

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

27-4-24

Service Appeal No.969 of 2023

Wazir Ahmad (Retired) District  
Director Agriculture, District  
Battagram

VERSUS

Govt. of Khyber Pakhtunkhwa  
through Chief Secretary, Peshawar

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DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 969 of 2023  
Wazir Ahmad (Retired) District Director Agriculture,  
District Battagram.

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 10748

Dated 24/1/24 APPELLANT

VERSUS

- 1- Govt. of Pakhtunkhwa through Chief Secretary, Peshawar.
- 2- The Government of Khyber Pakhtunkhwa through Secretary Agriculture, Department Peshawar.
- 3- Secretary Finance Khyber Pakhtunkhwa Peshawar.
- 4- Secretary Establishment Khyber Pakhtunkhwa Peshawar.
- 5- Director General, Agriculture Extension Khyber Pakhtunkhwa, Peshawar.
- 6- District Director Agriculture District Battagram.

RESPONDENTS

JOINT PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS  
NO.1,2,3,4,5&6.

PRELIMINARY OBJECTIONS

Respectfully Sheweth:-

- 1- That the instant appeal is baseless, frivolous and concocted based on malafide intentions and for ulterior motive, hence not tenable at all.
- 2- That the appellant wishes to waste the precious time of this Honorable Tribunal by filling the instant appeal.
- 3- That the appellant has got no prima facie to file the instant appeal.
- 4- That the appellant has deliberately concealed the important facts from this Honorable Tribunal.
- 5- That the instant appeal is not maintainable in its present form and liable to be dismissed.
- 6- That the appellant has got no locus standi to file the instant appeal.
- 7- That the appellant has deliberately concealed the material facts from this Honorable Tribunal.
- 8- That the appellant has not come to this Honorable Service Tribunal with clean hands.
- 9- That the appeal is barred by law and limitation.
- 10- That the scheme of advance increment was discontinued with effect from October, 2001.

## REPLY ON FACT

2

- Para-1 Correct to the extent that the appellant has got appointment as Agricultural Officer BS-17 in Agriculture Extension Department Khyber Pakhtunkhwa in the year 1986 on adhoc basis and has retired from service on Superannuation with effect from 19.02.2021 (**Annexure-A**).
- Para-2 Incorrect. According to Recruitment and Appointment Rules, 1981, the basic qualification for appointment of Agriculture Officer is M.Sc Agriculture / B.Sc (Hons) Agriculture or B.Sc Degree in 2<sup>nd</sup> Division obtained after six year academic instructions after Matriculation (**Annexure-B**).
- Para-3 Correct to the extent that the appellant has got M.Sc. Honours Degree from Agriculture University, Peshawar in the year 1985.
- Para-04 Correct to the extent that the Government of Khyber Pakhtunkhwa Finance Department initiated a scheme of advance increments under revision of basic pay scales and fringe benefits of Provincial Servant 1983 with effect from 1<sup>st</sup> July, 1983 vide letter No. 24.08.1983 (**Annexure-C**).
- Para-05 Incorrect. The Government of Khyber Pakhtunkhwa Finance Department (Regulation Wing) discontinued scheme of advance increments under revision of basic pay scale and fringe benefits of civil employees (BPS-01-22) notified vide letter No. FD(PRC)1-1 /2001 dated 27.10.2001. However, requests kept pouring in from Government Servants in various departments for grant of advance increment under the old scheme despite a lapse of more than 08 years. Hence, the Government of Khyber Pakhtunkhwa Finance Department (Regulation Wing) vide letter No. FD (SR-1) 2-123/2010 dated 29.04.2010 (**Annexure-D**) allowed a grace period of sixty days (60 days) by issuing a circular letter to all Provincial Departments / Attached Departments / their sub ordinate offices for immediate finalization of all genuine pending cases, where the right of advance increment had already been accrued to the concerned employee on or before 30.11.2001, but the benefit had not been extended to them so far. The Government of Khyber Pakhtunkhwa clarified that only those Government Employees who had acquired higher qualification prior to 01.12.2001, while in service or joined service with higher qualification and had submitted their applications to their concerned Department / Offices before 01.12.2001 but their cases had not yet been decided, were eligible for advance increment vide letter No. FD (SR-1) 2-123/2010 dated 25.06.2010 (**Annexure-E**).

