


FORM OF ORDER SHEET

Court of _____

Appeal No. 617/2024

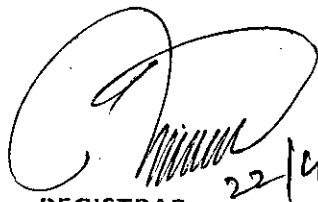
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	02/05/2024	<p>The appeal of Mst. Manzoor Hussain resubmitted today by Mr. Hamad Hussain Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>07-05-2024</u>. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Manzoor Hussain received today i.e on 19.04.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent no. 1 & 2 are un-necessary/improper parties, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondent.
- 2- Memorandum of appeal may be supported by with an affidavit duly attested by the Oath Commissioner.
- 3- Approved file cover is not used.
- 4- Necessary party be made in the heading of appeal.
- 5- Three more copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent be submitted with the appeal.

No. 934 /S.T,

Dt. 22/04 /2024.



22/4/24
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Hamad Hussain Adv.
High Court Peshawar.

Re-submitted after full compliance

The mentioned observations please.

*Notv:- That one same nature S.A 430/2
Ahmed Iqbal vs Low DEPP. is already filed
on 7-5-24, therefore the said appeals must not
be clubbed with S.A 430/2 please*


Hamad Hussain
Advocate

*Registrar
Service Tribunal*

*Hamad Hussain
High Court
2/5/24*

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: Manzoor Hussain vs Chief Secretary and others

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: <u>Manzoor Hussain</u>		
2	Whether Counsel/Appellant/Respondent/Deponent has signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?		✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On		
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On		
26	Whether copies of comments/reply/rejoinder submitted? On		
27	Whether copies of comments/reply/rejoinder provided to opposite party? On		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Appellant

Name: Manzoor Hussain

Signature: [Signature]

Dated: _____

Through
[Signature]
 Mansoor Hussain
 Advocate High Court

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL .NO 617 / 2024


Manzoor Hussain Private Secretary (BPS17) Advocate General's Office
Khyber Pakhtunkhwa, Peshawar. **Appellant**

VERSUS

Secretary Finance Department, Government of Khyber
Pakhtunkhwa Peshawar and others. **Respondents**

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5	Copy of Notification Finance Department of Counter Terrorism Allowance to CTD	"B"	11
6	Copy of representation for increase of Judicial/Utility Allowance	"C"	12-18
7	Copy of letter of Advocate General office to law Department and Copy of Law Department letter to Finance Department	"D and E"	19-20
8	Copies of letters regrets for increase of Judicial / Utility Allowance by Finance Department and Law Department/ Advocate General office Letter	"F,G and H"	21-23
9	Copy of Punjab Govt. Notification dated 16-02-24	"I"	24
10	Walakatnama		


[Hamad Hussain]
Advocate High Court Peshawar
0312-0952763

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL .NO. 617 / 2024

Manzoor Hussain Private Secretary (BPS-17) Advocate General's Office
Khyber Pakhtunkhwa, Peshawar.

..... **Appellant**
Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 12306

Dated 19/4/24

1. Government of Khyber Pakhtunkhwa through Chief Secretary
Khyber Pakhtunkhwa Peshawar.
2. Secretary to Govt of Khyber Pakhtunkhwa Finance Department,
Civil Secretariat Peshawar.
3. Secretary to Govt of Khyber Pakhtunkhwa Finance Department,
Civil Secretariat Peshawar.
4. Advocate General, Khyber Pakhtunkhwa Peshawar.

..... **Respondents**

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 AGAINST THE IMPUGNED LETTER OF FINANCE
DEPARTMENT VIDE NO. SO SOSR-IV/FD/1-6/2021/LAW DEPTT DAETD
01-02-2024 AND LAW DEPARTMENT LETTER NO SO (B&A) (LD) 15-2-
/2023-24/ 2302 DATED 15-02-2023 ALONGWITH LETTER
COMMUNICATED BY ADVOCATE GENERAL OFFICE KHYBER
PAKHTUNKHWA VIDE NO. 3992/ AG DATED 14-03-2024 TO ITS
EMPLOYEES.**

File to day
Registrar
19/4/24

PRAYERS:-

**THAT ON ACCEPTANCE OF THIS SERVICE APPEAL THE ORDER
OF FINANCE DEPARTMENT VIDE LETTER NO. SO SOSR-IV/FD/1-
6/2021/LAW DEPTT DAETD 01-02-2024 & LETTER OF LAW
DEPARTMENT BEARING NO SO (B&A) (LD) 15-2-/2023-24/ 2302
DATED 15-02-2023 MAY BE SET-ASIDE BEING
DISCRIMINATORY AND VIOLATION OF ARTICLE 2A,4,9.25
AND 38(E) OF THE CONSTITUTION WITH FURTHER PRAYER
FOR ISSUANCE OF DIRECTIONS/ APPROPRIATE ORDERS
WITH ALL CONSEQUENTIAL BACK BENEFITS TO THE**

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO 617 / 2024

Manzoor Hussain Private Secretary (BPS-17) Advocate General's Office
Khyber Pakhtunkhwa, Peshawar. **Appellant**


VERSUS

1. Secretary to Govt of Khyber Pakhtunkhwa Finance Department,
Civil Secretariat Peshawar.
2. Secretary to Govt of Khyber Pakhtunkhwa Law, Parliamentary
Affairs and HRs Department, Civil Secretariat Peshawar.
3. Advocate General, Khyber Pakhtunkhwa Peshawar.
..... **Respondents**

**APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE
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/2023-24/ 2302 DATED 15-02-2023 ALONGWITH LETTER
COMMUNICATED BY ADVOCATE GENERAL OFFICE KHYBER
PAKHTUNKHWA VIDE NO. 3992/ AG DATED 14-03-2024 TO ITS
EMPLOYEES.**

PRAYERS:-

Re-submitted to -da
and effect.


