

BEFORE THE HON'BLE PESHAWAR HIGH COURT, PESHAWAR

Service Appeal No. 274/2020

MR. Qaiser Khan.....(Appellant)

VERSUS

Government of KP, through Chief Secretary & Others..... (Respondents)

INDEX

Sr. No.	Description	Annex	Page
1	Application	-	2
2	Affidavit	-	3
3.	Authority Letter	-	4
4.	1 st Departmental appeal dated 02-09-2013	I	5-6
5.	Reply of the appeal dated 12-09-2013	II	7
6.	2 nd Departmental appeal dated 20-10-2017	III	8-9
7.	Correspondents between Establishment & Finance Department dated 14-11-2017 to 20-08-2019	IV	10-20
8.	3 rd Departmental appeal dated 08-11-2019	V	21
9.	Reply of 3 rd departmental appeal dated 18-11-2019	VI	22

DEPONENT

**CNIC No. 17301-6272682-3
Contact No. 0315-5737137**

Dated 20-09-2024

2

BEFORE THE CHAIRMAN KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Service Appeal No. 274/2020

MR. Qaiser Khan.....(Appellant)

VERSUS

Khyber Pakhtunkhwa
Service Tribunal

Dinay No. 15879

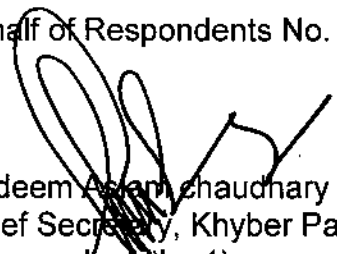
Government of KP, through Chief Secretary & Others..... Dated 20-9-24 (Respondents)

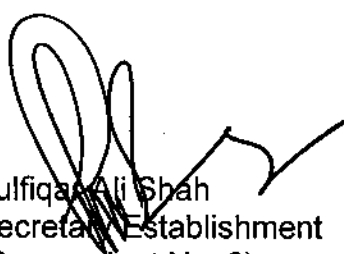
Application/Request for submission of Additional Documents on behalf of Respondents No. 1 & 2.

Respectfully Sheweth.


1. That the subject Service Appeal has been pending before the Khyber Pakhtunkhwa Service Tribunal, Peshawar, whereas the next date of hearing is fixed on 20-09-2024.
2. That on the last date of hearing in the Hon'ble Court on 19-09-2024, the Hon'ble Court has directed for submission of additional relevant record in the instant Service Appeal, which are as under:
 - i. First Departmental Appeal of the Appellant dated 02-09-2013 as (Annex-I).
 - ii. Reply of the department dated 12-09-2013 as (Annex-II), wherein the department directed to the appellant to provide: (1) Appointment Order of Junior Clerk in PDA (2) Appointment Order of Stenographer in PDA (3) Original Service Book of the previous service in PDA (4) Last Pay Certificate issued on relieving from PDA, but the appellant failed to provide the record.
 - iii. Second Departmental Appeal dated 20-10-2017 of the Appellant as (Annex-III), which was processed between the Establishment & Finance Departments for the period from 14-11-2017 to 20-08-2019 as (Annex-IV). The case was under process in the department, and then the appellant submitted the third departmental appeal dated 08-11-2019 as (Annex-V), which was regretted by the respondents dated 18-11-2019 as (Annex-Vi).

In view of the above mentioned facts, it is most humbly prayed that Khyber Pakhtunkhwa Service Tribunal, Peshawar may accept the Additional Documents on behalf of Respondents No. 1 & 2 please.


Nadeem Aslam Chaudhary
Chief Secretary, Khyber Pakhtunkhwa
(Respondent No. 1)
Through
Ahmad Zeb
Special Secretary Establishment


Zulfikar Ali Shah
Secretary Establishment
(Respondent No. 2)
Through
Ahmad Zeb
Special Secretary Establishment

Through


Additional Advocate General,
Khyber Pakhtunkhwa
Service Tribunal, Peshawar.

