1.1990.
- (c) Ad-hoc increase of 10% sanctioned vide Finance Department circular No. FD(PRC) 1-3/89, dated 21-7-1990.
- (d) Dearness Allowance of Rs. 200/- p.m. sanctioned vide Finance Department circular No. FD(PRC) 1-3/89, dated 16.1.1991.

FIXATION OF PAY ON PROMOTION.

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

Page...3...

ATTESTED

GRANT OF ADVANCE INCREMENTS TO OFFICIALS FOR POSSESSING OR ACQUIRING HIGHER EDUCATIONAL QUALIFICATION

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

18

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

The advance increments already allowed in terms of para-6(a) of Finance Department Order No. FD(PIC)1-1/87-Vol-VIII, dated 22.7.1987 would be doubled from 1.6.1991.

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

MOVE-OVER

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

ATTESTED



20

SPECIAL PAYS

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

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

8. TEACHING ALLOWANCE

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

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

9. MEDICAL ALLOWANCE

The existing rate of medical allowance of Rs. 50/- per month admissible to the employees in BPS-11-15 shall be enhanced to Rs. 60/- P.M.

10. (a) MESSING/DIET ALLOWANCE

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

(b) UNIFORM ALLOWANCE

The existing rate of uniform allowance for Nursing Cadre (below BPS-16) shall be enhanced from Rs. 125/- P.M. to Rs. 150/- P.M.

TESTED

(21)

A.H.W.E.D.

No.FD(SR-II)2-123/83.

GOVERNMENT OF NWFP,
FINANCE DEPARTMENT.

Dated Peshawar, the 20th May, 1984.

From:

The Secretary to Govt:of NWFP,
Finance Department, Peshawar.

To

1. All Administrative Secretaries to Government of N.W.F.P.,
2. All Heads of Attached Department in N.W.F.P.
3. All Commissioners of the Division in N.W.F.P.
4. All Deputy Commissioners/Political Agents/District & Session Judges in N.W.F.P.
5. The Secretary to Governor, NWFP, Peshawar.
6. The Registrar, Peshawar High Court.
7. The Secretary, NWFP Service Tribunal.
8. The Secretary, NWFP, Public Service Commission, Peshawar.
9. The Secretary, Board of Revenue, N.W.F.P., Peshawar.

Subject:- ADVANCE INCREMENTS TO SCHOOL TEACHERS ON
ATTAINING HIGHER QUALIFICATIONS.

Sir,

I am directed to refer to para 9 of this Department letter No.FD(SR-I)1-67/83 dated 24/8/1983 and para 2 of letter No.FD(SR-II)2-123/83 dated the 15th December, 1983 and to say that a number of Teachers in different categories were drawing pay at the maximum of their pay Scales on 1st July, 1983 and their pay has also been fixed at the maximum of the respective Basic Pay Scales. Such teachers would be deprived of the benefit of advance increments even if they possessed higher qualifications for which advance increments have been allowed.

2- It has therefore been decided that such teachers who could not get the full benefit of advance increments provided for in the Scheme of Basic Pay Scales, shall be allowed the benefit of Advance Increments, If any,

STED

Contd:P-2

which they could not get on 1/7/1983, in the next higher Pay Scales after their move-over to such Basic Pay Scale with effect from 1-12-1984.

Your obedient servnat,

Iftikhar Ahmad
20-5-84
(IFTIKHAR AHMAD)
DEPUTY SECRETARY (REGULATION)

Endst:No.FD(SR-II)2-123/83 Dated Peshawar, the 20th May, 1984.

Copy forwarded, for information, to :-

1. The Martial Law Secretariat, Zone 'B' Peshawar.
2. The Secretaries to Governments of the Punjab, Sind and Baluchistan, Finance Department, Lahore, Karachi and Quetta.
3. All Autonomous/Semi Autonomous Bodies in N.W.F.P.

Sahibzada Fazal Amin
(SAHIBZADA FAZAL AMIN)
Section Officer (SR-II)

Endst:No.FD(SR-II)2-123/83 Dated Peshawar, the 20th May, 1984.

Copy forwarded, for information, to :-

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

Sahibzada Fazal Amin
(SAHIBZADA FAZAL AMIN)
Section Officer (SR-II)

/SAJJAD/

22/5/84
~~SAJJAD~~

ANNEX E
22

S.No	Date of order	Proceedings with signature of judge
1.	2	3
	5.9.2007	<p>Parties present. During the hearing of the case, it was revealed that the Education Department had referred the case of the petitioner to the Finance Department in the light of Pay Revision Rules, 1991 which according to the petitioner was not attracted to his case. The Tribunal's judgement also had directed the respondent department to examine the case of the appellant in the light of Pay Revision Rules, 1983. Therefore, the respondent department is once again directed to refer the case of the petitioner to the Finance Department, as indicated in the Tribunal's judgement dated 21.6.2006, for obtaining the Finance department advice and passing a final order on the receipt of the same. Case to come up for further proceedings on 25.10.2007.</p> <p>Member.</p> <p>Member.</p>

800
12.9.07
12.9.07
12.9.07

MEMBER
12.9.07

Member

Member

TESTED

Fair Copy

COPY OF THE GOVERNMENT OF N.W.F.P. FINANCE DEPARTMENT LETTER NO. FD (SR-II) 2-123/83 DATED 20.5.1984, ADDRESSED TO ALL CONCERNED AND COPY RECEIVED UNDER DIRECTOR OF EDUCATION (S) N.W.F.P. PESHAWAR ENDS: NO. 182/A-2SR/DPS-83/KC/VOL:III DATED 2.6.1984.