3

The appellant not submitted any application nor any appeal to the respondents before discontinuation of the scheme. The appellant submit his appeal to the respondent department on dated 13.01.2020, 28.04.2020 and 18.06.2020 after a lapse of twenty years (20 years) which is time barred **(Annexure-F, G & H)**. The same nature case rejected by the Respondent No.3 with the remarks that "advance increments on higher educational qualification has been stopped in light of Pay Revision 2001" vide Finance Department letter No. FS (SOSR-1)2-123/2020 dated 28.12.2020 copy attached as **(Annexure-I)**.

### GROUNDS

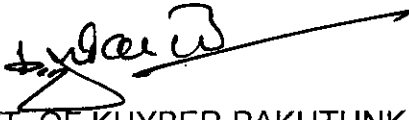
- Para-a Incorrect that the appellant has been treated by the respondents department in accordance with law and rules.
- Para-b Incorrect that the appellant has been treated by the respondents department in accordance with law and rules and not violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- Para-c Incorrect. The Government of NWFP (Khyber Pakhtunkhwa) Agriculture Food and Coop, Department allow two advance increment of officers of Agriculture Department from the date of their M.Sc. Honours Degree vide order dated 07.05.1992 while the appellant has not applied for the benefit of advance increments.
- Para-d Detail comments given in Para-05 above.
- Para-e Detail comments given in Para-05 of the facts and Para-C of the grounds.
- Para-f Detail comments given in Para-C above.
- Para-g Incorrect. That the appellant has not applied for advance increments from the date of his appointment till the closing of scheme of advance increment.
- Para-h No comments, hence denied.
- Para-i Incorrect. Detail comments given in para-5 above. The respondents may also be allowed to raise additional grounds during the course of arguments.

4

It is hereby humbly prayed that on acceptance of the para wise comments,  
the appeal of the appellant may kindly be dismissed with cost.



CHIEF SECRETARY,  
GOVT. OF KHYBER PAKHTUNKHWA, PESHAWAR  
RESPONDENT NO.1  
NADEEM ASLAM CHUDRY



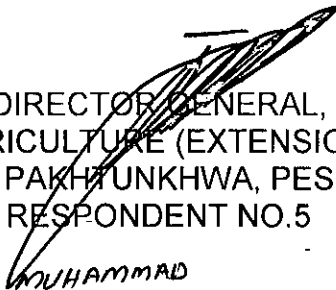
SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
AGRICULTURE DEPARTMENT, PESHAWAR  
RESPONDENTS NO.2  
MUHAMMAD JAVID MARWAT



SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT PESHAWAR  
RESPONDENT NO.3  
AMIR SULTAN TAREEN



SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT PESHAWAR  
RESPONDENT NO.4  
SHAHID ULLAH KHAN



DIRECTOR GENERAL,  
AGRICULTURE (EXTENSION)  
KHYBER PAKHTUNKHWA, PESHAWAR  
RESPONDENT NO.5

JAN MUHAMMAD



DISTRICT DIRECTOR AGRICULTURE,  
DISTRICT BATTAGRAM  
RESPONDENT NO.6 (Extension) Battagram  
SADIG HUSSAIN SHAH

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 969 of 2023  
Wazir Ahmad (Retired) District Director Agriculture,  
District Battagram.

5

APPELLANT

VERSUS

- 1- Govt. of Pakhtunkhwa through Chief Secretary, Peshawar.
- 2- The Government of Khyber Pakhtunkhwa through Secretary Agriculture, Department Peshawar.
- 3- Secretary Finance Khyber Pakhtunkhwa Peshawar.
- 4- Secretary Establishment Khyber Pakhtunkhwa Peshawar.
- 5- Director General, Agriculture Extension Khyber Pakhtunkhwa, Peshawar.
- 6- District Director Agriculture District Battagram.

RESPONDENTS

COUNTER AFFIDAVIT

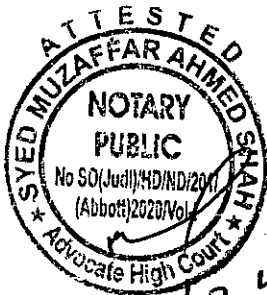
We the undersigned hereby solemnly declare / affirm that the contents of the Para-wise reply / comments are true and correct to the best of our knowledge and belief and nothing has been kept secret from this Honorable Tribunal.

