

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Miraj Uddin
Service Appeal No.1486/2022

Appellant

1. Secretary to Govt: Finance Department Khyber Pakhtunkhwa, Peshawar.

Respondents

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04-07-24

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BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 1486/2022

Diary No.

Dated 04-07-24

Miraj Uddin, S/o Abdur Rashid, Senior Theology Teacher (BS -16) & others.....(Appellants).

V E R S U S

Government of Khyber Pakhtunkhwa, through Chief Secretary and others.....(Respondents).

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.06
I.E SECRETARY FINANCE DEPARTMENT

Respectfully sheweth:-

1. Pertains to record.
2. Correct.
3. Correct.
4. Correct.
5. Getting increment without provision in rules is against the Law, hence recoverable.
6. No comments.
7. As explained in para-05 above.
8. Pertains to respondent No. 03.
9. At least six months service is required at a stage for earning annual increments in light of Rule 7 of pay Revision Rules 1978 as is evident from **(Annex-I)**.
10. Correct.

Facts:-

- A. Pertains to Respondent No. 05.
- B. As explained in para-09 above.
- C. Pertains to Respondent No. 05.
- D. As replied above.
- E. No comments.
- F. Pertains to Respondent No.05.
- G. That respondent seeks leave of this Hon'ble Court to submit further grounds at the time of arguments on the date fixed before Hon'ble Court.

In view of above submission, it is requested that this Hon'ble Court may very graciously be pleased to dismiss the instant appeal being devoid of merit.

Miraj
Amer Sultan Tareen
Secretary to Govt. of Khyber Pakhtunkhwa,
Finance Department,
Respondent No. 6

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BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Miraj Uddin
Service Appeal No. 1486/2022

Versus

The Secretary to Govt: Finance Department Khyber Pakhtunkhwa, Peshawar.

Reply /Parawise Comments on Behalf of Respondent No 06.

AFFIDAVIT

I, Amer Sultan Tareen Secretary to Govt. of Khyber Pakhtunkhwa Finance Department do hereby solemnly affirm and declare on oath that the contents of Service Appeal No. 1486/2022 on behalf of Respondents is true and correct to the best of my knowledge and belief and that nothing has been concealed from the Honourable Tribunal.

it is further stated on oath that the answering respondents have neither been placed ex-parte nor their defence struck off.

M. A. Uddin
Deponent



GOVERNMENT OF
THE
NORTH WEST FRONTIER PROVINCE

FINANCE DEPARTMENT

RULES, 1978

THE NORTH-WEST FRONTIER PROVINCE

CIVIL SERVICES PAY REVISION
RULES, 1978.


[Signature]
Section Officer (L.I.-II)
Finance Department
Govt. of Khyber Pakhtunkhwa

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7. **Increments in the Revised National Pay Scales.**—The increments in the Revised National Pay Scales shall fall due on 1st day of December, following the completion of at least six months service at a stage in the relevant Revised National Pay Scale.

8. **Admissibility of next higher Revised National Pay Scale.**—
(1) A civil servant holding post in the Revised National Pay Scales 1 to 15, who has reached the maximum of a Revised National Pay Scale shall be allowed the next higher Revised National Pay Scale with effect from the 1st day of December of the year in which he completes one year of such service at the said maximum as counts for increment under these rules, subject to the condition that there is no adverse entry in the Annual Confidential Reports of the civil servant in Revised National Pay Scale 4 to 15 for the last four years. If this condition is not fulfilled, he shall wait at the said maximum till he has earned in succession four Annual Confidential Reports without any adverse entry and his move over to the next higher Revised National Pay Scale shall take effect from the 1st day of December of the year following the year for which he earns the fourth such annual confidential report.

(2) (a) A civil servant who has reached the maximum of Revised National Pay Scale 16 or 17 shall be brought to Revised National Pay Scale 17 or 18, respectively, with effect from the 1st day of December of the year in which he completes three years of


Section Officer (Lit-II)
Finance Department
Govt. of Khyber Pakhtunkhwa



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

AUTHORITY LETTER.

Mr. Hashmatullah, Superintendent (Litigation-II) Section, Finance Department is hereby authorized to submit Affidavit to the Khyber Pakhtunkhwa Service Tribunal, Peshawar in Service Appeal No. 1486/2022 titled as "**Miraj Uddin versus Government of Khyber Pakhtunkhwa and others**" on behalf of Secretary Finance Government of Khyber Pakhtunkhwa.

M. Sultan Tareen
(Amer Sultan Tareen)
SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA,
Finance Department