


FORM OF ORDER SHEET

Court of \_\_\_\_\_

Appeal No. 2337/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/11/2024	<p>The appeal of Mr. Hamayun re-filed today by registered post through Mr. Muhammad Arshad Khan Tanoli Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 26.11.2024. Counsel for the appellant has been informed telephonically.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Hamayun received today i.e on 21.10.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of order dated 19.08.2024 mentioned in para-7 of the appeal is not attached with the appeal be placed on it.
- 2- Copy of retirement order mentioned in the memo of appeal is not attached with the appeal be placed on it.
- 3- Pages no. 22, 68, 69, 70, 99 to 106, 115 and 116 are illegible be replaced by legible/better one.

No. 932 /Inst./2024/KPST.

Dt. 21/10 /2024.

ADDITIONAL REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

*Muhammad Arshad Khan Tanoli*

Muhammad Arshad Khan Tanoli Adv.  
High Court at A. Abad.

SA, file is re-submitted  
with respect to  
desired

*Muhammad Arshad Khan Tanoli*

# KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWA

## CHECK LIST

*Hanniyah Liaqat Durrani*  
..... Appellant

**Versus**

*Govt of KP etc*  
..... Respondents

S NO	CONTENTS	YES
1.	This petition has been presented by: <u>Advocate</u> <u>Court</u>	√
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√
3.	Whether appeal is within time?	√
4.	Whether the enactment under which the appeal is filed mentioned?	√
5.	Whether the enactment under which the appeal is filed is correct?	√
6.	Whether affidavit is appended?	√
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√
8.	Whether appeal/annexures are properly paged?	√
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√
10.	Whether annexures are legible?	√
11.	Whether annexures are attested?	√
12.	Whether copies of annexures are readable/clear?	√
13.	Whether copy of appeal is delivered to AG/DAG?	√
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√
15.	Whether numbers of referred cases given are correct?	√
16.	Whether appeal contains cutting/overwriting?	x
17.	Whether list of books has been provided at the end of the appeal?	√
18.	Whether case relate to this court?	√
19.	Whether requisite number of spare copies attached?	√
20.	Whether complete spare copy is filed in separate file cover?	√
21.	Whether addresses of parties given are complete?	√
22.	Whether index filed?	√
23.	Whether index is correct?	√
24.	Whether Security and Process Fee deposited? On _____	√
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√
26.	Whether copies of comments/reply/rejoinder submitted? On _____	√
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____	√

It is certified that formalities/documentation as required in the above table have been fulfilled

Name:- M. Arshad Ulhaq Panahi

Signature:- 

Dated:- \_\_\_\_\_

**BEFORE THE SERVICE TRIBUNAL PESHAWAR,**  
**CAMP COURT ABBOTTABAD**

Service appeal No. 2337 /2024

Hammayun Driver resident of Dhamtour, Tehsil & District Abbottabad.

...APPELLANT

VERSUS

Secretary Forest Khyber Pakhtunkhwa, Peshawar and others.

...RESPONDENTS

**SERVICE APPEAL**

**INDEX**

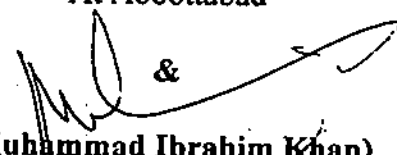
S.#	Description	Page No.	Annexure
1.	Service appeal alongwith affidavit	1 to 10	
2.	In this regard relevant page of service book of the Appellant	11	"A"
3.	Copy of regularization order of the Appellant	12-21	"B"
4.	Copy of Pension Payment Order of the appellant	22	"C"
5.	Copy of Service Book of the appellant	23-55	"D"
6.	Copy of departmental representation and summery	56-70	"E" & "F"
7.	Relevant Pension Rules	71-74	"G"
8.	Copy of judgment of Honourable High Court on the same subject	75-96	"H"
9.	Copy of notification dated 22/05/2019	97-98	"I"
10.	Copy of the summery	99-118	"J"
11.	Wakalatnama	119	

...APPELLANT

Through;

Dated: \_\_\_\_\_/2024

  
Muhammad Arshad Khan Tanoli  
Advocate Supreme Court of Pakistan  
At Abbottabad

&  
  
(Muhammad Ibrahim Khan)  
Advocate High Court, Abbottabad

1

**BEFORE THE SERVICE TRIBUNAL PESHAWAR,**  
**CAMP COURT ABBOTTABAD**

Service appeal No: 2337/2024

Hammayun Driver resident of Dhamtour, Tehsil & District Abbottabad.

...APPELLANT

VERSUS

1. Secretary Forest Khyber Pakhtunkhwa, Peshawar.
2. Govt. of KP through Chief Conservator of Forest North Forest Division Abbottabad.
3. District Account Officer District Mansehra.

...RESPONDENTS

**SERVICE APPEAL** UNDER SECTION 4 OF  
KPK SERVICE TRIBUNAL ACT, 1974 FOR  
DECLARATION TO THE EFFECT THAT THE  
APPELLANT WAS APPOINTED AS MALI ON  
02/02/1995 ON FIXED/CONTRACT BASIS  
THEN HIS SERVICE CONVERTED TO  
CLEANER (GRADE-II). LATER ON DURING  
2005 HIS SERVICE HAS BEEN UPGRADED  
TO DRIVER IN BPS-6 DURING HIS SERVICE  
HE HAS BEEN TRANSFERRED FROM ONE

DIVISION TO ANOTHER AND HIS SERVICE RECORD/SERVICE BOOK WAS MAINTAINED AS REGULAR EMPLOYEE AND HIS SERVICE WAS CONVERTED FROM CONTRACT SERVICE TO REGULAR SERVICE W.E.F 19/10/2010. THEREAFTER, THE APPELLANT HAS BEEN RETIRED FROM SERVICE ON 30/06/2022 AND HIS PENSION / COMMUTATION WAS CALCULATED FROM 19/10/2010, WHICH SHOULD HAVE BEEN CALCULATED W.E.F 02/02/1995 TO 19/10/2010, IN THE MEANWHILE THE RESPONDENTS HAVE DECLINED TO ALLOW THE SAID BENEFIT VIDE IMPUGNED ORDER DATED 10/01/2023 WHICH IS PERVERSE, DISCRIMINATORY AGAINST THE LAW AS WELL AS AGAINST THE PRECEDENT CASE LAW ON THE SUBJECT.

---

**PRAYER:** ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, RESPONDENTS MAY BE DIRECTED TO COUNT CONTRACT SERVICE OF THE APPELLANT W.E.F FROM 02/02/1995 TO HIS REGULAR SERVICE I.E

19/10/2010 FOR THE PURPOSE OF PENSION AND COMMUTATION AND THEREAFTER HIS COMMUTATION AND PENSION MAY BE REVISED AND ARREARS ON ACCOUNT OF COMMUTATION AND MONTHLY PENSION MAY ALSO BE PAID TO THE APPELLANT. ANY OTHER RELIEF WHICH THIS HONOURABLE COURT DEEM APPROPRIATE IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE APPELLANT.

---

Respectfully Sheweth,

1. That the Appellant was appointed as driver on Contract fixed pay basis on 02/02/1995. In this regard relevant page of service book of the Appellant is attached as Annexure "A".
2. The appellant as adjusted at the expiry of one project to another without service break through out his service, till his service regularized during 19/10/2010, he has been promoted from Mali to Cleaner, then Driver and upgraded to Grade-VI. During his service (16 years of service) in different


project he has been transfer on another and his service book maintained his regular employee.

3. That service of the appellant was regularized w.e.f 19/10/2010 but the period of contract was (16 years) service was not counted towards his regular service. Copy of regularization order of the Appellant is attached as Annexure "B".
4. That the appellant after attaining the 60<sup>th</sup> year of his age, has been superannuated from service on 30/06/2022 and his pension, as mentioned above has been calculated w.e.f 19/10/2010 to 30/06/2022 as per Pension Payment Order of the Appellant. Copy of Pension Payment Order of the appellant is attached as Annexure "C".
5. That scrutiny of the entire service book of the Appellant reveals that the Appellant received annual increments w.e.f from the date of his appointment on contract service i.e. 02/02/1995 to the date of his regularization of service i.e.



19/10/2010. Copy of Service Book of the appellant is attached as Annexure "D".

6. That, the appellant feeling aggrieved filed departmental appeal to the respondents' department for counting of length of his service for the purpose of calculation pension. The respondent department i.e. Director B&A has regretted the appeal on the ground of finance department letter dated 30/03/1989 and 11/07/1989 according to which an employee appointed on contract basis after 1989 has no right of pension benefits. In spite of the fact that same departmental letter has been declared null and void during 2005 by the then Chief Minister KP through summery vide Para No.20 dated 05/02/2005. Copy of departmental representation and summery are annexed as Annexure "E" & "F".
  
7. That Letter on appellant approached secretary CCFE&WD who directed DFO Daur to send as complete case and consequently same has been resubmitted by DFO Daur. Again Director B&A wrote letter to DFO Daur re-submit case with clear

recommendation. DFO Daur through his letter dated 03/04/2024 re-submitted complete case, However the office of the Director B&A informed that his case is not considered and case was resubmitted by DFO Daur with clear recommendation is not entertained at this stage. Letter issued to DFO Daur and to appellant dated 19/08/2024 has not yet been dispatched, however, appellant received through whatsapp dated 03/10/2024. Hence, the instant Service Appeal ~~is~~  is being filed, inter-alia, on the following grounds;

**GROUND:-**

- a) That as per section 2-2 of West Pakistan Pension rules 1963 as well as KP Pension Rules 2021, date of service of the employees is taken into account for the purpose of calculation of pension/commutation from the date of initial appointment. The service of the appellant was converted into regular w.e.f 19/10/2010 onwards. Therefore, contract/fixed service period followed by regular service without break is counted

towards the regular service. Relevant Pension Rules are attached as Annexure "G".

- b) That this Honourable Tribunal in so many cases as already held that contract/fix pay service followed by regular service without break shall count towards the calculation of pension/commutation in this regard. Copy of judgment of Honourable High Court on the same subject attached as Annexure "H".
- c) That as per High Courts judgments KP Finance department regulation wing vide notification dated 22/05/2019 accorded sanction of regularization of service of the employees appointed between 1992 to 1999 by extending them the status of Civil Servant as per Civil Servant Act 1973, from the date of their first appointment. Copy of notification dated 22/05/2019 is attached as Annexure "I".
- d) That once a point of law is decided by Superior Courts in a particular point of law

that must be made applicable to all the employees who are similarly placed. It is submitted that respondents' department with malafide intention did not count contract/ fix pay period w.e.f 02/02/1995 to date of his regularization i.e. 19/10/2010.

- e) That appellant approached office of the Director B&A CCFE&WD to consider his contract service towards pension like other employees of the water shed management project. However, office of the Director B&A regretted his appeal with the remarks that according to Rules/Govt. instruction circulated vide letter dated 30/03/1989 and 11/07/1989 the project service is not a civil service and cannot be considered towards pension. The Finance Department letter has been declared null and void on 05/02/2005 through summery. Copy of the summery is annexed as Annexure "J".
- f) That the matter relates to the terms and condition of service, Therefore, this

Honourable Tribunal has jurisdiction to entertain the lis.

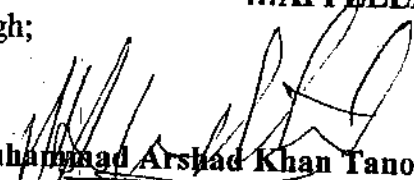
- g) That the other grounds shall be urged at the time of arguments.


It is respectfully prayed that on acceptance of the instant writ petition, respondents may be directed to count contract service of the appellant w.e.f from 02/02/1995 to his regular service i.e 19/10/2010 for the purpose of pension and commutation and thereafter his commutation and pension may be revised and arrears on account of commutation and monthly pension may also be paid to the appellant. Any other relief which this honourable court deem appropriate in the circumstances of the case may also be granted to the appellant.

  
...APPELLANT

Through;

Dated: \_\_\_\_\_/2024

  
**Muhammad Arshad Khan Tanoli**  
Advocate Supreme Court of Pakistan  
At Abbottabad

  
&  
**(Muhammad Ibrahim Khan)**  
Advocate High Court, Abbottabad

**VERIFICATION:-**

Verified on oath that the contents of foregoing service appeal are true and correct to the best of our knowledge and belief and nothing has been concealed therein from this Honourable Court.

  
...APPELLANT

**BEFORE THE SERVICE TRIBUNAL PESHAWAR,**  
**CAMP COURT ABBOTTABAD**

Service appeal No. \_\_\_\_\_/2024

Hammayun Driver resident of Dhamtour, Tehsil & District Abbottabad.

...APPELLANT

**VERSUS**

Secretary Forest Khyber Pakhtunkhwa, Peshawar and others.

...RESPONDENTS

**SERVICE APPEAL**

**AFFIDAVIT**

I, *Hammayun Driver resident of Dhamtour, Tehsil & District Abbottabad*, do hereby declare on oath that the contents of foregoing service appeal are true and correct to the best of my knowledge and belief and that nothing has been suppressed form this Honourable Court.

*دھما یون ڈرائیور*

**DEPONENT**



16/2/2024

DAVIDSON FOREST OFFICE  
DANN FOREST DIVISION  
RECORDED

5- Rehabilitation Clerk David Davidson Division 4, Year 1  
4- Mr. Davidson when 5/0 Xagoob Division of 1995  
3- Mr. Davidson when 5/0 Xagoob Division of 1995  
2- Mr. Davidson when 5/0 Xagoob Division of 1995  
1- The Commission of Forest Management with reference  
to the letter No. 95/01 dated 25-01-1995.

(SIA FOREST DIVISION)  
DAVIDSON FOREST OFFICE  
DANN FOREST DIVISION  
RECORDED

No. 1263-6/1995

2- They have to bear their own expenses  
1- They would have to produce medical certificates  
if their appointment is subject to the following conditions:  
by the Government in writing.  
They will be governed by such rules and orders as  
may be made from time to time for the purpose of the  
Forest Act and the rules made thereunder.  
If they wish to resign at any time, they would be  
bound to give one month's notice for the purpose of  
the Government in lieu of that.  
Their appointment as officers shall be for a term  
which may be extended or renewed at the discretion  
of the Government.

Ministry of Forests & Wildlife  
Forest Division  
Dann Forest Division  
Davidson Forest Office

Ames

1- Mr. Davidson when 5/0 Xagoob Division of 1995  
2- Mr. Davidson when 5/0 Xagoob Division of 1995  
3- Mr. Davidson when 5/0 Xagoob Division of 1995  
4- Mr. Davidson when 5/0 Xagoob Division of 1995  
5- Mr. Davidson when 5/0 Xagoob Division of 1995

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Annex-2

IN HIS OWN HANDS  
DATE 27 FEB 1995

Annex-B

B

OFFICE ORDER NO. 04 SAADAT ABBOTTABAD THE 31st JULY 2002,  
BY MR. SAADAT KHAN DIVISIONAL FOREST OFFICER DAUR WATERSHED  
DIVISION ABBOTTABAD

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Mr. Muhammad Humayun is hereby adjusted against the vacant posts of Cleaner in Daur Watershed Division with effect from 01/08/2002 on contract basis in his own pay scale till expiry of the project. The intervening period from 01/07/2001 to the date of arrival is treated as extra ordinary leave.

Sd/-  
(SAADAT KHAN)  
DIVISIONAL FOREST OFFICER  
DAUR WATERSHED DIVISION  
ABBOTTABAD

Memo: 14-16 /DWS

Copy forwarded to the:

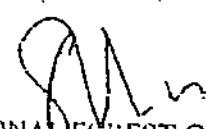
Project Director/Conservator of Forests, Watershed Management Project, Abbottabad for favour of information please.

2.

Mr. Muhammad Humayun Cleaner for information and compliance.

3.

Office file.

  
DIVISIONAL FOREST OFFICER  
DAUR WATERSHED DIVISION  
ABBOTTABAD

Muhammad Saadat Khan  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
Dist. Office Abbottabad



Advocate Supreme Court of Pakistan  
 Office # 33 Jinnah Plaza Adipent  
 1st Bar Abbabad

MANSEHRA  
 KUNHAR WATERSHED DIVISION  
 DIVISIONAL FOREST OFFICER

05/04/05

- 5- Mr. M. Iqbal Hussain, Driver for information.
- 4- Mr. M. Iqbal Hussain, Driver for information. He is directed to record entry in the service book of office concerned.
- 3- Divisional Accountant for information.
- 2- Section Officer (Establishment), Government of NWFP, Environment Department, Peshawar.
- 1- The Conservator of Forests, P.D., Watershed Management Project, Adipent for favour of information please.

Copy forwarded to:-

MEMORANDUM

Sd/- (SHER MUHAMMAD)  
 DIVISIONAL FOREST OFFICER  
 KUNHAR WATERSHED DIVISION  
 MANSEHRA

Consequent upon the recommendation of Departmental Promotion Committee meeting held on 4/4/2005, constituted vide Divisional Forest Officer, Kunhar Watershed Division Manshera office order No. 36 dated 15/3/2005, Mr. Muhammad Hussain Chavkadar is hereby up-graded/promoted to the rank of Driver BPS-4 Rst: 2040:85-4589 in the interest of public service with immediate effect.

OFFICE ORDER NO. 38 DATED MANSEHRA THE 05 / 04 / 2005  
 ISSUED BY MR. SHER MUHAMMAD DIVISIONAL FOREST OFFICER  
 KUNHAR WATERSHED DIVISION MANSEHRA

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(ب)

OFFICE ORDER NO. 100 DATED ABBOTTABAD THE 27 / JANUARY, 2008  
ISSUED BY SYED NOOR AFZAL SHAH, PROJECT DIRECTOR/CF WATERSHED  
MANAGEMENT PROJECT ABBOTTABAD

The services of Mr. Muhammad Humayun, Cleaner of Daur Watershed Division  
Abbottabad are hereby temporarily placed at the disposal of Divisional Forest Officer  
Kunhar Watershed Division Mansehra, in the interest of public service with immediate  
effect till further orders.

Sd/-  
(Syed Noor Afzal Shah)  
Project Director/CF  
Watershed Management Project  
Abbottabad

No. 342-44/E-2 dated Abbottabad the 27 / January, 2008

Copy forwarded for information and necessary action to:

1. The Divisional Forest Officer, Daur Watershed Division, Abbottabad.
2. Divisional Forest Officer, Kunhar Watershed Division, Mansehra.
3. Office order file.

Project Director/CF  
Watershed Management Project  
Abbottabad

Attested

Muhammad Arshad Khan Janohi  
Advocate Supreme Court of Pakistan  
Office # 3/111  
Munirah Plaza Adjacent to  
Dist. Bar Abbottabad.

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(17)

OFFICE ORDER NO. 18 DATED ABBOTTABAD THE 20 / OCTOBER, 2008  
ISSUED BY SYED NOOR AFZAL SHAH, PROJECT DIRECTOR/CF WATERSHED  
MANAGEMENT PROJECT ABBOTTABAD

Mr. Muzaffar Ahmad Humayun Cleaner is hereby adjusted from Kunhar Watershed Division  
Mansehra to Unhar Watershed Division Mansehra against the over all vacancies of  
cleaners in the project in the interest of public service with immediate effect.

(Syed Noor Afzal Shah)  
Project Director/CF  
Water Management Project  
Abbottabad

Forwarded for information and necessary action to:

The Divisional Forest Officer, Unhar Watershed Division, Mansehra

Divisional Forest Officer, Kunhar Watershed Division, Mansehra.

Office under file.

Project Director/CF  
Water Management Project  
Abbottabad

Attested

Muhammad Arshad Khan Janjani  
Advocate Supreme Court of Pakistan  
Office # 37, Anah Plaza Adjacent to  
Bar Abbottabad

OFFICE ORDER NO. 105 DATED ABBOTABAD THE 23/09/2019 ISSUED BY  
 IBRAR AHMED DIVISIONAL FOREST OFFICER DAUR WATERSHED DIVISION,  
 ABBOTABAD.

