

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

Service Appeal No. 1318/18 of 2023

Iqbal Jehan

VERSUS

Secretary of KPK and others

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Appellant

  
Iqbal Jehan

①

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

Service Appeal No. \_\_\_\_\_ of 2023

Iqbal Jehan S/o Talimand R/o Shahdara, Watkay Mingora, Tehsil  
Babuzai, District Swat. ...Appellant

**VERSUS**

- (1) Secretary of Khyber Pakhtunkhwa Finance Peshawar.  
(2) Account General Khyber Pakhtunkhwa Peshawar.  
(3) District Account Officer Swat. ...Respondents

*Service appeal under article 199 of the constitutional of Islamic  
republic of Pakistan 1973.*

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Respectfully Sheweth:

1. That the appellant was appointed as certified teacher C.T in the Education Department in 1982.
2. That the Appellant after passing the B. Ed Examination, was promoted to SET in 1987.
3. That the appellant has obtained higher qualification by passing the M. Ed Exam on 25/01/2000 and the director of secondary Education of KPK Peshawar has given the sanction of three advance increments under Endst No. 1846-48 dated 01-07-2000 from the date of passing M. Ed Exam. (Copy of Sanction attached as annexure A).

4. That the DAO Swat has issued the appellant the pay slip in which the appellant was awarded three advance increments. By getting one increment the pay of the appellant reached the maximum of the pay scale Rs. 5490/- and the remaining two increments were awarded as a personal pay (PP). (Copy of attached as annexure B).
5. That the appellant has not got the annual increments of 2001, on the basis of reaching the maximum of the pay scale BPS 16.
6. That the basic stages of BPS 16 were 15 but in revised pay scale 2001, these stages were increased to 30, the appellant requested to the DAO Swat for fixing his pay in the revised pay scale and the two increments awarded as P. P may be adjusted in the revised pay scale. But verbally the appellant was informed that these increments will be fixed in the pay after allowing move over from BPS-16 to BPS 17. (Copy attached as annexure C).
7. That the DAO Swat has drawn back the advance increments as awarded as PP in 2003 without showing any reason and the appellant requested DAO Swat for the said Increment. Again the appellant was informed verbally that the same increments are to be adjusted after getting move over.
8. That the appellant was allowed move over from BPS-16 to BPS-17 by the director of secondary education school and literacy NWFP Peshawar under Endst No. 8651-71 dated 08-07-2004, then the appellant applied for the new pay slip to the DAO Swat issued a new pay slip to the appellant without the said increments were not fixed, the DAO Swat remained silent in this matter. (Copy attached annexure D)
9. That the appellant applied to DAO Swat for the said increments at 11-04-2009 the DAO Swat replied under Endst No. DAO Swat/PE/PR- 1-1-1230 dated 12-11-2009 that the said increments are not allowed to the teaching cadre under the letter No. AG. NWFP Peshawar No. H-24/ Swat-Tank/Vol1/135 dated 24-07-2001

and finance department letter No. FD (SR-1) 2-123/2002 dated 8-02-2003. (Copy attached as annexure D-E).

- 10. That the 1<sup>st</sup> letter has been issued by the AG NWFP Peshawar to the secretary to government of NWFP finance department in this letter the respondent No. 2 has conformed in Para 3 that "A large No. of teacher in different categories were drawing pay at the maximum of their pay scale even if they possess higher qualification for which advance increments have been allowed and get full benefit of advance increments due to drawing salaries / pay at the maximum of their respective pay scale, the presumption of this office if correct may please be confirmed. The 2<sup>nd</sup> letter is been issued by the respondent No. 1 explained that facility / concession of advance increments as personal pay in respect of Govt officials vide para 5(ii) of circular letter No. FD (PRC) 1-1/89 dated august, 11-1991 is exclusive meant for the afore mentioned carders and the said benefit is not admissible as general principle in case of basic pay scale rules 1983 finance depart, regrets its inability to accede to the view point of accountant general office NWFP Peshawar.
- 11. That on this point, the said benefit is not allowed to the teaching cadre which is discrimination of the rules and regulation the appellant submitted Writ Petition in the Peshawar High Court at dated 21-02-2010. The Peshawar high court at swat bench announce the order that "This petition is transmitted to Khyber Pakhtunkhwa Service Tribunal For adjudication, office is directed to sent original file to KPK service tribunal and shall retain Photocopy of the same for office record. (Copy attached as annexure F)
- 12. That the policy adopted by the respondents to exclude the teaching cadre from the concession otherwise allowed to administrative cadre as professed by respondents is violation of nature justice in reasonable and beyond sound rational beside being ultra vires to