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

Service Appeal No. 274/2020

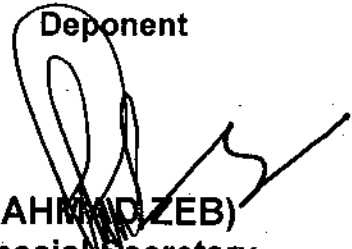
MR. Qaiser Khan.....(Appellant)

VERSUS

Government of KP, through Chief Secretary & Others..... (Respondents)

AFFIDAVIT

I, Ahmad Zeb, Special Secretary, Establishment Department, do hereby solemnly declare that contents of the parawise comments are true and correct to the best of my knowledge and record and nothing has been concealed from this Hon'ble Court.

Deponent

(AHMAD ZEB)
Special Secretary
Establishment Department

Identified By

**Advocate General,
Khyber Pakhtunkhwa,
Peshawar.**



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT

AUTHORITY LETTER

Mr. Riaz Khan, Superintendent Litigation-III, Govt. of Khyber Pakhtunkhwa, Establishment Department is hereby authorized to submit Additional Documents in the Hon'ble Service Tribunal, Peshawar in "Service Appeal NO. 274/2020 Title Qaiser Khan VS Govt. of Khyber Pakhtunkhwa & others" on behalf of respondent No.1 & 2.

Nadeem Aslam Chaudhary
Chief Secretary, Khyber Pakhtunkhwa
(Respondent No. 1)
Through
Ahmad Zeb
Special Secretary Establishment
Establishment

Zulfiqar Ali Shah
Secretary Establishment
(Respondent No. 2)
Through
Ahmad Zeb
Special Secretary

Annex 1
501

Date: 255
Date: 07-09-13

Date: 62724
Date: 04-09-13

761 (61)

Special Secretary (Estab)
Khyber Pakhtunkhwa
4582/we
07/9/13

Adtl. Secretary (Estab)
Establishment & Admn. Dept.
Diary No: 812 (W-12)
Dated: 05/9

Deputy Secretary (Estab)
Establishment Department
574
06/9/13

To
The Secretary to Govt of Khyber Pakhtunkhwa,
Establishment Department,
Peshawar.

Subject: Fixation/Pay Protection on Appointment from one Post to Another.

Respected Sir:

I have the honour to state that I am working as Personal Assistant (BPS-16) in F&A Department. I had served Peshawar Development Authority as Stenographer w.e.f. 12.1.1982 to 1.2.1988 (Flag-A).

Later on, I joined F&A Department through proper channel as Jr Scale Stenographer (BPS-12) vide No.SOS-IV(S&AD)3(358)/87, dated 5th Jan 1988 (Flag-B).

The Finance Department has issued a letter vide No.FD(SR-I)12-1/2011, dated 4th June 2011 (Flag-C) and has allowed pay protection to those employees who have rendered their services in any autonomous bodies/organization which have adopted scheme of basic pay scale in to to provided they have applied for the post through proper channel.

In view of FD letter mentioned above, It is humbly request that my pay may be re-fixed and arrears may also be allowed, please.

04-9-13

Attached
Superintendent
Govt. of KP
Estab: Deptt:

Yours Obediently,
Kaiser Khan
2/9/13
Advisor to Chief Minister
E&A Department

SCE
ASE
5/9/13
RHS
6/9/13
2nd/9/13

6

TO BE SUBSTITUTED FOR THE SAME NUMBER AND DATE



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

NO. FD (SR-1) 12-1/2011
Dated Peshawar the: 4th June, 2011

TO:

1. All Administrative Secretaries to Govt: of Khyber Pakhtunkhwa.
2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
3. The Secretary to Governor, Khyber Pakhtunkhwa
4. The Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
6. The Secretary Finance FATA, FATA Secretariat, Peshawar.
7. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
9. All District Coordination Officers in Khyber Pakhtunkhwa.
10. All Political Agents / District & Sessions Judges in Khyber Pakhtunkhwa
11. The Registrar, Peshawar High Court, Peshawar.
12. The Chairman, Public Service Commission, Khyber Pakhtunkhwa.
13. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.