23

SUBJECT: ADVANCE INCREMENT TO SCHOOL TEACHERS ON ATTAINING HIGHER QUALIFICATIONS.

Sir,

I am directed to refer to para 2 of this Department letter No. FD(SR-I)1-67783 dated 24.8.1983 and para 2 of letter No. FD(SR-II)2-123/83 dated the 15th December, 1983 and to say that a number of teachers in different categories were drawing pay at the maximum of their pay scales on 1st July, 1983 and their pay has also been fixed at the maximum of the respective Basic Pay Scales. Such teachers would be deprived of the benefit of advance increments even if they possessed higher qualifications for which advance increments have been allowed.

2. It has therefore been decided that such teacher who could not get the full benefit of advance increments provided for in the scheme of Basic Pay Scales, shall be allowed the benefit of advance increments, if any which they could not get on 1.7.1983, in the next higher Pay Scales after move-over to such Basic Pay Scales with effect from 1.12.1984.

yours Obedient Servant,

sd/-X X X X X X X X

(IFTIKHAN AHMAD)

DEPUTY SECRETARY (REGULATION)

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD DISTRICT ABBOTTABAD.

Endst: No. 20675-20755/ F-34/AE-II/BPS. Dated Abbottabad the ___/6/1984.

Copy of the above is forwarded for information and necessary action to the:-

- 1-2. Sub Divl. Education Officer (M) Abbottabad & Haripur.
- 3-80. All the Headmasters of Govt. High Schools in Abbottabad District.
- 81. Director of Education (S) N.W.F.P. Peshawar.

sd/-

BY: DISTRICT EDUCATION OFFICER
FOR: DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.

ATTESTED

Better Copy

23

COPY OF THE GOVERNMENT OF N.W.F.P. FINANCE DEPARTMENT LETTER NO. FD. (SR-II) 2-123/83 DATED 20.5.1984, ADDRESSED TO ALL CONCERNED AND COPY RECEIVED UNDER DIRECTOR OF EDUCATION (S) NWFP PESHAWAR ENDST: NO.92-182/A-258/BPS-83/KC/VOL:III DATED 2.6.1984.

SUBJECT:- ADVANCE INCREMENT TO SCHOOL TEACHERS ON ATTAINING HIGHER QUALIFICATIONS.

Sir,

I am directed to refer to para 9 of this Department letter No. FD(SR-I)1-67/83 dated 24.8.1983 and para 2 of letter No. FD(SR-II)2-123/83 dated the 15th December, 1983 and to say that a number of teachers in different categories were drawing pay at the maximum of their pay scales on 1st July, 1983 and their pay has also been fixed at the maximum of the respective Basic Pay Scales. Such teachers would be deprived of the benefit of advance increments even if they possessed higher qualifications for which advance increments have been allowed.

2. It has therefore been decided that such teacher who could not get the full benefit of advance increments provided for in the scheme of Basic Pay Scales, shall be allowed the benefit of advance increments, if any which they could not get on 1.7.1983, in the next higher Pay Scales after move-over to such Basic Pay Scale with effect from 1.12.1984.

yours Obedient Servant,

sd/-X X X X X X X
(IFTIKHAR AHMAD)

DEPUTY SECRETARY

(REGULATION)

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD DISTRICT ABBOTTABAD.

Endst: No. 20675-20755//F-34/AE-II/BPS Dated Abbottabad the _____/6/1984.

Copy of the above is forwarded for information and necessary action to the:-

- 1-2. Sub Divl: Education Officer (M) Abbottabad & Haripur.
- 3-80. All the Headmasters of Govt. High Schools in Abbottabad District.
81. Director of Education (S) N.W.F.P. Peshawar.

sd/-

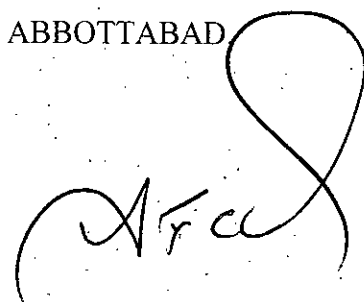
DY: DISTRICT EDUCATION

OFFICER

FOR/ DISTRICT EDUCATION OFFICER

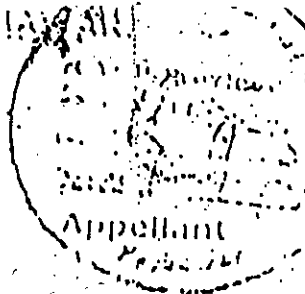
(M)