fundamental rights guaranteed by the constitutional the said circular letter No. FD (PRC) / 1-1 89 dated august 1991 Para 5(ii) clearly explain that "The advance increments shall be allowed at the time of recruitment or acquisition of higher qualification whichever is letter in case where the employee is already at the maximum of the pay scale he may be allowed the number of advance increments beyond the maximum of the pay scale as personal pay to be absorbed at the time of his move over/ promotion. (Copy attached as Annexure 4)

13. That the general principles in case of basic pay scale rules 1983, it is clearly explain that "A teacher who possess are acquired master degree shall allowed three advance increments in case of a teacher who possess acquire Master degree in education M. Ed and also master degree in any academic subject shall be allowed six advance increments. (Copy attached as Annexure H).
14. That the appellant is entitled for the said increments stated above, under the following grounds.


**Legal Grounds:-**

- a. That the reply of respondent No. 3 dated 12-11-2009 is wrong, against the law rules and justice.
- b. That when once any benefits are given than the respondents have no power to withdraw these benefits from the appellant.
- c. That the appellant have the right to receive the above said increments, in view of the higher qualification and experience.

- d. That the appellant have the rights to fixed the salary in the increased stages.
- e. That there is no discrimination should be made in the administrative cadre and the teaching cadre.
- f. That the other ground should be taken during hearing.

It is, therefore, requested that the above two increments as PP and also one annual increments of 2001 may be allowed to the appellant according the law and rules.

Appellant



Iqbal Jehan

Certificate:-

It is certified that no such like appeal is either pending or decided by this Hon'ble Court.

Deponent



Iqbal Jehan

6

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

Service Appeal No. \_\_\_\_\_ of 2023

Iqbal Jehan


VERSUS

Secretary of KPK and others

**AFFIDAVIT**

It is stated on oath that all the contents of the attached appeal are true and correct to the best of my knowledge and belief. Moreover, no such like appeal is either pending or decided by this Hon'ble Court.

Deponent



Iqbal Jehan (Appellant)

7

Annexure "A"

(7)

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

NOTIFICATION

Sanction is hereby accorded to the grant of three/six Advance Increments on passing M.A./M.Sc./M.Ed Examination in respect of Mr. [Name] from the date of passing M.A./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 N.W.F.P., Peshawar which over is later subject to the condition that proper entry has been made in his S/Book by the Principal/D.S.O. (M/S) concerned (in case of Middle School/Headmaster of GHS/GHSS) under their proper signature and office seal.

( SYED ABU SAJED SAQIB )  
DIRECTOR OF SECONDARY EDUCATION  
N.W.F.P., PESHAWAR.

Expt: NO. 1846-48

Copy of the above is forwarded to the: Dated 11/7/2000

- 01;
- 02;
- 03;
- 04;
- 05;
- 06;

- Accountant General, N.W.F.P., Peshawar.
- District Officer (M/S)
- District Accounts Officer concerned.
- Principal/Headmaster concerned.
- Teacher concerned.
- Supdt: Ex. II Level Directorate.

Deputy Director Secondary Education N.W.F.P., Peshawar

10/7/2000

Advocate Peshawar



B  
 54  
 115  
 8

A.T.M.-9  
 (See Para, 59, Audit Manual)

PAY SLIP

OFFICE OF THE  
 No D.A.O. *Small / S.A. 1129*  
*Jyoti Lal Darian S.*  
*G.H. Nankahalay*

(.....) he is entitled to draw pay and allowances at the monthly rates shown below from the dates specified loss already drawn :-

Detail of calculation

	To	From	From
Substantive pay	5490		
Officialing pay	PP 394		
Overseas pay	PPF 562.50		
Special pay	CA 125		
Indexed pay	384-34		
	71		
	700		
	200		
	634		
	8189-40		
Total			

i) All deductions at the prescribed rate.  
 ii) Arrears if any are subject to liability.