CHIEF SECRETARY,  
GOVT. OF KHYBER PAKHTUNKHWA, PESHAWAR.  
RESPONDENT NO.1

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
AGRICULTURE DEPARTMENT, PESHAWAR  
RESPONDENTS NO.2

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT PESHAWAR  
RESPONDENT NO.3

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
ESTABLISHMENT DEPARTMENT PESHAWAR  
RESPONDENT NO.4

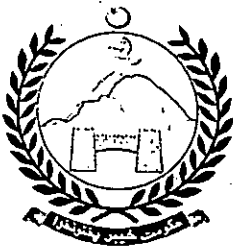


DIRECTOR GENERAL,  
AGRICULTURE (EXTENSION)  
KHYBER PAKHTUNKHWA, PESHAWAR  
RESPONDENT NO.5

JAN MUHAMMAD

DISTRICT DIRECTOR AGRICULTURE,  
DISTRICT BATTAGRAM  
RESPONDENT NO.6

SADIQ HUSSAN SHAH



GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
AGRICULTURE LIVESTOCK FISHERIES & COOPERATIVE  
DEPARTMENT

Annexure - (A)

Dated Peshawar, the 05<sup>th</sup> May, 2021

**NOTIFICATION**

**NO. SOE (AD)II(2)117/Wazir Ahmad/EW/21: -** In pursuance of section 13A(1) of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No.XVIII of 1973), and in supersession of Notification NO.SOE(AD)21-244/07/Wazir Ahmad/606 dated 05-10-2020, Mr. Wazir Ahmad, Ex-District Director Agriculture (BS-19) Battagram, stands retired from Government Service with effect from 19-02-2021 (A.N) on attaining the sixtieth (60<sup>th</sup>) years of age, as his date birth is 20-02-1961.

02. Notwithstanding the supersession of Notification mentioned in above Para, any leave encashment granted or LPR and other benefit, if any, availed thereunder, shall be deemed to be validly granted or availed.

Sd/-  
SECRETARY AGRICULTURE

**Endst. of Even No. & Date.**

Copy forwarded for information and necessary action to the: -

- 1) The Director General, Agriculture Extension Khyber Pakhtunkhwa, Peshawar.
- 2) The District Director Agriculture Extension, Battagram.
- 3) The District Accounts Officer, Battagram.
- 4) P.S to Secretary, Agriculture, Livestock and Cooperative Department, Khyber Pakhtunkhwa, Peshawar.
- 5) P.A to Deputy Secretary (Admn.), Agriculture, Livestock and Cooperative Department, Khyber Pakhtunkhwa, Peshawar.
- 6) Officer concerned
- 7) Master file.

SECTION OFFICER-ESTT.  
AGRICULTURE DEPARTMENT

Attest  
DISTRICT DIRECTOR  
AGRICULTURE ABBOTTABAD

1981 Rules

GOVERNMENT OF N.W.F.P.  
SERVICES AND GENERAL ADMINISTRATION  
TOURISM AND SPORTS DEPARTMENT  
(REGULATION WING).

DATED PESHAWAR THE 1ST FEB:1981

Annexure (B)

NOTIFICATION

No.SOR-II(S&GAD)2-11/78. In exercise of the powers conferred by Section 2 of the North-West Frontier Province Civil Servants Act, 1973, (NWFP Act XVIII of 1973) and in supersession of all previous rules made on the subject in this behalf, the Governor of the North-West Frontier Province is pleased to make the following rules, namely:

THE NORTH-WEST FRONTIER PROVINCE AGRICULTURE DEPARTMENT  
(RECRUITMENT AND APPOINTMENT) RULES, 1981.

- (1) These rules may be called the North-West Frontier Province Agriculture Department (Recruitment and appointment) Rules, 1981.
- The method of recruitment, minimum qualifications age limit and other matters related thereto for the posts specified in column 2 of the Schedule annexed shall be such as given in column 3 to 6 of the said Schedule.

SECRETARY TO GOVERNMENT OF  
NORTH-WEST FRONTIER PROVINCE  
SERVICES & GENERAL ADMINISTRATION  
SPORTS AND TOURISM DEPARTMENT.

NO.SOR-II(S&GAD)2-11/78

Dated Peshawar the 1st Feb:1981.

A copy is forwarded for information to:-

- All Administrative Secretaries to Government of NWFP,
- Director General of Agriculture, NWFP, Peshawar.
- Deputy Director, Soil conservation, NWFP, Peshawar.
- Director of Agriculture (Extension Wing) NWFP, Peshawar.
- Project Director "On-Farm Water Management Project" NWFP, Peshawar.
- Secretary, NWFP Public Service Commission, Peshawar.
- Manager, Government Printing Press, Peshawar for publication in the Government Gazette. He is requested to supply 50 copies of the Gazette Notification each to the S&GAD and Law Department.
- Section Officer (R-I) S&GAD, Government of NWFP.

Attest  
  
DISTRICT OFFICER  
AGRICULTURE ABBOTABAD

S/- (ABDUL HALIM  
SECTION OFFICER (REGULATION II)).