ABBOTTABAD



APPEAL NO. 109

Mr. Mohammad Islam, PPT
GPS Mehrdi, Malakand Agency



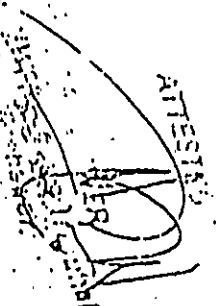
24

VERSUS

- 1- The Secretary of Education (E&SE), NWFP, Peshawar.
- 2- The Secretary Finance, NWFP, Peshawar.
- 3- The Director of Education (E&SE), NWFP, Peshawar.
- 4- The District Co-Ordination Officer, District Malakand.
- 5- The Executive District Officer, District Malakand.

RESPONDENTS

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNALS ACT 1974 FOR GRANTING TWO SHORTFALL ADVANCE INCREMENTS AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS.

ATTESTED


PRAYER:

That on acceptance of this appeal the respondents may be directed to grant two shortfall advance increments on higher qualification after getting move-over to higher scale. Any other remedy which this august Tribunal deems fit may also be awarded in favor of the appellant.

17/06/07
 dated

R. SHEWETH:

- 1- That the appellant was appointed as PTC teacher vide order dated 16.9.1980. Later on the appellant was granted move over to BPS-12 from BPS-11 vide order dated 16.4.2001. Copies of the orders are attached as annexure..... A & B.
- 2- That the appellant has the qualifications of SSC, F.A, B.A and PTC Certificates. That at the time of appointment the basic required qualification for PTC post was mat. pty. PTC while the appellant had upgraded his education qualification during his

ATTESTED


Better Copy

BEFORE THE NWFP SERVICE TRIBUNAL, PESHAWAR.

APPEAL No. _____ /2009

24

Mr. Mohammad Islam, PET,
GPS Mehrdi, Malakand Agency.

Appellant

VERSUS

1. The Secretary of Education (E&SE), NWFP, Peshawar.
2. The Secretary Finance, NWFP, Peshawar.
3. The Director of Education (E&SE), NWFP, Peshawar.
4. The District Co-Ordination Officer, District Malakand.
5. The Executive District Officer Malakand.....RESPONDENTS

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974 FOR GRANTING TOW SHORTFALL ADVANCE INCREMENTS AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN STATUTORY PERIOD OF NINETY DAYS.

PRAYER: That on acceptance of this appeal, the respondents may be directed to grant two shortfall advance increments on higher qualification after getting move-over to higher scale. Any other relief which is august Tribunal deems fit may also be awarded in favour of the appellant.

R.SHEWETH:

1. That the appellant was appointed as PTC teacher vide order dated 16.9.1980. Later on the appellant was granted move-over to BPS-12 from BPS-11 w.e.from 1.12.2000 vide order dated 16.4.2001. Copies of the orders are attached as annexure A&B.
2. That the appellant has the qualification of SSC, F.A. B.A and PTC Certificates. That all the time of appointment basic required qualification for PTC post was SSC ;lus PTC while the appellant had upgraded his Education qualification during his

STC

Date of Order or Proceedings

2

13.07.2009

Order or other proceeding and that of parties

25

Counsel for the appellants present
Preliminary arguments heard and record perused.

The broad facts and legal questions involved in this appeal are the same as in Service Appeal No. 846 of 2004 by Sulaiman Khan, decided on 21.6.2006, which was implemented on 10.11.2008 in the light of the Finance Department Notification No. FD (SR-11)2-123/83, dated 20.5.1984. In the light of the judgment in Service Appeal No. 846 of 2004, this appeal is also disposed of in limine, in the same terms and with the same direction as given in the above mentioned appeal.

The official respondents are, however, directed to ascertain that the appellant is a person similarly placed with the appellant in the above mentioned Service Appeal No. 846 of 2004.

ANNOUNCED

13.07.2009.

[Handwritten signature]

[Handwritten signature and stamp]

Amount of money	8000	17.7.09
Number of copies	6	
Pages	2	
Rate	8	
Date of issue	17.7.09	
Date of receipt	17.7.09	
Name of collector		

ATTESTED

[Handwritten signature]

_____ versus _____

S. No. of order/ proceeding	Date of order/ proceeding	Order with signature of judge, and that of parties or counsel, where necessary
--------------------------------	------------------------------	---

13.07.2009

Counsel for the appellant present. Preliminary arguments heard and record perused.

The broad facts and legal questions involved in this appeal are the same as in Service Appeal No.846 of 2004 by Sulaiman Khan, decided on 21.06.2006, which was, implemented on 10.11.2008 in the light of the Finance Department Notification No.FD(SR-II)2-123/83, dated 20.5.1984. In the light of the judgement in Service Appeal No.846 of 2004, this appeal is also disposed off in liminie in the same terms and with the same direction as given in the above mentioned appeal.