Registrar
2/5/24

**THAT ON ACCEPTANCE OF THIS SERVICE APPEAL THE ORDER
OF FINANCE DEPARTMENT VIDE LETTER NO. SO SOSR-IV/FD/1-
6/2021/LAW DEPTT DAETD 01-02-2024 & LETTER OF LAW
DEPARTMENT BEARING NO SO (B&A) (LD) 15-2-/2023-24/ 2302
DATED 15-02-2023 MAY BE SET-ASIDE BEING
DISCRIMINATORY AND VIOLATION OF ARTICLE 2A,4,9.25
AND 38(E) OF THE CONSTITUTION WITH FURTHER PRAYER
FOR ISSUANCE OF DIRECTIONS/ APPROPRIATE ORDERS
WITH ALL CONSEQUENTIAL BACK BENEFITS TO THE**

RESPONDENT DEPARTMENTS FOR INCREASE IN JUDICIAL ALLOWANCE AS WELL AS UTILITY ALLOWANCE FROM 30% TO 100%.

RESPECTFULLY SHEWETH:-

1. That the appellant is performing his duties as Private Secretary (BPS-17) in the Office of Advocate General, Khyber Pakhtunkhwa. The said office is an attached formation of Law, Parliamentary Affairs & HRs Department, Government of Khyber Pakhtunkhwa. The office under reference is a Constitutional Office whose Head of Department is appointed under Article 140 of the Constitution of Islamic Republic of Pakistan 1973.
2. That the employees of Advocate General's office vide Finance Department Govt. of Khyber Pakhtunkhwa Notification No. FD (SOSR-II) 8-43/ 2009 dated 25/07/2009 were granted / sanctioned 20% Judicial Allowance and 10% Utility Allowance on the analogy of employees working the in Civil Secretariat, Khyber Pakhtunkhwa Peshawar.
3. That Government of Khyber Pakhtunkhwa Finance Department vide Notification No. SO (SR-IV)/ 4-1/2023 Secretariat Performance Allowance dated 11-07-2023, increased the Secretariat Performance Allowance from 50% to 100% of the Basic Pay w.e.f. 11-07-2023 to all employees working in the Civil Secretariat Khyber Pakhtunkhwa Peshawar. This allowance is also being paid to the employees working in Provincial Ombudsman Secretariat, Khyber Pakhtunkhwa **(copy of Notification dated 11-07-2023 is attached as Annex-A).**
4. That on 17-01-2023 the Finance Department Govt. of Khyber Pakhtunkhwa extended Counter Terrorism Allowance @ (at the rate of) one running basic pay as per revised Basic Pay Scales -2022 to the employees of all ranks, cadres and scales of Counter Terrorism Department Khyber Pakhtunkhwa **(copy of Notification dated 17-01-2023 is attached as Annex-B).**
5. That the appellant as well as other employees of Advocate General office Khyber Pakhtunkhwa are still recipients of old rates of judicial allowance which may develop sense of deprivation in them as their similarly placed counterparts in Civil Secretariat the aforementioned allowances has been enhanced upto 100% in Financial Year Budget 2023-24.

6. That the appellant alongwith other employees submitted representation to the Learned Advocate General, Khyber Pakhtunkhwa in respect of increase of Judicial Allowance and Utility Allowance from 30% to 100% as already allowed 100% allowance to Civil Secretariat Employees , Provincial Ombudsman as well Counter Terrorism Department, Khyber Pakhtunkhwa **(copy of representation dated 30-12-2023 is attached as Annex-C).**
7. That the Advocate General, Khyber Pakhtunkhwa sent representation of all staff members to Law Department through official letter No. 04-02/AG dated 01-01-2024 for necessary action and Law Department also sent representation alongwith letter of Advocate General's office to Finance Department Govt. of Khyber Pakhtunkhwa for further action **(Copy of letter of Advocate General office and Law Department as attached as Annex-D and E).**
8. That Finance Department Government of Khyber Pakhtunkhwa regrets request of Law Department for increase in Judicial Allowance as well as Utility Allowance through an official letter to Law Department bearing No. SOSR/FD/1-6/2021/Law Deptt dated 01-02-2024. The Law Department vide letter_NO SO (B&A) (LD) 15-2-/2023-24/ 2302 DATED 15-02-2024 intimated the regrets of Finance department, Govt. of Khyber Pakhtunkhwa to the office of Advocate General on 16-02-2024 and later on Advocate General office communicated Finance department regrets letter to its employees on 14-03-2024 **(copies of Finance Department letter dated 01-02-24 and Law Department Letter dated 15-02-24 Advocate General office are attached as Annex-F, G and H respectively).**
9. That similarly identical nature Service Appeal No. 430/2024 Ahmad Khan Vs. Chief Secretary, Khyber Pakhtunkhwa and others is pending before this Hon` able Tribunal for preliminary hearing which is already fixed for hearing on 07-05-2024, therefore, the instant Service Appeal may kindly be clubbed with S.A.No. 430/2024 as mentioned above in the best interest of justice.
10. That the appellant has no other legal remedy and approached to this Honorable Tribunal with the following grounds.

GROUND.

