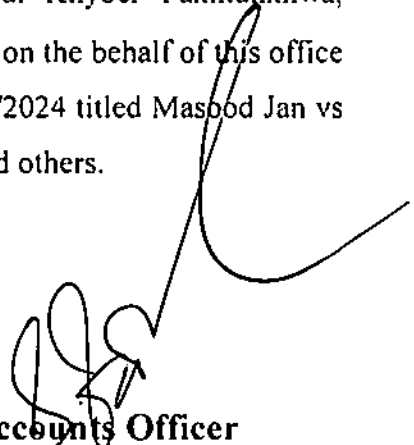




Office of the
ACCOUNTANT GENERAL
Khyber Pakhtunkhwa, Peshawar.
Tell: 091-9211250-53

AUTHORITY LETTER

Mr. Mian Tariq Shah (B-17), Office of the Accountant General Khyber Pakhtunkhwa, Peshawar is hereby authorized to submit the requisite comments/reply on the behalf of this office in Service Tribunal Khyber Pakhtunkhwa, in Service Appeal No. 884/2024 titled Masood Jan vs Govt of Khyber Pakhtunkhwa through Secretary Finance Peshawar and others.


Accounts Officer
(Litigation)

**BEFORE THE KHYBER PAKHTUNKHAWA SERVICES TRIBUNAL
PESHAWAR**

Service Appeal No.884/2024

Masood Jan.....Appellant.


V/S

Government of Khyber Pakhtunkhwa through
Secretary Finance Peshawar and others.....Respondents.

(Para wise reply on behalf of Respondent No. 2)

INDEX

S.NO.	PARTICULAR.	ANNEXURE.	PAGE.
1.	Reply	-----	1-2
2.	Affidavit	-----	3
3.	Finance Dept: Peshawar letter dated: 14.07.2015	A	4-5
4.	Pension Roll , dated: 05.06.2023	B	6


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**BEFORE THE KHYBER PAKHTUNKHAWA SERVICES TRIBUNAL
PESHAWAR**

Service Appeal No.884/2024

Masood Jan.....Appellant.

V/S

Government of Khyber Pakhtunkhwa through
Secretary Finance Peshawar and others.....Respondents.

(Para wise reply on behalf of Respondent No. 2)

Preliminary Objections:-

- 1) That the Appellant has no cause of action.
- 2) That the Appellant has no locus standi.
- 3) That the Appellant has not come to this Court with clean hands.
- 4) That the Appeal in hand having no merits hence liable to be dismissed.
- 5) That the Appeal of the Appellant is barred by Law/rules.
- 6) That the Appellant has not complied with Section 79, 80 CPC.
- 7) That the instant Appeal is time barred.

Khyber Pakhtunkhwa
16377
07-10-24

Respectfully Sheweth:-

- 1) Relates to Record however, liable to be proved by the Appellant.
- 2) Correct to the extent that in Para "6" of the Finance Department Peshawar (Regulation Wing) letter No. FD(SOSR-II) 4-III/2015, dated: 14.07.2015 (Annex-A) it is clearly mentioned that,

"For the Purpose of Admissibility of Increase in Pension Sanctioned through this letter the term "Net Pension" means "Pension being drawn" minus "Medical Allowance"

Hence, the pension of the Appellant was correctly restored under the pension rules.
- 3) As mentioned in Para "2" above, to the extent that in the Pension roll of the Appellant all the increases are already been included which were admissible in the year of Restoration i.e 05.05.2015 (Annex-B).
- 4) That Respondent No.1 is in better position to show the status of the case, either they have adopted the rules and instructions of the Panjab Government after the introduction of 18th amendments or otherwise.

5) As mentioned in Para "4" above.

6) That Respondent No.2 is bound to follow the rules and instructions issued by the Provincial Government of Khyber Pakhtunkhwa from time to time and has already been carefully calculated and allowed all increases of Restoration of Pension to the appellant under the rules and nothing else.

Keeping in view the above mentioned facts it is, therefore, humbly prayed that the appeal in hand having no merits may be dismissed with cost.


ACCOUNTANT GENERAL
KHYBER PAKHTUNKHWA

Nasser Ullah Sarwar.
Respondent No-1

**BEFORE THE KHYBER PAKHTUNKHAWA SERVICES TRIBUNAL
PESHAWAR**

Service Appeal No.884/2024

Masood Jan.....Appellant.

V/S

Government of Khyber Pakhtunkhwa through
Secretary Finance Peshawar and others.....Respondents.