Deputy Director, Soil conservation, NWFP, Peshawar.

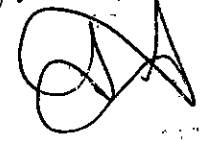


1	2	3	4	5	6
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( EXTENSION WING )

- |    |                                                         |     |                                                                                                                     |     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----|---------------------------------------------------------|-----|---------------------------------------------------------------------------------------------------------------------|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | Director of Agriculture/<br>Project Director/Principle. | --- | ri<br>in<br>vi<br>ty<br>f                                                                                           | --- | (i) By selection on merit from amongst six senior most Grade 18 Officers in the Extension Wing, with at least 13 years service in Grade 17 and 18 in the Department, Seniority being considered only in the case of Officers of practically the same standard of merit: or<br><br>(i) by transfer.                                                                                                                                                                                                                                                                                     |
| 2. | Deputy Director of Agri/<br>Agronomist/Vice Principle.  | --- | ri<br>t<br>tt<br>s<br>ne<br>ar<br>or<br>ru<br>at<br>r<br>ne                                                         | --- | (i) By Selection on merit, with due regard to seniority from amongst Assistant Directors of Agriculture and Extension Assistant Directors of Agriculture, with at least 5 years experience as such and not less than 10 years service in the Department: or<br>(ii) By transfer of Plant Protection officer, Horti: Officer/Deputy Director Agriculture (Economic and Marketing) Senior Instructors/Senior Subject Matters Specialized who have at least 5 years experience as such and have a longer length of total service in the department than the one prescribed for promotion. |
| 3. | Statistician.<br>or<br>in                               | --- | Master Degree in Statistics<br>or Mathematics with specialization<br>in Statistics from a recognised<br>University. | --- | By Selection on merit, with due regard to seniority from amongst Assistant Statistical Officers in the Extension Wing with at least 5 years experience in Planning Agriculture Experience and processing data obtained thereon.                                                                                                                                                                                                                                                                                                                                                        |
| 4. | Plant Protection<br>Officer.                            | --- | ot<br>e                                                                                                             | --- | By selection on merit, with due regard to Seniority from amongst <sup>assistant</sup> Plant Protection Officers, with at least 5 years service as such.                                                                                                                                                                                                                                                                                                                                                                                                                                |

(P.T.O.)

Attest  


	2	3	4	5	6
5	Horticulture Officer.			Officer	By Selection on merit, with due regard to Seniority from amongst Assistant Horticulture Officers with at least 5 years service as such.
6.	Deputy Director of Agriculture (Economic and Marketing)/Economist.			of nom. omi.	By selection on merit, with due regard to seniority from amongst Asstt: Director of Agriculture (Economic and Marketing)/Extra Asstt: Directors of Agriculture (Economic and Marketing) with at least 5 years service as such.
7.	Senior Subject Matter Specialist.			Matl	By selection on merit, with due regard to seniority from amongst Junior Subject Matter Specialist in the subject concerned, with at least 5 years service as such.
8.	Senior Instructors.			ors.	By selection on merit, with due regard to seniority from amongst Junior Instructors/Veterinary Officers Animal Husbandry Officers/Asstt: Agricultural Engineers with at least 5 years service as such.
9.	Agriculture Officer.	M.Sc. Agriculture or B.Sc (Hons) Agriculture or B.Sc. Degree in 2nd Division obtained after six years academic instructions after Matriculation.		(a) Matriculation 21 to 25 years or equivalent qualification from a recognized Board/University & (b) Certificate of passing 2 years Training Course from A.T.I..	(i) 75% by initial recruitment, and 25% (ii) 25% by selection on merit, from amongst Field Asstt with at least 15 years service as such. who have Demonstrated above average faculty in Assisting an Agriculture Officer. NOTE: A Field Asstt: promoted to the post of Agriculture Officer shall be appointed in such scale as Government may, from time to time, determine in this behalf.
	Agricultural Information Officer.			orm	By selection on merit, with due regard to seniority from amongst Asstt: Publicity Officers, with at least 5 years service as such.
	Asstt: Plant Protection Officer.	M.Sc Agri: or B.Sc- (Hons) Agriculture with Specialization in the subject concerned from a recognised University.		21 years to 25 years.	By initial recruitment.

Attest  
  
 DISTRICT DIRECTOR  
 AGRICULTURE ABBOTTADEAD

(10)

Annexure-2

1983

NO. FD (SR) 1-6/82  
GOVERNMENT OF N.W.F.P.  
FINANCE DEPARTMENT  
Dated, Peshawar, the 24th August, 1983.