- A. That it is sheer discrimination & violation of Law, Rules and Natural Justice as well as against the Principals / Rules of consistency with the appellant and employees of office of the Advocate General Khyber Pakhtunkhwa for not enhancing/ increasing the subject allowance as already enhanced/increased to the employees working in the Civil Secretariat, Provincial Assembly of Khyber Pakhtunkhwa, Provincial Ombudsman employees and staff working in Counter Terrorism Department (CTD) Khyber Pakhtunkhwa. Similarly the sitting caretaker Government of Punjab (Law Department) also enhanced/ increased the said allowance from 30% to 100% to the employees working in the office Advocate General Punjab vide notification dated 16-02-2024 (***copy Punjab Government Notification dated 16-2-24 is attached as Annex-I***).
- B. That under Article 25 of Constitution of Islamic Republic Pakistan 1973 equality of citizen between two groups of persons who are similarly placed could not be treated differently, while dictates of law, justice and equity required exercise of power by all concerned to advance the cause of justice and not to thwart it. In this regard reliance can be placed on judgments of the august Supreme court of Pakistan **reported as 2002 SCMR 71 and judgments of the august Supreme Court of Pakistan reported as 2015 SCMR 1257, 2005 SCMR 100 and 2011 PLC CS 1130.**
- C. That issuance of increase in Judicial Allowance and Utility Allowance are fundamental rights of the appellant as enshrined in the Constitution of Islamic Republic of Pakistan, but the respondent departments violates the law , judgments of the Superior Courts and Constitution of Islamic Republic Pakistan, 1973.
- D. That the August Supreme Court has held that an Islamic Welfare State is under an obligation to establish a society which is free from exploitation and wherein social and economic justice is guaranteed to its citizens. By Article 2-A of the Constitution, which has been

made its substantive part, it is unequivocally enjoined that in the State of Pakistan principle of equality, social and economic justice as enunciated by Islam shall be fully observed which shall be guaranteed as fundamental right **(judgments reported as (2005 SCMR 100 and 2015 SCMR 1257).**

- E. That the August Supreme Court has also held that the whole edifice of governance of the society has its genesis in the Constitution and laws aimed to establish an order, inter alia, ensuring the provisions of socio-economic justice, so that the people may have a guarantee and sense of being treated in accordance with the law and that they are not being deprived of their due rights. The provision of Article 4 embodies the concept of equality before law and equal protection of law and saves citizens from arbitrary/discriminatory law and actions by the Governmental authorities **(Judgment reported as (2015 SCMR 1257).**
- F. That the appellant as well as other employees of the Advocate General office Khyber Pakhtunkhwa are performing duties to those of the staff of the Hon`able Peshawar High Court. As the appellant and other employees are custodian of the case files and keep them prepared in all respect for the Hon `ble Judges. Similarly, staff of Advocate General is also custodian of the case files and keep them prepared and ready in all respect for the Law Officers to defend the cause of Govt.
- G. That the appellant and other employees in the Advocate General office observe late sitting even after closing hours. It is evident on number of occasions that all Law Officers alongwith staff also remains in office till the rising of the Court. Although late sitting is one of the characteristics of the staff of this office yet Over time allowance has never ever been given to the staff of Advocate-General's office, Khyber Pakhtunkhwa for performing duties beyond office hours / timings.

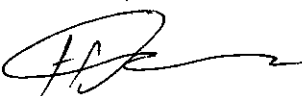
6

- H. That the appellant alongwith other staff members of Advocate General's Office , under the umbrella of duty set-up, are performing Judicial, Executive and Legislature Functions as our Law Officers appear in the Courts and also attend High Level meetings in the Secretariat and Standing Committee Meetings of the Provincial Assembly, Khyber Pakhtunkhwa.
- I. That apart from above mentioned facts, our staff members are also performing their duties on Saturdays while all other Provincial Government employees observe the said day as closed holiday.
- J. That propriety of equity and justice demands that such like increase / enhancement may also be sanctioned in favour of staff of Advocate General's office, Khyber Pakhtunkhwa.
- K. That further grounds if any will be taken at the time of arguments with the kind permission of this Honorable Tribunal.

It is, therefore, most humbly prayed that on acceptance of this Service Appeal that Letter of Finance Department Govt. of KP vide NO. SO SOSR-IV/FD/1-6/2021/LAW Deptt. dated 01-02-2024 may graciously be set aside and the respondent departments may kindly be issued appropriate directions to increase / enhance Judicial / Utility allowance from 30% to 100% of the running Basic Pay as per revised Basic Pay Scale 2022 in the best interest of natural justice with all consequential benefits on the analogy of Govt. Khyber Pakhtunkhwa Civil Secretariat Employees , Provincial Assembly KP, Provincial Ombudsman and Counter Terrorism Department Khyber Pakhtunkhwa Employees in order to cope with ever increasing pressures of sky high prices of commodities of daily use.


Appellant

through


[Hamad Hussain]

Advocate High Court, Peshawar .
Mobile No. 0312-0952763

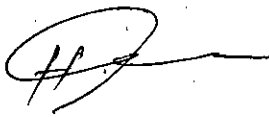
VERIFICATION-

It is certified that no such like writ petition has earlier been filed between the parties in this Honorable Tribunal


DEPONENT

LIST OF BOOKS

- Constitution of Pakistan
- Service law books
- Any other law cases as per need.


[Hamad Hussain]
Advocate High Court Peshawar
0312-0952763

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL .NO _____ / 2024

Manzoor Hussain Private Secretary (BPS17) Advocate General's Office
Khyber Pakhtunkhwa, Peshawar. **Appellant**

VERSUS

Secretary Finance Department, Government of Khyber Pakhtunkhwa
Peshawar and others. **Respondents**

AFFIDIVATE

I Manzoor Hussain, Private Secretary (BPS-17) Office of Advocate General, Khyber Pakhtunkhwa Peshawar, do hereby solemnly affirm and declare that the contents of the accompanying writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable court.

DEPONENT

CNIC No. 17301-1334610-9
Mobile No. 03339330824

Identified By

Hamad Hussain
Advocate High Court

ATTESTED
MUHAMMAD NAEEM KHAN
ADVOCATE
OATH COMMISSIONER
02/3/24

9

PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL .NO _____ / 2024

Manzoor Hussain Private Secretary (BPS17) Advocate General's Office
Khyber Pakhtunkhwa, Peshawar. **Appellant**

VERSUS

Secretary Finance Department, Government of Khyber
Pakhtunkhwa Peshawar and others. **Respondents**

Addresses of parties

Appellant

Manzoor Hussain Private Secretary (BPS17) Advocate General's Office Khyber
Pakhtunkhwa, Peshawar.