The official respondents are however, directed to ascertain that the appellant is a person similarly placed with the appellant in the above mentioned Service Appeal No.846 of 2004.

ANNOUNCED:
13.07.2009

Sd/-
MEMBER



FINANCE DEPARTMENT

NO. FD/SO (SR-1) 2-123/07.

Dated: Nov 10 2008.

To

The Secretary to Govt. of NWFP,
Elementary & Secondary Education,
Peshawar.

ANNEX 2
26

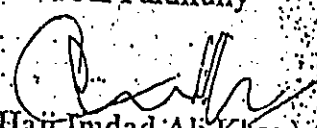
SUBJECT: IMPLEMENTATION OF DECISION OF NWFP
SERVICE TRIBUNAL PESHAWAR DATED 21.06.06 IN
SERVICE APPEAL NO. 846/04 SULEMAN KHAN SET VS
GOVT. OF NWFP.

Dear Sir,

I am directed to refer to the subject noted above and to state that subject Judgement of NWFP Service Tribunal was re-examined in light of Tribunal directions given on 05.09.2007.

It has been decided to extend the benefit of this Department letter No. FD (SR-II) 2-123/83, dated 20.05.1984 to the present appellants to comply with the Judgement of NWFP Service Tribunal, Peshawar dated 21.06.06 and to allow them the remaining advance increments as per their entitlement on attaining higher qualification.

Your Faithfully




(Haji Imdad Ali Khan)
SECTION OFFICER (SR-D)

Ends: of even No & date.

Copy forwarded to the:

1. Accountant General, NWFP Peshawar.
2. Registrar NWFP Service Tribunal, Peshawar.
3. Section Officer (Lit-II), Finance Department.

SECTION OFFICER (SE-1)



ATTESTED

APPEAL.

ANNEX G

27

To:

D. No. 110
~~The Assistant General,~~
~~Govt. Headmaster,~~ Nowshera.

Subject: -

Three advance increments as personal pay in the light of Finance Deptt; Letter DT; 11.8.1991 & Letter No FD (SR-11) 2 12/3/83 Dt; 20/5/84 (Photo copies attached)

Sir,

1.

That I was appointed as SET BPS-16 on 24.11.1988. I acquired higher qualification of M.A Islamat on 26/6/2000.

2.

That Vide Dir/Edu (School) KPK No: 508-40/A-258 Dt; 3/3/2001 (Photo copy attached) I was allowed to draw three advance increments w.e.f. 26/6/2000.

3.

That by then I was at the maximum of BPS. 16 i.e. Rs:

4.

5490/- and was thus moved over to BPS-17 on 1/12/2001.

5.

That I was granted an advance increment on 26/6/2000. But since the duration between 26/6/2000 and 1/12/2000 was less than 6 months, so I was not granted annual increment on 1/12/2000. Thus, I only got the arrear of 5 months & five days i.e. Rs. 975. So, I got no increment on M.A Islamat. According to the Finance Deptt; Notification Dt; 11/8/91 page 3,6(N) "Where the employee is already at the maximum of the scale, he may be allowed the number of advance increments beyond maximum of the scale as personal pay to be absorbed at the time of his move over/promotion".

6.

Finance Deptt; Letter No FD (SR-11) 2 12/3/83

Dt; 20/5/84. It has therefore, been decided that such teachers who could not get the full benefit of advance increments provide for in the scheme of Basic pay scales shall be allowed the benefits of advance increments if any which they could not get on 1/7/83, in the next higher pay scales after move over to such Basic pay scale w. e. f. 1/12/84.

I therefore request you kindly to grant me three advance increments as personal pay from 2/12/2000.

Thanks

Dt: 8/2/2012

Your Obediently,
Ghani Ur Rahman, SET

GHS Jallozain SR

Head Master,

GHS Jaroba,

Distt. Nowshera

D-225
16/2/12
pl check
AAO (SAD)/PR

2/2/12

Ghannaw
7/8/02
2012

ATTACHED

Better Copy

APPEAL

27

To

The DA Office,
Nowshera.

Subject: Three advance increments as personal pay in the light of Finance Deptt: letter DT: 11.8.1991 & Letter No.FD (SR-II)2 12.3.83 Dt: 20/5/84 (Photo copies attached)