*duplicate in slip under time 1500 2000*  
*Sgt. J. J. 2/15*  
 SPAT

*Headmaster*  
*Govt. H.S. School*

*M. P.*

5490 ✓  
 193.  
 5297

9

ANNEXURE

Pay Fixation on 01-05-2004 in Revised Basic Pay Scale vide Finance Division.

SPS	Min-Incr-Max	0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	520-26-4310	E	520	546	572	598	624	650	676	702	728	754	780	806	832	858	884
1	425-35-4770	R	425	451	477	503	529	555	581	607	633	659	685	711	737	763	789
2	945-32-1425	E	945	971	997	1023	1049	1075	1101	1127	1153	1179	1205	1231	1257	1283	1309
2	1275-44-1935	R	1275	1301	1327	1353	1379	1405	1431	1457	1483	1509	1535	1561	1587	1613	1639
3	575-37-1530	E	575	601	627	653	679	705	731	757	783	809	835	861	887	913	939
3	1320-50-2070	R	1320	1346	1372	1398	1424	1450	1476	1502	1528	1554	1580	1606	1632	1658	1684
4	1005-43-1650	E	1005	1031	1057	1083	1109	1135	1161	1187	1213	1239	1265	1291	1317	1343	1369
4	1360-58-2230	R	1360	1386	1412	1438	1464	1490	1516	1542	1568	1594	1620	1646	1672	1698	1724
5	1035-49-1770	E	1035	1061	1087	1113	1139	1165	1191	1217	1243	1269	1295	1321	1347	1373	1399
5	1400-66-2390	R	1400	1426	1452	1478	1504	1530	1556	1582	1608	1634	1660	1686	1712	1738	1764
6	1065-54-1875	E	1065	1091	1117	1143	1169	1195	1221	1247	1273	1299	1325	1351	1377	1403	1429
6	1440-73-2535	R	1440	1466	1492	1518	1544	1570	1596	1622	1648	1674	1700	1726	1752	1778	1804
7	1095-60-1995	E	1095	1121	1147	1173	1199	1225	1251	1277	1303	1329	1355	1381	1407	1433	1459
7	1460-81-2695	R	1460	1486	1512	1538	1564	1590	1616	1642	1668	1694	1720	1746	1772	1798	1824
8	1140-65-2115	E	1140	1166	1192	1218	1244	1270	1296	1322	1348	1374	1400	1426	1452	1478	1504
8	1540-88-2860	R	1540	1566	1592	1618	1644	1670	1696	1722	1748	1774	1800	1826	1852	1878	1904
9	1185-72-2285	E	1185	1211	1237	1263	1289	1315	1341	1367	1393	1419	1445	1471	1497	1523	1549
9	1605-97-3090	R	1605	1631	1657	1683	1709	1735	1761	1787	1813	1839	1865	1891	1917	1943	1969
10	1230-79-2415	E	1230	1256	1282	1308	1334	1360	1386	1412	1438	1464	1490	1516	1542	1568	1594
10	1660-107-3265	R	1660	1686	1712	1738	1764	1790	1816	1842	1868	1894	1920	1946	1972	1998	2024
11	1325-96-2795	E	1325	1351	1377	1403	1429	1455	1481	1507	1533	1559	1585	1611	1637	1663	1689
11	1725-116-3465	R	1725	1751	1777	1803	1829	1855	1881	1907	1933	1959	1985	2011	2037	2063	2089
12	1355-96-2795	E	1355	1381	1407	1433	1459	1485	1511	1537	1563	1589	1615	1641	1667	1693	1719
12	1830-130-3780	R	1830	1856	1882	1908	1934	1960	1986	2012	2038	2064	2090	2116	2142	2168	2194
13	1440-107-3045	E	1440	1466	1492	1518	1544	1570	1596	1622	1648	1674	1700	1726	1752	1778	1804
13	1850-144-4110	R	1850	1876	1902	1928	1954	1980	2006	2032	2058	2084	2110	2136	2162	2188	2214
14	1630-119-3315	E	1630	1656	1682	1708	1734	1760	1786	1812	1838	1864	1890	1916	1942	1968	1994
14	2065-161-4480	R	2065	2091	2117	2143	2169	2195	2221	2247	2273	2299	2325	2351	2377	2403	2429
15	1420-131-3185	E	1420	1446	1472	1498	1524	1550	1576	1602	1628	1654	1680	1706	1732	1758	1784
15	1850-177-4250	R	1850	1876	1902	1928	1954	1980	2006	2032	2058	2084	2110	2136	2162	2188	2214
16	1515-146-3435	E	1515	1541	1567	1593	1619	1645	1671	1697	1723	1749	1775	1801	1827	1853	1879
16	1955-197-5490	R	1955	1981	2007	2033	2059	2085	2111	2137	2163	2189	2215	2241	2267	2293	2319
17	1270-215-5450	E	1270	1296	1322	1348	1374	1400	1426	1452	1478	1504	1530	1556	1582	1608	1634
17	1680-290-7360	R	1680	1706	1732	1758	1784	1810	1836	1862	1888	1914	1940	1966	1992	2018	2044
18	3765-771-8745	E	3765	4021	4277	4533	4789	5045	5301	5557	5813	6069	6325	6581	6837	7093	7349
18	5065-368-8745	R	5065	5321	5577	5833	6089	6345	6601	6857	7113	7369	7625	7881	8137	8393	8649
19	5740-385-8550	E	5740	6000	6260	6520	6780	7040	7300	7560	7820	8080	8340	8600	8860	9120	9380
19	7750-385-11500	R	7750	8010	8270	8530	8790	9050	9310	9570	9830	10090	10350	10610	10870	11130	11390
20	6870-332-10060	E	6870	7130	7390	7650	7910	8170	8430	8690	8950	9210	9470	9730	9990	10250	10510
20	5195-440-13695	R	5195	5455	5715	5975	6235	6495	6755	7015	7275	7535	7795	8055	8315	8575	8835
21	7635-405-11335	E	7635	7895	8155	8415	8675	8935	9195	9455	9715	9975	10235	10495	10755	11015	11275
21	10190-545-15640	R	10190	10450	10710	10970	11230	11490	11750	12010	12270	12530	12790	13050	13310	13570	13830
22	6975-450-12575	E	6975	7235	7495	7755	8015	8275	8535	8795	9055	9315	9575	9835	10095	10355	10615
22	10900-610-17000	R	10900	11160	11420	11680	11940	12200	12460	12720	12980	13240	13500	13760	14020	14280	14540