Mr. Hamayun Khan Driver is hereby transferred from Abbotabad Watershed Sub-Division to Sherwan Watershed Ranga with immediate effect in the interest of Public Service.

Sd/-  
 (IBRAR AHMED)  
 DIVISIONAL FOREST OFFICER  
 DAUR WATERSHED DIVISION  
 ABBOTABAD.

Items:-  
 Copy forwarded for information & immediate necessary action to:-

1. SDRG Abbotabad
2. Range Forest Officer Sherwan Watershed Range.
3. Mr. Hamayun Driver.

*[Signature]*  
 DIVISIONAL FOREST OFFICER  
 DAUR WATERSHED DIVISION  
 ABBOTABAD

*[Signature]*

Muhammad Ashad Khan Janglo  
 Advocate Supreme Court of Pakistan  
 Office # 33, Plaza, Islamabad  
 P.O. Box # 33, Abbotabad

Muhammad Khairul Huda  
 Advocate  
 Office # 33, Jinnah Plaza, Adjacent to  
 15th Bldg. Abotabad

*Handwritten signature*

Kunhar Water Check  
 Division No. 57  
 Date 25/12/12

*Handwritten marks*

COMMISSIONER OF ROADS/ED  
 WATER SUPPLY MANAGEMENT DIVISION  
 Abotabad

1. NATIONAL BOARD DIRECTOR KUNHAR WATER SUPPLY  
 DIVISION ROADS/ED  
 2. NATIONAL BOARD DIRECTOR WATER SUPPLY  
 DIVISION ROADS/ED  
 3. OFFICE ORDER FILE

COPIES FORWARDED FOR INFORMATION AND NECESSARY ACTION TO THE  
 NO. 114-4/147-47  
 (SARFARAZ HUSSAIN) (SARFARAZ HUSSAIN)  
 COMMISSIONER OF ROADS/ED  
 WATER SUPPLY MANAGEMENT DIVISION  
 Abotabad

S.No.	Name of Driver	From	To
1.	Mr. Hameed Khan Driver	Kunhar Water Supply Division Abotabad	Kunhar Water Supply Division Abotabad
2.	Mr. Farid Khan Driver	Kunhar Water Supply Division Abotabad	Kunhar Water Supply Division Abotabad

The following posting/transfers amongst the drivers are hereby  
 made in the interest of public service with immediate effect:-

FOR OFFICE USE ONLY. DATED ABOTABAD THE 27/10/2012 ISSUED BY  
 MANAGER GENERAL DIVISION ABOTABAD

*Handwritten number* 217

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OFFICE ORDER NO. 78 DATED ABBOTTABAD THE 15/05/2015 ISSUED BY MUHAMMAD SIDDIQUE KHAN KHATTAK CHIEF CONSERVATOR OF FORESTS, NORTHERN FOREST REGION-II, KHYBER PAKHTUNKHWA ABBOTTABAD.

As recommended/requested by the Divisional Forest Officer Daur Watershed Division Abbottabad vide his letter No.1172/DWS, dated 6.5.2015, the following posting/transfers amongst the Drivers are hereby ordered in the interest of public service with immediate effect.

S#	Name of Driver	From	To
1	Qazi Sarfraz	Watershed Management Circle(Daur Watershed Division)	Lower Hazara Forest Circle (Patrol Squad Division Abbottabad)
2	Muhammad Hamayun	Lower Hazara Forest Circle (Patrol Squad Division Abbottabad)	Watershed Management Circle (Daur Watershed Division)

The above transfer is with prior verbal concurrence of the Administrative Department in relaxation of ban in the instant case.

Sd/- (MUHAMMAD SIDDIQUE KHAN KHATTAK)  
Chief Conservator of Forests  
Northern Forest Region-II Abbottabad  
Khyber Pakhtunkhwa

Muhammad Asghar Khan, Iqbal  
Advocate, Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
District Jail Abbottabad

Memorandum.

Copy forwarded for information and necessary action to the:

- 1- Conservator of Forests, Lower Hazara Forest Circle Abbottabad
- 2- Conservator of Forests, Watershed Management Circle with reference to DFO Daur Watershed Division letter cited above.
- 3- Divisional Forest Officer Daur Watershed Division Abbottabad with reference to his letter cited above
- 4- Divisional Forest Officer Patrol Squad Division Abbottabad
- 5- Office order file

Chief Conservator of Forests  
Northern Forest Region-II Abbottabad  
Khyber Pakhtunkhwa

Do. 1430/15, dt - 18/5/2015.

Copy forwarded to Muhammad Haneef  
Driver of this Office for necessary  
action & Compliance

M. Haneef  
DFO

MU-CTH/12

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(23)

OFFICE ORDER NO. 21 DATED MANSEHRA THE 19/OCTOBER 2010 ISSUED BY  
MR. JAVED ARSHAD, DIVISIONAL FOREST OFFICER KUNHAR WATERSHED DIVISION  
MANSEHRA

Consequent upon creation and approval of 67 posts of various categories in Kunhar Watershed Division, Mansehra for the year 2010-11 vide Govt. of Khyber Pakhtunkhwa Finance Department Peshawar letter No. B)-II/FD/1-2/Forest/2010-11 dated 15/09/2010 received under Project Director/CF Watershed Management Project Abbottabad letter endorsement No. B11-14/B&A dated 21/09/2010, the services of Mr. Muhammad Humayun, Cleaner terminated vide this office order No. 51 dated 30/06/2010 are hereby restored and adjusted against the available regular post of Driver in his own pay and scale with immediate effect.

The intervening period i.e. with effect from 01/07/2010 till date shall be treated as extra-ordinary leave without pay.

The adjustment is purely temporary, terminable at any time, as per terms and conditions of Service Rules in-vogue in respect of category of Govt. employees to which he belongs.

Sr.  
(Javed Arshad)  
Divisional Forest Officer  
Kunhar Watershed Division  
Mansehra

428-31/KWM dated Mansehra the 19/October, 2010

Copy forwarded to:-

1. The Project Director/CF Watershed Management Project Abbottabad for favor of information with reference to his letter referred to above please.
2. The Head Clerk/Divisional Accountant Kunhar Watershed Division for information and necessary action.
3. Mr. Muhammad Humayun S/o Mr. Yaqoob Khan of village Chonakari P.O. Nowanshehr District Abbottabad for information and immediate necessary action.

Office orders file.

Divisional Forest Officer  
Kunhar Watershed Division  
Mansehra

Attested  
Muhammad Arshad Khan Iano  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
District

Office # 33, Minar Plaza Adjacent  
 Advocate Supreme Court of Pakistan  
 Muhammad Mishaad Khan-Jatoi  
 CO-1, Liberty

*Mishaad*

Divisional Forest Officer  
 Kunhar Watershed Division  
 Manshera

*[Signature]*

1. The Project Director/CI Watershed Management Circle Appointed for favor of information with reference to this office letter under reference.
2. Head Clerk/Accountant Kunhar Watershed Division Manshera for information.
3. Muhammad Hamayun s/o Yaqoob Khan of Village Chonakari P.O. Nawansheri District Abbottabad for information.

Copy forwarded to the:

No. .... /E

Sd/-  
 (Sayed Arshad)  
 Divisional Forest Officer  
 Kunhar Watershed Division  
 Manshera

Sr	Actual words	Replace with/read as
1	"restored and adjusted"	"Appointed"
2	"in his own pay and scale"	"SPS-04"
3	Paragraph No.2	"Deleted"

It is hereby clarified for information of all concerned that the following words appearing in this office order No.21 dated 19/10/2010 may be considered as replaced, as noted against each:-

**CORRIGENDUM**

No. .... /E  
 Dated Manshera the ..... /2010



Divisional Forest Officer  
 Kunhar Watershed Division  
 Manshera



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OFFICE ORDER NO. 30 DATED MANSEHRA THE 02/12/2010, ISSUED BY MR. JAVED ARSHAD DIVISIONAL FOREST OFFICER, KUNHAR WATERSHED DIVISION MANSEHRA.

This office order No.30, dated 02.12.2010 is hereby withdrawn from the date of issuance, in the best interest of public service with immediate effect.

Sd/-  
(Javed Arshad)  
Divisional Forest Officer  
Kunhar Watershed Division  
Mansehra.

Memorandum:-

Copy forwarded to the:-

1. The Project Director/CF, Watershed Management Circle Abbottabad for favour of information with reference to this office order under reference.
2. Head Clerk/Accountant Kunhar Watershed Division Mansehra for information.
3. Muhammad Hamayun S/O Yaqoob Khan of Village Chonakari P.O Nawansehar District Abbottabad for information.

Divisional Forest Officer  
Kunhar Watershed Division  
Mansehra

*Attested*

Muhammad Arshad Khan Jangi  
Advocate Supreme Court of Pakistan  
Office # 33, Annah Plaza Adjacent  
Distt. Peshawar



Divisional Forest Officer  
Kunhar Watershed Division  
Mansehra



No. 92 /E

Dated Mansehra the

25/10/2010

CORRIGENDUM

It is hereby clarified for information of all concerned that the following words appearing in this office order No.21 dated 19/10/2010 may be considered as replaced, as noted against each:-

S#	Actual words	Replace with/read as
1	"restored and adjusted"	"Appointed"
2	"in his own pay and scale"	"BPS-04"
3	Paragraph No.2	"Deleted"

Sd/-

(Javed Arshad)

Divisional Forest Officer  
Kunhar Watershed Division  
Mansehra

No...../E

Copy forwarded to the:

1. The Project Director/CF Watershed Management Circle Abbottabad for favor of information with reference to this office letter under reference.
2. Head Clerk/Accountant Kunhar Watershed Division Mansehra for information.
3. Muhammad Hamayun s/o Yaqoob Khan of village Chonakeri P.O Nawanshehr District Abbottabad for information.

Divisional Forest Officer  
Kunhar Watershed Division  
Mansehra

Attested  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
Dist. Bar & Bench

P-22

Annex-C

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

No. J.R.A/Pen-1053

Dated: Pen: the 12/11/23

Pension Admissibility Report

To  
DFO Lower Water Shed Div: Abbottabad, ABBOTTABAD  
Remarks: Pension papers may be revised according to Admissibility Report please.  
Subject: Pension Case of Hamayun Khan (Ex-Driver (BPS-06))

Personal Id:	3690	Pension Type:	Superannuation Pensi	Dept: Name:	FOREST
Last Name:	Hamayun Khan	Father Name:	Yaqoob Khan	Emp CNIC:	13101-6583773-7
Designation:	Driver	Scale:	(BPS-06)	Date of Birth:	01/07/1962
Appoint: Date:	20/10/2010	Retirement Date:	30/06/2022	Total Service:	11Y 6M 10D
N.O. Service:	GY 3M 0D	Net Service:	11Y 8M 10D	Retirement Age:	59Y 11M 29D
Basic Pay (PP):	20700	Increment:	560	Total Emolument:	21260
Gross Pension:	5,953	35% Computed:	2084	65% Net Pension:	3869
21260 X 18.7% = 3975		Restoration:	30/06/2024	Final Death Date:	

1. Certified that subject to the remarks recorded above duly verified of Hamayun Khan that Superannuation Pension not exceeding Rs. 3869 (Rupees) after surrendering of 35% Computed original pension of Rs. 2,084 of which is equal to Rs. 5953.
2. Last pay of Rs. 21260 is admissible under the Civil Service Pension Rules.
3. The pension is chargeable to Provisional Revenue of Khyber Pakhtunkhwa is voted and will commence from 30/06/2022.
4. A commutation of Rs. 309396 is also admissible in lieu of the surrendered portion of the pension.
5. Attention is invited to Rules-1.3(c) and 4.2 ibid.
6. In the even of the death of his retirement his family will be entitled to a pension under the pension rules.
7. Administrative sanction may please be furnished in-duplicate.
8. A legible copy of the Service Book may be retained in your office for record and future correspondence.

Authorization of Monthly Pension Rates Due From: 01/07/2023

S#	Particulars	Values	Total
1	Net Pension	3869	3869
2	15% increase 07/2011	580	4449
3	10% increase 07/2015	445	4894
4	10% increase 07/2016	489	5384
5	10% increase 07/2017	538	5922
6	10% increase 07/2018	592	6514
7	Minimum Pension	10000	10000
8	10% increase 07/2019	1000	11000
9	10% increase 07/2021	1100	12100
10	15% increase 07/2022	1815	13915
11	25% Medical Allow of 2010	967	14882
12	25% Increase on Medical 07/2015	242	15124

Total Monthly Pension: 15124/- (Fifteen Thousand One Hundred Twenty-Four Only)

*Attested*  
**Muhammad Ahsan Khan Jatoi**  
Advocate Supreme Court of Pakistan  
Office # 101, Amanah Plaza Adjacent to  
R.S. Bar Abbottabad

BUDGET & ACCOUNTS OFFICER.

Muhammad Arshad Khan 1970  
Advocate Supreme Court of Pakistan  
Office: Aman Plaza Adhacem  
10-A, Khasmeh

Name: HANAYUN KHAN  
Driver  
Father's Name: Mr. Yaqoob Khan  
Qualification: 12  
Designation: CLEANER  
Department: DAVE MATRESHER DIVISION STD  
Permanent Address: [Blank]

# SERVICE BOOK

Annex - 1  
P-23

- 1. Name (نام) HAMAZIN KHAN
- 2. Nationality and Religion PAKISTANI ISLAM
- 3. Residence (رہنماں) Village Chana (C.P.O. Nawanshetra) Tehsil and District AHMETSABAD
- 4. Father's name and residence YARMOO B. KHAN (as above)
- 5. Date of birth by Christian era as nearly as can be ascertained 1962 (Nineteen hundred sixty two)
- 6. Exact height by measurement 5-8 (انچوں میں)
- 7. Personal mark of identification (شمارت)

8. Left hand/right hand thumb and finger-impressions of (Non-gazetted officer)  
 (دائیں اور چوڑے کی ہورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger (چھنگلیا)      Ring Finger (انگلی کے ساتھ کی انگلی)      Middle Finger (انگشت شمارت)

Fore Finger (انگشت شمارت)      Thumb (انگلی)

9. Signature of Govt. Servant Hamazin Khan  
 (سرکاری ملازم کے دستخط)

10. Signature and designation of the Head of the Office or other Attesting officer  
 (تصدیق کنندہ افسر کے دستخط اور نام)

~~Divisional Office  
 District Officer~~

Note: The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

نوٹ: اس صفحہ پر درج کیے گئے تمام تفصیلات ہر پانچ سالوں میں تازہ کرنا ضروری ہیں اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے۔ انگوٹھ کے نشانات ہر پانچ سالوں کے بعد لے کرنا ضروری نہیں ہے۔

*Handwritten signatures and marks at the bottom left corner.*

M. Ashraf Khan  
 Advocate Supreme Court of Pakistan  
 Office # 58, Durrani Plaza, Adolphus Road,  
 Lahore, Pakistan

*M. Ashraf Khan*

Sl. No.	Whether Substantive or officiating and whether permanent or temporary		Appointing Authority (i) State (ii) Subordinate (iii) Whether service courts for rule 3-20 of C.S.A. (Pb.) Volume II	Pay in position	Additional pay for officiating		Date of appointment	Signature of Government servant
	Rs.	P.S.			Rs.	P.S.		
1								
2								
3								
4								
5								
6								
7								
8								
9								

13857-  
12/12/88

1356/2  
12/12/79

1357/2  
12/12/79

12801  
12/12/95

12457-  
12/12/95

P-25

OBOS/5



3	8	7	6	5	4	3	2	1
Signature of Secretary of Government in other writing dated 1/29/03	Signature of Government servant	Date of appoint- ment	Other emolum- ents falling under the term pay	Additional pay for officiating	Pay in substantive position	Pay in substantive position under rule 3-20 of C.S.R. (P.N.) Volume II	Whether Substantive (i) substantive appointment or equates for pension under rule 3-20 of C.S.R. (P.N.) Volume II and whether permanent or temporary	Remarks

Rs. ps. Rs. ps. Rs. ps.

18/9/03 1385/- Temp (1275-351775) 1/29/03

1/12/02 1420/-

12/02 1450/-

01/08/02 1500/-

01/12/02 2000/-

Advocate General  
Sindh  
Private Secretary  
Sindh High Court  
Karachi  
11/12/02  
11/12/02

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8	9	10	11	12		13	14	15				
<p>Signature of Government servant</p> <p>دستخط سرکاری ملازم</p>	<p>Signature and designation of the Head of the office or other attesting officer</p> <p>دستخط افسر سرپرست</p>	<p>Date of termination or appointment</p> <p>تاریخ انقضاء عہدت</p>	<p>reason of termination (such as promotion, transfer, dismissal etc.)</p> <p>وجہ انقضاء عہدت ترقی یا راجیروی</p>	<p>Signature of the head of the office or other Attesting officer</p> <p>دستخط افسر</p>	<p>Nature and duration of leave taken</p> <p>رفت کاروت دسپار</p>	<p>Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government</p> <p>چار ماہ کی مدت کے لئے اوسط تنخواہ کا قریب</p> <table border="1"> <tr> <th>Period</th> <th>Government to which debitable</th> </tr> <tr> <td></td> <td></td> </tr> </table>	Period	Government to which debitable			<p>Signature of the Head of the office or other attesting Officer</p> <p>دستخط افسر سرپرست</p>	<p>Reference to any record of punishment or reward or praise of the Government servant</p> <p>کوئی سزا یا تمغہ یا سراغ</p>
Period	Government to which debitable											
			<p>Granted 7 days Vacation Leave vide DFO Dewa No 176/6 dt 18.5.28</p>									
		30/99	<p>Allowed Annual Increment</p> <p>Divisional Forest Officer Dewa Watershed Division</p>									
		30/11/2007	<p>Allowed Increment</p> <p>DFO Dewa Division</p>									
			<p>Served Termination Notice due to contract employee</p> <p>Upto 30.06.2001 vide DFO Dewa Letter No 2042/dated 30/11/01</p> <p>Divisional Forest Officer Dewa Watershed Division Abbottabad</p>									
		30/11/01	<p>Adjusted against the part of clearance for period upto 30.6.2001 vide DFO Dewa No 34 dt 31.7.02</p> <p>Period 29.7.01 to 31.7.02</p> <p>Granted 7 days vacation leave</p>									
			<p>Divisional Forest Officer Dewa Watershed Division Abbottabad</p>									

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Advocate Syed Ahsan Khan  
 Advocate Supreme Court of Pakistan  
 133 Jinnah Avenue, Islamabad

1	2	3	4		5		6	7	8
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position.		Additional pay for officiating.		Other emoluments falling under the term pay.	Date of appointment	Signature of Government servant
			Rs.	Ps.	Rs.	Ps.			
	درجہ ملازمت نام مقام	اگر ماری ہے تو کیا وہ روی کے مطابق پیش کا سنتی ہے	تخاؤ بلور	ماری ملازمت	زائد تخاؤ بلور	نام مقام	اہوائے تخاؤ دیگر اڈیشن	تاریخ تقرری	دستخط ماری ملازم
BS-1 (SS-35-22)	Contractual		2255					01/12/05	
			2310					01/12/05	
			2670					17/05	
			2735					12/05	

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Attested  
Arshad Khan, Jaro  
Dy. Secy. Supreme Court of Pakistan  
Ministry Plaza Adjacent  
Abbottabad

8	9	10	11	12	-	13	14	15
Signature of Government servant	Signature of Head of the office or other Attesting officer	Date of termination or appointment	reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government  Period to which debitable	Signature of the Head of the office or other Attesting Officer	Reference to any records, punishment, censure, or reward received by the Government servant

P-30

Contract period extended up to  
30-6-2005 vide DFO Draw  
o/o No. 03, dated 25-8-2003