Subject: **FIXATION / PROTECTION OF PAY ON APPOINTMENT FROM ONE POST TO ANOTHER.**

Dear Sir,

I am directed to refer to the Government of Pakistan, Finance Division, Islamabad letter No.FNo.4(2)R-II/1996-235/2010, dated 08-06-2010 and Judgment dated 01-08-2009 of Federal Service Tribunal, Islamabad in appeal No.1921(R) CS/2005 in respect of *Mr. Sajjad Rashid* and others on the subject noted above and to state that in pursuance of the above quoted letter, the Government of Khyber Pakhtunkhwa has decided that **henceforth the benefit of protection of pay to the employees of autonomous bodies on their subsequent appointment in Government Service is not admissible as the employees of autonomous bodies are not civil servants within the meaning of Civil Servant Act 1973. However, the benefit of pay protection will be admissible to employees of such autonomous organizations who have adopted scheme of basic pay scales in to-to on their appointment in government offices, provided they have applied for the post through proper channel.**

Attested
Superintendent
Govt. of K. PK
Estab: Deptt:

Yours Faithfully,

sd
(MASOOD KHAN)
Deputy Secretary (Reg-II)

Endst:of even No. & date.

Copy forwarded for information to:

1. All the Heads of Autonomous / Semi Autonomous Bodies of Khyber Pakhtunkhwa.
2. Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
3. Director, Treasuries and Accounts, Khyber Pakhtunkhwa, Peshawar.
4. All District Comptrollers of Accounts, Senior District Accounts Officers and District/Agency Accounts Officer in Khyber Pakhtunkhwa / FATA.
5. Director, FMIU, Finance Department
6. PS to Minister Finance, Khyber Pakhtunkhwa.
7. P.S to Secretary Finance.
8. PA to Spl: Secretary Finance.

sd
(SHAUKAT ULLAH)
Section Officer (SF-I)



GOVERNMENT OF KHYBER PAKHTUNKHWA *Amex-II*
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

No. SOE.IV (E&AD) 8(188)/2011
Dated Peshawar, the 12.09.2013

To

Mr. Qaiser Khan,
PA to Advisor to Chief Minister / *Haji Abdul Haq*
Establishment & Administration Department.

Subject:- FIXATION / PAY PROTECTION ON APPOINTMENT FROM ONE POST TO ANOTHER

I am directed to refer to the subject noted above and to state that to provide the following documents for further processing the case:-

- i) Appointment order of Junior Clerk in PDA.
- ii) Appointment order of Stenographer in PDA.
- iii) Original Service Book of your previous Service in PDA.
- iv) Last pay certificate issued on relieving from PDA.

[Signature]
Superintendent
Govt. of K.P.K.
Estab. Deptt.

[Signature] 12/09
(AKHTAR NAWAZ)
SECTION OFFICER (E-IV)

[Signature]
16.9.13

1235

23/10/17

Annex-III

Dated 20.10.2017

To

The Secretary to Government of Khyber Pakhtunkhwa,
Establishment Department.

Po / Secy (E & AD)
Diary No. 903 w/e
Gated 20/10/2017

Subject:

FIXATION/PAY PROTECTION ON APPOINTMENT FROM ONE
POST TO ANOTHER

Dear Sir,

I have the honor to state that I am working as Private Secretary in Administration Department. I had served in Peshawar Development Authority as Stenographer w.e.f 12th January, 1982 to 02nd February, 1988.

2. Later on, I joined S&GA Department as Junior Scale Stenographer vide Order No. SOSIV(S&GAD)3(358)/87 dated 05.01.1988. But my service of Peshawar Development Authority was not considered for the purpose of pay protection.

3. In this connection it is very pertinent to mention here that Finance Department Khyber Pakhtunkhwa has issued a letter vide No. FD(SR-I)12-1/2011, dated 04.06.2011 (Copy enclosed) where under pay protection is permissible those employees who have rendered their services in any autonomous bodies/organization which have adhered scheme of basic pay scale in to-to provided they have applied for the post through proper channel. It is quite obvious that my case is equally covered under the same letter of Finance Department referred above.

4. It is humbly requested that my pay may please be refixed in light of Finance Department's letter referred to above as the pay scale the same and the undersigned had applied through proper channel and arrears may also be allowed accordingly.

Yours faithfully

(Signature)
(KAISER KHAN)
Private Secretary to
Secretary Administration

Secy Estt:

Superintendent
Govt. of K.P.K
Estab. Deptt.