The Secretary to Government of NWFP.,  
Finance Department.

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

Atlas

DISTRICT DIRECTOR  
AGRICULTURE ABBOTTABAD

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

Sir,

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

PART-I-BASIC SCALES AND ALLIED MATTERS.

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

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

*[Handwritten Signature]*  
P.T.O.  
Office No. 33 A  
Dist. Peshawar

11

10

Advance increments to Technical and Professional categories on possessing/acquiring higher qualifications.

Doctors, Engineers, Educationists, Economists, Management Accountants, Scientists, Geologists, Meteorologists, Archaeologists, Experts in Agriculture, Animal Husbandry and Forestry working in Universities, Colleges, Research Institutions or Technical Departments shall be allowed advance increments on possessing/acquiring higher qualifications as under:-

- (i) In case a technical/professional employee of the above category possesses D.Sc., Ph.D degree from a foreign university, he shall be allowed six advance increments on entry into service in B-17.
- (ii) ~~Those of the above categories of officers who possess M.A/M.Sc/M.S or equivalent from a foreign university or Ph.D or M.Phil from a university in Pakistan will receive four advance increments on induction in service in B-17.~~
- (iii) Those of the above categories of employees who while in service obtain a degree shall be allowed four advance increments in case of (i) above and two advance increments in case of (ii) above.
- (iv) In cases where it is intended to extend the concession of advance increments to the categories of Officers other than Doctors, Engineers, Educationists, Experts in Agriculture, Animal Husbandry and Forestry mentioned above, prior concurrence of Finance Department shall be obtained.

*M. H. Khan*  
 DISTRICT DIRECTOR  
 PUNJAB GOVT. SECRETARIAT

11. Advance increments to Stenographers:- The orders contained in the Government of NWFP, Finance Department circular letters No.FD(SRI)20-1/74 dated 13.5.1981 and No.FD(SRI)2-56/72 dated 13.9.1982 regarding grant of four advance increments to Steno-typists, Stenographers, Personal Assistants, Judgement Writers, Private Secretaries shall stand rescinded on the introduction of Basic Pay Scales with effect from 1-7-1983.

PART-II-ALLOWANCES.

12. Dearness Allowance, Local Compensatory Allowance and Rest and Recreation Allowance.

(1) As from the 1st of July, 1983, the existing Dearness Allowance, Local Compensatory Allowance wherever admissible, and Rest and Recreation Allowance shall cease to be admissible to a provincial civil servant who draws pay in the Basic Pay Scales.

(11) The existing rules and orders regulating the grant of House Rent Allowance, Conveyance Allowance and Washing Allowance shall continue to be applicable.

*M. H. Khan*  
 DISTRICT DIRECTOR  
 PUNJAB GOVT. SECRETARIAT

Contd:- - -

File No 33 & 11



(12)  
Annexure (D)

**GOVT: OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)**

NO. FD (SR-1) 2-123/2010  
Dated Peshawar the: 29-04-2010

To:

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. The Secretary to Governor Khyber Pakhtunkhwa, Peshawar.
4. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
5. All Head of Attached Departments in Khyber Pakhtunkhwa.
6. All District Coordination Officers / Political Agents / District & Session Judges, Khyber Pakhtunkhwa.
7. The Registrar, Peshawar High Court, Peshawar.
8. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
9. The Chairman, Khyber Pakhtunkhwa Service Tribunal Peshawar.
10. The Secretary Board of Revenue, Peshawar.

*Attest*  
  
**DISTRICT DIRECTOR  
AGRICULTURE ABBOTTABAD**

Subject: CLARIFICATION ABOUT ADVANCE INCREMENTS ON HIGHER QUALIFICATION.

Sir,

I am directed to refer to this Department letter of even number dated 03-01-2009 on the subject cited above and to state that it has been observed by the Finance Department that despite the discontinuation of the Scheme of Advance Increments under Revision of Basic Pay Scales and Fringe Benefits of Civil Employees (BPS-1-22) notified vide this department letter No. FD (PRC) 1-1/2001, dated 27-10-2001, the requests are still pouring in from Government Servants in various departments for grant of advance increments under the old scheme despite a lapse of more than 08 years.

2. This state of affairs amply shows the apathy of the Government Departments as they did not finalize the cases of some of their respective employees even till January 2009, when the Government of Khyber Pakhtunkhwa Finance Department finally decided to stop the facility altogether vide Finance Department letter No. FD (SR-1)2-123/2007, dated 03-01-2009.