(Para wise reply on behalf of Respondent No. 2)

AFFIDAVIT

I Mr. Naseerudin Sarwar, Accountant General Khyber Pakhtunkhwa Peshawar do hereby solemnly affirms & declare that the reply submitted on behalf of Respondent No.2 is true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Court. *It is further stated on oath that neither cost imposed nor any ex-parte order passed in the instant case.*

Naseerudin Sarwar
Accountant General
Khyber Pakhtunkhwa

ATTESTED:





GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

P-4

NO. FD (SOSR-II)4-111/2015
Dated Peshawar the: 14-07-2015

From:

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

(Annex-A)

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 Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary, Provincial Assembly, Khyber Pakhtunkhwa
6. All Heads of Attached Departments in Khyber Pakhtunkhwa.
7. All Commissioners in Khyber Pakhtunkhwa.
8. All Deputy Commissioners in Khyber Pakhtunkhwa.
9. All Political Agents / District & Sessions Judges in Khyber Pakhtunkhwa
10. The Registrar, Peshawar High Court, Peshawar.
11. The Chairman, Public Service Commission, Khyber Pakhtunkhwa.
12. The Chairman, Services Tribunal, Khyber Pakhtunkhwa.
13. The Chairman, Provincial Ombudsman Secretariat, Khyber Pakhtunkhwa

Subject: GRANT OF INCREASE IN PENSION TO CIVIL PENSIONERS OF THE PROVINCIAL GOVERNMENT.

Dear Sir,

The Competent Authority, is pleased to sanction, w.e.f 1st July, 2015 and until further orders, an increase @ 10% in net pension of the Pensioners of Khyber Pakhtunkhwa Government.

2. The 20% increase in pension as allowed vide para-1 of the Provincial Government's letter No.FD(SOSR-II)/4-111/2012 dated 06/07/2012 shall be discontinued for those who would retire on or after 01/07/2015.

3. The increases granted during the previous years vide following letters at the rate noted against each will also be admissible to the new pensioners who would retire on or after 01-07-2015:-

S.No.	Letter No and date	Rate of increase
1.	No.FD (SOSR-II) 4-111/2010 dated 15/07/2010	15% on net pension
2.	NO. FD (PRC) 1-1/2011 dated 14/07/2011	15% on net pension
3.	No.FD(SOSR-II)4-111/2013 dated 17/07/2013	15 % on net pension
4.	NO. FD (SOSR-II)4-111/2015 dated 09/07/2014	10% on net pension

4. The 10% increase in pension as mentioned at para-1 above will also be admissible to the pensioners who would retire on or after 01-07-2015.

5. For the purpose of admissibility of increase in pension sanctioned through this letter the term "Net Pension" means "Pension being drawn" minus "Medical Allowance".

6. The increase will also be admissible on family pension granted under the Pension-cum-Gratuity Scheme, 1954, Liberalized Pension Rules, 1977, on pension sanctioned under the Provincial Civil Servants Pension Rules as well as on the Compassionate Allowance under CSR-353.

7. If the gross pension sanctioned by the Provincial Government is shared with any other Government in accordance with the rules laid down in part-iv of Appendix III to the Accounts Code, Volume-I, the amount of increase in pension will be apportioned between the Government of Khyber Pakhtunkhwa and the other Government concerned, on proportionate basis.

P.T.O


ACCOUNTS OFFICER
O/o A.G. Khyber Pakhtunkhwa.

8. The increase in pension sanctioned through this circular will not be admissible on Special Additional Pension allowed in lieu of pre-retirement orderly allowance.

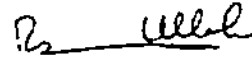
SECRETARY TO GOVERNMENT
OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Endst: FD (SOSR-II)/4-111/2015,

Dated Peshawar the 14th July, 2015

A Copy is forwarded for information to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Secretaries to Government of Punjab, Sindh and Balochistan.
3. All Heads of Autonomous / Semi Autonomous Bodies in Khyber Pakhtunkhwa.


(Razauallah)

Additional Secretary (Reg:)

Endst: No & Date even.

A copy for information is forwarded to:-

1. The Director General, Provincial Disaster Management Authority, Khyber Pakhtunkhwa.
2. The Director, Local Fund Audit Department, Khyber Pakhtunkhwa, Peshawar.
3. The Director, Treasuries and Accounts, Khyber Pakhtunkhwa, Peshawar.
4. The Director, FMIU, Finance Department.
5. The District Comptrollers of Accounts, Peshawar, Mardan, Kohat, Bannu, Abbottabad, Swat and D.I. Khan.
6. All the *District* /Agency Accounts Officers in Khyber Pakhtunkhwa / FATA.
7. The Treasury Officer, Peshawar.
8. All the Section Officers/Budget Officers in Finance Department.
9. Zonal Chiefs of All Commercial Banks, Khyber Pakhtunkhwa.
10. Zonal Office, National Bank of Pakistan 8 the Mall Peshawar Cantt for circulation amongst all concerned braches, Peshawar, D.I. Khan, Abbottabad and Mardan (Fax No.0919211639)
11. P.S to Minister for Finance Khyber Pakhtunkhwa.
12. P.S to Chief Secretary, Khyber Pakhtunkhwa.
13. P.S to Secretary Finance Khyber Pakhtunkhwa.
14. President, Mr. Javid Ashraf, National Bank of Pakistan Head office 7th floor, 1-1 Chandrigar Road Karachi. (Phone 02199223172, Fax 02199220500) for circulation amongst all concerned for further necessary action please.
15. Section Officer (Reg.6) Govt: of Pakistan, Finance Division, (Regulation Wing) with reference to his O.M No.F.4(1)-Reg.6/2015/697 dated 07/07/2015 for information and record.


ACCOUNTS OFFICER
Olo A.G. Khyber Pakhtunkhwa

(WAZIR MUHAMMAD AFGAR)
SECTION OFFICER (SR.II)

PENSION ROLL DATA SHEET & PENSION SLIP

(Annex-B)

P-6

Date of issue : 05.06.2023
 PPO Type : FRESH
 PPO Number : 00764358-01
 Pensioner ID : 00764358
 Pension Register No: ✓
 Pensioner's Name : MASOOD JAN
 Father / Husband name : MUHAMMAD YAQUB
 Designation: PERIPETATIC TEACHER
 NIC No.: 1730134113885
 Grade / Scale : 11
 Department.Min: Min. Of Education
 Pensioner's Type: SELF
 Pension Type: RETIRING PENSION
 Date of Birth :05.01.1944
 Date of appointment:05.01.1964
 Date of retirement: 05.05.1989
 Date of Death:
 Date of commence :05.05.1989
 Date of Restoration :05.05.2015
 Accounts office ID :PW
 Accounts office Name :AG KP Peshawar
 Federal / Province :Khyber Pakhtunkhwa
 Length of Qualifying Service :25 years,4 months,0 days
 Old PPO Number :
 No. and Date of sanction of pension / Letter No. :
 and the date of the other Audit and Accounts officer authourising
 the Pension/Gratuity/Commutation
 Permanent Address:PESHAWAR

Note :
 Age : 46 years
 Last Drawn pay/Emoluments(Rs.): 1374.00
 Gross Pension(Rs.) : 801.50
 1/4th Surrendered Portion (Rs.) :
 Commuted Portion (Rs.) : 0.00
 Net Pension (Rs.) : 801.50
 Net Family Pension (Rs.) : 0.00
 Amount of Commutation(Rs.) : 0.00
 With Held Amount (Rs.) : 0.00
 Life Time Arrears (Rs.) : 0.00
 Arrears Of Pension (Rs.) : 0.00
 Special Additional Pension (Rs.) : 0.00
 Commutation Percentage : 0.00
 Commutation Table value : 26.32
 Recovery on A/C of :
 Debitable to Govt :Khyber Pakhtunkhwa
 Total Net Share
 Federal : 0.00 Punjab : 0.00
 Sindh : 0.00 NWFP : 0.00
 Balochistan : 0.00 Military : 0.00
 AJK : 0.00 Autonomous : 0.00

He/She is also entitled to the following increases

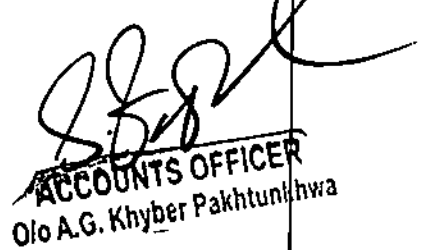
Sr. No.	Period	Increase % of amount	Increase Amount	W.E.F.
1	JUL.2015	Rs. 10093.75	10093.75	01.03.2016
2	JUL.2016	10.00 %	1089.53	01.07.2016
3	JUL.2017	10.00 %	1198.48	01.07.2017
4	JUL.2018	10.00 %	1318.33	01.07.2018
5	JUL.2019	10.00 %	1450.16	01.07.2019
6	JUL.2021	10.00 %	1595.18	01.07.2021
7	JUL.2022	15.00 %	2632.04	01.07.2022
8	0.	Rs. 0.00	0.00	
9				
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27				

PENSION SLIP

Month: May
 Year: 2023

Pension roll details

Wage Type	Wage Type Text	Amount
1559	Payment	21599.00
0100	Monthly Pension - Self	801.00
0101	Pension Increases - Self	19377.00
1599	Medical Allow - Pensioner	1137.00
1600	Med. All. 2015 Pensioner	284.00


ACCOUNTS OFFICER
 O/o A.G. Khyber Pakhtunkhwa

Bank Details

Bank Account Number : 00427900180001
 Bank Branch : Gulbahar Colony2, PESHAWAR.
 Gulbahar Colony2, PESHAWAR.
 Payment Mode :HABIB BANK LIMITED ✓

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