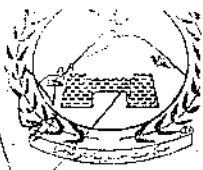
Supdt
Ad. Secy
23/10/17

Altogether
15/11

20/10/2017
SFE

4/23/17

Diary No. 157
Dated: 25-10-17



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

9/78

11310
7/6/11

NO. FD (SR-1) 12-1/2011
Dated Peshawar the: 4th June, 2011

1. Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
2. The Senior Member, Board of Revenue, Khyber Pakhtunkhwa.
3. The Secretary to Governor, Khyber Pakhtunkhwa.
4. The Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa.
6. The Secretary Finance FATA, FATA Secretariat, Peshawar.
7. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
8. All Heads of Attached Departments in Khyber Pakhtunkhwa.
9. All District Coordination Officers in Khyber Pakhtunkhwa.
10. All Political Agents / District & Sessions Judges in Khyber Pakhtunkhwa.
11. The Registrar, Peshawar High Court, Peshawar.
12. The Chairman, Public Service Commission, Khyber Pakhtunkhwa.
13. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.

Subject: FIXATION / PROTECTION OF PAY ON APPOINTMENT FROM ONE POST TO ANOTHER.

Dear Sir,

I am directed to refer to the Government of Pakistan, Finance Division, Islamabad letter No. No.4(2)R-II/1996-235/2010, dated 03-06-2010 and Judgment dated 01-08-2009 of Federal Service Tribunal, Islamabad in appeal No.1921(R) CS/2005 in respect of *Mr. Sajjad Rashid* and others on the subject noted above and to state that in pursuance of the above quoted letter, the Government of Khyber Pakhtunkhwa has decided that the **benefit of protection of pay to the employees of autonomous bodies on their subsequent appointment in Government Service is not admissible as the employees of autonomous bodies are not civil servants within the meaning of Civil Servant Act 1973.** However, the benefit of pay protection will be admissible to employees of such autonomous organizations who have adopted scheme of basic pay scales in to-to on their appointment in government offices, provided they have applied for the post through proper channel.

(MASOOD KHAN)
Deputy Secretary (Reg-II)

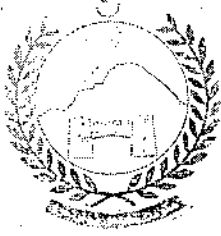
Ends: of even No. & date.

Copy forwarded for information to:

1. All the Heads of Autonomous / Semi Autonomous Bodies of Khyber Pakhtunkhwa.
2. Director, Local Fund Audit, Khyber Pakhtunkhwa, Peshawar.
3. Director, Treasuries and Accounts, Khyber Pakhtunkhwa, Peshawar.
4. All District Comptrollers of Accounts, Senior District Accounts Officers and District/Agency Accounts Officer in Khyber Pakhtunkhwa / FATA.
5. Director (CIP) Finance Department.
6. PS to Minister Finance, Khyber Pakhtunkhwa.
7. P.S to Secretary Finance.
8. PA to Sr. Secretary Finance.

Attached
Superintendent
Govt. of KPK
Estab: Deptt:

Annex-IV



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

No.SOE-IV (E&AD) 11(214)/2017.
Dated Peshawar the 14.11.2017.

Recd
15/11/17

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

Subject: FIXATION/ PAY PROTECTION ON APPOINTMENT FROM ONE POST TO ANOTHER.

Dear Sir,

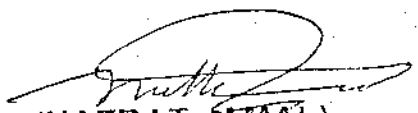
I am directed to refer to the subject noted above and to state that Mr. Qaisar Khan, Private Secretary (BS-17), E&A Department has requested that before joining Civil Secretariat, he had served in PDA as Stenographer w.e.f. 12.01.1982 to 02.02.1988, but the benefits of pay protection for the service rendered in PDA was not granted to him in Civil Secretariat, which may please be granted.

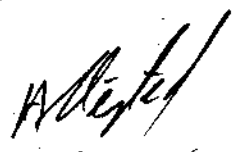

2. It is pertinent to mention that the above officer had applied to the post of Stenographer in Civil Secretariat through proper channel and was duly relieved to join his new assignment (copies enclosed).