3. Now in order to facilitate those government servants who were otherwise entitled for grant of advance increments prior to the discontinuation of the said scheme vide para-11 of this department letter no.FD (PRC) 1-1/2001, dated 27<sup>th</sup> October, 2001, the Government of Khyber Pakhtunkhwa has been pleased to allow a grace period of sixty days (60 days) from the date of issuance of this circular letter, to all the Provincial Departments / Attached Departments / their sub-ordinate offices for immediate finalization of all genuine pending cases, where the right of advance increments had already been accrued to the concerned employees on or before 30-11-2001, but the benefit has not been extended to them so far.

P.T.O

(13)

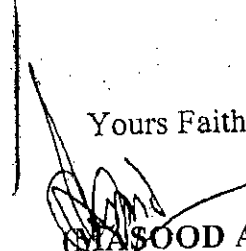
-2-

4. I am further to state that this department letter of even number dated 03-01-2009 has accordingly been held in abeyance till 30-06-2010.

5. I am, therefore, directed to request that all such cases pertaining to your respective departments may kindly be finalized / decided within the stipulated period to settle the issue once for all, failing which the Head of concerned Department / Office will be held personally responsible for any genuine grievance of the concerned Government Servants.

  
DISTRICT DIRECTOR  
AGRICULTURE ARBOLTAQA

Yours Faithfully,

  
MASOOD AHMED)  
Additional Secretary (Regulation)

Endst: No. & date even

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. All Heads of Autonomous & Semi Autonomous Bodies in Khyber Pakhtunkhwa.
3. The Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
4. All District Agency Accounts Officers in Khyber Pakhtunkhwa.
5. All Section/Budget Officers in Finance Department.
6. The Treasury Officer, Peshawar.
7. The Private Secretary to Secretary to Government of Khyber Pakhtunkhwa, Finance Department, Peshawar.
8. The Private Secretary to Finance Minister, Khyber Pakhtunkhwa.

  
(JAMROZ KHAN)  
Section Officer (SR-1)

14

Annexure-(E)



GOVT: OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT  
(REGULATION WING)

NO. FD (SR-1) 2-123/2010  
Dated Peshawar the: 25-06-2010

To:

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
2. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
3. The Secretary to Governor Khyber Pakhtunkhwa, Peshawar.
4. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
5. All Head of Attached Departments in Khyber Pakhtunkhwa.
6. All District Coordination Officers / Political Agents / District & Session Judges, Khyber Pakhtunkhwa.
7. The Registrar, Peshawar High Court, Peshawar.
8. The Chairman, Khyber Pakhtunkhwa Public Service Commission.
9. The Chairman, Khyber Pakhtunkhwa Service Tribunal Peshawar.
10. The Secretary Board of Revenue, Peshawar.

DISTRICT DISCONTINUED  
AGRICULTURE ABBOTTABAD

Subject:

CLARIFICATION ABOUT ADVANCE INCREMENTS ON HIGHER QUALIFICATION.

Sir,

I am directed to refer to this Department letter of even number dated 29-04-2010 on the subject noted above and to state that it has been observed that contents of the said letter have not been properly appreciated and understood.

2. In this connection it is clarified that only those Government Employees who had acquired higher qualification prior to 01-12-2001, while in service (or joined service with higher qualification), and had submitted their applications to their concerned Departments / Offices before 01-12-2001 but their cases have not yet been decided, are eligible for advance increments in light of the policy prevailing prior to 01-12-2001.

Yours Faithfully,

(MASOOD KHAN)  
DEPUTY SECRETARY (REG-II)

Endst: No. & date even

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. All Heads of Autonomous & Semi Autonomous Bodies in Khyber Pakhtunkhwa.
3. The Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
4. All District / Agency Accounts Officers in Khyber Pakhtunkhwa.
5. All Section/Budget Officers in Finance Department.
6. The Treasury Officer, Peshawar.
7. PS to Secretary to Government of Khyber Pakhtunkhwa, Finance Department.
8. PS to Special Secretary Finance Government of Khyber Pakhtunkhwa.
9. PS to Finance Minister Khyber Pakhtunkhwa.
10. PAs to Addl Secretaries in Finance Department.
11. PAs to Deputy Secretaries in Finance Department.

(JAMROZ KHAN)  
SECTION OFFICER (SR-1)

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Annexure - (E)



www.agriculture.kp.gov.pk  
OFFICE OF THE DISTRICT DIRECTOR  
AGRICULTURE EXTENSION KOHISTAN



No. *camp* *Mansehra* D.D. Agriculture Dated Battagram, the *13/01* 2020  
To,

The Director General  
Agriculture Mansehra.  
Khyber Pakhtunkhwa Peshawar.