Sir,

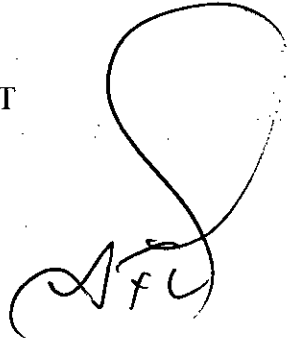
1. That I was appointed as SET BPS-16 on 24.11.1988. I acquired higher qualification of M.A Islamyat on 26/6/2000.
2. That Vide Dir/Edu: (School) KPK No.508-40/A-258 Dt: 3/3/2001 (Photo copy attached) I was allowed to draw three advance increments w.e.f 26/6/2000.
3. That by then I was at the maximum of BPS-16 i.e. Rs.5490/- and was thus moved over to BPS-17 on 1/12/2001.
4. That I was granted an advance increment on 26/6/2000. But since the duration between 26/6/2000 and 1/12/2000 was less than 6 months, so I was not granted annual increment on 1/12/2000. Thus I only got the arrear of 5 months & five days. i.e. Rs.975. So I got no increment on M.A Islamyat.
5. According to the Finance Department; Notification Dt; 11/8/91 page 3,6(N) "Where the employee is already at the maximum of the scale, he may be allowed the number of advance increments beyond maximums of the scales as personal pay to be absorbed at the time of his move over/promotion.
6. Finance Dept: Letter No. FD (SR-II)2 12/3/83 Dt: 20/5/84: It has therefore, been decided that such teachers who could not get the full benefit of advance increments provide for in the scheme of Basic Pay Scales shall be allowed the benefits of advance increments if any which they could not get on 1/7/83, in the next higher pay scales after move-over to such Basic Pay Scale w.e.f. 1/12/84.

I therefore, request you kindly to grant me three advance increments as personal pay from 2/12/2000.

Thanks

Dt: 8/2/2012

Your Obediently,
Ghani Ur Rahman, SET
Head Master,
GHS Jaroba,
Distt: Nowshera.





OFFICE OF THE
DISTRICT ACCOUNT
OFFICER NOWSHERA.
Ph.NO: 0923-9220119

No. 3032-33 /GAD/DAO/NSR

Dated.29.04.2012

TO

The Accountant General
Khyber Pakhtunkhwa
Peshawar

Attention: Accounts Officer (HAD)

Subject: clarification regarding admissibility of advance increment on M.A

Memo

Kindly refer to an application received from Mr. Ghani.Ur. Rehman SET GHSS Jallozai Nowshera.

The SET concerned passed MA Islamyat on 26-06-2000. The Director Edu (School) KPK sanction three advance increments on M.A w.e.f. 26-06-2000 vide E.No: 508-40/A-258 dated: 03-03-2001. But that SET was drawing maximum of BPS 16 Rs.5490/- P.M upto 01-12-2000 and was thus moved over to BPS-17 on 01-12-2000. This office has already allowed on advance increment on 26-06-2000. And the SET concerned reached to the maximum of the BPS-16. The advance increment on 01-12-2000 was not allowed due to the maximum of the time scale; prior to 01-12-2005 the personal pay in lieve of increment was not admissible.

The SET has requested to this office for allowing of advance increment as PP on 26-06-2000.

This office is of the view that PP before 01-12-2005 was not allowed in the education department. *The view of this office if correct may be copied*

DC
District Account Officer.
Nowshera.

Copy for information to Mr. Ghani.Ur.Rehman Headmaster GHS jaruba Nowshera.

DC
District Account Officer.
Nowshera.

Received
29/4/12
ATTESTED

OFFICE OF THE DISTRICT ACCOUNTS OFFICER NOWSHERA

NO/DAO/NSR/GAD/2325-26

DATED: 12/07/2012

ANNEX I

Mr. Ghani-Ur-Rehman,
H.M. GHS, Jaroba,
Distt. Nowshera, Ex. SET

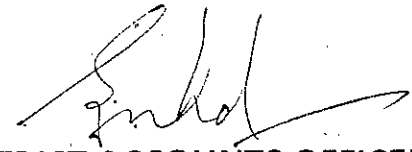
Subject: **CLARIFICATION REGARDING ADMISIBILITY OF ADVANCE
INCREMENT OF M.A:**

30

Memo,

Kindly refer to this office memo No.3032-33/GAD/DAO/NSR dated 29.04.2012 address to Accountant General, Khyber Pakhtunkhwa, Peshawar and copy thereof to you.

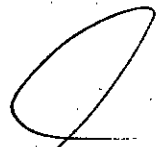
Reply of the letter received to this office with the confirmation of this office view, i.e. PP before 01.12.2005 was not admissible in Education department copy endorsed for reply reference.


**DISTRICT ACCOUNTS OFFICER
NOWSHERA**
12/7

Copy forwarded to the:

- The Accountant General, Khyber Pakhtunkhwa, Peshawar for information.


**DISTRICT ACCOUNTS OFFICER
NOWSHERA**


ATTESTED

WAKALAT NAMA

IN THE COURT OF

LCBK Service

Ghaniaul Rahman
Ghaniaul Rahman

Appellant(s)/Petitioner(s)

Goet etc VERSUS

Respondent(s)

I/We Ghaniaul Rahman do hereby appoint
Mr. Khaled Rehman, Advocate in the above mentioned case, to do all or
any of the following acts, deeds and things.

