

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2512-P/2023

Muhammad Ishaq Director PIO (BS-19) Output-II, Pehur High Level Canal Project (PHLCE) Swabi (on deputation basis) working against the Regional Post of Director General (BS-19) Malakand (North Region) Khyber Pakhtunkhwa

.....**Appellant**

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Agriculture Department Khyber Pakhtunkhwa, Peshawar.
2. Director General On Farm Water Management Khyber Pakhtunkhwa, Peshawar.
3. Project Director PHUR High Level Canal Extension Project, Swat.
4. Government of Khyber Pakhtunkhwa, Ministry for Agriculture Khyber Pakhtunkhwa, Peshawar.
5. Government of Khyber Pakhtunkhwa, Finance Department through Secretary Finance Peshawar.

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RESPONDENT

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

(2)

Service Appeal No. 2512-P/2023

Muhammad Ishaq Director PIO (BS-19) Output-II, Pehur High Level Canal Project (PHLCE)
Swabi (on deputation basis) working against the Regional Post of Director General (BS-19)
Malakand (North Region) Khyber Pakhtunkhwa

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

Versus

Diary No. 13484

Dated 12-06-2024

1. Government of Khyber Pakhtunkhwa through Secretary Agriculture Department Khyber Pakhtunkhwa, Peshawar.
2. Director General On Farm Water Management Khyber Pakhtunkhwa, Peshawar.
3. Project Director PHUR High Level Canal Extension Project, Swat.
4. Government of Khyber Pakhtunkhwa, Ministry for Agriculture Khyber Pakhtunkhwa, Peshawar.
5. Government of Khyber Pakhtunkhwa, Finance Department through Secretary Finance Peshawar.

.....Respondents

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS No. 01 02 & 05

Respectfully Sheweth:-

Preliminary Objections

1. That the appellant has got no locus standi or cause of action against the replying respondents.
2. That the appellant has not approached this Hon'ble Tribunal with clean hands.
3. That no discrimination/injustice has been done to the appellant.
4. The appeal is time barred.
5. That due to concealment of material fact and misstatement the appeal is liable to be dismissed.

Comments

1. That the appellant Muhammad Ishaq is a (BPS-19) employee in the Directorate of On Farm Water Management in Agriculture Department. The record reveals that the appellant filed writ petition No. 276-M/2017 titled "Muhammad Ishaq vs Govt. of Khyber Pakhtunkhwa" in

the Honourable Peshawar High Court, Mingora Bench (Dar-ul-Qaza) Swat with the prayer that "on acceptance of this writ petition, the respondents be directed to abide by the "Spouse Policy" in letter and spirit and appoint/post the petitioner to home town at Malakand, Dir Lower or Swat being the residence of family of the petitioner" (Annex-A). The honourable Peshawar High Court Mingora Bench (Dar-ul-Qaza) Swat vide order dated 09-03-2021 decided the writ petition with the direction that **"resultantly the instant petition is ordered to be sent to Secretary Agriculture, Livestock and Cooperative department Govt. of Khyber Pakhtunkhwa, who shall treat same as a departmental representation filed before him under the wedlock policy. He shall give his decision in writing within a period of three months of receipt of copy of this order. Office shall also transmit copy of record of the instant petition along with the order. The instant constitutional petition is accordingly disposed of"** (Annex-B).

In pursuance of the aforementioned order of the honourable Court the appellant was transferred / posted as Regional Director Khyber Pakhtunkhwa Irrigated Agriculture Improvement Project Malakand (North Region) vide Govt. of Khyber Pakhtunkhwa Agriculture department notification No. SOEAD(3)3/Posting/Transfer/WM/21/698 dated 01-06-2021 under the wedlock policy (Annex-C).

2. Incorrect. The appellant Muhammad Ishaq was posted as Regional Director KPIAIP Project Malakand (North Region) vide Notification dated 01-06-2021 **under the wedlock policy** in pursuance to order dated 09-03-2021 of honourable Peshawar High Court Mingora Bench (Dar-ul-Qaza) Swat.