Respondents

1. Secretary to Govt of Khyber Pakhtunkhwa Finance Department,
Civil Secretariat Peshawar.
2. Secretary to Govt of Khyber Pakhtunkhwa Law, Parliamentary
Affairs and HRs Department, Civil Secretariat Peshawar.
3. Advocate General, Khyber Pakhtunkhwa Peshawar.



[Hamad Hussain]

Advocate High Court Peshawar
0312-0952763

Ammechure - A

10



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

Dated Peshawar the 11th July, 2023

NOTIFICATION:

No.FD (SOSR-IV)/4-1/2023/Secretariat Performance Allowance: In partial modification of this Department's Notification No. FD (SOSR-II) 8-7/2019 dated 27.11.2019; Government of Khyber Pakhtunkhwa has been pleased to enhance/revise Special/Secretariat Performance Allowance from 50% to 100% of the Basic Pay per month to the Officers/Officials of Provincial Civil Secretariat Khyber Pakhtunkhwa, who are already in receipt of the said allowance @ 50%, with effect from 01.07.2023. However, the aforementioned increase will not be applicable to all those who are drawing Scheduled Posts Allowance/Technical Allowance/Planning Allowance/Health Professional Allowance or any other allowance having high quantum of financial benefits.

2. Other terms & conditions will remain the same as notified from time to time.

Secretary to Govt. of Khyber Pakhtunkhwa
Finance Department

Endst No. & Date Even:

Copy is forwarded for information & necessary action to:

- 1- The Accountant General, Khyber Pakhtunkhwa.
- 2- The Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- 3- The Principal Secretary to Governor Khyber Pakhtunkhwa.
- 4- All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 5- The Director FMIU, Finance Department.
- 6- The Director, Staff Training Institute (STI) E&A Department.
- 7- PSO to Chief Secretary Khyber Pakhtunkhwa.
- 8- All Section Officers/Budget Officers in Finance Department Khyber Pakhtunkhwa.
- 9- PS to Minister Finance Khyber Pakhtunkhwa.
- 10- PS to Secretary to Government of Khyber Pakhtunkhwa Finance Department.
- 11- PS to Special Secretary (A & R), Finance Department.
- 12- PS to Special Secretary (Budget), Finance Department.
- 13- PAs to Additional Secretaries/Deputy Secretaries in Finance Department.
- 14- Master File.

ATTESTED

(YAR MUHAMMAD)
Section Officer (SR-IV)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Dated Peshawar the 17th January, 2023

NOTIFICATION

NO.SO (SR-IV)/FD/I-10/Counter Terrorism Allowance (CTA)/2023: In supersession of this Department's letter No. FD(SOSR-II)8-26/2013 dated 21.11.2013 and upon decision of Provincial Cabinet in its meeting held on 03.01.2023, the Government of Khyber Pakhtunkhwa has been pleased to extend the Counter Terrorism Allowance, with immediate effect, @ one running basic pay as per revised Basic Pay Scales-2022 to all ranks, cadres and scales of Counter Terrorism Department, Khyber Pakhtunkhwa.

2. The above allowance will be admissible subject to the following conditions:
- It will subject to Income Tax.
 - Admissible only during the period of posting against the sanctioned posts at Counter Terrorism Department.
 - Will not be admissible during any kind of leave except casual leave as well as posting against OSD and leave reserve posts.
 - Will not be treated as part of emoluments for the purpose of calculation of pension/gratuity and recovery of House Rent etc.
 - Will cease to be admissible on posting/transfer of employees outside Counter Terrorism Department.

Secretary to Govt. of Khyber Pakhtunkhwa
Finance Department

Endst: No & date even:

Copy of the above is forwarded to the:-

- Accountant General, Khyber Pakhtunkhwa.
- The Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- Secretary to Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department.
- The Director FMIU, Finance Department with the request to upload the same on website.
- The Director, Staff Training Institute (STI) E&A Department.
- The Section Officer (Cabinet), Government of Khyber Pakhtunkhwa Establishment & Administration Department with reference to his letter No- SOC (E&AD) 9-85/2023 dated 16.01.2023
- PSO to Chief Secretary Khyber Pakhtunkhwa.
- PS to Secretary to Government of Khyber Pakhtunkhwa Finance Department.
- PS to Special Secretary (A & R), Finance Department.
- PS to Special Secretary (Budget), Finance Department.
- PAs to Additional Secretaries Deputy Secretaries in Finance Department.
- Master File

ATTESTED

(YAR MUHAMMAD)
SECTION OFFICER (SR-IV)

Amendment - B/11

DOF/11/19/11

19/11

17/01/2023



Better copy

GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)
Dated Peshawar the 17th January. 2023

NOTIFICATION.

NO.SO (SR-VED/1-10/Counter Terrorism Allowance (CTAV2023:- In supersession of this Department's letter No. FD{SOSR-11)8-26/2013 dated 21.11.2013 and upon decision of Provincial Cabinet in its meeting held on 03.01.2023, the Government of Khyber Pakhtunkhwa has been pleased to Extend the Counter Terrorism Allowance, with immediate effect, @one running basic pay as per revised Basic Pay Scales-2022 to all ranks, cadres and scales of Counter Terrorism Department. Khyber Pakhtunkhwa.

2. The above allowance will be admissible subject to the following conditions:
 - i. It will subject to Income Tax.
 - ii. Admissible only during the period of posting against the sanctioned posts at Counter Terrorism Department.
 - iii. Will not be admissible during any kind of leave except casual leave as well as posting against OSD and leave reserve posts.
 - v. Will not be treated as part of emoluments for the purpose of calculation of pension/gratuity and recovery of House Rent etc.
 - vi. Will cease to be admissible on posting/transfer of employees outside Counter Terrorism Department.

Secretary to Govt. of Khyber Pakhtunkhwa
Finance Department.