1. To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard and any other proceedings arising out of or connected therewith.
2. To sign, verify and file or withdraw all proceedings, petitions, appeals, affidavits and applications for compromise or withdrawal or for submission to arbitration of the said case, or any other documents, as may be deemed necessary or advisable by them for the conduct, prosecution or defence of the said case at all its stages.
3. To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of proceedings.

AND hereby agree:-

- a. That the Advocate(s) shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fee remains unpaid.

In witness whereof I/We have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this _____

Attested & Accepted by

Khaled Rehman,
Advocate, Peshawar.

9-B, Haroon Mansion
Khyber Bazar, Peshawar

Ghaniaul Rahman
Signature of Executants

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

13/3/13

Service Appeal No. 852/2012

Ghaniur Rehman ----- Appellant

VERSUS

Government of Khyber Pakhtunkhwa etc. ----- Respondants


APPLICATION FOR THE REJECTION OF APPEAL ON
PROMULGATION OF THE ACT 1X OF 2012.

Respectfully Sheweth!

1. That the subject appeal is fixed for hearing on ~~24-12-2012~~ ^{13.03.2013}.
2. That the Provincial Government on 15-05-2012 has pleased to promulgate an Act through Provincial Assembly in the name of the "The Khyber Pakhtunkhwa Cessation of Payment of Arrears on advance increments on higher educational qualification Act-2012". Whereby - payment of arrears on advance increments on higher educational qualification have been ceased. (Copy of the Act is Attached).
3. In the light of the law ibid, the Appeal has become anfractuious and is liable to be dismissed.

It is, therefore, prayed that on acceptance of this application, appeal may please be rejected/dismissed.

Respondent No. 04


EXECUTIVE DISTRICT OFFICER
E/S EDUCATION NOWSHERA

Through

Addl: Advocate General

Khyber Pakhtunkhwa Service Tribunal



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, TUESDAY, 15TH MAY, 2012.

PROVINCIAL ASSEMBLY SECRETARIAT
KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 15th May, 2012.

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

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

(KHYBER PAKHTUNKHWA ACT NO. IX OF 2012)

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

**AN
ACT**

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

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

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

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

It is hereby enacted as follows:-

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

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

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

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

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

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

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

BY ORDER OF MR. SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(AMANULLAH)

Secretary

Provincial Assembly of Khyber Pakhtunkhwa

51

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO: 852/2012

Ghaniur Rehman Headmaster GHS Jaroba, District Nowshera.Appellant.

VERSUS

Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa
& others.Respondent

PARAWISE COMMENTS ON BEHALF OF RESPONDING No; 1 to 3

Respectfully Sheweth :-Respondent submitted as under:-

PRELIMINARY OBJECTIONS.

- 1 That the appeal is badly barred by time.
- 2 That the appellant has not come to this Hon! able court with clean hands.
- 3 That the appeal is not maintainable in its present form.
- 4 That the appellant has suppressed/concealed important material facts from this Hon! able court.
- 5 That the appellant has filed this appeal with malafide intensions.
- 6 That the instant appeal has been filed to pressurize the respondents to Succumb to the illegal demands of the appellant.
- 7 That the appellant has been estopped by his own conduct to file the instant appeal.
- 8 That the appeal is not entertain-able & maintainable.
- 9 That the appeal is bad for non joinder of necessary party who is Principal respondent and mis-joinder of unnecessary parties.
- 10 That the appellant has no cause of action against the answering respondents.

ON FACTS

- 1 This para pertains to the service record of the appellant, hence needs no comments.
- 2 This para is related to academic record. The Government has already discontinued the scheme of advance increments on higher educational qualification since 2001.
- 3 This para has already been replied/responded by District Accounts Officer Nowshera vide letter dated 29-4-2012 (Annexure "H") of the appeal. While now the Government of Khyber Pakhtunkhwa promulgated an ACT No: ~~1~~ of 2012 to cease the payment of arrears accrued on account of advance increments on higher educational qualification hence the appellant is not entitle for any advance increment. (Annexure "A").
- 4 As replied in para above.

- 50
- 5 That the Ist: portion of this para is related to court record which needs no comments while the (Annexure "I") of the appeal reveals that personal pay before 1-12-2005 was not admissible in education department, hence the said appeal/application of the appellants was rejected. Hence the present appeal is liable to be dismissed inter alia on the following grounds :-

ON GROUNDS

- A That the appellant has been treated in accordance with law, rules & policy on the subject and not violated the constitution of Pakistan and lawfully refused to allow advance increments on the basis of acquiring higher qualification which is just, fair hence sustainable in the eye of law.
- B As replied in para 3 & 5 of the facts.
- C The appellant attempted to mislead this Hon! able Tribunal in presence of the ordinance No:1, 2012, the appellant is not entitled for any advance increment and its arrears on account of higher qualification. (Annexure "A")

In view of the above made submissions, it is requested that this Hon! able Tribunal may very graciously be placed to dismiss the instant appeal with cost in favor of the respondents Department.

31/12/2012
Director

Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

Secretary

Elementary & Secondary Education
Department KPK Peshawar.