3. It is therefore, requested to kindly advice as to whether, the case of Mr. Qaisar Khan, Private Secretary (BS-17) is covered under the Finance Department's instructions dated 04.06.2011 or otherwise.

Yours faithfully,

Encls. as above


(HAZRAT JAMAL)
SECTION OFFICER (E.IV)



Superintendent
Govt. of KPK
Estab: Deptt:



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

NO. FD (SOSR-1) 12-5/ 2017
Dated Peshawar the: 28-11-2017

To:

The Section Officer (E-IV),
Establishment Department,
Peshawar.

Subject: - FIXATION / PAY PROTECTION ON APOINTMENT FROM ONE
POST TO ANOTHER

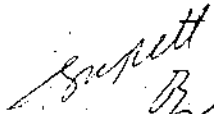
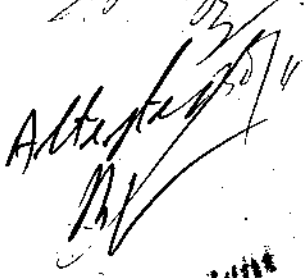
I am directed to refer to your letter No.SOE-IV(E&AD)11(214)/2017 dated 14-11-2017 on the subject noted above and to state that the officer concerned had appointed to the post of Junior Scale Stenographer (BPS-12) in the year 1999 prior to the issuance / effectiveness of this Department's policy letter No.FD (SR-1) 12-1/2011 dated 4th June, 2011, hence, the officer concerned is not entitled to the pay protection under the said policy, please.


(BARKAT KHAN)
SECTION OFFICER (SR-1)

End. No. & Date Even

Copy of the above is forwarded for information to PA to Addl:
Secretary (Regulation) Finance Department, Peshawar.

SECTION OFFICER(SR-1)



Superintendent
Govt. of P.K.
Estab: Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

NO. SOE-IV (E&AD) 11 (214)/2014.
Dated Peshawar, the 26.12.2017.

To

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

Subject

FIXATION/ PAY PROTECTION ON APPOINTMENT FROM ONE
POST TO ANOTHER.

Dear Sir,

I am directed to refer to your letter No. FD (SOSR-I)12-5/2017 dated 28.11.2017 on the subject noted above and to enclose herewith a copy of Law Department letter No. SO(OP-I)/LD/5-1/2012/Vol-III/27362-63 dated 10.12.2015 along with judgment of Supreme Court of Pakistan and Peshawar High Court, Peshawar with the request to re-examine the case of Mr. Qaiser Khan, Private Secretary (BS-17), Administration Department in light of the above mentioned letter of Law Department and judgment of both the courts.

Encl: as above.

*Attested
M2*

Superintendent
Govt. of KPK
Estab: Deptt:

Yours Faithfully,

(Signature)
(HAZRAT JAMAL)
SECTION OFFICER (E.IV)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

13

NO. FD (SOSR-1) 12-5/ 2017
Dated Peshawar the: 30-01-2018

To: The Section Officer (E.IV),
Establishment Department,
Peshawar.

Subject: - FIXATION / PAY PROTECTION APPOINTMENT FROM ONE
POST TO ANOTHER

I am directed to refer to your letter No.SOE-IV(E&AD) 11(214)/2014
dated 26-12-2017 on the subject noted above.

2. Enclosed please find herewith a copy of letter No.SO(OP-II)/LD/5-
7/2012-VOL-III/2221-22 dated 16-01-2018 received from Law Department which
is self-explanatory.

Encl: (As above)

(BARKAT KHAN)
SECTION OFFICER(SR-1)

Copy of the above is forwarded for information to PA to Addl:
Secretary (Regulation), Finance Department, Peshawar.

SECTION OFFICER (SR-1)

Superintendent
Govt. of KPK
Estab: Deptt:



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

No. 50(OP-II)/LD/5-7/2012-VOL-III/229/22
DATED: PESHAWAR THE 16 JAN, 2018.

To

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

Attention: Section Officer (SR-I)

Subject: FIXATION/ PAY PROTECTION APPOINTMENT FROM ONE
POST TO ANOTHER

Dear Sir, *P-15/c*

I am directed to refer to your Department's letter No.FD(SOSR-1)12-5/2017 dated 09.1.2018 on the subject noted above and to state that pay protection to the employees of autonomous body, who adopted scheme of basic pay scale and the employees applied through proper channel on the subsequent appointment in Govt. service is/was made admissible to such employees vide Finance Deptt: circular No.FD(SR-1)12-1/2011 dated 04-06-2011.