3. As explained in the above paras, the appellant was transferred / posted as Regional Director KPIAIP Project Malakand (North Region) under the wedlock policy and accordingly he assumed charge of the said post.

4. Incorrect. The pension contribution case of the appellant for the service rendered in the Khyber Pakhtunkhwa Irrigated Agriculture Improvement project has already been taken up with the Govt. of Khyber Pakhtunkhwa Finance department and reply of Finance department on the same has been received vide letter dated 15-12-2023 in which Finance department has already stated that as the project was fully foreign funded with zero share of the Provincial Government. Therefore, pension contribution will be paid by the foreign employer of the Government servant concerned as per Finance department letter dated 12-04-1982 (Annex-D) and now the case is under process with the donor i.e. (World Bank) and will be finalized soon. Therefore, the plea of the appellant that his request has not been considered is not based on facts.


5. As explained in Para-4 above.

6. As explained in Para-3 + 4 above.
7. As explained above the grievance of the appellant is not based on facts and material.


GROUND

- A. Incorrect, the plea of the appellant is not based on facts as he was posted as Regional Director KPIAIP Project Malakand (North Region) under the wedlock policy in pursuance to order of the honourable Court. Moreover, the pension contribution case of the appellant is already under process with the donor agency (World Bank).
- B. The act of the respondents is according to law, rules, and policy of the Govt. on the subject.
- C. Incorrect, the appellant has not been deprived of any allowance as his posting is made under the wedlock policy and not on deputation basis.
- D. Incorrect, as explained above the appellant has been transferred/ posted under the wedlock policy and not on deputation basis.
- E. Incorrect, as explained above, the appellant has been dealt fairly and justly by the respondents and not deprived of any allowance in any way.
- F. That the respondents also seek permission of this honourable Tribunal to advance further grounds during arguments.

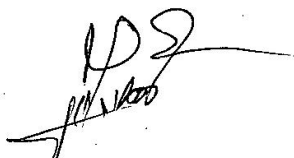
In light of the above facts, it is humbly prayed that appeal of the appellant is devoid of any merit and may please be dismissed with cost.


Secretary
Govt. of Khyber Pakhtunkhwa
Agriculture department
(Respondent No.1)

Amer Sultan Tareen


Secretary
Govt. of Khyber Pakhtunkhwa
Finance Department
(Respondent No.5)

Javed Marwat


Director General
On Farm Water Management
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 2)

Naseeb-ur-Rehman

(4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2512-P/2023

Muhammad Ishaq Director PIO (BS-19) Output-II, Pehur High Level Canal Project (PHLCE) Swabi (on deputation basis) working against the Regional Post of Director General (BS-19) Malakand (North Region) Khyber Pakhtunkhwa

.....**Appellant**

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Agriculture Department Khyber Pakhtunkhwa, Peshawar.
2. Director General On Farm Water Management Khyber Pakhtunkhwa, Peshawar.
3. Project Director PHUR High Level Canal Extension Project, Swat.
4. Government of Khyber Pakhtunkhwa, Ministry for Agriculture Khyber Pakhtunkhwa, Peshawar.
5. Government of Khyber Pakhtunkhwa, Finance Department through Secretary Finance Peshawar.

AFFIDAVIT

I, Nasseb-ur-Rehman **Director General On Farm Water Management Khyber Pakhtunkhwa, Peshawar** do hereby solemnly declare and affirm that the respondents have not suppressed the facts and factual position of the case from this honourable Tribunal. The contents of reply are true and correct to the best of my knowledge, belief and nothing has been concealed from this Tribunal.

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off/cost.



DEPONENT

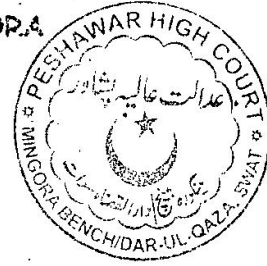
NIC No.

14203-4386703-7

①

(5)

BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH / (DARUL QAZA) AT SWAT



Writ Petition No. 276 of 2017

Muhammad Ishaq S/o Mirza Khan R/o Soran
Sharif, Dargai, Malakand, Tehsil Samad Ranizai,
District Malakand presently District Officer
Water Management at Chitral.