Endst: No& date even:

Copy of the above is forwarded to the:-

- 1- Accountant General, Khyber Pakhtunkhwa.
- 2- The Principal Secretary to Chief Minister Khyber Pakhtunkhwa.
- 3- The Secretary to Government of Khyber Pakhtunkhwa, Home & Tribal Affairs Department.
- 4- The Director FMIU, Finance Department with the request to upload the same on website.
- 5- The Director, Staff Training Institute (STI) E&A Department.
- 6- The Section Officer (Cabinet), Government of Khyber Pakhtunkhwa Establishment & Administration Department with reference to his letter No- SOC (E&AD) 9-85/2023 dated 16.01.2023
- 7- PSO to Chief Secretary Khyber Pakhtunkhwa.
- 8- PS to Secretary to Government of Khyber Pakhtunkhwa Finance Department.
9. PS to Special Secretary (A & R). Finance Department.
- 10-PS to Special Secretary (Budget). Finance Department.
- 11-PAs to Additional Secretaries Deputy Secretaries in Finance Department.
- 12- Master file.


ATTESTED

ATTESTED

(YAR MUHAMMAD)
SECTION OFFICER (SR-IV)

Annexure - 1C,

Forwarded to Ministry
for consideration in accordance
with law

Annexure (C)

10508
30/12/2023

1/1/24

To

The worthy Advocate General,
Khyber Pakhtunkhwa, Peshawar.

Subject: -

REQUEST FOR INCREASE IN JUDICIAL ALLOWANCE AS WELL AS UTILITY ALLOWANCE FROM 30% TO 100% TO THE EMPLOYEES OF ADVOCATE GENERAL OFFICE, KHYBER PAKHTUNKHWA.

Respected Sir,

We, all employees of office of the Advocate General's office, Khyber Pakhtunkhwa, are dropping few lines for your kind perusal and sympathetic consideration.

1. That employees of the Advocate General's office Khyber Pakhtunkhwa were granted/ sanctioned Judicial Allowance @20% and Utility Allowance @10% vide Notification bearing No. FD(SOSR.II)8-43/2009, dated 25/07/2009.
2. That the Government of Khyber Pakhtunkhwa, through Finance Department Notification having No.FD(SOSR-IV)4-1/2023/Secretariat Performance Allowance dated 11/07/2023, increased the Secretariat Performance Allowance from 50% to 100% of the Basic Pay w.e.f 01/07/2023 to all employees working in the Civil Secretariat Khyber Pakhtunkhwa Peshawar. This allowance is also being paid to the employees working in the Provincial Ombudsman Secretariat, Khyber Pakhtunkhwa.
3. That the Government of Khyber Pakhtunkhwa, through Finance Department Notification having No.SO(SR-IV)/FD/1-10/Counter Terrorism Allowance (CTA)/2023 dated 17/01/2023, allowed the Counter Terrorism Allowance @ one running Basic Pay w.e.f 17/01/2023 to all ranks / cadres and scales of the Counter Terrorism Department, Khyber Pakhtunkhwa.
4. That employees of the Advocate General office Khyber Pakhtunkhwa are still not recipients of such like allowance which may develop sense of deprivation in them as their similarly placed counterparts in Civil Secretariat, Counter Terrorism Department, Khyber Pakhtunkhwa and Provincial Ombudsman Secretariat are receiving the above allowances @100% of their running Basic Pay.
5. That we perform identical duties to those of the staff of the Hon'ble Peshawar High Court. They are the custodian of the case files and keep them prepared in all respects for the Hon'ble Judges. Similarly, staff of this office is also custodians of the case files and keep them prepared and ready in all respects for the Law Officers.
6. That staff of this office observes late sitting even after closing hours. As long as the Hon'ble Courts are on, all Law Officers alongwith staff also remains in office. Thus late sitting is one of the characteristics of the staff of this office.
7. That staff of the Advocate General's office, under the umbrella of your benign set-up are performing judicial and executive functions as our Law Officers appear in the Courts and also attend high level meetings in the Secretariat and Standing Committee Meetings of the Provincial Assembly, Khyber Pakhtunkhwa.

ATTESTED

18

8. That apart from above mentioned facts, our staff members are also performing their duties on Saturdays while all the Provincial Government employees observe the said day as gazetted holiday.

9. That propriety of equity and justice demands that such like allowance may also be sanctioned in favour of the staff of Advocate General's office, KP.

It is, therefore most humbly requested that the concerned authorities may kindly be approached to increase the Judicial Allowance from 20% to 50% and Utility Allowance from 10% to 50% so that both the allowances may come to 100% in order to cope with ever increasing pressures of sky high prices of commodities of daily use.

[Handwritten Signature]
ATTESTED

Yours obediently,

[Handwritten Signature]

All employees/staff members

Office of Advocate General, KP (list attached)

Dated: 30/12/2023

(14)

S.No	Name of Officer/Official	Designation	Signature
1	Ishfaq Ali	Ref & Research Officer	
2	Muhammad Arshad Khan	Senior Administrative Officer	
3	Ayaz Khan	Administrative Officer	
4	Muhammad Noman	Budget & Accounts Officer	
5	Mst Rabia Zeb	Superintendent	
6	Faheem Jan	Superintendent	
7	Marjan Ali	Principal Staff Officer	
8	Muhammad Shafi	Senior Private Secretary	
9	Manzoor Hussain	Private Secretary	
10	Muhammad Aakif 1	Private Secretary	
11	Muhammad Akif 2	Private Secretary	
12	Usman	Private Secretary	
13	Ahmad Khan	Programmer	
14	Zia Ullah	Web Administrator	
15	Rahat Sher	Assistant	
16	Zahida Parveen	Assistant	
17	Mushtaq Ahmad	Assistant	
18	Zakir Ullah	Assistant	
19	Muhammad Abbas	Assistant	
20	Shah Jehan	Assistant	
21	Muhammad Hussain	Assistant	
22	Muhammad Yasir	Assistant	
23	Muhammad Ishaq	Assistant	
24	Ashfaq Ahmad	Assistant	
25	Muhammad Bilal Khan	Computer Operator	