Handwritten signature or initials at the bottom left of the page.



(11)

(D)

**DIRECTORATE OF SCHOOLS & LITERACY NWFP PESHAWAR**

**NOTIFICATION**

Consequent upon the approval by the Departmental Promotion Committee (DPC) in its meeting held on 8-12-2003 at S.No.55 the Director Schools & Literacy NWFP Peshawar is pleased to allow Move Over from BPS-16 to DPS-No.17 in respect of the following SET/ADOs of the Schools administration branch (Men Section) with effect from the dates as noted against each:

S.No.	Name & Designation	Station	w.e.f.
1	Mr. Iqbal Jehan SET	GHS No.4. Mingora Swat	1-12-2001

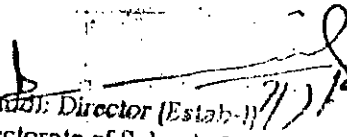
**DIRECTOR OF SCHOOLS & LITERACY  
NWFP PESHAWAR.**

Endst: No. 265-71 / F.No.144/Vol:XIII/ADO/SET. DS&L/Move-Over

Date Peshawar the 8/12 /2004

Copy forwarded to the: -

1. Executive District Officer (Schools & Literacy) concerned.
2. District Accounts officers concerned.
3. Principal/Headmasters concerned.
4. Section Officer (PE) S&L Deptt: Govt: of NWFP with reference to his letter No:SO(S)S&L/M.Over 16-17/A/oi:II dated 26-2-2004.
5. Officers concerned.
6. PA to Director, Schools & Literacy NWFP Peshawar.
7. My file.

  
Director (Establishment)  
Directorate of Schools & Literacy  
NWFP Peshawar

*Copy furnished  
D.A. Swat*

Advocate Peshawar  
 To be true copy  
 M. J. J.  
 Certified

*10188/10483/11806/19145/2*

Particulars	From 1-12-02	From 1-1-03	From 1-10-03
Substantive pay	8525	8820	9115
Officiating pay	502	562	562
Overseas pay	125	125	125
Special pay	776	776	776
Indexed pay	250	200	200
	1328	1328	1367

*10188/10483/11806/19145/2*

Office of the  
 PAY SLIP  
 No. 22107/2004 the 27/07/2004  
 TO: Mr. Qasim Jaleem SET  
 GHS No. 4, Mirza Ghalib Road, Peshawar.  
 (He is entitled to draw pay and allowance at the monthly rates shown below from the dates specified less already drawn:- consistent upon your statement form No. 22107/17-12-2001 Detail of calculation)

ATM-9  
 (See Para, 59, Audit Manual)  
 PAY SLIP

(12)  
 (11)  
 (10)

327-1  
 p-811



14

No: DAO-Swat/PF/PR-1/1230 dt. 12/11/09

Mr. Jibal Jahan S.P.  
F.H.S. Dalgoum.