Subject: GRANT OF ADVANCE INCREMENTS  
Memo:

Enclosed please find herewith the above cited subject letter for information and onward submission to the quarter concerned.

Enclosed: (01 No)

*L.*  
District Director  
Agriculture, Battagram

*o/c*

*Ahmed*  
*DA*  
DISTRICT DIRECTOR  
AGRICULTURE ABBOTTABAD

*Attested*  
*Muhammad Arshad Khan*  
Advocate High Court  
Office No 33 Adjacent to  
Distt. Dir Abbottabad





(16)

## 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 8<sup>th</sup> May, 2012 and assented to by the Governor of the Khyber Pakhtunkhwa on 11<sup>th</sup> 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 15<sup>th</sup> 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 employes on the basis of acquiring or possessing higher educational qualification over and above the prescribe educational qualification from time to time;

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*Attested*  
  
DISTRICT OFFICER  
AGRICULTURE ABBOT ABAD

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 1<sup>st</sup> 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.

  
DISTRICT DIRECTOR  
AGRICULTURE ABBOTTABAD

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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. Report.— The Khyber Pakhtunkhwa Cessation of Payment of Arrears on Advance Increments on Higher Educational Qualification Ordinance, 2012 (Khyber Pakhtunkhwa Ordinance No. 1 of 2012), is hereby reported.

BY ORDER OF MR. SPEAKER

PROVINCIAL ASSEMBLY OF KHYBER  
PAKHTUNKHWA

(AMANULLAH)  
Secretary  
Provincial Assembly of Khyber Pakhtunkhwa

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

Attested  


DISTRICT DIRECTOR  
AGRICULTURE ABBOTTABAD

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Annexure - (6)

**OFFICE OF THE DISTRICT DIRECTOR AGRICULTURE EXTENSION BATTAGRAM**

NO 131 /DDA BATTAGRAM DATED THE 28/04 /2020.

To,

The Director General Agriculture (Ext),  
Khyber Pakhtunkhwa,  
Peshawar.

Subject:- GRANT OF ADVANCE INCREMENTS

Memo;

Reference your office letter No. 8847-50/DGA (E), Dated Peshawar the 17-04-2020.

Enclosed please find herewith the above subject cited letter for information and onward submission to the quarter concerned.

Enclosed (04- Pages)

**DISTRICT DIRECTOR  
AGRICULTURE ABBOTTABAD**

  
**DISTRICT DIRECTOR AGRICULTURE  
BATTAGRAM**

Attested

Advocate  
Office No 33 & 34  
Distt of Abbottabad

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Annex-2

**OFFICE OF THE DISTRICT DIRECTOR AGRICULTURE EXTENSION BATTAGRAM**

To,

The Honorable Secretary,  
Department of Agriculture, Livestock & Cooperative,  
Government of Khyber Pakhtunkhwa Peshawar.

*[Handwritten initials]*

Through: PROPER CHANNEL

Subject:- GRANT OF ADVANCE INCREMENTS.

Memo:

Reference office letter No. 8847-50/DGA (E), Dated Peshawar the 14-04-2020.

As per the Notification FD (SR-1) 1-67/82 Government of NWFP Finance Department Dated Peshawar, the 24<sup>th</sup> August 1983., (Copy enclosed as Annexure-I). Your good office is requested to please review once again admissibility of advance increment to the undersigned officer w.e from 24-08-1983.

Moreover, while keeping in view order No. SOE (AD) 2 (2)16/91-II, Dated Peshawar, the 02-04-1992 (Copy enclosed as Annexure-II) officers of Agriculture Extension Department holding MSc (Hons) Degree were allowed for advance increment under the above quoted notification of Finance Department. Your kind consideration will make this over long overdue right of graduates to be restored, let justice be prevailed and revive of serving public

*[Handwritten signature]*

Yours Faithfully

Dated. 28-04-2020

*[Handwritten signature]*

(WAZIR AHMED)  
DISTRICT DIRECTOR AGRICULTURE  
BATTAGRAM

Advocate  
Office No 33 A  
Distt 3rd Abbasi

21  
Annexure (H)

OFFICE OF THE DISTRICT DIRECTOR AGRICULTURE BATTAGRAM

No. 205 /D.D. Agriculture Dated Battagram, the 18-6-2020  
To,

The Director General,  
Agriculture Extension,  
Khyber Pakhtunkhwa Peshawar.