ATTESTED

(AB) (B)

26	Yasir Muhammad	Computer Operator	Yasir
27	Ejaz Ullah	Computer Operator	Ejaz
28	Sher Khan	Computer Operator	Sher
29	Sharoon Jan	Computer Operator	Sharoon
30	Arif Jan	S.S. Stenographer	Arif
31	Wasi Ullah	S.S. Stenographer	Wasi
32	Fazal Ilahi	S.S. Stenographer	Fazal
33	Ilyas Gul	S.S. Stenographer	Ilyas
34	Bilal Khan	S.S. Stenographer	Bilal
35	Nasir Ali	Senior Clerk	Nasir
36	Muhammad Tufail	Senior Clerk	Tufail
37	Muhammad Zakir Ullah	Senior Clerk	Zakir
38	Muhammad Hamed	Senior Clerk	Hamed
39	Mian Muhammad Shoaib	Senior Clerk	Shoaib
40	Jawad Iqbal	Senior Clerk	Jawad
41	Muhammad Mohsin Kamal	Senior Clerk	Mohsin
42	Jauher Ali Khan	Senior Clerk	Jauher
43	Maseeh Ullah	Stenographer	Maseeh
44	Ubaid Ullah Anwar	Stenographer	Ubaid
45	Qarar Aslam	Stenographer	Qarar
46	Sidra	Stenographer	Sidra
47	Maryam	Stenographer	Maryam
48	Benish Naseem	Stenographer	Benish
49	Rimsha Naseem	Stenographer	Rimsha
50	Nehar Ali	Library Assistant	Nehar
51	Yasir	Junior Clerk	Yasir
52	Bilal Ahmad	Junior Clerk	Bilal

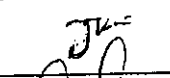
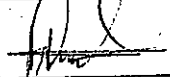

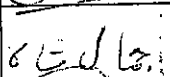
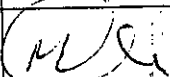
[Signature]
ATTESTED

53	Muhammad Riaz	Junior Clerk	Pa
54	Imtiaz Ali	Junior Clerk	
55	Muhammad Ilyas	Junior Clerk	
56	Akhtar Waqas	Junior Clerk	
57	Behramand	Junior Clerk	
58	Abdur Rehman	Junior Clerk	
59	Ibrahim	Junior Clerk	
60	Muhammad Qasim	Junior Clerk	
61	Muhammad Saqib	Junior Clerk	
62	Zia Alam	Junior Clerk	
63	Wali Khan	Driver	
64	Rooh ul Amin	Driver	
65	Said Badshah	Driver	
66	Muhammad Wajid	Driver	
67	Asif Sikandar	Driver	
68	Haroon Khan	Driver	
69	Ghaffar Ali	Driver	
70	Shoaib Muhammad	Driver	
71	Falak Niaz	Driver	
72	Mufid Ullah	Driver	
73	Muhammad Uzair	Daftari	
74	Muhammad Arif	Naib Qasid	
75	Kiramat Khan	Naib Qasid	
76	Walayat Khan	Naib Qasid	
77	Wali Khan	Naib Qasid	
78	Fida Muhammad	Naib Qasid	
79	Firdous Khan	Naib Qasid	

Handwritten signature and the word "ATTESTED" in bold capital letters.

80	Haleem Khan	Naib Qasid	<i>Haleem</i>
81	Yousaf Ali Khan	Naib Qasid	<i>Yousaf</i>
82	Usman Ali	Naib Qasid	<i>Usman</i>
83	Amir Afridi	Naib Qasid	<i>Amir</i>
84	Muhammad Ismail	Naib Qasid	<i>Muhammad Ismail</i>
85	Ihtisham-ul-Haq	Naib Qasid	<i>Ihtisham</i>
86	Muhammad Zubair	Naib Qasid	<i>Muhammad</i>
87	Muhammad Zubair Gul	Naib Qasid	<i>Muhammad</i>
88	Safdar Ali	Naib Qasid	<i>Safdar</i>
89	Muneeb-ur-Rehman	Naib Qasid	<i>Muneeb</i>
90	Waseem	Naib Qasid	<i>Waseem</i>
91	Abdul Ahad	Naib Qasid	<i>Abdul Ahad</i>
92	Mohammad Fayaz	Naib Qasid	<i>Mohammad</i>
93	Usman Khan	Naib Qasid	<i>Usman</i>
94	Ihsan Ullah	Naib Qasid	<i>Ihsan</i>
95	Fawad Ahmad	Naib Qasid	<i>Fawad</i>
96	Kamran	Naib Qasid	<i>Kamran</i>
97	Abdul Shakeel	Naib Qasid	<i>Abdul Shakeel</i>
98	Haroon Rashid	Naib Qasid	<i>Haroon</i>
99	Nizam ud Din	Naib Qasid	<i>Nizam</i>
100	Anees ur Rahman	Naib Qasid	<i>Anees</i>
101	M. Hassan Siddiqui	Mali	<i>M. Hassan</i>
102	Subhan	Chowkidar	<i>Subhan</i>
103	Muhammad Saeed	Chowkidar	<i>Muhammad</i>
104	Yousaf Masih	Sweeper	<i>Yousaf</i>
105	Tariq Masih	Sweeper	<i>Tariq</i>
106	Asad Khan	Sweeper	<i>Asad</i>

[Signature]
ATTESTED

107	Johar	Farash	
108	Hafeez ur Rehman	Senior Clerk	
109	Izhar Ahmad	Senior Clerk	
110	Jamal Shah	Sweeper	
111	Maaz Ullah Khan	Naib Qasid	


ATTESTED



OFFICE OF THE ADVOCATE-GENERAL, KHYBER PAKHTUNKHWA, PESHAWAR

No. 04-02 /AG

Dated Peshawar, the 01/01/2024

Address: High Court Building, Peshawar.
Tel. No. 091-9212681

Exchange No 9213833
Fax No. 091-9210270

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Law, Parliamentary Affairs & Human Rights Department,
Peshawar.