Subject: Advance increments  
Memo: Ref: your application  
dt. 21/4/2009 on the subject notalabue

Enclosed please find herewith  
with A.F. No. P.P. Peshawar No H-24/  
Swat-PF/100-1/135 dt. 24/7/2001 and  
Revenue Dept. letter No F.D(SR-1)  
2-123/2001 dt. 23/7/2001 and  
No F.D(SR-1) 2-123/2002 dt 8-2-2003  
which are quite clear in the  
margin.

In the light of above letter, you are not  
entitled to the remaining increments as P.P.

Sd/- (8)

Signature  
Distt. P.O. Office  
SWAT 12-11-09

(E J)      (15)

OFFICE OF THE ACCOUNTANT GENERAL NWFP, PESHAWAR.  
NO.H-24/SWA-TANK/VOL.I/135      Dated 24/7/2001.  
To

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

**Subject:-** ADVANCE INCREMENTS TO SCHOOL TEACHERS ON  
ATTAINING HIGHER QUALIFICATION AS PERSONAL PAY.

**Memo:**

Kindly refer to your office Memo: No.FD(SR-V)2-123/2001 dated 23/5/2001 and No.FD(SR.I)15-2/98 dated 30/5/2001, on the subject noted above.

2. It is correct that the letter of Finance Department No.FD(PCR)1-1/89 dated 7/8/91 is very much clear on the subject. But the Government of NWFP, Finance Department has allowed advance increments to teaching staff of Education Department on acquiring/Possessing higher qualification over and above the prescribed qualification vide letter No.FD.SG(SR-V)2-123/91 dated 24/9/95 and No.FD(SR-V)2-123/98 dated 22/3/99.

3. A question has been raised by various DAOs/AAOs regarding admissibility of advance increments in shape of personal pay beyond the maximum of their pay scale. A large number of teachers in different categories were drawing pay at the maximum of their pay scales. Such teachers would be deprived of the benefit of advance increments even if they possess higher qualification for which advance increments have been allowed and could not get full benefit of advance increment due to drawing salary/pay at the maximum of their respective pay scales.

4. This office is of the view that advance increments are admissible in shape of personal pay over and above the maximum of the scale, is a general principle to be followed in case of Basic Pay Scale Rule, 1983 also.

5. ~~The presumption of this office, if correct may please be confirmed or correct course be intimated for future guidance.~~

- 3 -

DEPUTY ACCOUNTANT GENERAL (AD)  
NWFP, PESHAWAR.

*DAO God*



23/10/11

GOVERNMENT OF NWFP.  
FINANCE DEPARTMENT.  
Date: Pesh: the Oct: 23, 2001.

(B2)

(16)

No. FD(SR.V)2-123)2001.

To,

The Accountant General,  
NWFP, Peshawar.

Sub:

ADVANCE INCREMENTS TO SCHOOL TEACHERS ON ATTAINING HIGHER  
QUALIFICATION AS PERSONAL PAY.

Sir,

I am directed to refer to your letter No. H-24(SWA-Tank/  
Vol: I/135 dated 24.7.2001 on the subject noted above and to state that  
facility/concession of advance increments as personal pay sanctioned  
in respect of Government officials vide para 5(ii) of circular letter  
No. FD(PQC)1-1/89 dated August, 11, 1991 is exclusively meant for the  
afore-mentioned cadres and the said benefit is not admissible as a  
general principle in case of basic pay scale rules, 1983. Finance Deptt.  
regrets its inability to accede to the view-point of Accountant General  
office.

Yours Obeliently,

S/-

(ABDUL LATIF)  
SECTION OFFICER(SR-I).