30/11/03

Allowed /  
Annual Increment

Divisional Officer

01/12/04

Annual Increment

~~Divisional Officer~~

Pay fixed on 20/02/2005  
Scale vide Govt. of Punjab Finance Department Notification G.O. No. 20/02/2005

Drawing Pay Rs. 2310/-

Pay fixed on 11/07/2005 Rs. 2670/-

Divisional Forest Officer  
Muzaffargarh Division

30/11/05

Annual Increment

*(Vertical stamp and signature)*  
Muzaffargarh  
Forest Officer

1	2	3	4	5	6	7	8
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position	Additional pay for officiating	Other emoluments falling under the term pay	Date of appointment	Signature of Government servant
			Rs. Ps.	Rs. Ps.			
درجہ ملازمت	عارضی مستقل تمام مقام	مگر عارضی ہے تو کیا وہ رول کے مطابق پیش کا مستحق ہے	تخواری بطور عارضی ملازمت	زائد تخواری بطور تمام مقام	مساوائے تخواری دیگر الاؤس	تاریخ تقرری	دستخط ملازمین
	Contractual			Rs. 2800/-		01/12/06	
				Rs. 3225/-		01/07/07	
				Rs. 3295/-		01/07/07	
				Rs. 3380/-		01/12/07	
				Rs. 3925/-		01/08/08	
				Rs. 3437/-			

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Muhammad Iqbal Khan Iahol  
 District Officer  
 Office # 33 Jinnah Plaza Adjacent  
 Bar Abbottabad

Signature of Government servant

9	10	11	12		13	14	15	
Signature of Government servant.	Signature and designation of the Head of the office or other attesting officer.	Date of termination or appointment.	Reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the head of the office or other Attesting officer.	Nature and duration of leave taken.	Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debit to another Government.	Signature of the Head of the office or other attesting Officer.	References to any recorded punishment or censures, or any other remarks.
دستخط (کارکن)	دستخط سرکار	تاریخ تفویض یا تسخیر	دوران انتقال، عازم زنی، تیار دیویشن	دستخط سرکار	رفت کار وقت دیوار	بارہ ماہ کی مدت کے لئے اوسط تنخواہ کا تین	دستخط سرکار	تاریخ کارکردگی
		30/06	Annual Increment					
				<i>[Signature]</i> DIVISIONAL FOREST OFFICER Daur Water SHED DIVN Abbottabad			<i>[Signature]</i> DIVISIONAL FOREST OFFICER Daur Water SHED DIVN Abbottabad	
						Pay fixed in the Revised Basic Pay Scale vide Govt. of NWFP Finance Deptt. No. FD (PRC) 1-1/2007 dated 20/07/07		
				<i>[Signature]</i> DIVISIONAL FOREST OFFICER Daur Water SHED DIVN Abbottabad				
						Unguarded in BPS-2 vide Govt. of NWFP No. FD (SO) (PR) 7-2007 dated 28-07-07 vide No. 01-07-07.		
				<i>[Signature]</i> DIVISIONAL FOREST OFFICER Daur Water SHED DIVN Abbottabad				
						Pay fixed in the Revised Basic Pay Scale vide Govt. of NWFP Finance Department No. FD (PRC) 1-1/2008 dated 13/07/2008 @ 20% with effect from 01-07-2008		
				<i>[Signature]</i> Divisional Forest Officer Daur Watershed Division Abbottabad			<i>[Signature]</i> DFO Daur Watershed	
						Transferal to Kumbhar within shed Division Mandora vide PRC No. 100/29/01/2008		<i>[Signature]</i> Divisional Forest Officer Daur Watershed Division Abbottabad
						(Temporarily placed at the disposal of...)		

1. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.  
 2. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.  
 3. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.  
 4. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.  
 5. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.  
 6. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.  
 7. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.  
 8. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.  
 9. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.  
 10. Mr. M. A. Khan, District Engineer, Daur Watershed Division, Abbottabad.

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1	2	3	4		5		6	7	8
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay In substantive position		Additional pay for officiating		Other emoluments falling under the term pay	Date of appointment	Signature of Government servant
			Rs.	Ps.	Rs.	Ps.			
راجہ ملازمت	عارضی مستقل تعمیر مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق پینشن کا مستحق ہے	تعمیر بطور	عارضی ملازمت	زائد تعمیر بطور	تعمیر مقام	مساوی تعمیر دیگر اڈنس	تاریخ تقرری	دستخط کاروباری ملازم
...	...	...			39357		49901	29/07/2008	
...	...	...			40357			1-12-20	31/8/10
...	...	...							
...	...	...							
...	...	...							
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...	...	...							

Attest  
 Justice (in Chair) Iqbal Javed  
 Supreme Court of Pakistan  
 Office: 7th Floor, Iqbal Plaza Adjacent  
 to the Supreme Court Building  
 Islamabad

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10	11	12	13	14	15	
Date of termination or appointment	reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitabte to another Government	Signature of the Head of the office or other attesting Officer	Reference of any recorded punishment or sanction or reason of grounds of Government servants
تاریخ اختتام یا تعینات	سبب ختم یا ترقی یا منتقلی یا اخراج	دستخط سرکار یا دیگر سرکار	طبیعت و مدت عطل	توزیع مدت عطل و اوسط تنخواہ کے لئے اور حکومتوں میں سے	دستخط سرکار یا دیگر سرکار	کوئی بھی درج شدہ سزا یا سزا کی وجوہات یا حکومت کے عہدہ داروں کے لئے
			رقعت	Period		
			کا وقت	Government to which debitabte		
			دستکار			

Reprinted Annual in Kumbhar 17/Sheet Division Manselva on 30-01-2008 vide CFPO G/S ATD No 100 dated 29-01-2008

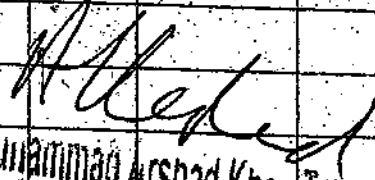
Divisional Forest Officer  
Kumbhar Watershed Division  
Manselva

Transferred to Kumbhar 17/Sheet Division Manselva vide CFPO 17/Sheet ATD No 18 dated 20-10-2008 & reprinted departure on 21/10-2008

Divisional Forest Officer  
Kumbhar Watershed Division  
Manselva

Official Seal  
Office of the Additional District Judge  
Office # 33, Vinay Plaza Adjacent  
to the Supreme Court of Pakistan  
Islamabad

8	9	10	11	12		13	14	15
Signature of Government servant.	Signature and designation of the Head of the office or other appointing officer.	Date of termination or appointment	reason of termination (such as promotion, transfer, dismissal etc.)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave not exceeding 120 days) to which leave salary is debitable to another Government	Signature of the Head of the office or other attesting Officer	Reference to any recorded punishment or reward or praise of the Government servant.
دستخط سرکاری ملازم	دستخط سرکاری ملازم	تاریخ انقطاع ملازمت	وجہات انقطاع ملازمت ترقی تبادلہ برطانی	دستخط سرکار	رحمت کمزور دیوار	چار ماہ تک کی رحمت کے لئے اوسط تنخواہ کا تہیں Period Government to which debitable	دستخط سرکار	حرفہ ملازمت
29/2008			Reported Annual in Kunhar W/Sheet Division Manshera on 30-01-2008 vide CF/PO W/PS ATD No 100 dated 29-01-2008					
1-12-2008 31/8/0			Transferred to Kunhar W/Sheet Division Manshera vide CF/PO W/Sheet ATD No. 18 dated 20-10-2008 & reported departure on 21/10-2008.					

  
 Arshad Khan Tanoli  
 Advocate Supreme Court of Pakistan  
 33 Jinnah Plaza Adjacent  
 Dist. B. Abbottabad

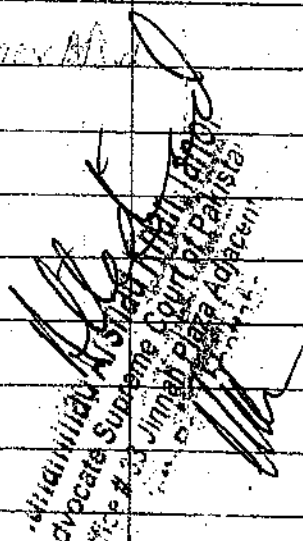
Divisional Forest Officer  
 Manshera Division  
 Manshera

Divisional Forest Officer  
 Kunhar Watershed Division  
 Manshera



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1	2	3	4		5		6	7	8
Name of Post	Whether Substantive or officiating and whether permanent or temporary	If officiating state- (i) substantive appointment or (ii) whether service counts for pension under rule 3-20 of C.S.R. (Pb.) Volume II	Pay in substantive position		Additional pay for officiating		Other emoluments falling under the term pay	Date of appointment.	Signature of Government servant.
			Rs.	Ps.	Rs.	Ps.			
درجہ ملازمت	عارضی مستقل قام مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق پنشن کا مستحق ہے	تخواہ بطور عارضی ملازمت	زائد تخواہ بطور قائم مقام	مساوائے تخواہ دیگر اڈانس	تاریخ تقرری	دستخط مستحق کاروبار		
					39357		4200/-	29/10/81	
					40357			31/8/81	


  
 Advocate Supreme Court of Pakistan  
 Jinnah Plaza Adjacent  
 F-7/1, Phase-7, Islamabad

Entries in this page should be renewed or re-attested at least every five years and the Signature in Use should be dated.

P-37

Name: HAMAYUN KHAN

Religion: PAKISTANI (ISLAM)

Residence: VILLAGE CHUNA KARI P.O. NOWROZSHER TANDA  
DISTRICT ABBOTTABAD

Father's name and residence: YACOOB KHAN

Date of birth by Christian era as early as can be ascertained: 1962 (Nineteen hundred & sixty two)

Exact height by measurement: 5' 8"

Personal marks for identification:

Left hand thumb and Finger impression of (Non-Gazetted) officer:

Little Finger:

Ring Finger:

Middle Finger:

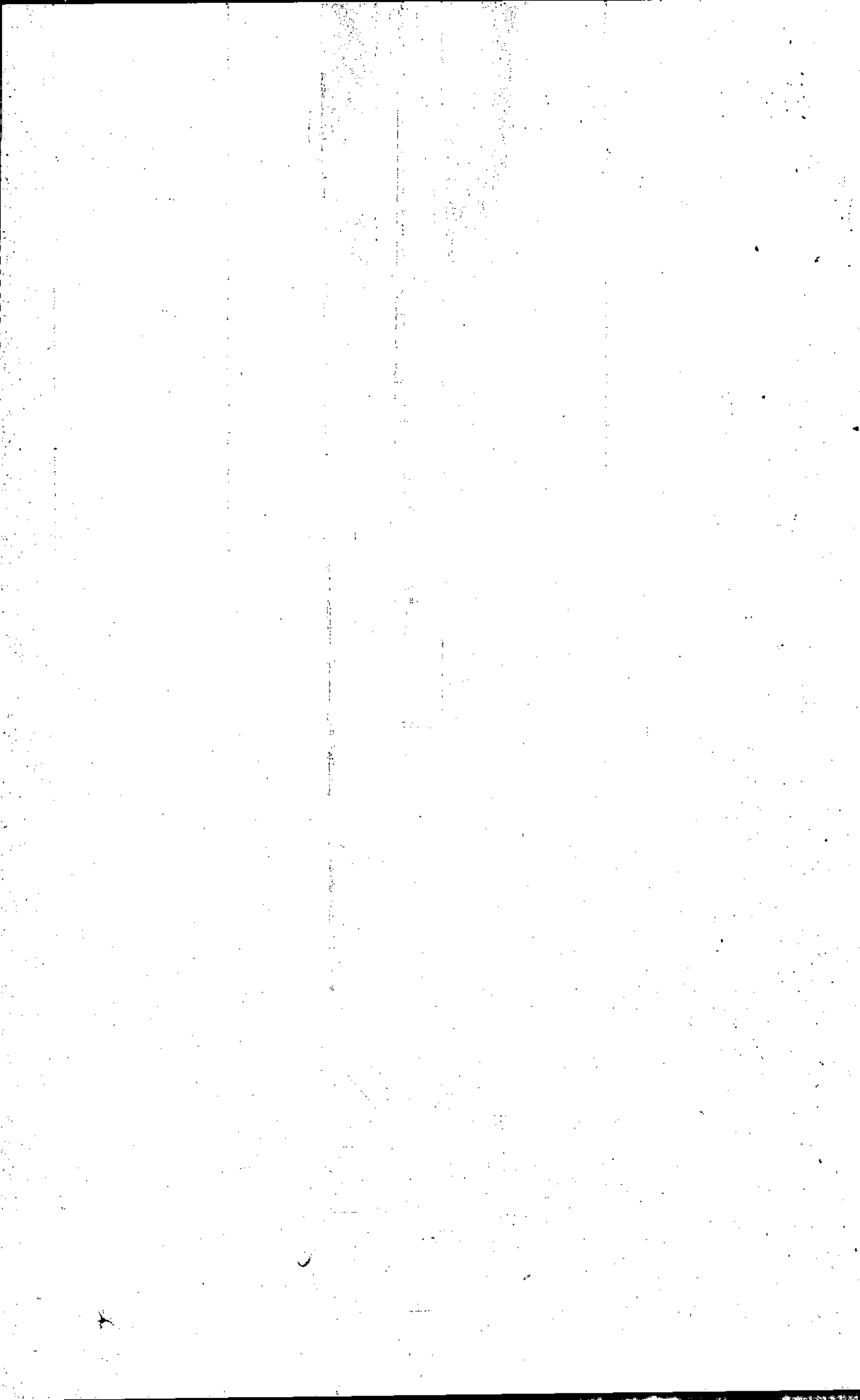
Fore Finger:

Thumb:


Signature of Government Servant: [Signature]

Attested  
M. Masood Khan Tanoli  
Advocate Supreme Court of Pakistan  
Office: Jinnah Plaza Adjacent to  
District Bar Abbottabad

Signature and designation of the Head of the Office, or other Attesting Officer: [Signature]



2	3	4	5	6	7	8	9
Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government	Name and Designation of head of the office for attesting office and attestation of columns 1 to 8
Temporary	Yes		Rs. 4135/-		01/29/2008		Reporter Division
—	—		Rs. 4135/-		21/10/2008		Treasurer Manshera 21-10-
—	—		Rs. 4135/-		10/22/2008		Reporter Division
—	—		Rs. 4235/-				In Co... Notice... The Pay... 1) Dr... 2) All... 3) Allocated 4) Pay L... 5) Allowed

  
 Asad Khan  
 Advocate Supreme Court of Pakistan  
 Office # 33 Jinnah Plaza Adjacent to  
 North Pakistan Hotel

9	10	11	12	13		14
Name and Designation of head of the office or attesting officer in columns 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer.
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	
				Period	Government to which debitable	
	P. 39					
Reported Arrival in Umhar Watershed Division Manshira on 29/01/2008						S
Transferred to Umhar Watershed Division Manshira and reported departure on 21-10-2008						
Reported Arrival in Umhar Watershed Division Manshira on 22-10-2008						
In Compliance with Govt. F. NWFP Finance Deptt. Notification No. FD(SR-I) 2-4/2008 dated 4-9-2007 the pay of the official fixed as under:-						
1) Pay on 31-08-2007	Rs.	3295/-	✓			
2) Allowed Special Increment on 1/9/2007		85/-	✓			
		Total: 3380/-	✓			
Allowed Annual Increment on 1-12-2007		85/-	✓			
		3465/-	✓			
Pay Fixed on 1-7-2008		4135/-	✓			
Allowed Annual Increment on 1-12-2008		100/-	✓			
		Total: 4235/-	✓			


Signature: *(Handwritten Signature)*  
 Director, Manshira Watershed Division  
 Manshira, NWFP  
 Government of Jammu & Kashmir  
 Jammu

2	3	4	5	6	7	8	9
Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant	Name and Designation of head of the office by attesting office and attestation of Columns 1 to 8
Temp	yes		Rs. 4335/-		12/1/2009	P-40	Allowed
-	-		Rs. 4335/-		6/30/2009		Termi vide office
-	-		Rs. 4335/-		10/20/2010		Adj Post Imme order arriv w.e.f strea
-	-		4300/-		20/10/2010		
-	-		4500		12/01/2010		Al
Shad Khan Advocate Supreme Court of Pakistan Office # 33, Jinnah Plaza Adjacent to 51st St. Abbottabad			4500		12/01/2010		

1	9	10	11	12	13		14
					Leave		
Name and Designation of the officer	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government		Signature of the head of the office or other attesting officer
					Period	Government to which debitible	
			P-41				
Allowed Annual Increment							
Terminated from service on 30-6-2010 Vide DFO Khumbar W/Specd Division office order No. 51 dated 30-6-2010.							
Adjusted against the available regular Post of Driver in own pay and scale with immediate effect vide DFO Khumbar office order No. 21 dated 19-10-2010 and reported arrival on 20-10-2010 intervening period w.e.f. 1-7-2010 to 19/10/2010 shall be treated as extra ordinary leave without pay.							
<p>Due to some legal mistake compendium in Office Order No. 81 dated 19-10-2010 vide the DFO Khumbar office order Drawing Memorandum No. 22 dated 25/10/2010 under attached boards</p> <p>① Informed and advised ② In his non-pension scale ③ Paragraph No. 2</p>							
Allowed Annual Increment							
<p>Mumtaz Ahmad Advocate Supreme Court of Pakistan Office # 33 Jinnah Plaza Adjacent to Jinnah</p>							

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2. Whether substantive or officiating and whether permanent or temporary	3. If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4. Pay in substantive post	5. Additional Pay for officiating	6. Other emolument falling under the term "Pay"	8. Date of Appointment	9. Signature of Government Secretary	10. Rank and Designation of the officer requesting office (Station of posts 1 to 8)
Temp	yes	-	Rs. 4640/-		12/2/2010		
-	-	-	Rs. 7500/-		01/07/2011		
-	-	-	7270/-				
-	-	-	Rs. 7730/-		12/01/2011		
-	-	-	7500/-				
-	-	-	Rs. 7960/-		12/1/2012		30
-	-	-	7730/-				


**Afsana Khan Tanoli**  
 Senior Advocate  
 Supreme Court of Pakistan  
 Office No. 10, Jinnah Plaza Adjacent  
 Str. Bar Abbottabad



9	10	11	12	13		14
				Leave		
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitible to another Government	
Period	Government to which debitible					
		P-43				
		Promoted to the rank of Driver in BPS-4 against regular vacant post of Driver in Kumbhar W/3rd Division Manselra vide office order No 30 dated 2-12-2010 with immediate effect.				The office order No. dated 02/12/2010 regarding the promotion of Mr Hamayun is withdrawn from the date issued vide office order dated 5/12/10
		Pay revised in accordance with Govt. of KPK Finance Deptt. Notification No. FD (PRC) 1-1/2011 dated 14/1/2011.				
		Approved Annual Increment				
		Approved Annual Increment				
		Approved Annual Increment				

Wazir Khan Jais  
 Court of Pakistan  
 Adjacent

	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 374 C.S.R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government Servant	9 Name and Designation of the officer attesting office attestation of columns 1 to 8
Temp	Yes	-	Rs. 7960/-	-	-		
do			Rs. 8190/-	7960/-	12/11/2013		30/12/13
Arshad Khan			Rs. 8420/-		12/01/2014		30/1/14
Temp	Sub/yea		Rs. 8420/-		01/2014		30/1/14
			Rs. 8420/-				

P-44

Arshad Khan  
 District Court of Pakistan  
 Office of the District Judge  
 District Bar Abbotabad

9	10	11	12	Leave	Signature of the head of the office or other attesting officer
Name and Designation of the office attesting officer (Registration of forms 1 to 8)	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government
				Period	Government to which debitable

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Transferred to Patrol Squad Forest Division Abbottabad vide Chief Conservator of Forests Northern Forest Region-III Abbottabad office order No. 77 dated 29-3-2013 and reported his departure on 5-4-2013.

Reported Arrival in Patrol Squad Lower Hazara Circle, Abbottabad on 04-4-2013.

3/5/2013

Divisional Forest Officer Patrol Squad Lower Hazara Circle Abbottabad

Allowed Annual Increment

Divisional Forest Officer Patrol Squad Lower Hazara Circle Abbottabad

30/7/2014 Allowed Annual Increment.

Divisional Forest Officer Patrol Squad Lower Hazara Circle Abbottabad

Arifman Hussain Khan, Advocate Supreme Court of Pakistan, 1030, Lajpota Plaza, Islamabad.

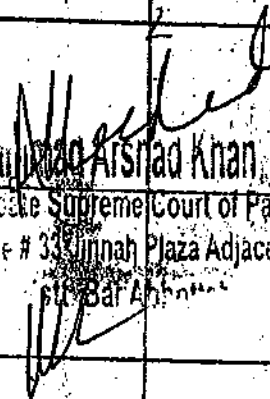
30/6/2014 In pursuance of Govt. KPK Finance Dept. (Regulation Wing) Financial Notification No. FD (GOSR-I) 2-123/2014 dated 14-7-2014, one premature increment is allowed.

NK/Mom 01/01/2014

Divisional Forest Officer Patrol Squad Lower Hazara Circle Abbottabad

1	2	3	4	5	6	7	8	9
Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government	and Designation of the officer attesting officer (Registration of Annex 1 to 8)	

(12/2014) Temp	Subj. 49	Rs. 8650/-	8420/-		12/01/2014	P-4A	
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 Arshad Khan, Advocate  
 Advocate Supreme Court of Pakistan  
 Office # 333 Jinnah Plaza Adjacent  
 to Bar Association

		Rs. 11065/-	10930/-		1-7-2015		12/2015
--	--	-------------	---------	--	----------	--	---------

		Rs. 11365/-	11230/-		1-12-2015		30/2015
--	--	-------------	---------	--	-----------	--	---------

(12/2015)		Rs. 12110/-			2/12/2015		2/12/2015
-----------	--	-------------	--	--	-----------	--	-----------

Serial No.	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	
					Period	
	11/30/2014	Annual increment allowed	<i>[Signature]</i>			
		Transferred from Forest Guard Lower Forest Circle to Duar Waters Division (Watershed Circle) vide CF NFR-II Adl Office order No. 78 dated 19/07/2015 and reported departure on 20/07/2015	<i>[Signature]</i>			<i>[Signature]</i>
	12/2015	Scale raised 10-0-17/2015	<i>[Signature]</i>			<i>[Signature]</i>
	30/07/2015	Allowed Annual Increment	<i>[Signature]</i>			<i>[Signature]</i>
	2/12/2015	Post upgrade from Bs-4 to Bs-6 under Govt of Nepal Finance Dept. Notification No. FD/2015(PK)7-20/2015 dt 30/06/15 Pay fixed as per R.P. 1-12-2015	<i>[Signature]</i>			<i>[Signature]</i>

DIVISIONAL FOREST OFFICER  
DUAR WATERSHED DIVISION  
ABBOTTABAD

DIVISIONAL FOREST OFFICER  
DUAR WATERSHED DIVISION  
ABBOTTABAD

RECEIVED  
OFFICE OF THE  
CHIEF FOREST OFFICER  
DUAR WATERSHED DIVISION  
ABBOTTABAD

RECEIVED  
OFFICE OF THE  
CHIEF FOREST OFFICER  
DUAR WATERSHED DIVISION  
ABBOTTABAD

R. H. 21530

Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Designation of the office holding officer and position of posts 1 to 8
Temp	Yes		Rs. 2700	15010/2	1.7.2016	17 2016
				14540/- ✓		
				Rs. 15480/-	1.12.2014	30 2014
				15010/- ✓		
				Rs. 18460/-	1.7.2017	17 2017
	<p>Asst. Registrar Supreme Court of Pakistan 3 Jinnah Plaza Adjacent Bar Association</p>			17900/- ✓		
				Rs. 19020/-	1.12.2017	30 2017
				Rs. 19580/-		
				18460/- ✓		

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Sl. No.	Name and Designation of the officer	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer	Remarks
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
					Period	Government to which debitable		
26		17/2016	In Pursuance of Govt. of Kpk Finance Dept: Notification NO FD (PRE) 1-1-2016 dated 19-7-2016 Pay Fixed as under-	49				
			(I) Pay on 30/6/2016		RS 12110/-			
			(II) Fixed in revised pay scale - RS 15010/-					
26		30/11/2016	Allowed annual increment.					
27		1-7-2017	In pursuance of Govt. of Kpk Finance Dept: Notification NO-FD/5038-17) 1-7-2017 Pay fixed as under -					
			1) Pay on 30.6.2017		RS: 15480/-			
			2) Fixed in revised pay scale Rs: 18460/-					
		30/11/2017	Allowed Annual increment for the year 2017.					

DIVISIONAL FOREST OFFICER  
DUAR WATERSHED DIVISION  
ABOTTABAD

DIVISIONAL FOREST OFFICER  
DUAR WATERSHED DIVISION  
ABOTTABAD

DIVISIONAL FOREST OFFICER  
DUAR WATERSHED DIVISION  
ABOTTABAD

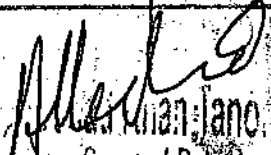
DIVISIONAL FOREST OFFICER  
DUAR WATERSHED DIVISION  
ABOTTABAD

Service from ... To ...  
Verified by ...

DIVISIONAL FOREST OFFICER  
DUAR WATERSHED DIVISION

P-50

2 Whether substan- tive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government Servant	9 Signature and Designa- tion of the head of the office for attesting officer in attestation of columns 1 to 8
24/20) Tem	Yes			Rs 19580/-	4.12.2018		
				19820/-			
				19580/-	1.12.2019		
				Rs 20755	01-12-2020		

  
 Akhtar Khan Jano  
 Advocate Supreme Court of Pakistan  
 Office # 53 Jinnah Plaza Adjacent to  
 District Office Abbottabad

  
 Divisional Forest Officer  
 Daul Watershed Division  
 Abbottabad



8	9	10	11	12	13		14
Name of the Officer	Designation of the officer	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer
					Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government	
					Period	Government to which debitable	
				<i>P-5</i>			
<i>18</i>		<i>30/11/2018</i>		<i>Allowed annual increment</i>			
				<i>Divisional Forest Officer Daur Watershed Divisions Abbottabad</i>			
		<i>30/11/2019</i>		<i>Allowed annual increment</i>			
				<i>Divisional Forest Officer Daur Watershed Divisions Abbottabad</i>			
				<i>Terminated on 07/11/2019 DFO Daur Watershed Divisions Abbottabad Date 4-07-2020</i>			
				<i>Divisional Forest Officer Daur Watershed Divisions Abbottabad</i>			
		<i>30/11/2020</i>		<i>Allowed Annual Increment</i>		<i>Service from ..... To ..... Verified from Salary &amp; Co.</i>	
				<i>DFO Daur Watershed Divisions Abbottabad</i>			

*Ullah (112) / 1312 / 1991  
Advocate Supreme Court  
Office # 33, Jinnah Road, Abbottabad*

2 Whether substan- tive or officiating and whether permanent or temporary	3 If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	4 Pay in substantive post	5 Additional Pay for officiating	6 Other emolument falling under the term "Pay"	7 Date of Appointment	8 Signature of Government Servant
			P-52			
BPS-7		Yes	Rs 21360/-		1/12 2021	
			20700/-	✓		
<p>Pay defined in BPS-06 after Cancellation of BPS-07 Order</p> <p>① Pay on 01-12-2019 in BPS-06 = 20140/-</p> <p>② Pay on 01-12-2020 in BPS-06 = 20700/-</p> <p>③ Pay on 01-12-2021 in BPS-06 = 21360/-</p> <p>④ Pay on 01-12-2022 in BPS-06 = 21820/-</p> <p>Calculation</p>						
<p>Divisional Forest Officer Duar Watershed Division Abbottabad</p>						

and Designation  
of the office  
attesting officer  
Registration of  
Forms 1 to 8

Address: ...  
Court of Pakistan  
...  
Bar Abbottabad

9 Signature of Government Servant	10 Date of termination or appointment	11 Reason of termination (such as Promotion, transfer, dismissal, etc)	12 Signature of the head of the office or other attesting officer.	13 Leave		14 Signature of the head of the office or other attesting officer	Remarks received, or or granted by the Government Servant	
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debtible to another Government			
					Period			Government to which debtible
	30/11 2021	Allowed Annual Increment	<i>P. S. D.</i>					
			<i>P. S. D.</i> DFO Darul W. Shed					
		Allowed annual increment						
		for the purpose of service Calculation	<i>P. S. D.</i>					
			DIVISIONAL FOREST OFFICER Duar Watershed Division <i>P. S. D.</i>					
			DIVISIONAL FOREST OFFICER Duar Watershed Division <i>P. S. D.</i>					
			Office Order No. 18 dated regarding grant of PFs withdrawn vide O.P. No. Watershed Division Office Order No. 16 dated 10-11-2021					
			Divisional Forest Officer Duar Watershed Division <i>P. S. D.</i>					

With a view to  
 promote efficiency  
 The Hon'ble  
 Minister, Forest  
 Department  
 Government of India  
 New Delhi  
*[Signature]*  
 Secretary

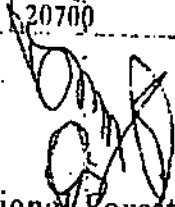




	10	11	12	13		14
Designation of the office Posting officer Station of 1 to 8	Date of termination or appointment	Reason of termination (such as Promotion, transfer, dismissal, etc)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government.	
				Period	Government to which debitable	

P-53

REVISED PAY FIXATION IN RESPECT OF MR. HAMAYUN KHAN DRIVER

S#	Period	Pay
1	Pay on 19/10/2010 in BPS-02	4335
2	Pay on 20/10/2010 in BPS-04	4360
3	Pay on 01/12/2010	4500
4	Pay revised on 01/07/2011	7270
5	Pay on 01/12/2011	7500
6	Pay on 01/12/2012	7730
7	Pay on 01/12/2013	7960
8	Pay on 30/05/2014	8190
9	Pay on 01/12/2014	8420
10	Pay revised on 01/07/2015	10930
11	Pay on 01/12/2015	11230
12	Pay on 02/12/2015 on up-gradation to BPS-06.	11735
13	Pay revised on 01/07/2016	14540
14	Pay on 01/12/2016	15010
15	Pay revised on 01/07/2017	17900
16	Pay on 01/12/2017	18460
17	Pay on 01/12/2018	19020
18	Pay on 01/12/2019	19580
19	Pay on 01/12/2020	20140
20	Pay on 01/12/2021	20700

  
 Divisional Forest Officer  
 Daur Watershed Division  
 Abbottabad

# Annex-E P-56

بخدمت جناب سیکرٹری صاحب محکمہ ماحولیاتی تبدیلی۔ فارسٹ ماحول اور جنگلی حیات

عنوان: اپیل برخلاف آفس لیٹر نمبر 1053 / Pension / B & A / مجریہ 10-01-2023

جناب عالی!

فدوی بحیثیت چوکیدار امالی واٹرشید منجمنٹ پراجیکٹ ہزارہ سیول ڈویژن دھوڑ واٹرشید ڈویژن میں بحوالہ آفس آرڈر نمبر 48 مجریہ 2/2/1995 کو بھرتی ہوا مورخہ 30/5/2001 کو بزرگیہ چھٹی نمبری 2042/DWS سائل کو مطلع کیا گیا کہ بحیثیت کنٹرکٹ ملازم آپ کو برخواستگی کا نوٹس دیا جاتا ہے کہ آپ کی سروس 20-06-2001 سے ختم کی جاتی ہے۔ بعد ازاں آفس آرڈر نمبر 04 مجریہ 31/7/2001 کو دوبارہ کلینر کی پوسٹ پرائڈ جسٹ کر لیا گیا۔

الف۔ چونکہ واٹرشید منجمنٹ پراجیکٹ پامپنگ پراجیکٹ کے طور پر 1964 میں ہزارہ میں شروع ہوا تو پھر 1971 میں باقاعدہ واٹرشید منجمنٹ سرکل ایبٹ آباد اور پانچ واٹرشید ڈویژن معرض وجود میں آئے۔

- ۱۔ دھوڑ واٹرشید ڈویژن ایبٹ آباد
- ۲۔ کنار واٹرشید ڈویژن مانسہرہ
- ۳۔ اکنار واٹرشید ڈویژن مانسہرہ
- ۴۔ کوہستان واٹرشید ڈویژن بشام
- ۵۔ بونیر واٹرشید ڈویژن

واٹرشید منجمنٹ پراجیکٹ کچھ خاص وقت کیلئے تعین نہیں تھا اور نہ ہی فکس تنخواہ یا وقت کا تعین یا ہم سے کوئی ایگریمنٹ کیا گیا۔ بلکہ ایک سرکاری ملازم کی طرح ہمیں باقاعدہ تنخواہ / الاؤنس اور انگریمنٹ ملتی رہی بلکہ باقاعدہ ہماری ایک سیول سروس کی طرح ہماری سروس کی باقاعدہ سروس بک ہر ایک دفتر میں Maintain کی گئی۔

ب۔ چونکہ واٹرشید منجمنٹ پراجیکٹ مسلسل پراجیکٹ کے ذریعے چلتا رہا ہے ایک پراجیکٹ کا وقت ختم ہوتا تو دوسرا شروع ہوتا۔ تو اس طرح 1964 سے لیکر 2010 تک جب واٹرشید منجمنٹ پراجیکٹ باقاعدہ SNE کے ذریعے نارمل بجٹ میں آیا۔ اس عرصہ کے دوران ہر ایک واٹرشید منجمنٹ کے ملازم کو ایک پراجیکٹ کے وقت کے اختتام پر اس طرح کا نوٹس دیا جاتا اور اس کو دوسرے پراجیکٹ میں ایڈجسٹ کر دیا جاتا۔

*Muhammad Iqbal Khan Iano*  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent

ج۔ اس ہی طرح مختلف اوقات میں سول سروس ایکٹ 1973 میں بھی ترامیم ہوتی رہیں۔ 2005، 2009

ریگولیشن آف سروس ایکٹ 2009، ریگولیشن آف سروس ایکٹ 2018۔

2018 کے ریگولیشن آف سروس ایکٹ کی ذیلی سیکشن (4) (2) میں پراجیکٹ کی تعریف اس طرح کی گئی ہے کہ پراجیکٹ جو کہ  
راہی نوعیت کا ہو جس کا وقت تعین نہ ہو اور جس کا جاری رہنا اور اس کو باقاعدہ بحث میں ڈالنا یا تبدیل کرنا ضروری ہوتا کہ صحیح طریقہ کا سرانجام پائے  
جسکی باقاعدہ فارسٹ ڈیپارٹمنٹ نے نشاندہی کی ہوئی ہو اور باقاعدہ شیڈول میں شامل کیا جائے۔

تو اس طرح پراجیکٹ کے ملازمین ریگولیشن آف سروس ایکٹ کی طرح پینشن لینے کے حقدار ہیں۔

ر۔ یہ کہ برزلیہ آفس آرڈر نمبر 100 مورخہ 29/01/2008 سائل کو دھوڑا ٹرشیڈ سے کنارہ ٹرشیڈ میں تبدیل کیا گیا اور

اس ہی طرح بحوالہ آفس آرڈر نمبر 18 مجریہ 20/10/2008 کنارہ ٹرشیڈ ڈویژن میں ٹرانسفر کیا گیا۔ ایک ریگولیشن آف سروس ایکٹ تمام  
مراعات دی جاتی رہی ہیں اور باقاعدہ سروس بک میں اندراج ہے۔

ز۔ یہ کہ DFO کنارہ ٹرشیڈ ڈویژن نے برزلیہ چھٹی نمبر 1 آفس آرڈر نمبر 51 سائل کو سروس سے برخاست کر دیا کہ  
پراجیکٹ ختم ہو گیا ہے۔ بعد ازاں آفس آرڈر نمبر 21 مورخہ 19/10/2010 کے تحت سائل کو ڈرائیور کی پوسٹ پر ایڈجسٹ کر دیا گیا یہ کہ  
سائل کے آرڈر کو بعد ازاں آفس آرڈر نمبر 22 مورخہ 25/10/2010 کے تحت ایک تصحیح کے ذریعے مزید بہتر کیا گیا۔

ر۔ یہ کہ سائل بحیثیت ڈرائیور مختلف جگہوں پر سروس کرتا رہا ہے اور اس دوران ایک ریگولیشن آف سروس کی حیثیت سے تمام مراعات حاصل  
کرتا رہا ہے اور پوسٹ Upgradation کے نوائے بھی سائل کو دیے جا رہے ہیں۔

سائل کو آفس آرڈر نمبر 38 مجریہ 13/04/2022 کے تحت مورخہ 30/6/2022 سے ریٹائرڈ کر دیا گیا۔

س۔ یہ کہ سائل کا پینشن کیس ڈی۔ ایف۔ او دھوڑا ٹرشیڈ کی طرف سے مکمل واجبات کیساتھ بجٹ اینڈ اکاؤنٹ آفیسر

کلائنٹ صحیح فارم کی نوٹس اور ملازمت اور ملازمت کو ارسال کیا گیا۔ جیسے مذکورہ آفس نے مختلف اعتراضات لگا کر مختلف اوقات میں واپس کیا اور  
سائل کی سروس کو بحیثیت ڈرائیور تعیناتی کی تاریخ سے ریگولیشن آف سروس 8/2/1995 سے 25/10/2010 کو شامل ہی  
نہیں کیا گیا۔

ش۔ یہ کہ سائل پڑھ لکھا نہیں اور نہ ہی مندرجہ بالا بار کیٹیوں سے آگاہ تھا کہ اس وقت سروس میں کیا کیا جا رہا ہے۔ یہ کہ سائل نے

تمام سروس باقاعدگی اور پورے وقت سے کی ہے۔

Advocate Sun

ڈائریکٹر B & A آفس کو میں نے باقاعدہ درخواست دی کہ باقی ملازمین کی طرح مجھے بھی پوری پینشن کی مراعات دی جائیں لیکن انہوں نے میری درخواست کو ان الفاظ کیساتھ واپس کر دیا کہ 30/03/1989 اور 11/07/1989 کے قوانین اور گورنمنٹ کی ہدایات کے مطابق پراجیکٹ کے ملازمت کو سول سروس کا درجہ نہیں ہے اور نہ ہی یہ ملازمین پینشن کے حقدار ہیں۔  
تو اس طرح ہمارے دفتر نے ٹھیک پینشن کا حساب لگا کر بھیجی ہے اور میری درخواست خارج کر دی گئی۔  
جناب عالی!

اب میں آپ کو 30/03/1989 والے قانون کے متعلق وضاحت کرنا چاہتا ہوں۔ جس کی بنیاد پر میری درخواست خارج کی گئی اور نوکری کو 27 سال، 4 ماہ، 22 دن کو قبول کرتے اور پینشن بناتے مجھے صرف 11 سال، 8 ماہ، 8 دن کا فائدہ دیا گیا۔  
ایک سمری وزیر اعلیٰ خیبر پختونخواہ کو 2005 میں فنانس ڈیپارٹمنٹ نے بھیجی کہ دیروقت میں 45 لوگوں کو واٹرشید منجمنٹ پراجیکٹ میں بھرتی کیا گیا تھا (عارضی بنیادوں پر) اور جن کو 1998 میں Administrative Department نے ٹھیک قانونی طریقہ پر نوکریوں سے برطرف کر دیا گیا۔

Administrative ڈیپارٹمنٹ کے اس فیصلے کے خلاف لوگ سروس ٹریبونل چلے گئے مورخہ 19/6/1999۔  
سروس ٹریبونل نے اپنے فیصلے میں لکھا کہ وہ ملازمین جو کہ کٹریکٹ پر بھرتی ہوئے ہیں اور جنکی مدت ملازمت 10 سال سے زائد ہو گئی ہے عدالتوں کے فیصلوں کی روشنی میں پینشن کے فوائد کے حقدار ہیں اور جنکی مدت ملازمت 10 سال سے کم ہے وہ اس مراعات کے لائق نہیں ہونگے۔ پیرا نمبر 2 میں محکمہ خزانہ نے کہا کہ عدالت عالیہ نے عدالت عظمیٰ کے حکم ناموں / فیصلوں کی بنیاد پر درخواست دہندگان کیلئے پینشن فوائد کا ذکر کیا ہے جبکہ پینشن کا خصوصی طور پر ذکر نہیں کیا گیا ہے۔

محکمہ خزانہ نے مندرجہ بالا کو اپنی سمری میں اس طرح وضاحت کی کہ پراجیکٹ کے ملازمین جنکی پچھلی سروس GAD s8 کے نوٹیفیکیشن نمبر (S8 GAD)8/38/86 SO R-III مجربہ 30-03-1989 پینشن کے حقدار ہونگے اور وہ ملازمین محکمہ خزانہ کے مطابق پینشن کے فوائد کے حقدار ہونگے جو کہ پنشن رولز 21 کے مطابق ہونگے (خاصہ سمری میں دیا ہوا ہے)

محکمہ خزانہ نے سمری کے ذریعے وزیر اعلیٰ صاحب کو درخواست کی کہ ہماری 30/3/1989 والے خط کی باقاعدہ منظوری دیں۔ اس سلسلہ میں جب سمری سینئر وزیر صاحب کے پاس آئی تو انہوں نے باقاعدہ میٹنگ بلائی جس میں ذیل لوگ شامل ہوئے۔

۱۔ سینئر وزیر حکومت خیبر پختونخواہ

۲۔ سیکرٹری خزانہ

۳۔ ڈپٹی سیکرٹری ریگولیشن

۴۔ سیکرٹری انوائسٹمنٹ

Advocate General, Punjab  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
Bar Abbotsabad



میٹنگ کے دوران درج ذیل فیصلے ہوئے جو کہ سمری کا حصہ ہے۔

i- جس وقت ملازمین کو کنٹریکٹ پر نوکری میں رکھا گیا تو اس وقت نہ تو کنٹریکٹ کا وقت متعین تھا۔ نہ ہی کوئی دوسری شرائط اور نہ ملازمین کیساتھ کوئی باقاعدہ معاہدہ ہوا۔

ii- اس طرح کے 100 سے زائد ملازمین جو کہ کنٹریکٹ پر بھرتی کیے گئے۔ جن کو بعد ازاں بغیر نوکری میں تعطل کے باقاعدہ ریگولر کیا گیا۔

iii- سروس ٹریبونل نے تمام ملازمین کی درخواست کو منظور کیا اور ملازمین عارضی بھرتی کو پیش کے فوائد کا حقدار ٹھہرایا۔

iv- سروس ٹریبونل کے فیصلہ کو روشنی میں چھبیس ملازمین کو ریگولر کیا گیا۔

v- سروس ٹریبونل کے فیصلہ کے خلاف حکومت کو درخواست کو سپریم کورٹ نے خارج کیا اور اس طرح سروس ٹریبونل کے فیصلہ کو آخری اسقامت ملی۔

vi- درخواست گزاروں کی طرح تین ملازمین جو کہ کنٹریکٹ پر بھرتی ہوئے تھے۔ محکمہ نے پہلے ہی ریگولر کر دیے ہیں تو اس طرح ان ملازمین کو انصاف نہ دینا ٹھیک نہیں ہے۔ اور ان تین ملازمین کا باقاعدہ ریگولر کرنا ان لوگوں کو فائدہ دے رہا ہے۔

vii- محکمہ قانون نے بھی آئی رازے میں سروس ٹریبونل کے فیصلہ کو مقدم رکھا۔

تو اس طرح اس سمری کے پہرا نمبر 15 کے تحت کمیٹی نے اپنی سفارشات میں لکھا کہ باقی 26 لوگ کنٹریکٹ بھرتی ریگولر ہوتے ہیں تو اس طرح یہ لوگ بھی پیش کے فوائد کے حقدار ہیں۔ اور ان تمام کو بھی ریگولر کیا جائے اور ان مسئلہ کے ہمیشہ کیلئے ختم کیا جائے۔

کمیٹی نے محکمہ خزانہ کو سمری واپس کی ان کلمات کیساتھ کی سمری کو مندرجہ بالا فیصلوں کی روشنی میں دوبارہ بعد ازاں خط سمری وزیر اعلیٰ صاحب کو بھی تو انھوں نے محکمہ خزانہ کے خط کیساتھ راضی نہیں ہوئے اور کہا کہ ان ملازمین کیساتھ جس طرح سروس ٹریبونل نے فیصلہ کیا ہے اور سپریم کورٹ نے حکماً Appeal خارج کر دی ہے اور سروس ٹریبونل کے فیصلہ کو infinity مل چکی ہے اس کے مطابق عمل کیا جائے۔ تاہم وزیر اعلیٰ صاحب نے سکریٹری ماحولیات کو حکم دیا کہ ان محکمہ کے آفسروں کے خلاف کارروائی کی جائے۔ جسکی وجہ سے محکمہ مختلف عدالتوں میں کیس کا دفاع نہ کر سکے۔ انھوں نے سمری پہرا نمبر 20 کے تحت منظور کی اور پہرا نمبر 19 کو منظور کیا۔

جناب عالی جب قانون کا حوالہ دیا گیا اس کو وزیر اعلیٰ صاحب نے سہرے سے ہی ختم کرایا گیا ہے۔ لیکن اس کے باوجود B&A آفس ملازمین کو تنگ کر رہا ہے۔

اس سلسلہ میں جناب عالی میں ایک اور بات آپ کے سامنے پیش کرنا ہوں کہ درج ذیل ملازمین جو کہ میرے طرح کنٹریکٹ پر بھرتی ہوتے تھے تو تمام مراعات پیش جس دن سے وہ بھرتی ہوئے دی گئی ہیں۔

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نمبر شمار	نام ملازم جمعہ عہدہ	تاریخ بھرتی کنٹریکٹ	تاریخ ریٹائرمنٹ	لفت
۱	جنی زریب خان F/4	07/05/1994	01-01-2021	تمام نوکری کو
۲	عالم زریب چوکیدار	11/07/1990	01-07-2013	درست قرار
۳	محمد شریف	08/01/2004	14/03/2017	دیا گیا اور تمام دی گئیں۔

تو کیا جناب عالی یہ ایک طرف فیصلہ نہیں آپ کے انصاف کا مفضاری ہے۔

۳۔ سرکاری ملازمین کے پنشن رولز 21 کے مطابق کوئی سرکاری ملازم پنشن کا اس وقت اہل ہوتا ہے جب مندرجہ ذیل شرائط پوری ہوں۔

۱۔ وہ ملازمت حکومت کے تحت ہو۔

۲۔ وہ ملازمت غیر پنشن یافتہ نہ ہو۔

۳۔ اس ملازمت کو ادارہ کی Provincial Consolidated فنڈ کی جاتی ہو۔

۴۔ سول سرونٹ ایکٹ پیرا ۲ (d) (ii) Chapter-1 (نکات) مطابق پراجیکٹ ملازمین سول ملازم نہیں ہوتے اس لئے کہ پراجیکٹ ملازمین معینہ عرصہ کیلئے کنٹریکٹ پر تعینات کئے جاتے ہیں۔

۵۔ سرکاری ملازمین کی پنشن رولز ۳۲ بھی مزید وضاحت کرتا ہے۔

۶۔ محکمہ (S S GAD) بحوالہ خط نمبر (S&GAD/8/38/86) SOR-III مورخہ 30 مارچ 1989 تمام صوبائی محکموں کو وضاحت جاری کی کہ تمام پراجیکٹ ملازمین کو پراجیکٹ کے ختم ہونے پر ایسے ملازمین کو درخواست کر دیا جائیگا۔

اس مراسلہ کے جاری ہونے سے پہلے بھی پراجیکٹ ملازمین مقررہ معیار کیلئے بھرتی کئے جاتے تھے لیکن کچھ محکموں کی غفلت اور سیاسی دباؤ کی وجہ سے بعض پراجیکٹ ملازمین زیادہ عرصہ کیلئے تو اتر گیا تھا سروس میں رہے۔

S&GAD وضع کردہ نمونہ کے مطابق پراجیکٹ / کنٹریکٹ ملازمین کیساتھ باقاعدہ معاہدہ تعیناتی طے کرنا ہوتا ہے لیکن مشاہدہ کیا گیا ہے کہ مختلف محکمے ایسا کرنے سے قاصر رہے جس کی وجہ سے پراجیکٹ ملازمین کو مقررہ معیار کے بعد بھی کہیں نہ پنشن کھپایا گیا جس سے ان کو ملازمت کی منتقلی کا جواز مل گیا۔

پیرا گراف نمبر 7، عارضی سرکاری ملازمین کیلئے پنشن کی حقدار کا طریقہ کار کی وضاحت کی گئی ہے۔ اگر ایک سرکاری ملازم جو قابل پنشن سروس میں ہو لیکن اسکی تقرری عارضی حیثیت سے ہوا ہے اسے پچیس سال یا اس سے زیادہ ملازمت کرنے پر پنشن رولز کے (پیرا گراف 4) میں درج مشعل ملازم کے مشابہ پنشن کے فوائد ملیں گے اور اگر اس کا عرصہ ملازمت 10 سال سے زیادہ لیکن 25 سال سے کم ہو تو اسے سروس کے ہر سال مکمل کرنے کے بدلے ایک مہینے کی تنخواہ بطور گریہوتی - جس کی زیادہ سے زیادہ حد 75000 روپے ہے۔

4- (پیر AI) سرری فنانس ڈویژن حکومت پاکستان اسلام آباد سے اس ضمن میں رابطہ کیا گیا۔

پیر نمبر 9

حکومت مغربی پاکستان محکمہ خزانہ کی چٹھی نمبر V-2776/68 (SR) SO مورخہ 19/02/1969 کی بنیاد پر محکمہ خزانہ نے ایک وضاحت برقیہ مراسلہ نمبر 4-112/80 SO SR- III (F.D) Vol-1 بحریہ 26 جولائی 1997 جاری کی جس کا متن درج ذیل ہے۔

" فنانس ڈویژن حکومت پاکستان کی مشاورت سے وضاحت کی جاتی ہے کہ ایک عارضی سرکاری ملازم دس سال (10) یا اس سے زیادہ لیکن 25 سال سے کم ملازمت کے بعد ایک اہل امیدداری کی آمد یا اس کی پوسٹ کے خاتمہ کی وجہ سے ملازمت سے برخاست اور بدستی ریٹائر کیا جائے۔ ملازمت کے ہر مکمل سال کے بدلے ایک مہینے کی ایماونٹس کی شرح سے زیادہ سے زیادہ پچتر ہزار روپے ہوگی، گریجویٹ کا اہل ہے۔" پیرا گراف 10 میں پینشن قوانین وفاقی حکومت کی طرف سے وضاحت اور سروس ریٹائرمنٹ کے فیصلہ کے مطابق دیر اسوات ڈائریکٹ پراجیکٹ کے ملازمین گریجویٹ کے حقدار اور پینشنری فوائد کے زمرے میں آتے ہیں اور یوں ان کو گریجویٹ کے سینیئر فوائد یعنی ہر سال کے بدلے ایک ماہ برابر ادائیگی کرنے سے سروس ریٹائرمنٹ کے فیصلے کی تکمیل ہو جاتی ہے۔ مندرجہ بالا وضاحت حقائق پر مبنی ہے اور وضاحت اس لیے بھی ضروری ہے تاکہ آئندہ کیلئے اس کی تشریح میں کسی قسم کا ابہام نہ رہے۔

پیرا گراف نمبر 11

درج بالا وضاحت کی روشنی میں محکمہ خزانہ مزید تشریح جاری کریگا جن کا متن درج ذیل ہوگا۔

پراجیکٹ ملازمین جن کی گزشتہ ملازمت محکمہ S&GAD کے مراسلہ نمبر (S&GAD) III-SOR بحریہ 30 مارچ 1989 کے تحت پیش کے فوائد کیلئے حقدار قرار دی گئی ہے۔ اس ملازمین محکمہ خزانہ کے خط کے مطابق گریجویٹ کے حقدار ہونگے۔ پینشن کے حقدار ملازمین کے زمرے میں صرف وہ ملازمین آئیں گے جنکی اہلیت پینشن کے زمرہ 21 میں رکھی ہے (غلامہ کے پیرا گراف نمبر 2 میں ان شرائط کا ذکر ہے۔

پیرا گراف نمبر 12

محکمہ خزانہ گزارش کرتا ہے کہ پیرا گراف نمبر 11 میں پیش کی گئی تشریح کو منظور کیا جائے۔

پیرا گراف نمبر 13

سینئر وزیر برائے خزانہ نے اس موضوع پر اجلاس مورخہ 22 دسمبر 2005 بلدیا۔ اجلاس کی صدارت کی جس میں متعلقہ محکمہ جات کے سکریٹری صاحب نے شہرت کی اور فیصلے کے پیرا گراف نمبر 14 میں ان فیصلوں کی تفصیل بیان کی۔ پیرا گراف نمبر 15 اور 16 کے تحت سفارشات مرتب کر کے محکمہ فاس کو سرری واپس کی اور شکایات کہیں کہ اس کی روشنی میں دوبارہ سرری بھی جائے۔

Muhammad Niaz Ali  
Advocate Supreme Court  
Office # 333, Giza, Faisalabad  
Faisalabad, Pakistan

2. ان کے بارے میں

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19. ان کے بارے میں

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18. ان کے بارے میں

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17. ان کے بارے میں

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وزیر اعلیٰ نے پیرا گراف نمبر 19 سے اتفاق کیا، مورخہ 23/02/2005 اس تمام وضاحت کے باوجود بھی مسائل کو سال 1995 سے سال 2010 تک جو لوکری کی اس کو شامل نہیں کیا گیا۔

اس ہی طرح مختلف پراجیکٹ میں ملازمین کو عرصہ پراجیکٹ کے پیش کے فوائد نہیں ملے۔ جنہوں نے مختلف عدالتوں کے دروازے کھٹکائے اور آخر کار ان کو فوائد پہنچے۔ اب میں ان کیس ہائے گا ذکر کرنا چاہتا ہوں جس کے تحت پراجیکٹ ملازمین کو دوسرے سول سروسٹ کی طرح پیش کے فوائد کا حقدار ٹھہرایا گیا جس کی تفصیل درج ذیل ہے۔

نمبر شمار	WP/Appeal	عدالت	مامل	درخواست	فیصلہ عدالت
1	WP 1010/1998	PHC	محمد اقبال زلد	انگریمنٹ	عدالت نے ملازمین کے حق میں فیصلہ دیا
			شیر عالم خان	کنٹریکٹ ملازمین	جاری کرنا
			ڈسٹرکٹ سوات		اور 36 دوسرے
2	wp977-A/2017	ایبٹ آباد	صابر چن شاہ - لیاقت علی	پراجیکٹ کی نوکری کو	عدالت نے ملازمین کے حق میں فیصلہ دیا
		بج	VS	پیشین کے نوادے	جائیں اور
			حکومت صوبہ سرحد		

Director B&A

B&A / Pen

IV / 6440d+

1/3/2017

اور نمبر 5177

مورخہ 29/11/2011

مورخہ 29/09/2017 14158

کو کا بطور قرار دیا جائے

Advocate Supreme Court of Pakistan  
Office: 27, Jinnah Plaza Adjacent to

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عدالت نے  
فیصلہ ملازمین  
کے حق میں  
20/01/2013  
کو دیا

پراجکٹ کی نوکری  
کو ریگولر کیا جائے

طہور احمد فارڑ  
ڈسٹرکٹ گورنمنٹ  
ماہرہ  
VS  
سنگھری موحویات

PHC

سرورس ایپل نمبر  
443/2011  
SCCF NFR-II  
Latter 4912-B/E  
dt 2/05/2013

3

عدالت نے ملازمین  
کے حق میں  
فیصلہ کیا  
مورخہ 2/11/2021

دوسرے ملازمین  
کی طرح ہمیں  
بھی اُس ہی  
فوائد دے جائیں

عالمگیر خان اور دوسرے  
VS  
گورنمنٹ KP نمبر  
چیف سنگھری

PHC WPN0:675/M4/4/2020

4

کہ ایک ملازم جو کہ  
عدالت آیا ہے  
اُس کو فائدہ ہوا  
ہے دوسرا نہیں آیا  
لیکن کیس ایک ہی تو  
اُس کو وہی فائدہ ہوگا  
جس ملازم کے حق میں  
عدالت نے فیصلہ کیا

Muhammad Afzal Khan Janjani  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
NIST Islamabad

فیصلہ عدالت	درخواست	پائل	عدالت	WP/Appeal	نمبر شمار
عدالت نے اس طرح کے اور بھی بہت سے درخواستوں کو اٹھنا کر کے ایک ہی فیصلہ ملازمین کے حق میں دیا	پراجیکٹ کی نوکری کو ریگولر تصور کیا جائے	عامر زین نوابد سماہ آسیہ ثانی VS لوٹھرہ DAO	PHC	WP No. 174 /A/2018	5
عدالت نے ملازمین کے حق میں فیصلہ دیا کہ انکی باقاعدہ ترقی بھی دی جائے جب DAO کو Maintain پیشن کے کاغذات کی گئی ہے لہذا اس ہی تاریخ سے فائدہ دیا جائے جب سے بھرتی ہوا گزار کنٹریکٹ پر بھرتی ہوا تھا۔	سائل کو 1994 میں عدالت نے ملازمین کے حق میں فیصلہ دیا کہ اور گریڈ 2 میں ترقی بھی دی جائے جب DAO کو Maintain پیشن کے کاغذات کی گئی ہے لہذا اس ہی تاریخ سے فائدہ دیا جائے جب سے بھرتی ہوا گزار کنٹریکٹ پر بھرتی ہوا تھا۔	عبدالواحد VS ڈسٹرکٹ ہیلتھ آفیسر ایٹ آباد	سرویل ٹریبونل کیپ کورٹ	WP No 1229/6/2016	6
عدالت نے فیصلہ ملازمین کے حق میں دیا اور لکھا کہ اس طرح کے فیصلے ہو چکے ہیں جن کی روشنی میں درخواست گزار کو بھی فائدہ دیا جائے بلکہ اگر نہ دیا تو ایک بند ذرا بکس کھل جائیگا	درخواست کی کنٹریکٹ کی ملازمت کو 18-03-1992 سے ریگولر تصور کرتے ہیں اس طرح کے فیصلے کے نواکدوے جائیں	محمد سلیمان Vs گورنمنٹ آف KP اور دوسرے	PHC ایٹ آباد چ	WP No 435/2023	7

Advocate Supreme Court of Pakistan  
Office: 1st Floor, Plaza Adjacent  
E-11, East

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06/04/2023 مورخہ 8 سرورس ایپل نمبر  
عدالت نے ملازم کے حق میں فیصلہ  
جیب الرحمان فارمٹر پراجیکٹ کی نوکری Vs کوپیشن نوآئند ریٹا  
سرورس ٹریبونل سیکریٹری انوار منٹ

نمبر شمار	WP/Appeal	عدالت	ٹائٹل	درخواست	فیصلہ عدالت
9	سرورس ایپل 9.70 of 2001	سرورس ٹریبونل	شیر احمد FIG Vs	پراجیکٹ کی نوکری مدت کو	عدالت نے تمام درخواستوں کو یکجا کرنے میں شامل کر کے ملازمین کے حق میں فیصلہ دیا
10	سرورس ایپل نمبر 45 3 /2011	//	جن زب FIG Vs	پیشن کے نوآئند دے جائیں	حق میں فیصلہ دیا
11	سرورس ایپل	SC	گورنمنٹ NWFP Vs	پیشن کی مراعات	سپریم کورٹ 514
			بزرگیو سیکرٹری اور کس اور ذرائع آمد رافت	کی درخواست	PLS1973 میں لکھا ہیکہ پیشن
			محمد سید خان Vs	اور دوسرے	تخواہ کی طرح سرکاری ملازم کا حق ہے جو کہ ملازمت کے بدلے حاصل کرتا ہے۔ یہ کوئی تخصیص نہیں

Advocate Supreme Court of Pakistan  
Office No. 10, Sadda Pinnah Adjacent to  
Mistri, Abbottabad

جناب عالی

سائل ایک غریب آدمی ہے اور ایک لمبا عرصہ سرورس کی ہے۔ زندگی کا بہترین وقت محکمہ کی بہتری اور عوام کی خدمت میں صرف کیا ہے۔ اب جبکہ سائل کے توابع جو اب دے چکے اور جوانی کی نقدی اپنے انجام کو پہنچ چکی اور سرورس راس امید پر کی تھی کہ بقایا جات ملیں گے تو بچوں کی شادی اور دوسرے فرانسس سے سکدوش ہو جاؤنگا۔ سائل کی چار جوان بچیاں جن کی شادیاں اوپر ہیں۔ دو بچے جو ابھی پڑھ رہے ہیں۔ پرانے گھر میں رہائش پزیر ہوں جو کسی بھی وقت گر سکتا ہے۔ میں اور بیوی اکثر بیمار رہتے ہیں اور ادب پرنا کردہ گناہوں کی پاداش میں بقایا جات ضبط کیے ہیں۔ جس کی وجہ سے ہماری زندگی کو اجرن بنا دیا ہے اور لوگوں سے قرضہ لیکر مقروض ہو گیا ہوں کے پیشن کے نوآئند حاصل ہونے کے بعد آپ کا قرضہ ادا کر دوںگا۔ لیکن ایک سال سے زائد کا عرصہ ہونے کے باوجود مجھے انصاف نزل سکا بلکہ اب لوگوں نے قرضہ دینا بھی چھوڑ دیا ہے۔

سائل انصاف کی امید لیکر آپ سے متمسک ہیکہ سائل کی سرورس 08/02/1995 سے Consider کی جائے اور پورے بقایا جات ادا کرنے کے آرڈر کیے جائیں اور قانون کی بالادستی کو یقینی بنا کر امتیازی سلوک ختم کیا جائے اس سے پہلے کہ سائل اس دنیا سے رخصت ہو جائے۔



*W*

*M. A. Khan*

0343-9463484 : فون نمبر

عزیز ریفرنسز ایجنسی

کے تحت (پرائیویٹ) لاہور

28/8/2023

میں نے اپنے پروفیشنل سروسز فراہم کرنے کے لیے آپ کو منتخب کیا ہے۔  
میں نے آپ کی درخواست کو دیکھا ہے اور میں نے اسے منظور کیا ہے۔  
میں نے آپ کی درخواست کو دیکھا ہے اور میں نے اسے منظور کیا ہے۔  
میں نے آپ کی درخواست کو دیکھا ہے اور میں نے اسے منظور کیا ہے۔

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
CLIMATE CHANGE FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

NO.B&A/Pen-IV(H-67)

Dated Peshawar the / / 2023

To,

Mr Hamayun Khan Ex-Driver,

C/O DFO Daur Watershed Division Abbottabad

Subject:

APPEAL AGAINST THE ADMISSIBILITY REPORT LETTER NO. B&A/PEN/1053  
DATED 10/01/2023

I am directed to refer to your Appeal/Application No. nil, dated nil on the subject noted above.

In this regard it is stated that according to the service record/Service Book maintained by the DFO Daur Watershed Division Abbottabad you were initially appointed as Chowkidar/Mali in the Project Phase-II in Daur Watershed Division Abbottabad vide DFO Daur Watershed Division Order No.48 dated 02/02/1995, and terminated from service vide O/O No.51 dated 30/06/2010, later on adjusted as Driver BPS-04 vide office order No.21 dated 19/10/2010 against the regular post.

According to Rules/Govt instructions circulated vide letter dated 30/03/1989 and letter dated 11/07/1989, the project service is not civil service and cannot be countable towards pension. This office calculated the pension of the service rendered against the regular post as per pension rules.

BUDGET AND ACCOUNTS OFFICER

Encl: NO.B&A/Pen-IV(H-67)/ 1202

Dated Peshawar the / / 2023

Copy forwarded to the Division Forest Officer Daur Watershed Division Abbottabad and directed that the Administrative Sanction according to Admissibility Report No.B&A/Pen/1053 dated 10/01/2023 may be furnished at an early date for finalization of his pension case.

*Handwritten initials/signature*




*Handwritten signature*  
Advocate Supreme Court of Pakistan  
Office # 3, Walled Plaza, Adjacent to  
Nis, 801, Abbottabad

BUDGET AND ACCOUNTS OFFICER

*Annex-F*

*P-68*

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DIVISIONAL FOREST OFFICER DAUR WATERSHED DIVISION ABBOTTABAD		Civil Line Forest Offices Abbottabad ☎ 0992-9310305
No. <u>989</u> /B&A	dated	Abbottabad   the <u>23</u> / <u>04</u> / 2024

The Budget and Accounts Officer  
 Government of Khyber Pakhtunkhwa  
 Climate Change Forestry Environment and  
 Wildlife Department Peshawar

Subject:- APPEAL AGAINST THE ADMISIBILITY REPORT LETTER NO.B&A/PEN/1053

Memo: Reference your office letter No.B&A/Pen-IV(H-67)/4693 dated 02.04.2024


The case of appellant was submitted vide this office letter No.1669/H-40 dated 28.04.2022 keeping in view of service record of the appellant which spans over a period of 27 years 04 months and 22 days as evident from his service book regularly maintained and updated on analogy of regular civil servant, wherefrom it is also evident that he had been regularly paid annual increments etc.

Similarly his services were also regularized/updated to the post of Driver vide office order No.21 dated Mansehra the 19.10.2010 (copy enclosed) and intervening period was also treated as extra-ordinary leave without pay.

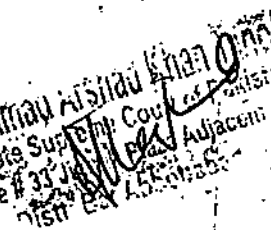
The plea taken by the appellant regarding regularization of service of other affecteds of Watershed Management Circle by various Higher Courts is also true and logical. Similarly the judgment regarding extending the relief granted to a beneficiary of a judgment of Higher Courts to other employees having similar facts/record of their service also favor the plea of the appellant.

Similarly plea of the appellant regarding certain past cases where similar nature cases of the employees, were granted pensionary benefits on the basis of the facts and circumstances similar to the instant case of the appellant, also based on facts.

The comments are furnished for favor of perusal and further necessary action, please.

  
 Divisional Forest Officer  
 Daur Watershed Division  
 Abbottabad

Encl: as above

  
 Muhammad Aslam Khan  
 Advocate Supreme Court of Pakistan  
 Office # 33 Jinnah Road Adjacent to  
 High Court Abbottabad



GOVERNMENT OF KHYBER PAKHTUNKHWA  
CLIMATE CHANGE FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

No.B&A/Pen-IV(H-67)/

Dated Peshawar the

1 / 72024

To,

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The Divisional Forest Officer  
Daur Watershed Division,  
Abbottabad

Subject: APPEAL AGAINST THE ADMISIBILITY REPORT LETTER NO. B&A/PEN/1053  
DATED 10/01/2023

I am directed refer to your letter No. 825/DWS dated 26.02.2024 on the subject noted above, and to state that your response in the subject matter/case is ambiguous having no clarification regarding regularization of the Services of Mr. Hamayun Khan Ex-Driver from date of appointment to i.e 02.02.1995 to 30.06.2010.

The DFO being appointing/pension sanctioning authority is required to send the pension case with clear position recommendation along with relevant document in light of service history etc of the employees concerned.

It is requested that the case may kindly be re-examined and if may be clarified as to whether his service period mentioned above was regularized in light of Govt. policy/rules/specific order or in light of any specific court judgment or otherwise. His total length of regular service may also be specified so as to proceed further in the matter please.

BUDGET AND ACCOUNTS OFFICER

Encls: No.B&A/Pen-IV(H-67)/4693

Dated Peshawar the 03 / 04 / 2024

Copy forwarded to the P.S to Special Secretary, CCFE&WD, Peshawar w/r to discussion held on 22.03.2024.

BUDGET AND ACCOUNTS OFFICER

EC  
DP  
DP

Muhammad Ahsan Khan 18991  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
District Bar Peshawar

(2) The concerned Department shall maintain a list of all such sacked employees whose applications are received under sub-section (1) in the respective cadres in chronological order.

(3) If any vacancy occurs against the thirty percent available share of the sacked employees in any Department, the senior in age from such sacked employees shall be considered by the concerned Departmental Selection Committee or the District Selection Committee, as the case may be, to be considered in the prescribed manner for appointment.

Provided that no willingness or response is received within a period of thirty days, the next senior sacked employee shall be considered for appointment.

(4) The concerned Departmental Selection Committee or District Selection Committee, as the case may be, will determine the suitability or eligibility of the sacked employees.

(5) If no sacked employee is available against thirty percent vacancy reserved in respective cadre in a Department, then the post shall be filled through initial recruitment.

2. **Removal of difficulties.**— If any difficulty arises in giving effect to any of the provisions of this Act, the Chief Minister Khyber Pakhtunkhwa may issue such order not inconsistent with the provision of this Act as may appear to him to be necessary for the purpose of removing the difficulty.

Provided that no such power shall be exercised after the expiry of one year from coming into force of this Act.

9. **Act to override other laws.**— Notwithstanding anything to the contrary contained in any other law or rules for the time being in force, the provisions of this Act shall have overriding effect and the provisions of any other law or rules to the extent of inconsistency to this Act, shall cease to have effect.

10. **Power to make rules.**— Government may make rules for carrying out the purpose of this Act.

## West Pakistan Civil Services Pension Rules, 1963

Chapter	Subject
Chapter-I	General.
Chapter-II	Service qualifying for Pension.
Chapter-III	Different kind of ordinary pension and condition for their grant.
Chapter-IV	Amount of ordinary pensions/gratuity.
Chapter-V	Application for grant of pension.
Chapter-VI	Anticipatory pension/gratuity.
Chapter-VII	Grant of pensionary benefits to displaced Government servants.
Chapter-VIII	Commutation of Civil Pension.
Chapter-IX	Re-employment of Civil/Military Pensioners.
Chapter-X	Extra Ordinary Pension.

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MUHAMMAD ALI NAQI KHAN JARSHI  
Advocate Supreme Court of Pakistan  
Office # 33, Jinnah Plaza Adjacent to  
West Gate, Abbottabad

## West Pakistan Civil Services Pension Rules, 1963

[Gazette of West Pakistan, Extraordinary, 21<sup>st</sup> June, 1963]  
Notification No. (SO)(SR)(III) 947/63, DATED 7<sup>th</sup> June, 1963]

### CHAPTER I GENERAL

1.1. **Short title** - These rules may be called the West Pakistan Civil Services Pension Rules.

1.2. **Commencement** - These rules shall have effect from the 14<sup>th</sup> October, 1955.

1.3. **Extent of application** - Unless in any case it be otherwise expressly provided, by these Rules shall apply to:-

- (i) All Government servants under the rule-making control of the Government of West Pakistan who entered Government service on or after the 14<sup>th</sup> October, 1955.
- (ii) All Government servants who were in service on and before 14<sup>th</sup> October, 1955 unless they opt to continue to be governed by the existing rules applicable to them.
- (iii) All pensioners who retired from Government service after the 14<sup>th</sup> October, 1955 but before the date of publication of these rules, if they opt to be governed by these rules.

Note-(1) In the case of Government servants or pensioners who were in service on and before the 14<sup>th</sup> October, 1955 but died before the publication of these rules, it will be assumed that they opted for these rules.

Note-(2) These rules would continue to remain in force in Khyber Pakhtunkhwa by virtue of Article 19 of the Province of West Pakistan (Dissolution) Order 1970 (President's Order No. 1 of 1970).

1.4. **Option** - Government servants and pensioners mentioned in clauses (ii) and (iii) of Rule 1.3 above may exercise option within a period of 6 months from the date of publication of these rules in the West Pakistan Gazette. The option shall be communicated in writing to the Accounts officer concerned as well as the Appointing Authority in the case of Gazetted or retired Gazetted Officers, and to the Appointing Authority in the case of Non-Gazetted or retired Non-Gazetted staff and the option once so exercised shall be final. Government servants who fail to exercise option within the stipulated period shall be assumed to have opted for the West Pakistan Civil Services Pension Rules.

Note-(1) Government servants who were in pensionable able services on 1<sup>st</sup> July, 1966 were given option to exercise in favour or otherwise of the West Pakistan Civil Services Pension Rules, 1963/Revised Rules and Rates 1967 vide West Pakistan Letter No. S.O. (SR)-V-257/67, dated 27<sup>th</sup> April, 1967, Appendix-I.

Note-(2) The Accounts Officer should acknowledge the receipt of option communicated to him by Gazetted Servants.

1.5. These rules shall not apply to:-

- (i) Government servants paid from contingencies or borne on Work-charged Establishment.
- (ii) Government servants engaged on contract which contains no stipulation for pension under these rules.
- (iii) Any person for whose appointment and conditions of service, special provision is made by or under any law for the time being in force.
- (iv) Any Government servant or class of Government servants who may be excluded by a competent authority from the application of these rules.
- (v) Any Government servant who holds a post which has been declared by a competent authority to be Non pensionable.
- (vi) Any person whose whole time is not retained for public service but is merely paid for work done, such as Government Pleaders and Law Officers not debarred from private practice.
- (vii) Any person who is not paid from the Provincial Consolidated Fund, but is paid from a fund held by Government as a Trustee, or from a local fund or is remunerated by fees for the grant of a tenure of land or of any other source of revenue or of a right to collect money.

1.6. (i) **Definitions** - Unless expressly specified otherwise in these rules, terms defined in Chapter-I of the West Pakistan Travelling Allowances Rules have the same meaning when used in these rules.

(ii) **Pension-Except** - when the term "Pension" is used in contradistinction to gratuity, pension includes gratuity.

(iii) **Class IV service** means any kind of service which may be specially classed as such by Government.

(iv) **Superior Service-Superior Service** means any kind of service which is not Class-IV Service.

(v) **Ordinary Pension**-Ordinary pension means pension other than extraordinary pension and includes special additional pension.

(vi) **Full pension**-Full pension means the amount of ordinary pension admissible including 1/4<sup>th</sup> of the surrendered portion of the pension.

1.7. In any case where pension or gratuity is not admissible under these rules, a competent authority may grant pension which will, not save in most exceptional circumstances, exceed Rs. 100 a month or a gratuity not exceeding the equivalent value of that amount, provided that the general spirit of the rules is observed.

1.3

(a) Good conduct is an implied condition of every kind of pension. Government may withhold or withdraw a pension or any part of it if the pensioner be convicted of serious crime or be found to have been guilty of grave misconduct either during or after the completion of his service, provided that before any order to this effect is issued, the procedure regarding imposition of the penalty of removal from service shall be followed.

(b) Government reserve to themselves the right of recovery from the pension of Government pensioner on account of losses found in judicial or departmental proceedings to have been caused to Government by the negligence or fraud of such Government pensioner during his service, provided that such departmental proceedings shall not be instituted after more than a year from the date of retirement of the Government pensioner.

(c) In case the amount of pension granted to a Government servant be after wards found to be in excess of that to which he is entitled under the rules, he shall be called upon to refund such excess.

(d) Except with the previous sanction of the Provincial Government, no pensioner shall, within a period of two years from the date of his retirement, take part in any election or engaged in political activity of any kind.

In future, all Civil Servants who are under enquiry be excluded from the enquiry proceedings under the ESD Rules after attaining the age of superannuation and they may be allowed full pensionary benefits as provided under the rules. However it has further been decided that if some pecuniary loss caused to the Government is likely to be proved against a Government Servant who superannuates before decision of the cases against him, an FBI should be lodged against him for judicial proceedings immediately after the date of superannuation and exclusion of his name from the departmental enquiry.

NO. SOR-II(S&GAD)3-29/97-Vol-I  
GOVERNMENT OF KYBER PAKHTUNKHWA  
SERVICES & GENERAL ADMIN. DEPARTMENT  
Dated Peshawar, the 22<sup>nd</sup> August 1998.

1.9. No pension may be granted to a Government servant dismissed or removed for misconduct, corruption, subversive activities or inefficiency, but if he deserves special consideration he may be granted a compassionate allowance not exceeding 2/3<sup>rd</sup> of the pension which would have been admissible to him had he retired on invalid pension.

1.10. Any of these rules may for reasons to be recorded in writing be relaxed in individual cases by a competent authority if it is satisfied that strict application of the rules will cause hardship to the individual.

\* Added by Finance Department (West Pakistan) Notification No. FD (SR-1) 1286/65, dated 15th June, 1965.

Section 19(C) of the Kyber

Pakhtunkhwa Civil Servants Act, 1973

### CHAPTER - II SERVICE QUALIFYING FOR PENSION

2.1 Conditions of Qualifications - The service of a Government Servant does not qualify for pension unless it conforms to the following three conditions:

First - The Service must be under Government.

Second - the services must not be Non-pensionable.

Third - the service must be paid by Government from the Provincial Consolidated Fund.

\* Note - (1) For the previous service of displaced Government servants, which qualifies for pension see Chapter - VII.

\* Note - (2) Service rendered after retirement on superannuation pension/retiring pension shall not count for pension or gratuity.

2.2 Beginning of service - Subject to any special rules the services of Government servant begins to qualify for pension when he takes over charge of the post to which he is first appointed.

2.3 Temporary and officiating service - Temporary and officiating service shall count for pension as indicated below -

(i) Government servants borne on temporary establishment who have rendered more than five years continuous temporary service shall count such service for the purpose of pension or gratuity, and

(ii) Temporary and officiating service followed by confirmation shall also count for pension or gratuity.

2.4 Service in a temporary post on abolition of a permanent post - If a permanent post on which a Government servant holds a lien, is abolished under circumstances entitling him to get a compensation pension or gratuity, his service thereafter in a temporary post under Government qualifies for pension.

\* Note (1) and (2) Substituted vide notification No. SO(SR) 19-15/65 Dated 6th May, 1965

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## West Pakistan Civil Services Pension Rules

## 2.5 Apprentices and probationers -

- (1) One-half of the period of apprenticeship qualifies for pension.
- (2) The services of a probationer who is subsequently confirmed in a permanent post without interruption qualifies for pension.

2.6 Training - The time spent by a Government servant in approved training shall count as service qualifying for pension.

Note: - The period of training before actual appointment to Government service shall not count for pension.

2.7 Leave - All leave (other than extraordinary leave) counts as qualifying service for purposes of pension.

2.8 Military Services - (1) Military pensionable services which terminate before a pension has been earned in respect of it, when followed by Civil or gratuity received in lieu of such services provided that any bonus services shall be refunded in lump sum or in monthly instalments not exceeding 25% of the military service of the individual concerned and the amount of gratuity paid to him should be verified by reference to the Controller of Military Accounts.

(2) Persons who joined the Armed Forces on or after the outbreak of World War-II, and rendered whole time satisfactory service in Government forces under the British Rule in India and Pakistan and were appointed in a Civil pensionable post on or before the 18th July, 1949 shall be allowed to count such War Service not exceeding five years rendered between the 3rd September, 1939, and the 1st April, 1946, for purpose of Civil Pension and they shall not be required to refund military bonus or gratuity.

Note - In the case of a civil employee who has rendered satisfactory paid military service in the World War-II, in addition to military service but who did not earn a pension by his war service in conjunction with his other military service, that portion of the military service which was rendered before or after the war service shall be dealt with in accordance with the provisions of sub-rule (1). The war service portion (i.e. the period of service rendered between 3rd September, 1939, and 1st April, 1946) shall, however, be dealt with under sub-rule (1) or (2) as the Government servant may opt in this behalf, subject, of course, to the limitation prescribed in the respective sub-rule, if the war service is counted under sub-rule (1), the whole of it shall count but if it is counted under sub-rule

\* Substituted vide notification No: SO(SR) V-3027/64, dated 9th January, 1965.  
@ Inserted by Government of West Pakistan Notification No. SO(SR) V-274/63, dated 24th May, 1966.

## West Pakistan Civil Services Pension Rules

(2) only completed years upto a maximum of five years shall count and the residue of war service shall not be counted under sub-rule (1).

If the entire military service, including war service is dealt with under sub-rule (1), the whole of the gratuity received in lieu of pension (but not that given as a reward of war service) shall have to be refunded by the Government servant concerned. If, however, the portion which was war service is dealt with under sub-rule (2) and the rest of the military service before or after the war under sub-rule (1). The amount of gratuity which the Government servant will refund in respect of the latter portion shall bear the same proportion to the total amount of gratuity received in lieu of pension the period dealt with under sub-rule (1) bears to the total period of military service, including the period of war service.

For the purpose of this rule it is immaterial whether or not there was a break between the war service and other military service.

2.9 Deputation - Time spent by a Government servant holding pensionable post in deputation to (1) another Government (2) foreign service or (3) service in a temporary or non-pensionable post under Government counts for pension as if it were a time spent under the Government.

Note: - **Rule of Proportion** - The rule of proportion and the other associated rules and according instructions shall continue to be operative and the apportionment of pensionary liability between the various Departments and Federal / Provincial Governments, as the case may be, shall be made by the Joint and Accounts Officer, issuing a Pension Payment Order. Realization of pension dues shall not be held up on this account. If there is any dispute with regard to the apportionment of pensionary liability, the matter should be sorted out by the Audit and Accounts Officers involved. The authorities concerned are required to forward the pension case of the retired government servants to the audit office concerned. Complete in all respects and with the documents mentioned in (Annex).

No. SOSR-III(FD)-36775(V-1), FD  
Khyber Pakhtunkhwa,  
Dated Peshawar, the 28th April, 1994.

2.10 Suspension - If a Government servant is suspended from service pending enquiry into his conduct, the period of suspension counts for pension if it is immediately followed by reinstatement, unless the Government servant reinstated with forfeiture of a part of his pay or allowances for the period of suspension.

2.11 Forfeiture of Past Services - A Government servant forfeits his past service in the following cases:

- Resignation of a post unless it is to take up another post service in which counts for pension.
- Removal or dismissal from service.
- Absence from duty without leave.



AMIR ZEB V F

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IN THE PESHAWAR HIGH COURT

PESHAWAR  
Judicial Department

Annex-H  
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Writ Petition No. 3394-P/2016

Date of hearing:- 22.06.2017

Petitioner(s): Amir Zeb Widower of Mst. Asiya Shafi by  
Mr. Khush Dil Khan, Advocate.

Respondent (s): The District Account Officer, Nowshera & 05  
others by Syed Qaisar Ali Shah, AAG.

JUDGMENT

ROOH-UL-AMIN KHAN, J:- Through this Common judgment, we, propose to decide the following Constitutional Petitions filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 (the Constitution), as identical questions of law and facts are involved therein and the writ sought by the petitioners is also one and the same.

Amir Zeb

MAJESTY COURT OF PESHAWAR  
Peshawar Plaza Adjacent  
Opposite to Peshawar Cantonment  
Peshawar

For the Petitioner

1. Writ Petition No. 3394-P/2016  
(Amir Zeb Vs District Account Officers Nowshera etc)
2. Writ Petition No. 2867-P/2016  
(Mst. Akhtar Bibi Vs District Education Officer (M) Kohat etc)
3. Writ Petition No. 3143-P/2014  
(Muhammad Shah Zaib etc Vs Govt of Khyber Pakhtunkhwa through Chief Secretary and others)
4. Writ Petition No. 2872-P/2014  
(Halcom Khan through LR's Vs Govt of KPK through Secyary Elementary & Secondary Education, Peshawar etc)
5. Writ Petition No. 1339-P/2014  
(Mst. Rani Vs Sub-Division Education Officer etc)
6. Writ Petition No. 55-P/2015  
(Mst. Bibi Bilqees Vs Govt of KPK through Secretary Finance, Peshawar).

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EXAMINER  
Peshawar High Court  
12 DEC 2017

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3. Mst. Akhtar Bibi, the petitioner in Writ Petition No.2867-P/2016, is the widow of (late) Lal Din Class-IV employee. She has averred in her writ petition that her late husband was initially appointed as Chowkidar on 01.10.1995 on contract basis, however, later on, his service was regularized vide Notification No. BO1-1-22/2007-08 dated 05.08.2008. On 15.05.2010, the deceased died during his service, so she applied for her pension but the same was refused to her on the ground that the regular service of the deceased employee was less than the prescribed length of regular service, hence, this petition.

2. Amir Zeb petitioner in W.P. No.3394-P/2016 is the widower of Mst. Asiya Shah (late). His grievance is that on 28.02.2003, his wife was initially appointed as PTC on contract basis and later on, by virtue of Kyber Pakhtunkhwa Civil Servants (Amendment) Act, 2005, her service was regularized. On 31.07.2015, during her service, she met her natural death, therefore, he being her widower/LR applied for payment of her all admissible retirement benefits in pursuance whereof, leave encashment, GP fund and other admissible funds were paid to him, by the respondents, but his pension claim was refused by the respondents on the ground of lack of prescribed length of her regular service, excluding the period of her service on contract, hence, this petition.

Advocate Supreme Court of Pakistan  
Office # 23 Durran Plaza Adacent  
150 837 Abbottabad  
M. Akhtar  
M. Akhtar

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4. Muhammad Shah Zaib and Muhammad Afnan Alam are the LRs of deceased Fakhar Alam. Their grievance is that their deceased father was appointed as Chowkidar on 13.01.1998 in Mother Child Health Centre Tank, who, later on, during his service was murdered, for which FIR was registered against the accused. Petitioners applied for retirement of the deceased. Vide notification dated 31.12.2013, the deceased was retired from service on account of his death w.e.f. 21.10.2013. The family pension of the deceased was prepared and processed; however, the same was refused to the petitioners, hence, this petition.

5. Petitioners in Writ Petition No.2872-P/2014, are the LRs of deceased Hakeem Khan Class-IV employee, who died during pendency of the instant writ petition. Grievance of the petitioners is that their predecessor was appointed as Chowkidar on fixed pay in Education Department on 24.04.1993. Vide order dated 29.01.2008, service of the deceased alongwith his counterparts was regularized by virtue of Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2013 w.e.f. 30.06.2001. On attaining the age of superannuation, the deceased got retired on 31.12.2012, so petitioner applied for grant of his pension but the same was refused, hence, this petition.

6. Mst. Rahi, petitioner in Writ Petition No.1339-P/2014, is the widow of Syed Imtiaz Ali Shah (late) Class-IV employee. She has averred in her writ

Attended

Muhammad Atshad Khan Jarr  
Advocate Supreme Court of Pakistan  
Office 3rd Floor Plaza Adjacent

for the same

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POSTAL AND TELECOMMUNICATIONS  
12 DEC 2017

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petition that on 15.01.1996 her late husband was appointed as Chowkidar in the respondents department on adhoc basis/fixed pay, whose service was, later on, regularized on 30.07.2008. During his service, the deceased met his natural death on 15.01.2012, hence, the petitioner applied for her pensionary benefits, but the same was refused on the ground that though service of the deceased was regularized but without pension gratuity, hence, this petition.

7. Mst. Bibi Bilqees, petitioner in Writ Petition No.55-P/2015, is the widow of Saif ur Rehman deceased. Her grievance is that her deceased husband was initially appointed as Chowkidar on 09.07.1995 in Public Health Department Nowshera on contract basis, however, his service was regularized on 01.07.2008. The deceased died during his service on 05.05.2012, so when petitioner applied for his pensionary benefits, the same was refused to her on the ground that the deceased was lacking the prescribed length of regular service, hence, this petition.

8. Respondents in the above writ petitions have filed their respective Para-wise comments, wherein they have admitted the fact that the pensions have been refused to the petitioners/LRs of the deceased employees because they were lacking the prescribed length of their regular service, whereas period of adhoc or contract service cannot be counted towards regular service for the purpose of pension.

*Alshahid*  
*Mu*  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
P.A. Kottah

*Khalid*

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*[Signature]*

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The learned Addl. A.G. also questioned the maintainability of the writ petitions on the ground that section 19 (2) of the Khyber Pakhtunkhwa Civil Servant Acts deal with right of pension of deceased civil servant, which squarely falls in Chapter-II, pertaining to terms and conditions of service, therefore, jurisdiction of this Court under Article 212 of the Constitution is barred.

9. Having heard the arguments of learned counsel for the parties, record depicts that undisputedly the deceased employees were the Civil Servants and instant writ petitions have been filed by their LRs qua their pensions. Since the controversy pertains to pension of the deceased employees which according to the contention of worthy Law Officer is one of the terms and conditions of a civil servant under section 19 (2) of the Civil Servants Act, 1973, hence, before determining the eligibility of the deceased employees to the pension or otherwise, we would like to first meet the legal question qua maintainability of the instant writ petitions on the ground of lack of jurisdiction of this Court under Article 212 of the Constitution. To answer the question, it would be advantageous to have a look over the definition of "Civil Servant" as contemplated under section 2(b) of Khyber Pakhtunkhwa Civil Servants Acts, 1973 and section 2 (a) of Khyber Pakhtunkhwa Service Tribunal Act, 1974. For the sake of convenience and ready reference, definition

*Attended*

Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Road  
Karachi

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given in both the Statute are reproduced below one after the other

"2(b) 'civil servant' means a person who is a member of a civil service of the Province, or who holds a civil post in connection with the affairs of the Province, but does not include--

- (i) A person who is on deputation to the Province from the Federation of any other Province or other authority;
- (ii) A person who is employed on contract or on work charged basis, or who is paid from contingencies; or
- (iii) A person who is a "worker" or "workman" as defined in the Factories Act, 1934 (Act XXV of 1934), or the Workman's Compensation Act, 1923 (Act VII of 1923)".

"5.2(a) 'Civil Servant' means a person who is or has been a civil servant within the meaning of the Khyber Pakhtunkhwa Civil Servants Act, 1973 (Khyber Pakhtunkhwa Act No. XVIII of 1973), but does not include a civil servant covered by the Khyber Pakhtunkhwa Subordinate Judiciary Service Tribunal Act, 1991;]

As per the definitions of a 'civil servant' given in the two Statutes referred to above, the petitioners neither holding any civil post in connection with the affairs of the Province nor have been remained as civil servants, thus, do not fall within the definition of "civil servant".

10. Though section 19(2) of the Khyber Pakhtunkhwa Civil Servants Acts, 1972, in the event of death of a civil servant, whether before or after retirement conferred a right of pension on his/her family who shall be entitled to receive such pension or gratuity or both as prescribed by Rules. It is also undeniable fact that pension and gratuity fall within the ambit of terms and conditions of a civil servant, but a legal question would arise as to whether the legal heirs i.e. family of a deceased civil servant would be competent to agitate his/her/their grievance regarding pension before the Service Tribunal, particularly, when

Alto

Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent

Justice Sarwar

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he/she/they do not fall within the definition of Civil Servant. The Service Tribunals have been constituted under Article 212 of the Constitution for dealing with the grievances of civil servants and not for their legal heirs. The question regarding filing appeal by the legal heirs of deceased's civil servant and jurisdiction of Service Tribunal, cropped up before the Hon'ble Supreme Court in case titled, "Muhammad Nawaz Special Secretary Cabinet Division through his Legal Heirs Vs Ministry of Finance Government of Pakistan through its Secretary Islamabad" (1991 SCMR 1192), which was set at naught in the following words:-

"A 'civil servant' has been defined in section 2(b) of the Civil Servants Act, 1973. A right of appeal under the Service Tribunals Act, 1973 has been given to a civil servant aggrieved by any final order whether original or appellate made by a departmental authority in respect of any of the terms and conditions of his serve. The appellants admittedly are the legal heirs of the deceased civil servant and there being no provision in the service Tribunals Act of 1973 to provide any remedy to the successors-in-interest of a civil servant, the learned Tribunal, in our view, was correct in holding that the appeal before it stood abated and the same is hereby maintained".

*Alloha*

Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
C.A. 1000

*forwarded*

In case titled, "Rakhsinda Habib Vs Federation of Pakistan and others" (2014 PLC (C.S) 247), one Habib ur Rehman Director General in Ministry of Foreign Affairs, aggrieved by his supersession filed appeal before the worthy Service Tribunal, but unfortunately, during pendency of appeal he died, therefore, his appeal before the Federal Service Tribunal Islamabad was abated. Rakhsinda Habib, the widow of

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deceased then filed constitution petition No.1021 of 2010 before the Islamabad High Court, but the same was dismissed vide judgment dated 13.06.2013, against which she preferred aforesaid appeal before the Hon'ble Supreme Court, which was allowed and it was held by the worthy apex court that:-

"that civil servant could not be promoted after his death, however, pensionary benefits of promotion could be extended to the legal heirs of the deceased employees".

11. Going through the law on the subject and deriving wisdom from the principles laid down by the Honble apex Court in the judgments (supra), we are firm in our view that petitioners/legal heirs of the deceased employees have locus standi to file these petitions because the pensionary benefits are inheritable which under section 19 (2) of the Khyber Pakhtunkhwa Civil Servant Act, on the demise of a civil servants, devolves upon the legal heirs. The petitioners, as stated earlier, being LRs of the deceased

civil servants do not fall within the definition of "Civil Servant", and they having no remedy under section 4 of the Service Tribunal Act to file appeal before the Service Tribunal, the bar under Article 212 of the Constitution is not attracted to the writ petitions filed by them and this Court under Article 199 of the Constitution is vested with the jurisdiction to entertain their petitions. Resultantly, the objection regarding non-maintainability of the petitions stands rejected.

*All set*

Muhammad Usaid Khan  
Advocate  
Office # 22 Jinnah Plaza Adjacent  
District Bar 75501557

*Justice*

ATTESTED

*[Signature]*

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12. Adverting to question of entitlement of the deceased employees to the pension, we, would like to reproduce the relevant rules of the West Pakistan Civil Services Pensions Rules, 1963 below, as these would be advantageous in resolving the controversy:-

"2.2. Beginning of service- Subject to any special rules the service of Government servant begins to qualify for pension when he takes over charge of the post to which he is first appointed."

Rule 2.3 Temporary and officiating service—Temporary and officiating service shall count for pension as indicated below:-

- (i) Government servants borne on temporary establishment who have rendered more than five years continuous temporary service for the purpose of pension or gratuity; and
- (ii) Temporary and officiating service followed by confirmation shall also count for pension or gratuity.

13. The rules ibid reveal that the service of government servant begins to qualify for pension from the very first day of his/her taking over the charge, irrespective of the fact whether his/her appointment and entry in to service was temporary or regular. It is also clear from sub-rule (i) that continuous temporary service of a civil servant shall also be counted for the purpose of pension and gratuity and by virtue of sub rule (ii), temporary and officiating service followed by confirmation shall be counted for pension and gratuity. It is undeniable fact that the NWFP Civil Servant (Amendment Bill), 2005 was passed by the provincial assembly on 5<sup>th</sup> July 2005 and

*Attested*

MIRAJAM ARSHAD KHAN JALALI  
Advocate Supreme Court of Pakistan  
Office # 30, Jinnah Plaza Adjacent  
Distt. East Pakistan

*Attested*

ATTESTED

WP3394P2016-Judgements

ATTESTED  
EXAMINER  
Peshawar High Court  
12 DEC 2017

assented by the Governor of the Province on 12<sup>th</sup> July 2005 whereby section 19 was amended and all the employees of the Provincial Government selected for appointment in the prescribed manner to the post on or after 1<sup>st</sup> day of July 2001, but on contract basis were deemed to be appointed on regular basis. They were declared Civil Servants, however, were held disentitled for the pensionary benefits. Section 19 of Khyber Pakhtunkhwa Civil Servants Act, 1973 was further amended by Khyber Pakhtunkhwa Civil Servants (Amendment) Act, 2013. The text of section 19 (4) (proviso 1 and 2) are reproduced as below:-

*"Provided that those who are appointed in the prescribed manner to a service or post on or after the 1<sup>st</sup> July, 2001 till 23<sup>rd</sup> July, 2005 on contract basis shall be deemed to have been appointed on regular basis:*

*Provided further that the amount of Contributory Provident Fund subscribed by the civil servant shall be transferred to his General Provident Fund."*

14. From bare reading of section 19 of Amendment Act, 2005 and 2013 respectively, it is manifest that the persons selected for appointment on contract basis shall be deemed as regular employees and subsequently were held entitled for pensionary benefits. The deceased employees have completed the prescribed length of service as their service towards pension shall be counted from the first day of their appointment and not from the date of regularization of their service.

*Attested*

*[Signature]*

Muhammad Asim Khan  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent  
to P.O. # 10000

*Asad*

ATTESTED

*[Signature]*

ATTESTED  
EXAMINED  
12 DEC 2017

P-85

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P-70

P-12

15. We deem it appropriate to mention here that question of interpretation and true import of the term pension was raised before the august Supreme Court of Pakistan in case titled "Government of NWFP through Secretary to Government of NWFP Communication & Works Department, Peshawar Vs Muhammad Saïd Khan and others (PLD 1973 Supreme Court of Pakistan 514) wherein it was held that:

*"It must now be taken as well settled that a person who enters government service has also something to look forward after his retirement to what are called retirement benefits, grant of pension being the most valuable of such benefits. It is equally well settled that pension like salary of a civil servant is no longer a bounty but a right acquired after putting a satisfactory service for the prescribed minimum period. A fortiori, it cannot be reduced or refused arbitrarily except to the extent and in the manner provided in the relevant rules."*

Attested

Advocate Supreme Court of Pakistan  
Office: 5/11 Khan Plaza Adjacent to  
Bar A.H. No. 22

In case titled "Secretary to Govt. of the Punjab, Finance Department Vs M. Ismail Tayer and 269

others" 2015 PLC (CS) 296, the august Supreme Court of Pakistan was pleased to held that the pensionary benefits is not a bounty or ex-gratia payment but a right acquired in consideration of past service. Such right to pension is conferred by law and cannot be arbitrarily abridged or reduced except in accordance with such law as it is the vested right and legitimate expectation of retired civil servant.

Attested

ATTESTED

ATTESTED  
12 DEC 2017

P-86

(35) (10)

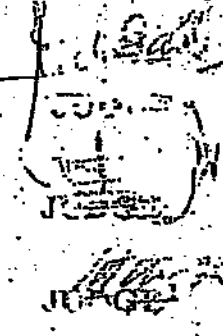
P-72

P-1

17. For what has been discussed above, we by allowing these writ petitions, issue a writ to the respondents departments to pay pension of the deceased employees to the petitioners/LRs of the deceased.

Announced:  
22.06.2017  
3:47 PM PK

Ad = Rook-ul-Amin Khan ✓  
Ad = Qalandar Ali Khan ✓  
Ad = S.M. Atiq Shah ✓



CERTIFIED TO BE TRUE COPY

Examiner  
Peshawar High Court, Peshawar  
Authorized Under Article 8.7 of  
The Courts (Judicial Officers) Order 1980

12 DEC 2017

Registry  
Supreme Court of Pakistan  
Office # 34 Jinnah Park, Islamabad

No. 3528  
Date of Presentation of Application 12/12/17  
No of Pages 20-2  
Copying Fee  
Urgent Fee  
Total Rs. 80/-  
Date of Preparation of Copy 12/12/17  
Date of Delivery of Copy 12/12/17  
Received By Rahim Dad Khan

WITNESSES

BEFORE THE PESHAWAR HIGH COURT  
ABBOTTABAD BENCH

(8)  
87

Writ Petition No. 19 / 2014

Abdul Khaliq S/o Mir Abdullah R/O Village & P/O Pando Thana Ex-  
Chowkidar BHU Pando Thana Abbottabad.