Subject: REQUEST FOR INCREASE IN JUDICIAL ALLOWANCE AS WELL AS UTILITY ALLOWANCE FROM 30% TO 100% TO THE EMPLOYEES OF ADVOCATE GENERAL OFFICE, KHYBER PAKHTUNKHWA.

Dear Sir,

I would like to enclose herewith a representation / request (07-pages), dated 30/12/2023 which is self-explanatory of my staff for perusal and favourable consideration / necessary action, please.

The undersigned strongly recommends the representation which may please be forwarded to the concerned quarter for approval *indeed in accordance with law.*

(AMIR JAVED)
ADVOCATE GENERAL
KHYBER PAKHTUNKHWA

Endst. No. & date even

Copy alongwith representation forwarded to the worthy Chief Secretary, Khyber Pakhtunkhwa, Peshawar.

Attested
ATTESTED

ADVOCATE GENERAL
KHYBER PAKHTUNKHWA

Amendment (E)

20



**GOVERNMENT OF KHYBER PAKHTUNKHWA
LAW, PARLIAMENTARY AFFAIRS
& HUMAN RIGHTS DEPARTMENT**

NO. SO(B&A)(LD)15-2/2024
Dated 15-01-2024

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

**Subject: REQUEST FOR INCREASE IN JUDICIAL ALLOWANCE
WELL AS UTILITY ALLOWANCE FROM 30% TO 100 T
EMPLOYEES OF ADVOCATE GENERAL OFFICE, KI
PAKHTUNKHWA.**

Dear sir,

I am directed to refer to the subject noted above and to forward herewith copy of self-explanatory letter bearing No. 04-02/AG dated 01.01.2024 received from the office of the Advocate General, Khyber Pakhtunkhwa along with its enclosures for necessary action under the law/rules, please.

Encl: as above

ATTESTED

Yours faithfully

(MUHAMMAD ALI)
Section Officer (B&A)

Encl: No & Date Even.

Copy forwarded for information to the:

1. Advocate General, Khyber Pakhtunkhwa, Peshawar with to the above referred letter.
2. PS to Secretary Law, Parliamentary Affairs & Human Rights Department.

Section Officer (B&A)



BETTER COPY
GOVERNMENT OF KHYBER PAKHTUNKHWA
LAW, PARLIAMENTARY AFFAIRS & HUMAN RIGHTS
DEPARTMENT.

18 20

No. SO(B&A)(LD)15/02/2024
Dated 15/01/2024

The Secretary,
Govt. of Khyber Pakhtunkhwa,
Finance Department, Peshawar.

**Subject: - REQUEST FOR INCREASE IN JUDICIAL ALLOWANCE
WELL AS UTILITY ALLOWANCE FROM 30% TO 100
TO THE EMPLOYEES OF ADVOCATE GENERAL
OFFICE, KHYBER PAKHTUNKHWA.**

Respected Sir,

I am directed to refer to the subject noted above and to forward herewith copy of self-explanatory letter bearing No. 04-02/AG dated 01/01/2024 received from the Office of the Advocate General, Khyber Pakhtunkhwa, Peshawar with its enclosures for necessary action under the law/rules, please.

Yours faithfully

Encl: As above

ATTESTED

(MUHAMMAD ALI)
Section Officer (B & A)

Enst: No & Date Even,

Copy forwarded for information to the

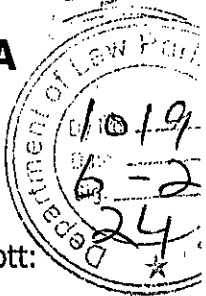
1. Advocate General, Khyber Pakhtunkhwa, Peshawar w/r to his above referred letter.
2. PS to Secretary Law, Parliamentary Affairs & Human Rights Department.

Section Officer (B & A)



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

NO. SOSR-IV/FD/1-6/2021/Law Deptt:
Dated Peshawar the 01.02.2024



To

The Secretary to Government of Khyber Pakhtunkhwa,
Law, Parliamentary Affairs & Human Rights Department.

Subject: - **REQUEST FOR INCREASE IN JUDICIAL ALLOWANCE AS WELL AS UTILITY ALLOWANCE FROM 30% TO 100% TO THE EMPLOYEES OF ADVOCATE GENERAL OFFICE KHYBER PAKHTUNKHWA.**

Dear Sir,

I am directed to refer to your Department's letter bearing No. SO (B&A) (LD) 15-2/2023-24/731-33 dated 15.01.2024 on the subject noted above and to state that Government of Khyber Pakhtunkhwa, Finance Department regrets its inability to accede to the subject request of the Administrative Department, due to acute financial crunch facing by the provincial exchequer, please.

Yours faithfully,

(YAR MUHAMMAD)
SECTION OFFICER (SR. IV)
091-9212152

ATTESTED

Endst: No & date even

Copy forwarded to: -

1. PA to the Additional Secretary (Regulation) Finance Department.
2. PA to Deputy Secretary (Regulation-I) Finance Department.
3. Master File.

SECTION OFFICER (SR. IV)

PA to Deputy Secretary (Coord/HR)
Dispatch No: 1019
Dated: 6/2/24 (215)

Aslh)

D8 (1)
pwp
6.2.24

SO B9A

6/2/24

Annexure-(F), 21



AMMA-4 (22)
941
16-2-24

**GOVERNMENT OF KHYBER PAKHTUNKHWA
LAW, PARLIAMENTARY AFFAIRS
& HUMAN RIGHTS DEPARTMENT**

No. SO (B&A)(LD)15-2/2023-24 / 2302
Dated Peshawar 15-02-2024

16/2/24

To

The Advocate General,
Khyber Pakhtunkhwa, Peshawar

Subject:

**REQUEST FOR INCREASE IN JUDICIAL ALLOWANCE AS WELL AS
UTILITY ALLOWANCE FROM 30% TO 100% TO THE EMPLOYEES
OF ADVOCATE GENERAL OFFICE KHYBER PAKHTUNKHWA**

Dear Sir,

I am directed to refer to your letter No. 04-02/AG, dated 01/01/2024 on the subject noted above and to enclose herewith the copy of letter No. SOSR-IV/FD/1-6/2021/Law Deptt: dated 01.02.2024 received from Section Officer (SR-IV), Finance Department for information please.