OFFICE OF THE ACCOUNTANT GENERAL NWFP, PESHAWAR.  
NO. NO. H-24(SWA)/Tank/vol: I/259 dt:-

Copy of the above is forwarded to:-

1. All DAOs/AAGs in NWFP.
2. All Pay Roll Section in Main Office.

*[Signature]*  
ACCOUNTS OFFICER (HAD)  
NWFP, PESHAWAR.  
c. - 11 - 2001

GOVERNMENT OF PUNJAB  
FINANCE DEPARTMENT

NO. FD(SR. I)F-123/2003  
Dated Peshawar the, Feb. 08, 2003.

To

(E 3)

The Executive District Officer,  
Finance & Planning,  
Malakand at Batakela.

SUBJECT: - PROTECTION/ALLOWING OF PERSONAL PAY TO TEACHERS STAFF.

I am directed to refer to your letter No. FD(Fin)MKD/  
2-9/07/28 dated 10-1-2003 on the subject noted above and to say that  
teaching staff are not allowed the advance increments beyond the  
maximum of Pay Scale.



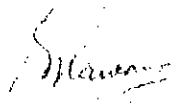
(SYED RAQAH SHAH)  
SECTION OFFICER (SR. I)

FORWARDED TO THE DISTRICT OFFICERS AND HEADQUARTERS AT MALAKAND AT BATAKELA.

NO. FD(SR. I)F-123/2003-51 dated October the 17

is forwarded to:-

1. The District Officer, Malakand at Batakela.
  2. The District Officer, Malakand at Batakela, with reference to the letter no. 172 dated 20.12.2002.
  3. The Accounts Officer, Malakand at Batakela.
- for information and necessary action.



Executive District Officer,  
Finance and Planning,  
Malakand at Batakela.

1      EF

(18) (15)

**JUDGMENT SHEET**

**IN THE PESHAWAR HIGH COURT,  
MINGORA BENCH (DAR-UL-QAZA), SWAT  
(Judicial Department)**

**W.P. No. 661-P/2010**

**JUDGMENT**

Date of hearing: **09.10.2018**

**Petitioner:- (Iqbal Jehan) by Mr. L. Nawab Ali  
Noor, Advocate.**

**Respondents: - (Government of KPK & others)  
by Mr. Rahim Shah, Astd: Advocate General.**

**SYED ARSHAD ALI, J.-** Through this amended writ petition, the petitioner seeks constitutional jurisdiction of this Court with the following prayers:-

1. *The respondents to allow two increments as personal pay and one increment as annual since the year 2000.*
2. *Declaring the policy of excluding the teaching staff from the concession allowed to the administrative be declared ultra vires to constitution, violative of natural justice, illegal, void and ineffective upon the rights of petitioner.*
3. *Any other order this Hon'ble Court may deem just and proper.*

2. At the very outset, when learned counsel for the petitioner was confronted with the jurisdictional contour of this Court in view of bar contained in Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 to entertain any petition relating to the

F (19)

(4)

terms and conditions of services of any civil servant, learned counsel for the petitioner has requested that this petition may be sent to the Khyber Pakhtunkhwa Service Tribunal for redressal of the grievances of the petitioner.

3. In this view of the above and while relying on the law laid down in Muhammad Akram's case V/S DCO Rahim Yar Khan and others reported as 2017 SCMR 56, this petition is transmitted to Khyber Pakhtunkhwa Service Tribunal for adjudication. Office is directed to send original file to the Khyber Pakhtunkhwa Service Tribunal and shall retain photocopy of the same for office record.

ANNOUNCED  
Dt: 09.10.2018

  
 JUDGE

JUDGE

Office  
11/10/18

GOVERNMENT OF NWFP,  
FINANCE DEPARTMENT.

(PAY REVISION CELL).  
NO. FD(PRC)1-1/89

Dated Peshawar, the 11th August 1991.

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 FRINGE BENEFITS  
OF CIVIL EMPLOYEES (BPS-1 - 15) OF THE PROVINCIAL  
GOVERNMENT (1991).

Sir,

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

2. BASIC PAY SCALES :-

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.