SECRETARY

Finance Department
Khyber Pakhtunkhwa
Peshawar.

4 عدد سب کا نام

8 عدد فونو کا نام

شماره
109/4/13

51

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO: 852/2012

Ghaniur Rehman Headmaster GHS Jaroba, District Nowshera.Appellant.

VERSUS

Secretary Elementary & Secondary Education Department, Khyber Pakhtunkhwa
& others.Respondent

PARAWISE COMMENTS ON BEHALF OF RESPONDING No: 1 to 3

Respectfully Sheweth :-Respondent submitted as under:-

PRELIMINARY OBJECTIONS.

- 1 That the appeal is badly barred by time.
- 2 That the appellant has not come to this Hon! able court with clean hands.
- 3 That the appeal is not maintainable in its present form.
- 4 That the appellant has suppressed/concealed important material facts from this Hon! able court.
- 5 That the appellant has filed this appeal with malafide in-tensions.
- 6 That the instant appeal has been filed to pressurize the respondents to Succumb to the illegal demands of the appellant.
- 7 That the appellant has been estopped by his own conduct to file the instant appeal.
- 8 That the appeal is not entertain-able & maintainable.
- 9 That the appeal is bad for non joinder of necessary party who is Principal respondent and mis-joinder of unnecessary parties.
- 10 That the appellant has no cause of action against the answering respondents.

ON FACTS

- 1 This para pertains to the service record of the appellant, hence needs no comments.
- 2 This para is related to academic record. The Government has already discontinued the scheme of advance increments on higher educational qualification since 2001.
- 3 This para has already been replied/responded by District Accounts Officer Nowshera vide letter dated 29-4-2012 (Annexure "H") of the appeal. While now the Government of Khyber Pakhtunkhwa promulgated an ACT No: 1 of 2012 to cease the payment of arrears accrued on account of advance increments on higher educational qualification hence the appellant is not entitle for any advance increment. (Annexure "A").
- 4 As replied in para above.

- 50
- 5 That the 1st: portion of this para is related to court record which needs no comments while the (Annexure "I") of the appeal reveals that personal pay before 1-12-2005 was not admissible in education department, hence the said appeal/application of the appellant was rejected. Hence the present appeal is liable to be dismissed inter alia on the following grounds :-

ON GROUNDS

- A That the appellant has been treated in accordance with law, rules & policy on the subject and not violated the constitution of Pakistan and lawfully refused to allow advance increments on the basis of acquiring higher qualification which is just, fair hence sustainable in the eye of law.
- B As replied in para 3 & 5 of the facts.
- C The appellant attempted to mislead this Hon! able Tribunal in presence of the ordinance No:1, 2012, the appellant is not entitled for any advance increment and its arrears on account of higher qualification. (Annexure "A").

In view of the above made submissions, it is requested that this Hon! able Tribunal may very graciously be placed to dismiss the instant appeal with cost in favor of the respondents Department.

31/12/2012
Director

Elementary & Secondary Education
Khyber Pakhtunkhwa, Peshawar.

Secretary

Elementary & Secondary Education
Department KPK Peshawar.

SECRETARY

Finance Department
Khyber Pakhtunkhawa
Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 852 /2012

Ghani-ur-Rahman.....Appellant

Versus

The Secretary E&SE and others.....Respondents.

**REJOINDER ON BEHALF OF APPELLANT IN
RESPONSE TO REPLY FILED BY
RESPONDENTS NO. 1-3.**

Respectfully Sheweth,

Preliminary Objections:

Preliminary objections raised by answering respondents are erroneous and frivolous, the detailed replies thereof are as under:-

- I. That appeal is well within time.
- II. That appellant has approached the Hon'ble Tribunal with a bonafide claim inas much as he has been removed from service in violation of the law.
- III. That all codal formalities as per the Khyber Pakhtunkhwa Service Tribunal Act, 1974 have been complied with and therefore the appeal is in its correct form and shape.

- IV. That all the facts relevant for the disposal of the instant appeal concisely have been incorporated in the appeal and nothing has been concealed from the Hon'ble Tribunal.
- V. That appeal in hand has been filed with fair and bonafide intension.
- VI. That the appeal has been filed by the appellant seeking his legal rights as the same was not granted to him by the Respondents.
- VII. That estoppel does not operate against the law.
- VIII. That the appeal is entertainable and maintainable under the law.
- IX. That all necessary and proper parties have been arrayed as Respondents in the instant appeal, hence the question of mis-joinder and non-joinder is misconceived.
- X. That valuable rights of the appellant have been infringed through the impugned order(s) which have been challenged through the instant appeal under the law, therefore, appellant has got a strong cause of action and for that matter locus standi to file the instant appeal.