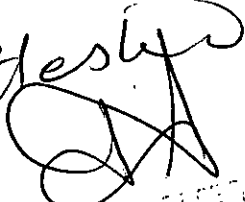
Subject: GRANT OF ADVANCE INCREMENTS  
Memo:

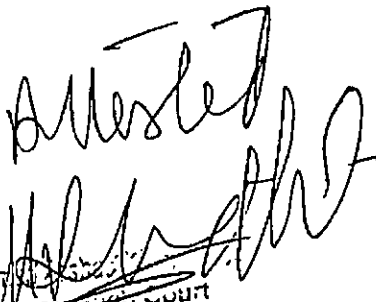
Please refer to your office letter No.8847-50/DGAE dated 17.04.2020 and this office letter No.131 dated 28.04.2020 on the subject noted above.

In this regard no intimation has been received by the undersigned regarding any further action taken on the matter.

Therefore request is being resubmitted by hand through special messenger for the favour of further necessary action please.

  
District Director  
Agriculture Battagram

Attested  
  
DISTRICT DIRECTOR  
AGRICULTURE BATTAGRAM

Attested  
  
Mohd. Iqbal  
Addl. Dist. Court  
Office No. 33 Adjacent to  
Distt. Bar Abbottabad

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Ammeure - I



# GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT

Finance Department Civil Secretariat Peshawar <http://www.finance.gkp.pk> [facebook.com/GokPFD](https://www.facebook.com/GokPFD) [twitter.com/GokPFD](https://twitter.com/GokPFD)

NO. FD (SOSR-1) 2-123/2020  
Dated Peshawar the: 28-12-2020

To:

The Section Officer-Estt:  
Agriculture Livestock & Cooperative Department,  
Peshawar.

Subject: -

AMOUNT PAID FOR THE YEAR 2019

Please refer to your letter No.SOE(AD)2(2)16/2020/KC/837 dated 16-12-2020 on the subject noted above and to state that advance increments on higher educational qualification has been stopped in light of Pay Revision 2001 as well as through an Act, 2012 (copy enclosed).

Rehmata Khan Tanoli  
Secretary  
Supreme Court of Pakistan  
District Court Office No 33  
Khananji Abbot Road

(REHMAT KHAN)  
SECTION OFFICER (SR-1)

DISTRICT DIRECTOR  
AGRICULTURE  
PESHAWAR

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LEGIBLE COPY

GOVT. OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

No.FD (SOSR-1) 2-123/2020  
Dated Peshawar, the 28-12-2020

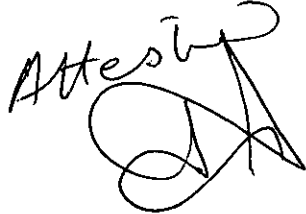
To,

*Annexure-I*

The Section Officer-Estt.  
Agriculture Livestock & Cooperative Department  
Peshawar.

Subject: GRANT OF ADVANCE INCREMENTS

Please refer to your letter No. SOE(AD)2(2) 16/2020/KC/837 dated 16.12.2020 on the subject noted above and to state that advance increments on higher educational qualification has been stopped in light of Pay Revision 2001 as well as through an Act, 2012 (Copy enclosed)

*Attest*  


**DISTRICT DIRECTOR  
AGRICULTURE ABBOTTABAD**

Sd/-  
(REHMAT KHAN)  
SECTION OFFICER (SR-1)



(18) H

**DIRECTORATE GENERAL, AGRICULTURE EXTENSION  
KHYBER PAKHTUNKHWA, PESHAWAR**

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**AUTHORITY LETTER**

Mr. Muhammad Khurshid, Superintendent (BS-17) office of the District Director Agriculture, Abbottabad is hereby authorized for submission of joint para wise comments in the following service appeals in the Honorable Khyber Pakhtunkhwa Service Tribunal Camp Court Abbottabad and also authorized for attending the Honorable Tribunal on behalf of respondents till the final decision of the cases.

1. Service Appeal No. 969 of 2023 titled Wazir Ahmad v/s government of Khyber Pakhtunkhwa through Chief Secretary & others.
2. Service Appeal No. 970 of 2023 Titled Aurangzeb V/S Government Of Khyber Pakhtunkhwa Through Chief Secretary & Others.
3. Service Appeal No. 971 OF 2023 titled Muhammad Tahir V/S Government Of Khyber Pakhtunkhwa Through Chief Secretary & Others.
4. Service Appeal No. 972 OF 2023 Titled Naveed Iqbal V/S Government Of Khyber Pakhtunkhwa Through Chief Secretary & Others.
5. Service Appeal No. 973 OF 2023 Titled Nisar Ahmad V/S Government Of Khyber Pakhtunkhwa Through Chief Secretary & Others

  
DIRECTOR GENERAL