(Encls. As Above)

ATTESTED

Yours faithfully

[Handwritten Signature]

SECTION OFFICER (B&A)

Annexure - H,

27

3999 /AG

dated, Peshawar the 14-3-2024

From: Advocate General's office,
Khyber Pakhtunkhwa, Peshawar.


To: - All Staff Members,
Advocate General's office, Khyber Pakhtunkhwa

Subject: - **REQUEST FOR INCREASE IN JUDICIAL ALLOWANCES WELL AS
UTILITY ALLOWANCE FROM 30% TO 100 % TO THE EMPLOYEES OF
ADVOCATE GENERAL OFFICE KHYBER PAKHTUNKHWA.**

Enclosed please find herewith a photocopy of letter No. SOSR-IV/FD/1-6/2021/Law Deptt: dated 01-02-2024 of the Finance Department, Khyber Pakhtunkhwa, whereby request for enhancement of the subject allowances has been regretted.

You are, therefore, informed accordingly.


ATTESTED


(MUHAMMAD NOMAN)
BUDGET & ACCOUNTS OFFICER
ADVOCATE GENERAL'S OFFICE,
KHYBER PAKHTUNKHWA,
PESHAWAR.

Annexure-4 (21)

Phone: 042-99211382



GOVERNMENT OF THE PUNJAB
LAW & PARLIAMENTARY AFFAIRS
DEPARTMENT

Dated Lahore, 16th February, 2024.

ORDER

No. SO.Admn-III:08-06/2008(P-1)/ 570 . In pursuance of the recommendations of Caretaker Standing Committee of Cabinet on Finance & Development (SCCFD) given in its 16th meeting held on 08.01.2024 duly approved by the Competent Authority, the Governor of the Punjab is pleased to grant of enhancement of Advocate General Punjab Office Allowance from 30% to 100% on initial basic pay scales 2022 w.e.f. 08.01.2024.

2. The Expenditure involved will be met under Grant No.PC-21011/PC24011(011)-Administration of Justice-0311-Law Courts-031102-Attorney/Legal services-LQ5469-Advocate General-Cost Center LO4401 under the Head A0123C-Advocate General Office Allowance during the current financial year 2023-24.

MUHAMMAD ASIF BALAL LODHI
SECRETARY
LAW & P.A. DEPARTMENT

No. & Date Even

A copy is forwarded for information and necessary action to Accountant General Punjab, Lahore.

ATTESTED

1602-2024
SECTION OFFICER (SR-IV)
Government of the Punjab
Finance Department

No. & Date Even

A copy is forwarded for information and necessary action to:-

1. The Additional Advocate General (Admn), Punjab, Lahore.
2. The AFS (Budget), Government of the Punjab, Finance Department.
3. The AFS (Regulation), Government of the Punjab, Finance Department.
4. The Budget Officer (I&II), Government of the Punjab, Finance Department.
5. The Section Officer (SR-IV), Government of the Punjab, Finance Department w.r.t. his letter U.O.No.FD.SR-IV/11-5/2020 dated 15.02.2024.

16/2-2024
(MUHAMMAD SHAFQAT)
Section Officer (Admn-III)

POWER OF ATTORNEY (VAKALATNAMA)
BEFORE THE HON'BLE SERVICE TRIBUNAL, PESHAWAR.

Mamzoor Hussain PS to Advocate General Appellant

Versus

Chief Secretary TCP and other Respondent

Engaged on behalf of Appellant / Respondent

Nature of Case Service Appeal.

Know all to whom these present shall that I, Mamzoor Hussain Appellant/Respondent appoint **Mr. Hamad Hussain, Advocate High Court Peshawar** hereinafter called the advocate to be the advocate for the above mentioned case to do all following acts and deeds and things or any that is to say.

1. To act appear and plead in above mentioned case in this Court or any other Court in which the same may be tried and heard in the instances or in appeal letter patent appeal or review revision or execution, or any other stage of its progress until its final decision.
2. To present pleading appeals, Letters patent appeals, cross-objections or petition for execution, revision withdraw compromise or other petition or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of the said in all its stages.
3. To withdraw or compromise the said case or submit to arbitration any difference dispute that shall arise touching or in any matter relating to the said case.
4. To receive money and grand receipt therefore and to do all other acts and things which may be necessary to be done for the progress as in the course of the prosecution of the said case.
5. To employ an other legal practitioner authorizing him to exercise the power authorities hereby confirmed on the Advocate whenever he may think fit to do so.

And I/ We hereby agree ratify whatever agree ratify whatever the Advocate or his substitute shall do in the promise and in this connection.

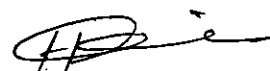
And I/ we hereby agree not hold the Advocate or his substitute responsible for the result of the said case in consequences of his absence from the Court when the said case is called up for hearing

And I/we hereby agree that in the event of the whole or any part of the fee agreed by me to be paid to the Advocate remaining unpaid he shall be entitled withdraw from the prosecution of the said case until the same is paid. The said Advocate shall entitle to all cost adjournment recoverable from the opposing party.

In witness whereof I/we here to set our hand to these presents the contents of which have been explained to and understood by me/us.

Date 18/04...../2024

Attested & Accepted by


Hamad Hussain
Advocate High Court
Peshawar

Mamzoor Hussain
Mamzoor Hussain