Facts:

1. Bing not replied hence admitted.

2. Para No.2 has been replied in evasive manner which amounts to admission. As far as the discontinuation of the advanced increment is concerned the same is not applicable to the appellant as the M.A degree (**Annex:-Rj/1**) as well as the grant of Advance Increments vide order dated 03.03.2001 have been issued prior to the discontinuation of the Advance Increments.
3. Misconceived hence denied. The opinion of the District Accounts Office Nowshehra is completely incorrect and has rightly been challenged before the Hon'ble Tribunal being discriminatory. The Act No.IX of 2012 though is with retrospective effect from 01.12.2001 but still the same is not applicable to the case of the appellant because the qualification and the grant of Advance Increments were prior to 01.12.2001.
4. Being not replied hence admitted.
5. Incorrect hence denied. The personal pay is applicable to the Education Department ever since 1984 and the same issue has already been decided by the Hon'ble Tribunal.

Grounds:

- A. Incorrect hence denied.
- B. Being not replied hence admitted.
- C. Misconceived.

It is, therefore, humbly prayed that the reply of answering Respondents No.1-3 may graciously be rejected and the appeal as prayed for may graciously be accepted with costs.

Through

Khalid Mahmood
Appellant

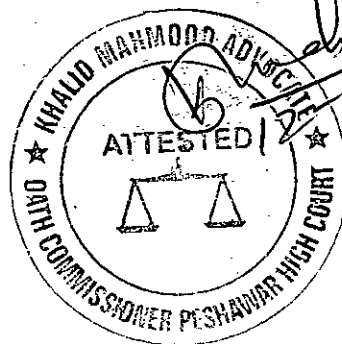
Khalid Mahmood
Khaled Mahmood
Advocate, Peshawar.

Dated: 10 / 12 / 2013

Affidavit

I, Ghani-ur-Rahman, Headmaster, GHS, Jaroba, District Nowshera, do hereby affirm and declare on oath that the contents of this rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

Ghani-ur-Rahman
Deponent





University of Peshawar (Pakistan)

Session ANNUAL 1999

65/15

GHANI-UR-REHMAN Son of ZIARAT KHAN and a student
of DISTRICT NOWSHERA having passed the prescribed examination
held in JANUARY, 2000, is this day admitted by the University of Peshawar

to the Degree of
Master of Arts

in the SECOND Division.

The Subject of Examination being ISLAMIYAT

The Examination was taken as a whole / in parts

Serial No. 027168

Registration No. 83-P/A-5791

Roll No. 22283

Result declared on JUNE 26, 2000



[Signature]
Registrar

Countersigned

[Signature]
Vice-Chancellor

[Handwritten mark]

23/11

8876

UNIVERSITY OF PESHAWAR

TO THE HONORABLE CHIEF MINISTER
GOVERNMENT OF PUNJAB
LAHORE

FOR THE INFORMATION OF YOUR OFFICE
THE FOLLOWING IS THE LIST OF
CANDIDATES WHOSE RESULTS
WERE ANNOUNCED ON 29/9/2000

Verified & Found Correct
New ^{marks} 29/9/2000
ASSTT. CONTROLLER OF EXAMINATIONS (DEG)
UNIVERSITY OF PESHAWAR

Handwritten signature
4/8/2000

Handwritten signature
31/7/2000
31/7/2000

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 852 /2012

Ghani-ur-Rahman.....Appellant

Versus

The Secretary E&SE and others.....Respondents.

**REPLICATION ON BEHALF OF APPELLANT IN
RESPONSE TO APPLICATION FOR REJECTION
OF THE APPEAL FILED BY RESPONDENT NO.4.**

Respectfully Sheweth,

1. Needs no reply.
2. Misconceived. The Act No.IX of 2012 though is with retrospective effect from 01.12.2001 but still the same is not applicable to the case of the appellant because the higher qualification i.e. M.A Islamiyat was acquired by the appellant on 26.06.2000 and the order for the grant of Advance Increments was issued on 03.03.2001 prior to the operation of the Act No.IX of 2012.
3. Incorrect.

It is, therefore, humbly prayed that the application being devoid of merit may be rejected.

Through

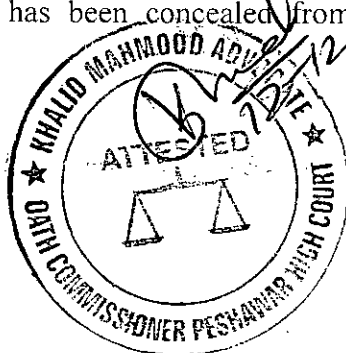
Appellant

Khalid Rahman
Khalid Rahman
Advocate, Peshawar.

Dated: 10 / 12/ 2013

Affidavit

I, Ghani-ur-Rahman, Headmaster, GHS, Jaroba, District Nowshehra, do hereby affirm and declare on oath that the contents of this rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from the Hon'ble Tribunal.



Ghani-ur-Rahman
Deponent

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 1016 /ST

Dated 29 / 6 / 2015


To

The DEO,
Nowshetra.

Subject: - JUDGEMENT

I am directed to forward herewith a certified copy of Judgement dated 12.6.2015 passed by this Tribunal on subject Judgement for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.