.....Petitioner

VERSUS

- (1) Govt. of Khyber Pakhtunkhwa through Chief
Secretary at Civil Secretariat at Peshawar
- (2) Secretary Agriculture, Livestock and Co-
operative Department Government of Khyber
Pakhtunkhwa at Peshawar.
- (3) Director General on Farm Water Management
at Peshawar

ATTESTED
Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

.....Respondents

Writ Petition under Article 199 of the
constitution of Islamic Republic of
Pakistan 1973

Filed Today
15 APR 2017

Acc(B)

Attested

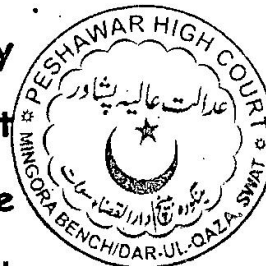
Deputy Director
(Admin. & Accounts)
Director General OFWM,
Khyber Pakhtunkhwa Peshawar

(2)

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PRAYER:

On acceptance of this writ petition, the respondents be directed to abide by the "SPOUSE POLICY" in letter and spirit and appoint / post the petitioner to home town at Malakand or Dir Lower at Temargara or Swat being the residence of family of the petitioner.



Any other relief deemed fit in the circumstances of the case be also granted in favor of the petitioner / defendant against the respondents though not specifically prayed for.

Respectfully Sheweth:

ATTESTED
Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

BRIEF FACTS:

Relevant facts leadings to the instant writ petition are briefly enumerated is as under.

- 1) That the petitioner is District Officer Water Management and was transferred

ENTERED TODAY

15 APR 2017

Handwritten signature and initials, possibly 'A. Swat'.

Attested
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Deputy Director
(Admin. & Accounts)
Director General OFWM,
Khyber Pakhtunkhwa Peshawar

from Dir Lower to Chitral on 22nd April, 2015

(7)

till date.

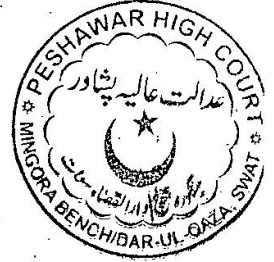
(Copy of notification of transfer No.

SOE(AD)V-7/2015/WM

dated

22/04/2015 is annexed herewith as

annexure "A" at page no.)



2) That the same area is a hard / remote area of the province and the statutory requirement for posting is one and half year, thereby the petitioner has already completed two years in the said area.

3) That the petitioner has already served in other remote / hard areas of the province i.e. Hangu, Banu, Shangla and Dir Upper.

ATTESTED

Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

(Copy of the postings at Different stations in the province are annexed herewith as annexure "B" at page No.)

FILED TODAY

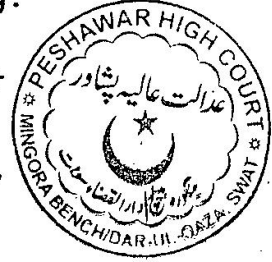
15 APR 2017

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Deputy Director
(Admin. & Accounts)
Director General OFWM,
Khyber Pakhtunkhwa Peshawar

- (7)
- 4) That the wife of the petitioner is employed in Education Department as Senior Drawing Mistress on regular basis in Government Girls High School Shahdara Hayat Abad, Mingora, District Swat since 2000.



(Copy of certificate of appointment of the spouse in Education Department is annexed herewith as annexure "C" at Page No.)

- 5) That the petitioner has applied through proper channel for his grievance regarding spouse policy but in vain.

(Copy of the appeal preferred to the concerned authority is attached as annexure "D" at page No.)