2. Hence, Finance Deptt: may examine that whether the said circular has the force of law or rules because in the quoted opinion of Law Deptt: and Judgement of the High Court passed in W.P. No. 881/2008, the benefit of deceased son's quota was granted through Rule-10(4) of the Appointment, Promotion & Transfer Rules, 1989 which has the force of law and Rule.

Yours Faithfully,

Section Officer (Opinion-II)

Endst: of even No. & date.

A copy is forwarded to P.S to Secretary Law Department.

Att. Secy
12/1
Superintendent
Govt. of K.P.K
Estab: Deptt:

18/1/18
Secretary Finance
Khyber Pakhtunkhwa
Dairy No. 1541
Date 17/1/18

Section Officer (Opinion-II)

APB
SOSR-I

Dairy No. 1305
Date 18-1-18
Addl. Secretary Finance (Reg.)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(ESTABLISHMENT WING)

No. SOE.IV (E&AD)11(214)2014
Dated Peshawar, the 21.02.2018

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

Subject: FIXATION / PAY PROTECTION APPOINTMENT FROM ONE
POST TO ANOTHER.

Dear Sir,

I am directed to refer to your letter No. FD (SOSR-1) 12-5 / 2017 dated: 30.01.2018 on the subject noted above and to state that Law Department vide letter No. SO(OP-II)/LD/5-7/2012-VOL-III/2221-22 dated: 16.01.2018 has referred the case back to Finance Department to examine whether the circular dated: 04.06.2011 has the force of law / rules because in the quoted opinion of the Law Department and judgment of the Higher Court passed in W.P No. 881/2008 the benefit of deceased Son's quota was granted through Rule-10(4) of the (APT) Rules, 1987, which has the force of Law and Rule.

2. From the above it reveals that Finance Department may clarify as to whether their above circular has also the force of law / rule similar to the case of deceased Son's quota or otherwise.

Attyal
M

Hamid
(HAZRAT JAMAL) 21/2/18
SECTION OFFICER (E-IV)

Superintendent
Govt. of KPK
Estab: Deptt:

of *R* *FIV* *10/06/18*



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

No. SOE.IV(E&AD) 11(214)2014
Dated Peshawar, the 03.05.2018

To
The Section Officer (SR-I),
Finance Department.

Subject: FIXATION/ PAY PROTECTION APPOINTMENT FROM ONE POST TO ANOTHER.

I am directed to refer to this department letter of even number dated 21.02.2018 on the subject noted above and to request that the desired information in the matter is still awaited, which may please be expedited.


(HAZRAT JAMAL)
SECTION OFFICER (E-IV)

Attested
M. J.
Superintendent
Govt. of KPK
Estab: Deptt:

DSL *CV* *04/05* *AK*
R *FIM* *06/05*

2nd REMINDER.



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

No. SOE.IV (E&AD) 11 (214)/2014.
Dated Peshawar, the 18.04.2019.

To

The Section Officer (Admn),
Finance Department

Subject: FIXATION OF PAY PROTECTION APPOINTMENT FROM ONE
POST TO ANOTHER.

I am directed to refer to this department's letter of even number dated 21.02.2018 and subsequent reminder dated 03.05.2018 on the subject noted above and to request that the requisite information is still awaited, which may kindly be expedited please.

*Atiqul
Miy*

Superintendent
Govt. of KPK
Estab: Deptt:

J
(HAZRAT JAMAL)
SECTION OFFICER (E.IV)



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT**

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

**NO. FD (SOSR-1) 12-5/2017(28296)
Dated Peshawar the: 12-06-2019**

To:

The Section Officer (E.IV),
Establishment Department,
Peshawar.