(21)

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

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

	No. of Advance increments for obtaining			
	<u>Matric</u>	<u>F.A./F.Sc</u>	<u>B.S./B.Sc</u>	<u>M.A./M.Sc</u>
a) Where the prescribed qualification in Non-Matric.	2	4	6	8
b) Where the prescribed qualification is Matric	Nil	2	4	6
c) Where the prescribed qualification is F.A/ F.Sc.	Nil	Nil	2	4
d) Where the prescribed qualification is B.A/ B.Sc	Nil	Nil	Nil	2

The advance increment already allowed in terms of para-6(a) of Finance Department's letter No.FD(PRC)1-1/87-Vol-VII, dated 22-7-1987 would be doubled from 1.6.1991.

- ii) The advance increments shall be allowed at the time of recruitment or acquisition of higher qualification whichever is later. In cases where the employee is already at the maximum of the scale, he may be allowed the number of advance increments beyond the maximum of the scale as personal pay to be absorbed at the time of his move-over/promotion. Those employees who had acquired higher qualification in 3rd Division prior to 1-6-1991 and were not granted advance increments earlier would henceforth be allowed advance increments with effect from 1-6-1991.

6. MOVE-OVER

The concession of Move-over shall be available from 1-6-1991 onwards to those who are enjoying selection grade.

(2)

Dated the 11-8-1991

NO. PD(PRC)1-1/89

Copy forwarded for information to :-

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

*Abdul Rashid*  
( ABDUL RASHID )  
SECTION OFFICER (PRC) 11/8/91  
FINANCE DEPARTMENT

Dated, Peshawar, the 24th August, 1983

*Handwritten initials*

*Handwritten number 25*

From

To

The Secretary to Government of NWFP, Finance Department.

SUBJECT:-

STP,

**BENEFITS OF BASIC PAY SCALES AND FRINGE SCHEME OF ECONOMIC CIVIL SERVANTS (1983).**

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.

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, Allowance and other fringe benefits to be granted to the following posts:-

**BASIC SCALES OF PAY - THE CIVIL SERVANTS.**

Basic Scale 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 (NWS). The Basic Scales in official communications, Officers shall henceforth be appointed/promoted to posts and not in grades.

3. Existing employee, i.e., an employee, who has been in Government Service since before the 1st of July, 1983, shall be fixed at the stage in the relevant Basic Pay Scales, provided that where the pay so determined does not occupy by him above the minimum of the existing scales (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 minimum of the relevant Basic Scales shall not be exceeded in any case, in fixation formulae, "engagement shall not be exceeded in any case, in cases of pay, Dearness Allowance and local Government pay.



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

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

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

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

9. Advance increments to School Teachers on attaining higher qualifications.

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

I. Primary School.

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

II. Middle School.

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

III. High School.

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

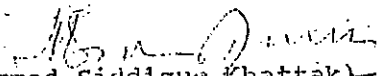
Provided that a teacher who has already drawn increments for possessing higher educational qualification under the existing scales shall be allowed increments equal to the number of increments, if any, between the increments obtained by him and the increments which have not been drawn.

- 1 -

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

Copy forwarded for information to:-

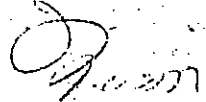
1. All Autonomous and Semi-Autonomous Bodies in N.W.F.P.
2. The Secretary, Finance Department, Government of the Punjab, Sind and Baluchistan.

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

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

Copy forwarded for information to:-

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

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

S. Ali:



**BEFORE THE CHAIRMAN SERVICE TRIBUNAL**  
**KHYBER PAKHTUNKHWA PESHAWAR**

Service Appeal No. 1318 of 2023

Iqbal Jehan.....Appellant

**Versus**

Secretary of Finance and others .....Respondents

**Application for amendment**

Respectfully Sheweth:

1. That the appellant has been filed the above mentioned service appeal, in which the next date of hearing is 03-05-2023 is fixed.
2. That the heading prayed was wrote wrongly at the time of computer drafting.
3. That the heading prayer should be change with the red pen with "Service appeal under Section of 4 of service tribunal act 1974 against the letter of DAO Swat, issued by vide Endst No. DAO-Swat/P.F/RR-1/1230 dated 12-11-2009 that the personal pay beyond the maximum is not allowed to the teacher cadre.
4. That the above correction in the service appeal is necessary and important.

It is, therefore, humbly prayed that on acceptance of this amendment petition, the application for amendment of the appellant may kindly be allowed.


Appellant

  
Iqbal Jehan

**AFFIDAVIT:**

*It is stated on oath that no other the contents of the petition is true and correct to the best of my knowledge and belief.*

Appellant

  
Iqbal Jehan