ATTESTED

Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

- 6) the petitioner has no other adequate and efficacious remedy for redressal of his grievance except to knock at the doors of

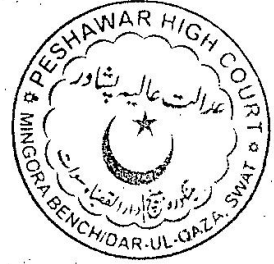
Filed Today
15 APR 2017

15/4/17

Attested

Deputy Director
(Admin: & Accounts)
Director General CFVIA,
Khyber Pakhtunkhwa Peshawar

(3)
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this Honorable Court inter alia on the following grounds:



Grounds: -

- a. That the respondents by not posting the petitioner at the station where wife / children are residing and educating have grossly violated the fundamental rights and statutory rights of the petitioner.
- b. That the respondents have violated article 4 of the constitution as the petitioner was not dealt in accordance with law.
- c. That the respondents have violated article 25 of the constitution whereby the concept of equality before law was not followed and hence the petitioner discriminated.
- d. That the "SPOUSE POLICY" was for the protection of family, marriage, the

ATTESTED

Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

FILED TODAY

15 APR 2017

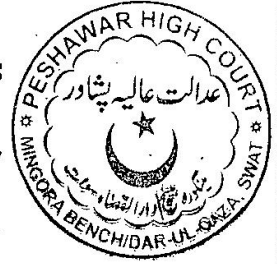
15/4/17

Attested

Deputy Director
(Admin: & Accounts)
Director General OFWM,
Khyber-Pakhtunkhwa Peshawar

(6) (10)

mother and the child and their education which is well protected under article 35 of the constitution and that the same was grossly violated by respondents, thereby causing socio economic problems and hardships to the family of the petitioner.



e. That the respondents are not even abiding by the notification concerning the guidelines regarding spouse policy notified dated 07th August 2012 by the establishment department.

(Copy of notification of guidelines regarding spouse policy is annexed as annexure "E" at page No.)

ATTESTED
Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

f. That the wedlock policy could not be based on pick and choose bases and that the same shall be implemented in accordance with law.

15 APR 2017

15/4/17

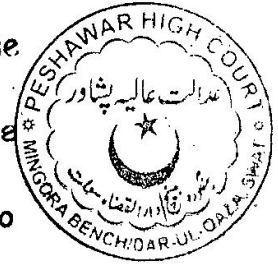
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Deputy Director
(Admin. & Accounts)
Director General OFWM,
Khyber Pakhtunkhwa Peshawar

(7)

(11)

g. That the non implementation of the policy is illegal, void and in contravention of the basic law and policy declared by the Government, causing mental distress to the petitioner and his family and against public interest.



6. That a notice in respect of institution of this writ petition along with the copy of this writ petition has been sent to the respondents through registered AD. (Copy of the notice along with Receipts are attached herewith as annexure "F" at Page No.)

ATTESTED

Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

It is therefore, humbly prayed that On acceptance of this writ petition, the respondents be directed to abide by the "SPOUSE POLICY" in letter and spirit and appoint / post the petitioner to home town at Malakand or Dir

FILED TODAY
15 APR 2017

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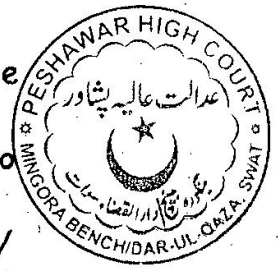
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Deputy Director
(Admin: & Accounts)
Director General OFWM,
Khyber Pakhtunkhwa Peshawar

(8)


Lower at Temargara or Swat being (12)
the residence of family of the
petitioner.

Any other relief deemed fit in the
circumstances of the case be also
granted in favor of the petitioner /
defendant against the respondents
though not specifically prayed for.



Petitioner

Through counsel


Mian Kausar Hussain
Advocate, High Court

CERTIFICATE

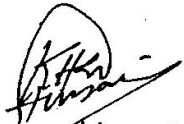
Certified that no such like writ petition has
earlier been filed / pending on the same subject matter
before this Hon'ble court.


Advocate.

ATTESTED
Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

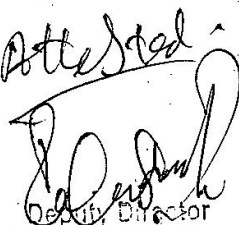
LIST OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. Civil Servant Act 1973 and Rules
3. Any other book as per need.


Mian Kausar Hussain
Advocate, High Court

FILED
15 APR 2017



Attested

Deputy Director
(Admin: & Accounts)
Director General OFWM,
Khyber Pakhtunkhwa Peshawar

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JUDGMENT SHEET

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

W.P. No. 276-M/2017

JUDGMENT

Date of hearing: **09.03.2021**

**Petitioner:- (Muhammad Ishaq) by Mian
Kausar Hussain, Advocate.**

**Respondents: - (Govt: of KPK & others) by Mr.
Haq Nawaz, Astt:A.G.**

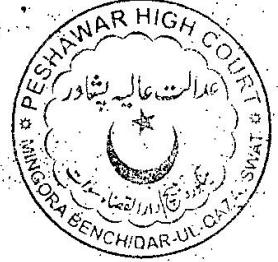
WIQAR AHMAD, J.- Petitioner has filed the instant constitutional petition under Article 199 of the Constitution of Islamic Republic of Pakistan 1973, with the following relief;

"It is therefore, humbly prayed that on acceptance of this writ petition, the respondents be directed to abide by the "SPOUSE POLICY" in letter and spirit and appoint/post the petitioner to home town at Malakand or Dir Lower at Timergara or Swat being the residence of family of the petitioner.

Any other relief deemed fit in the circumstances of the case be also granted in favour of the petitioner/defendant against the respondents though not specifically prayed for."

2. When the matter was taken up for hearing it got divulged from contents of the petition that the matter related to terms and conditions of service of the petitioner who has admittedly been a civil servant. In the meanwhile he had also been transferred to a number of stations but he was stated to be serving at District Swabi presently while his wife has been serving in District Swat. Learned counsel for petitioner after

Nawab (D.B.) Hon'ble Mr. Justice Ishaq Ibrahim
Hon'ble Mr. Justice Wiqar Ahmad



ATTESTED

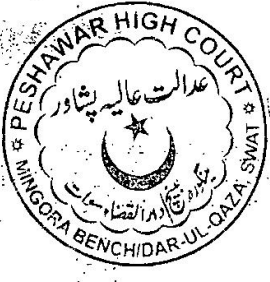
Examiner
Peshawar High Court Bench
Mingora Dar-ul-Qaza, Swat.

Attested

Deputy Director
(Admin. & Accounts)
Director General OFWM,
Khyber Pakhtunkhwa Peshawar

C141

arguing the case for a while, requested the Court to send the instant case to Secretary Agriculture for consideration. Resultantly, the instant writ petition is ordered to be sent to Secretary Agriculture, Livestock and cooperative Department government of Khyber Pakhtunkhwa, who shall treat same as a departmental representation filed before him under the wedlock policy. He shall give his decision in writing within a period of three months of receipt of copy of this order. Office shall also transmit copy of record of the instant petition along with the order. The instant constitutional petition is accordingly disposed of.



NNOUNCED
Di: 09.03.2021

S.No. 15
 Name of Applicant Rahim Ali
 Date of Presentation of Applicant 17-03-2021
 Date of Completion of Copies 20
 No of Copies 107
 Urgent Fee not
 Fee Charged not
 Date of Delivery of Copies 17-03-2021

[Handwritten Signature]
JUDGE

Certified to be true copy
[Handwritten Signature]
17-03-2021
EXAMINER
 Peshawar High Court, Mingora/Dar-ul-Qaza, Swat
 Authorized Under Article 87 of Qanoon-e-Shahadat Order, 1984

[Handwritten Signature]
JUDGE

Attested
[Handwritten Signature]
 Deputy Director
 (Admin. & Accounts)
 Director General OPW
 Khyber Pakhtunkhwa Peshawar

07/15/21



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

157 181 9

123

Dated Peshawar, the 01st June, 2021

NOTIFICATION

NO. SOE(AD)3(3)/Posting/Transfer/WM/21/698 In pursuance of Peshawar High Court, Mingora Bench (Dar Ul Qaza) Swat Judgment dated: 09-03-2021, the Competent Authority is pleased to order posting/transfer of Muhammad Ishaq Director PIO (BS-19) Output-II, Pehur High Level Canal Extension Project (PHLCE) Swabi (on deputation basis) against the vacant post of Regional Director (BS-19) Malakand (North Region), Khyber Pakhtunkhwa, Irrigated Agriculture Improvement Project under the wedlock policy, with immediate effect in the public interest: -

Sd/-XX
SECRETARY AGRICULTURE

Endst. of even No. & Date.

Copy forwarded for information and necessary action to the: -

1. The Director General, On Farm Water Management, Khyber Pakhtunkhwa, Peshawar.
2. The Project Director, Pehur High Level Canal Extension Project, Swat.
3. The Examiner, Peshawar High Court Bench, Minogra Dar-UI-Qaza, Swat.
4. Officer Concerned.
5. P.S to Minister for Agriculture, Livestock, Fisheries & Cooperatives Department, Khyber Pakhtunkhwa, Peshawar.
6. P.S to Secretary Agriculture, Livestock, Fisheries & Cooperatives Department, Khyber Pakhtunkhwa, Peshawar.
7. P.A to Deputy Secretary (Admin.), Agriculture, Livestock, Fisheries & Cooperatives Department, Khyber Pakhtunkhwa, Peshawar.
8. Master file.

SECTION OFFICER ESTT:
AGRICULTURE DEPARTMENT

Attested

Deputy Director
(Admin: & Accounts)
Director General OFWM,
Khyber Pakhtunkhwa Peshawar

AC (ESTT)
4



GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE DEPARTMENT

(16)

No. SOE(AD)PF/M.ishaq/OFWM/348
Dated Peshawar, the 15th December, 2023

To

The Director General,
On Farm Water Management,
Khyber Pakhtunkhwa Peshawar.

SUBJECT: PAYMENT OF PENSION CONTRIBUTION.

pg = 179

I am directed to refer your letter No.2398DG/OFWM dated 21/11/2023 on the subject cited above and to enclose herewith a copy of Section Officer (SR-II), Finance Department letter No.SOSR-II/FD/1-9/2021/Muhammad Ishaq dated 11.12.2023 (which is self explanatory) for information and further necessary action.

Encl. As Above:


15.12.2023
(SYED SARDAR BADSHAH)
SECTION OFFICER (E-II)

Endst. No. & Date Even.

Copy Forwarded to the:

1. Section Officer (SR-II), Finance Department w/r to his letter quoted above.
2. P.S to Secretary Agriculture Department Khyber Pakhtunkhwa, Peshawar.
3. P.A to Deputy Secretary Agriculture Department Khyber Pakhtunkhwa, Peshawar.
4. Master File.

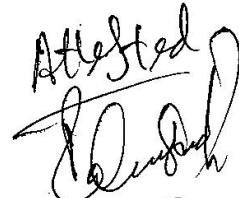
Diary No. 682
Dated 18/12/23
O/o Director General OFWM,
Khyber Pakhtunkhwa, Peshawar.


15.12.2023
SECTION OFFICER (E-II)

DD (Badshah)

AOR
E. APOSTLE


18/12/23

Attested

Deputy Director
(Admin. & Accounts)
Director General OFWM,
Khyber Pakhtunkhwa Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

(17)

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

NO.SOSR-II/FD/1-9/2021/Muhammad Ishaq Dated Peshawar the 11.12.2023

To
The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture Department

Subject:- PAYMENT OF PENSION CONTRIBUTION.

Dear Sir,

I am directed to refer to your letter No.SOE(AD)PF/M/Ishaq/OFWM/277 dated 03.11.2023 on the subject noted above and state that the as the project was fully foreign funded with zero share of the Provincial Government. Therefore, pension contribution will be paid by the foreign employer or the government servant concerned as per Finance Department letter dated 12.04.1982 (copy enclosed).

Encl: As above

Yours faithfully,

(Signature)
11/12/23
(IHSAN ULLAH)
SECTION OFFICER (SR.II)
Phone #:091-9211564

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13/12
DS(A)/SO (E-11)
24/12
18/12
AS(A)

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Secretary Agriculture
Diary No. 516
Date 14/12/23

S.O (E-11)
Diary No. 516
Date 14/12/23
Agriculture Dept

Put up please

(Signature)
14/12

10/12/23

(Signature)

Deputy Director
(Admin. & Accounts)
Director General CFWA,
Khyber Pakhtunkhwa Peshawar

F/A

(18)

No.SOSR-III (FD) 4-112/73
GOVERNMENT OF NWFP

FINANCE DEPARTMENT

Dated Peshawar the 12th April 1982

To

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

SUBJECT: RECOVERY OF LEAVE SALARY AND PENSION CONTRIBUTION.