Subject: - **FIXATION OF PAY PROTECTION APPOINTMENT FROM
ONE POST TO ANOTHER**

I am directed to refer to your letter No.SOE.IV (E&AD) 2-90/c
11(214)/2014 dated 18-04-2019 on the subject noted above and to inform that in a similar nature case this Department had sought advice of Government of Pakistan, Finance Division, Islamabad (in case of one Mr. Jamil Ahmad, Secretary to Govt. of Khyber Pakhtunkhwa), in which the Finance Division replied that Finance Division's O.M No.4(2)R-2/1996-235/2010 dated 08-06-2010 is effective with immediate effect and not applicable retrospectively. Hence, the request of pay protection is not covered under the existing policy, please.

Attested
[Signature]
Superintendent
Govt. of K.P.K
Estab: Deptt:

[Signature]
(Barkat Khan)
SECTION OFFICER (SR-I)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

No. SOE.IV (E&AD) 11(214)2014
Dated Peshawar, the 28.06.2019

To

Section Officer (SR-I),
Finance Department

Subject:

FIXATION OF PAY PROTECTION APPOINTMENT FROM ONE POST
TO ANOTHER.

Dear Sir,

I am directed to refer to your letter No.FD(SOSR-I)12-5/2017/28296 dated 12.06.2019 on the subject noted above and to state that to provide the Judgment in the case of Mr. Jamil Ahmad, Secretary to Govt. of Khyber Pakhtunkhwa, as referred in your above mentioned letter.

Attended
M

Superintendent
Govt. of KPK
Estab: Depts

3
J
(HAZRAT JAMAL)
SECTION OFFICER (E-IV)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Finance Department Civil Secretariat Peshawar

<http://www.finance.gkp.pk>

[facebook.com/GoKPED](https://www.facebook.com/GoKPED)

twitter.com/GoKPED

NO. FD (SOSR-1) 12-5/2017(28296)
Dated Peshawar the: 20-08-2019

To:

The Section Officer (E-IV),
Establishment Department,
Peshawar.

Subject: - FIXATION OF PAY PROTECTION APPOINTMENT FROM ONE POST TO ANOTHER.

Kindly refer to your letter No.SOE.IV(E&AD)11(214)2014 (Qaiser Khan) dated 28-06-2019 on the subject noted above and to state that the judgement in question is not available in this Department however, the same can be obtained from Govt. of Pakistan, Finance Division Islamabad, please.

(BARKAT KHAN)
SECTION OFFICER (SR-1)

P. File
27/8

Superintendent
Govt. of KPK
Estab: Deptt:

To

1369
11/11/19

Annex-V
PS/Secy E&AD KP
Diary No. 88/12
FTS No.
Date. 8/11/19

The Secretary to Govt of Khyber Pakhtunkhwa,
Establishment Department,
Peshawar.

3229
11/11/19

Subject: Departmental appeal for Pay Fixation/Pay Protection

Respected Sir,

I have the honour to state that I am working as Personal Assistant (BPS-16) in E&A Department. I had service Peshawar Development Authority as Stenographer 12.1.1982 to 1.2.1988.

Later on, I joined E&A department through proper channel as Junior Scale Stenographer (BPS-12) vide No.SOS-IV(S&AD)3(358)/87, DATED 5TH Jan 1088.

The Finance Department has issued a letter vide No.FD(SR-I)12-1/2011, dated 4th June 2011 and has allowed pay protection to those employees who have rendered their services in any autonomous bodies/organization which have adopted scheme of basic pay scale in to provided they have applied for the post through proper channel.

In view of FD letter mentioned above, it is humbly requested that my pay may be refixed and arrears may also be allowed please.

Yours obediently,

(Qaiser Khan)

PS

Administration Department.

Supdt
12/11/19
Secy IV

11/11
SS/12

Attested
11/11

11/11

DSC

Superintendent
Govt. of Khyber
Establishment Deptt
11/11



GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(Establishment Wing)

Amex- VI

No. SOE.IV (E&AD)11(214)/2014
Dated Peshawar, the 18.11.2019

To

Mr. Qaiser Khan,
Private Secretary,
Administration Department

[Handwritten signature]
18/11/19

Subject: DEPARTMENTAL APPEAL FOR PAY FIXATION/ PAY PROTECTION.

I am directed to refer to your application on the subject noted above and to state that your application has processed and regretted being not covered under the rules/ policy.

[Handwritten signature]
18/11/19

(HAZRAT JAMAL)
SECTION OFFICER (E-IV)

Superintendent
Govt. of KPK
Estab: Deptt: