

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

C.M NO. /2024

IN

SERVICE APPEAL .NO.617/2024

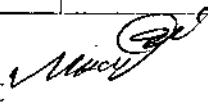
Manzoor Hussain Private Secretary (BPS17) Advocate General's Office
Khyber Pakhtunkhwa, Peshawar. **Appellant**

VERSUS

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


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Appellant 

Through

Dated 04-09-2024


[Hamad Hussain]

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

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

C.M NO. /2024

IN

SERVICE APPEAL .NO.617/2024

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 15401

Dated 04.09.24

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

VERSUS

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

**APPLICATION FOR PLACE ON FILE ADDITIONAL DOCUMENTS IN
THE ABOVE CAPTIONED SERVICE APPEAL NO. 617/2024 TITLED
MANZOOR HUSSAIN VS CHIEF SECRETARY KHYBER
PAKHTUNKHWA AND OTHERS**


RESPECTFULLY SHEWETH:-

The appellant humbly submits as under:-

1. That captioned Service Appeal is pending adjudication before this Honorable Tribunal which is fixed for hearing in **DB on 05-09-2024**.
2. That the appellant wants to place on file certain important Additional Documents as part and parcel of the captioned Service Appeal.
3. That earlier (c) Finance Department Government of Khyber Pakhtunkhwa extended 30% Special / Secretariat Allowance to the employees of Civil Secretariat Govt. of Khyber Pakhtunkhwa and later on Finance Department enhanced the said allowance from 30% to 50% to the employees of Civil Secretariat Khyber Pakhtunkhwa vide Finance Department Notification No. FD (SOR-III) 8-7/2019 dated 27-11-2019 and redesignate the same as "Secretariat Performance Allowance" **(copy of attached as Annexure-A)**.

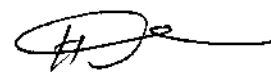
4. That similarly during the year of 2023 Finance Department Government of Khyber Pakhtunkhwa once again enhanced Special Secretariat Performance Allowance from 50% to 100% to the employees of Civil Secretariat Government of Khyber Pakhtunkhwa vide Finance Department Notification No. FD (SOR-IV) 4-1/2023/2019 dated 11-07-2023 **(copy attached as Annexure-B)**..
5. That beside that Finance Department Government of Khyber again granted Utility Allowance at fixed rates to the employees of Civil Secretariat Government of Khyber Pakhtunkhwa (from BPS-03 to BPS-18) vide Notification No. FD (SOR-IV) 3-21/2024 Utility Allowance /2023/2019 dated 23-07-2024 **(copy attached as Annexure-C)**.
6. That a part from Provincial Govt, of Khyber Pakhtunkhwa Finance Department Notifications regarding Secretariat Allowances etc the Government of Pakistan has also allowed Special judicial Allowance at the rate of equal to 1.5 times of monthly Basic Pay to the employees of Attorney General office Karachi, Haiderabad and Lahore vide official letter No. AGPR/SOL/TM/CD/142 dated 09-07-2024 by Accountant Pakistan Revenue Sub office Lahore in compliance of judgment of Lahore High Court in WP 12181/2024 order dated 23-02-2024 **(copy attached as Annexure-D)**.
7. That is just, fair and in the large interest of justice to place the additional documents as part and parcel of the captioned Service Appeal.

Therefore, it is, most humbly prayed that on acceptance of the instant C.M/ Application, the additional documents may kindly be placed on record as part and parcel of the captioned Service Appeal in the best interest of justice.

Appellant 

Through

Dated 04-09-2024



[Hamad Hussain]
Advocate High Court, Peshawar.
Mobile No. 0312-0952763

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

C.M NO. /2024

IN

SERVICE APPEAL NO.617/2024

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

VERSUS


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

AFFIDIVATE

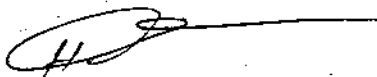
I Manzoor Hussain, Private Secretary (BPS-17) Office of Advocate General, Khyber Pakhtunkhwa Peshawar, do hereby solemnly affirm and declare that the contents of the accompanying C.M/Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable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



DEPONENT


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

Identified By


Hamad Hussain
Advocate High Court
Peshawar

(4)

Ammed - A



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Dated Peshawar: the 27/11/2019

NOTIFICATION

No.FD(SOSR-II)8-7/2019. In partial modification of this department letter No.FD/SO (SR-II)8-7/2011 dated 27.04.2011, the Government of Khyber Pakhtunkhwa has been pleased to extend the Special / Secretariat Allowance from 30% to 50% w.e.f 01.07.2020 or earlier in case sufficient resources are available with Finance Department and to redesignate the same as 'Secretariat Performance Allowance'. 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

Secretary to Govt of Khyber Pakhtunkhwa
Finance Department

Endst: No. & Date Even.

Copy is forwarded for information and necessary action to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. All Administrative Secretaries, Khyber Pakhtunkhwa.
5. Director, FMU, Finance Department, Khyber Pakhtunkhwa.
6. PSO to Chief Secretary, Khyber Pakhtunkhwa.
7. PS to Minister Finance, Khyber Pakhtunkhwa.
8. PS to Secretary, Finance Department, Khyber Pakhtunkhwa.
9. PS to Special Secretary, Finance Department, Khyber Pakhtunkhwa.
10. PA to Additional Secretary (Regulation), Finance Department.

A.H. Saeed
W. M. M.
PRIVATE SECRETARY
Advocate General's Office
Khyber Pakhtunkhwa Peshawar

B. M. M.
SECTION OFFICER (SR-II)
FINANCE DEPARTMENT

(4)

ANNEX - A

BETTER COPY



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

Dated Peshawar the 27/11/2019

NOTIFICATION

No. FD (SOR-III) 8-7/2019. In partial modification of this department letter No. FD/SO(SR-II)8-7/2011 dated 27-04-2011, the Government of Khyber Pakhtunkhwa has been pleased to extend the Special /Secretariat Allowance from 30% to 50% w.e.f 01-07-2020 or earlier in case sufficient resources are available with Finance Department and to redesignate the same as "Secretariat Performance Allowance". 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.

.....Sd.....

**Secretary to Government of Khyber Pakhtunkhwa
Finance Department**

Endst. No. & date even.

Copy is forwarded for information and necessary action to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Principal Secretary to Governor, Khyber Pakhtunkhwa.
4. All Administrative Secretaries, Khyber Pakhtunkhwa.
5. Director FMIU, Finance Department Khyber Pakhtunkhwa.
6. PSO to Chief Secretary, Khyber Pakhtunkhwa.
7. PS to Minister Finance, Khyber Pakhtunkhwa.
8. PS to Secretary Finance Department Khyber Pakhtunkhwa..
9. PS to Special Secretary Finance Department Khyber Pakhtunkhwa.
10. PA to Additional Secretary (Regulation) Finance Department Khyber Pakhtunkhwa.

Attested
[Signature]

**PRIVATE SECRETARY
Advocate General's Office
Khyber Pakhtunkhwa-Peshawar**

.....Sd.....

**SECTION OFFICER (SR-II)
FINANCE DEPARTMENT**



**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
PRIVATE SECRETARY
Advocate General's Office
Khyber Pakhtunkhwa Peshawar

(YAR MUHAMMAD)
Section Officer (SR-IV)

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Annex-c



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

Peshawar, Dated the 27.07.2021

NOTIFICATION:

No.SO(SR-II)/FD/2-5/2021/Judicial Allow In light of Peshawar High Court, Peshawar Order dated.18.03.2021 passed in COC No146-P/2019 in W.P No. 19/2010 the Competent Authority has been pleased to approve the enhancement of the rates and ceiling of Judicial Allowance to the staff of Sub-Ordinate judiciary in Khyber Pakhtunkhwa w.e.f 01.08.2021 with no arrears as per the rates noted against each.

S.No	Judicial Allowance	Existing Rates	Revised Rates
1	From BPS-1 to BPS-6	Rs.2,800/-	Rs.6,000/-
2	From BPS-7 to BPS-16	Rs.4,200/-	Rs.9,000/-
3	BPS-17	Rs.4,200/-	Rs.15,000/-

2. The above allowance shall be admissible subject to the following condition: -
- 1) Will be admissible only during their period of posting against the sanctioned posts at subordinate courts.
 - 2) Will be admissible only during leave except extra-ordinary leave.
 - 3) Shall not be treated as part of emoluments for the purpose of calculation of pension and recovery of House Rent etc.
 - 4) Shall not be admissible to the employees posted/deputed outside subordinate courts.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA,
FINANCE DEPARTMENT

Endst: of Even No. & date Even:

Copy is forwarded for information and necessary action to the: -

1. Secretary to Govt. of Khyber Pakhtunkhwa Law & Parliamentary Affairs Department.
2. Registrar, Peshawar High Court, Peshawar.
3. Accountant General of Khyber Pakhtunkhwa, Peshawar.
4. All District and Session Judges in Khyber Pakhtunkhwa.
5. Director Treasuries & Accounts of Khyber Pakhtunkhwa.
6. All District Comptroller of Accounts in Khyber Pakhtunkhwa.
7. Director, FMU Finance Department.
8. All District Accounts Officer in Khyber Pakhtunkhwa.
9. Budget Officer-II, Finance Department.
10. PS to Secretary Finance Department.
11. PA to Additional Secretary (Regulation), Finance Department.

Attended
PRIVATE SECRETARY
Advocate General's Office
Khyber Pakhtunkhwa Peshawar

(MUIHAMMAD ILYAS KHATTAK)
SECTION OFFICER (SR-II)

(7)

AMMEX-D



ACCOUNTANT GENERAL PAKISTAN REVENUES

SUB OFFICE, LAHORE

8th Floor, A.G Office Complex, 1-Turner Road, Lahore

No. AGPR/SOL/TM/CD/142

PR-II

Dated: 09.07.2024

To

The District Accounts Officer,
Multan.

[Handwritten signature]
20/7/24

Subject: GRANT OF SPECIAL JUDICIAL ALLOWANCE AT THE RATE OF EQUAL TO 1.5 TIMES OF MONTHLY BASIC PAY ON THE ANALOGY OF ATIR LAHORE AND OTHER FEDERAL COURTS IN MULTAN

701
Date: 20/7/24
PR-II

Kindly refer to your office letter no. DAO/MN/PAYROLL-II/HM/112 dated 01.07.2024 on the above subject.

It is stated that employees of Attorney General office Lahore filed the Writ Petition No12181/2024 order dated 23.02.2024 before Lahore High Court Lahore in which honorable court directed to this office to decide the matter.

The employees of Attorney General Karachi, Hyderabad already drawing the said allowance. After perusal of pay slips and other records the DGPR Lahore has allowed on provisionally, the Special Judicial Allowance to the employees of Attorney General Lahore office on the analogy of similar placed employees and rule of consistency subject to final outcome of the CPLA filed before the apex court.

In view of the above narrated position this office is of the view that the subject allowance may be allowed to the employees of the Attorney General office Multan on provisional basis on the rule of consistency. However, undertaking on judicial stamp paper may be taken from the beneficiaries for refund of Special judicial allowance if CPLA filled before the apex court are passed in favor of the Govt. of Pakistan

[Handwritten signature]
PRIVATE SECRETARY
Advocate General's Office
Khyber Pakhtunkhwa Peshawar

[Handwritten signature]
09/7/24
Accounts Officer/TM