Sir,

I am directed to refer to FR-116 in accordance with which the rate of contribution payable on account of pension and leave salary shall be such as may be prescribed by the General orders. The existing rates are contained in appendix 11-A of Fundamental Rules and the Supplementary Rules Vol.II. The question regarding revision of rates and mode of recovery etc. of leave salary and pension contribution has been engaging the attention of the Government for some time past. It has now been decided to prescribe a uniform rate of recovery of pension contributions at 33-1/3 % of the mean of minimum and maximum of the pay scale of the grade held by the Government servant concerned at the time of his proceeding on foreign service, plus other emoluments (reckonable for pension) which would have been admissible to him had he not been deputed on foreign service. The above-prescribed rate of pension contributions shall apply to all the Provincial Government employees whether on deputation to foreign service within Pakistan or abroad.

2. In future, the pension contribution in all cases shall be payable by the foreign employees, however, in the case of Government servants presently on deputation to foreign service within Pakistan or abroad, pension contributions shall be paid by the foreign employer or the Government servants concerned, as the case may be according to the agreed terms of deputation.

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Attested
[Signature]

3. AS regards leave salary contribution, it has been decided that the leave (19) contributions shall be recovered from the foreign employers but leave/leave salary shall be sanctioned/paid during the period of foreign service by the foreign employers. The Provincial Government employees sent on deputation to foreign service who, under the revised procedure, are granted leave and paid leave salary by the foreign employers, shall not count the period spent on foreign service for earning leave under the Government of NWFP.

4. These orders shall come into force with effect from 1.1.1982.

Your obedient servant,

(MUHAMMAD AMIN)
ADDITIONAL SECRETARY-I

No.SOSR-III(FD)4-112/73

Dated Peshawar, the 12th April 1982.

A copy is forwarded for information to:-

1. The Accountant General, NWFP, Peshawar.
2. All District and Agency Accounts Officers in NWFP.
3. The Treasury Officer, Peshawar.
4. All Autonomous and Semi-Autonomous Bodies in NWFP.
5. The Director, Local Fund Audit, NWFP.

(MUHAMMAD KHAN)
SECTION OFFICER (SR.III)

No.SOSR-III(FD)4-112/73

Dated Peshawar, the 12th April 1982.

A copy is forwarded for information to:-

1. PS to Secretary and P.A to Additional Secretary/Deputy Secretaries in Finance Department.
2. All Section Officers/Budget Officers in Finance Department.

(MUHAMMAD KHAN)
SECTION OFFICER (SR.III)

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Attest
[Signature]
Deputy Secretary
Finance Department
Peshawar

A



**DIRECTORATE GENERAL
ON FARM WATER MANAGEMENT
KHYBER PAKHTUNKHWA, PESHAWAR**

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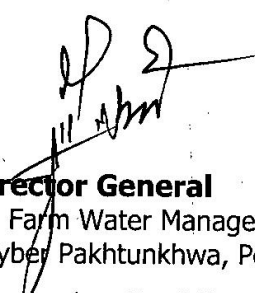


No. 759 /DG/OFWM dated Peshawar the, 27 / 5 /2024

AUTHORITY

Mr. Rahat Shah Deputy Director (Admn) of this Directorate General is hereby authorized to submit / file the para wise comments on behalf of respondents in service appeal No. 2512-P/2023 titled "Muhammad Ishaq Vs Govt. of Khyber Pakhtunkhwa & Others in honourable Khyber Pakhtunkhwa Service Tribunal.

The above named officer is also authorized to attend the honorable Tribunal on each date of hearing and brief Additional Advocate General Service Tribunal regarding facts of the case on behalf of respondents and submit the order/ decision, if any, for further necessary action.


Director General
On Farm Water Management
Khyber Pakhtunkhwa, Peshawar
(Respondent No. 02)