.....PETITIONER

VERSUS

1. Govt of KPK through Secretary Health KPK Peshawar.
2. Director Health Services KPK Peshawar.
3. District Health Officer Abbottabad.
4. District Account Officer Abbottabad.

.....RESPONDENTS

WRIT PETITION UNDER ARTICLE  
199 OF THE CONSTITUTION OF  
ISLAMIC REPUBLIC OF PAKISTAN,  
1973 TO THE EFFECT THAT DATE OF  
BIRTH OF THE PETITIONER IS 1957

AS PER SERVICE BOOK AND 1950 AS  
PER COMPUTERIZED NATIONAL  
IDENTITY CARD. THE PETITIONER'S  
ACTUAL DATE OF

SUPERANNUATION IS ON 17.09.2017

WHEREAS THE PETITIONER HAS  
WRONGLY BEEN RETIRED FROM  
SERVICE ON 17.09.2011 ON THE BASIS  
OF DATE OF BIRTH MENTIONED IN  
HIS CNIC. NOW RESPONDENT NO 4 .

Certified to be True Copy  
EXAMINER  
09 OCT 2014  
Peshawar High Court Ad Bench  
Authorized Under Sec 75 Evid Ordns

*M. 65*

*8/1/14*

**FILED TODAY**

*Additional Registrar  
Peshawar High Court  
Abbottabad Bench*

*5/9/14*

(2)

9

P-88

IS NOT ISSUING PENSION BOOK,  
 COMMUTED VALUE OF PENSION  
 AND ENCASHMENT OF LEAVE  
 PENDING RETIREMENT (LPR) ETC  
 ON THE PLEA THAT THE  
 PETITIONER SERVED AS CONTRACT  
 EMPLOYEES AND IS NOT ENTITLED  
 TO PENSIONERY BENEFITS  
 WHEREAS THE PETITIONER WAS  
 REGULAR EMPLOYEE OF  
 RESPONDENT NO 3, WHICH IS  
 ILLEGAL, MALA FIDE, AMOUNTS TO  
 SNATCHING OF LIVELIHOOD IN  
 TERMS OF PENSIONERY BENEFITS,  
 AGAINST THE NORMS OF  
 PRINCIPLE OF NATURAL JUSTICE  
 AND ALSO AMOUNTS TO  
 EXPLOITATION AND DENIAL OF  
 FUNDAMENTAL RIGHTS OF THE  
 PETITIONER.

FILED TODAY

*S. Ali*  
 Additional Registrar  
 Peshawar High Court  
 Abbotabad Bench  
 28/1/14

PRAYER: -

ON ACCEPTANCE OF THE INSTANT  
 WRIT PETITION, RESPONDENT  
 ESPECIALLY RESPONDENT NO 4 BE  
 DIRECTED TO RELEASE PENSION

Examined to be True Copy  
 EXAMINER  
 09 OCT 2014  
 Peshawar High Court, Abbotabad Bench  
 Abbotabad Under Sec. 17 of the Ord.

PAYMENT ORDER, COMMUTED  
VALUE OF PENSION, ENCASHMENT  
OF LEAVE PENDING RETIREMENT  
(LPR) IN FAVOUR OF THE  
PETITIONER FORTHWITH  
ALONGWITH INTEREST ON BANK  
RATE W-E-F THE DATE OF  
RETIREMENT ONWARD AND ANY  
OTHER RELIEF WHICH THIS HON'  
ABLE COURT DEEM APPROPRIATE  
MAY ALSO BE GRANTED TO THE  
PETITIONER.

P-89

Respectfully Sheweth:

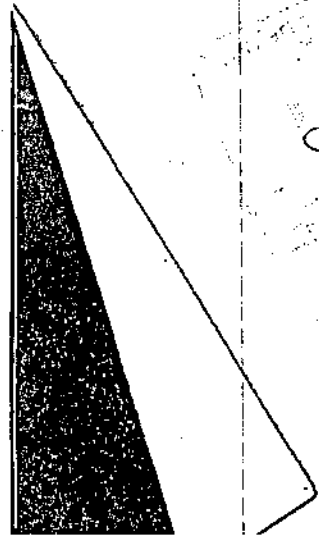
FILED TODAY

*h*  
Additional Registrar  
Peshawar High Court  
Abbottabad Bench

27/1/14

1. That the petitioner got appointment as Chowkidar, in BHU, Pando Thana, District, Abbottabad on 17.01.1993 on fixed pay vide appointment order No 732/27-T dated 17.01.1993. Copy of appointment order is attached as Annexure "A".
2. That the petitioner was not treated employee on fixed pay by the appointing authority, respondent No 3 and allowed annual increments from the

*h*  
Additional Registrar  
Peshawar High Court  
Abbottabad Bench



1 P-90

**JUDGMENT SHEET**  
**PESHAWAR HIGH COURT ABBOTTABAD**  
**BENCH**  
**JUDICIAL DEPARTMENT**

W.P.No.19-A/2014.

**JUDGMENT**

Date of hearing 19.6.2017.

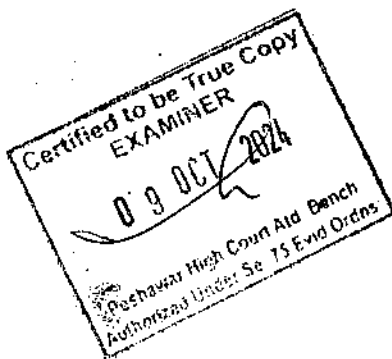
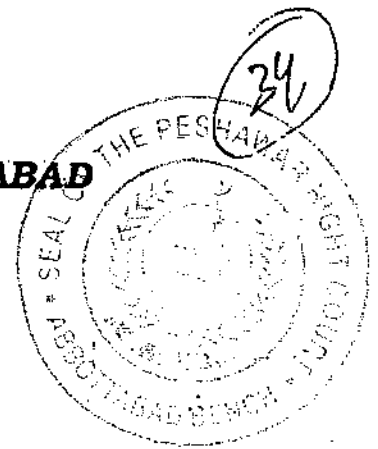
Appellant / petitioner by Muhammad Asghar  
Khan Jamali Advocate.

Respondent by Muhammad Rubair Khan  
A.A.C.

**ABDUL SHAKOOR, J.-** Through the instant constitutional petition, the petitioner seeks the following relief:-

"It is most humbly prayed that on acceptance of the instant writ petition, respondent especially respondent No.4 be directed to release pension payment order, commuted value of pension, encashment of leave pending retirement (LPR) in favour of the petitioner alongwith in favour of the petitioner forthwith alongwith interest on bank rate w-e-f the date of retirement onward and any other relief which this Hon'ble Court deem appropriate may also be granted to the petitioner."

2. Brief facts of the instant writ petition are that petitioner was appointed as Chowkidar in BHU, Pando Thana District Abbottabad on fixed pay through order dated 17.1.1993. The



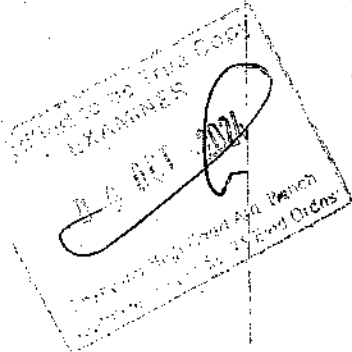


P 91

(35)

respondents retired the petitioner from service on superannuation on the basis of date of birth mentioned in the CNIC i.e. 1950 whereas the petitioner should have retired from service on the basis of date of birth recorded in the service book i.e. 17.9.1957, therefore, the actual date of retirement of petitioner comes to 17.9.2017 and not 17.9.2011. Thereafter respondent No.3 sanctioned monthly pension and commuted value of pension of the petitioner w.e.f. 18.9.2011 and forwarded the same to respondent No.4 for issuance of pension payment order and remittance of cheque of commuted value of pension to the petitioner but the respondent No.3 did not grant the same to the petitioner on the ground that the petitioner was a contract employee and is not entitled for any pensionary benefits. The Government of Khyber Pakhtunkhwa has already converted the contract services of all employees into regular service but the respondent No.4 is not issuing pension payment order and commutation cheque, hence the petitioner filed the instant writ petition.

(42)



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3. On 19.2.2014 comments were called from the respondents No.2 to 4, which were so submitted and on 22.10.2014, the instant writ petition was admitted for regular hearing on the following terms;

*"Inter alia, contends that denial pension to the petitioner is in violation of Rule-2.2 of Pension Rules 1963, wherein it has been stated that entitlement to pension is from the date of joining the service. Points raised need consideration. The petition is admitted to regular hearing. Notice and record."*

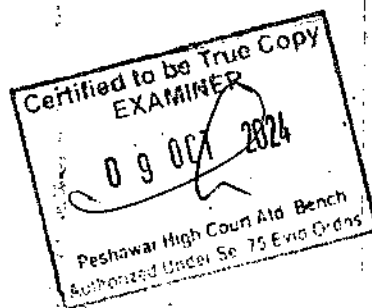
4. Learned counsel appearing on behalf of the petitioner confined his arguments to the extent of non-payment of pensionary benefits to the petitioner with effect from date of his first appointment dated 17.1.1993 and argued that petitioner after being regularized in terms of order dated 29.1.2008 of Government Khyber Pakhtunkhwa, thus under Rule 2.2 of West Pakistan Civil Services Pension Rules, 1963 had become entitled to be paid pensionary benefit with effect from 17.1.1993. In view of the above, the respondents having no lawful authority to deny the pensionary benefits to the petitioner on the basis of minutes dated 03.2.2014. He further

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contended that the minutes referred above on the strength of which the petitioner has been denied the pensionary benefit with effect from his appointment on 17.1.1993 having no legal backing and force. He also submitted that in the said meeting it was simply held that status quo be maintained for avoiding the payment of pensionary benefits to all those Class-IV employees of Government Khyber Pakhtunkhwa, whose services have been regularized by aforesaid order of Government of Khyber Pakhtunkhwa of the year 2008 and the same was issued in the interest of provincial exchequer.

5. On the other hand, learned Additional Advocate General appearing on behalf of respondents supported the stance of respondents for payment of pensionary benefits from date of regularization of petitioner.

6. This Court has considered the submissions of learned counsel for the parties and carefully examined the record available on the file.



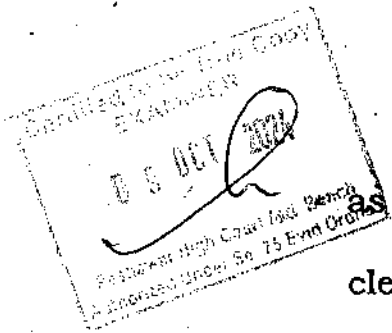
7. Before proceeding further, we deem it advantageous to reproduce the Rule 2.2 of West Pakistan Civil Services Pension Rules, 1963 and contents of order dated 29.1.2008 of Government Khyber Pakhtunkhwa as under:-

**"2.2 Beginning of service.**- Subject to any special rules the service of Government servant begins to qualify for pension when he takes over charge of the post to which he is first appointed."

مجھے ہدایت کی گئی ہے کہ عنوان بالا کا حوالہ دیتے ہوئے عرض کروں کہ صوبائی حکومت نے تمام درجہ چہارم (مقررہ تنخواہ Fixed pay) پانے والے ملازمین کے یکم جولائی 2008 سے این ڈبلیو ایف پی سول ملازمین ایکٹ 1973 کے تحت سول ملازمین کا درجہ دیکر بنیادی سکول 1 (BPS-1) دینے کی منظوری دی ہے۔

2. مذکورہ ملازمین کی تنخواہ کا تعین (Fixation of pay) ان کی بھرتی کے تاریخ (Date of Appointment) سے کیا جائے گا۔ تاہم یہ ملازمین تنخواہوں اور الونٹسز وغیرہ کی مد میں کسی قسم کی بقایا جات (Arrears) کے حقدار نہیں ہوں گے۔

From perusal of above referred rule as well as contents of order dated 29.1.2008 it is crystal clear that the present petitioner after being regularized in his services in the year 2008 had become entitled to be paid pensionary benefits from the date of his first appointment.



8. The defence which has been advanced for non-payment of pensionary benefits of the petitioner on the basis of minutes dated 03.2.2014 is not valid and just. The same defence of respondent was mere an eye wash to deny the petitioner from his legal pensionary benefits from the date of his first appointment. This Court in no way can approve such act of the respondents for denying the pensionary benefits to petitioner, which is his legal right, for which he was entitled from the date of his first appointment. We may mention here, while perusing West Pakistan Civil Services Pension Rules, 1968, come across with rule 2.3, which clearly states that temporary and officiating service followed by confirmation shall also count for pension or gratuity. Thus, the petitioner is also entitled to be paid pensionary benefits under this rule as well.

9. As there is no denial of the fact that petitioner was initially appointed on fixed pay and subsequently his services were regularized, hence in view of Rule 2.3 West Pakistan Civil Services Pension Rules, 1968 the petitioner is to

P 96

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be paid pensionary benefits from the date of his first appointment. It is well settled law, when any employee on contract is absorbed into regular employment, and there is no break in his service, then period on contract employment has to be considered for counting length of service for pensionary benefits etc. Reliance is placed on

2010 PLC 354, where it is held that:-

*"When an employee was regularized his total length of service, was to be computed from the day he joined the service that could be temporary or otherwise. Even period of an employee of daily wages would be counted for the purpose of computing pensionary benefits."*

10. In the light of what has been discussed above, we allow this writ petition and issue direction to the respondents to pay pensionary benefit to the petitioner from the date of his first appointment.

ANNOUNCED  
19.6.2017  
Aftab/\*

~~JUDGE~~

A

JUDGE

Certified to be True Copy  
EXAMINER  
09 OCT 2024  
Bachchan Singh Court A/c Bench  
Sec. 75 Evid Ordns.

GOVERNMENT OF KHYBER PAKHTUNKHWA

FINANCE DEPARTMENT

(REGULATION WING)

P-97

Dated Peshawar the 22-05-2018

NOTIFICATION

18.12.2018 and Court-Abdullah Bench in writ petition No. 527-A/2018 dated: 18.12.2018 and judgments of various lower Courts as well as suppression of Finance Department policy letter No. 30-1/1-22/2007-08/FD dated: 29.01.2008, the Competent Authority has been pleased to accord sanction of regularization of Fixed Pay Class-V employees appointed between 1997 to 1999 by extending them the status of civil servants per Civil Servant Act 1973 from the date of their first appointments instead of the date of their regularization w.e.f. 01.07.2008 in their respective entitlements in the best of public interest.

SECRETARY TO GOVERNMENT  
OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

First: No & date even

Copy for information and necessary action is forwarded to the

Handwritten signature and stamp: "SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA" and "FINANCE DEPARTMENT".

Vertical text on the right side of the page, likely bleed-through from the reverse side of the document.



Annex-I

Annex-I

P-80

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P-98

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P-80

OFFICE ORDER NO 10 DATED MANSEHRA THE 27/10 /2022, ISSUED BY MR. ABDUL  
MANNAN, DIVISIONAL FOREST OFFICER UNHAR WATERSHED DIVISION MANSEHRA

Consequent upon attaining the age of superannuation, Mr. Muhammad Suleman, Cleaner of  
Unhar Watershed Division Mansehra is hereby retired from Govt. Service with effect from  
15.07.2022. The Cleaner is also allowed encashment in lieu of LPR equal to 365 days as  
admissible vide Rules, 20 of Civil Servant Revised leave Rules, 1981 and amended vide  
Government of NWFP, Finance Department Notification No. FD/SO (ST: IV) 5-64/80 Vol-II  
dated 24.08.1983, No. FD/SO (FR-IV) 5-54/80 Vol-III dated 12.04.1988 and No SO (FR) FD/5-  
92/2005/Vol-V dated 13/12/2013.

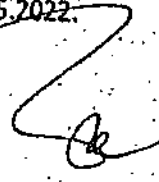
  
(Abdul Mannan)  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra

Memorandum:

Copy forwarded for favor of information to:-

1. Chief Conservator of Forests Central Southern Forest Region-I Peshawar.
2. Chief Conservator of Forests Northern Forest Region-II Abbottabad.
3. Conservator of Forests Watershed Management Circle Abbottabad.
4. Budget & Account Officer Forestry, Environment & Wildlife Department Peshawar.
5. Divisional Accountant Unhar Watershed Division Mansehra.
6. In charge Establishment Branch for information and necessary action. He is directed to prepared pension case of the above name Cleaner and process to Budget and Account Officer Forestry, Environment and Wildlife Department Peshawar enabling him to receive his emoluments well in time in accordance with Government instructions on the subject.

Mr. Muhammad Suleman Cleaner with reference to his application dated 30.05.2022.

  
Divisional Forest Officer  
Unhar Watershed Division  
Mansehra



MANSEHRA WATERSHED ACCOUNTS  
MANSEHRA  
Office No. 10, Main Plaza, Mansehra



Office of the  
Special Sessions Court  
Honorable Justice  
M. A. M. Khan

(Section 100 of the Criminal Procedure Code)

Case No. 100 of 1998

Chapter III (100) of the Criminal Procedure Code

Provincial Consolidated Funds

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Annex-I

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Muhammad Farooq Khan Tanoli  
Advocate Supreme Court of Pakistan  
Laza Agha Street  
Lahore

Chapter-1 (I) (P) of the  
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P 101

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Office of the  
Director of the  
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Washington, D.C.

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MINISTRY OF JUSTICE  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent  
Nisht Park, Islamabad

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مقام عالی عدالت پاکستان اسلام آباد

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مقام عالی عدالت پاکستان اسلام آباد

مقام عالی عدالت پاکستان اسلام آباد

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مقام عالی عدالت پاکستان اسلام آباد

(III) مقام عالی عدالت پاکستان اسلام آباد

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مقام عالی عدالت پاکستان اسلام آباد

II

مقام عالی عدالت پاکستان اسلام آباد

(A) 199

P-105

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CHIEF SECRETARY  
ADVOCATE GENERAL  
OFFICE OF THE ADVOCATE GENERAL  
STATE OF TEXAS

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f-107

Office Order No. 15 dated Abbottabad the 15/11/2022, issued by Mr. Rafiqullah, Divisional Forest Officer, Daur Watershed Division, Abbottabad

Mr. Hamayun Khan, Driver of Watershed Management Circle has applied vide his application dated 28.03.2022 regarding retirement from service after attaining the age of superannuation. The service record of the official was examined and found that his date of birth recorded in the service book as well as in NIC is 1562. As per record, he will reach the age of superannuation of 60 years on 30.06.2022. Therefore, he is hereby retired from Government service with effect from 01.07.2022.

He is also allowed encashment of leave salary in lieu of leave preparatory to retirement equal to 365 days pay as admissible to him vide rule-20 of Khyber Pakhtunkhwa, Civil Servant Revised leave Rules, 1974 amended vide Govt. of Khyber Pakhtunkhwa, Finance Department Notification No. SC (SR)FD-5-92/2005/NOI/V dated 13.12.2012.

Sd/- (Rafiqullah)

Divisional Forest Officer

Daur Watershed Division

Abbottabad

Copy forwarded to:

1. The Conservator of Forests, Watershed Management Circle Abbottabad for favour of information, please.

2. The Budget and Accounts Officer, Forests, Environment and Wildlife Department, Govt of Khyber Pakhtunkhwa, Peshawar for information.

3. Mr. Hamayun Khan, Driver for information with reference to his application dated 28.03.2022. He should provide necessary documents for preparation of pension papers so that his pension case could be sent to quarter concerned.

Divisional Forest Officer  
Daur Watershed Division  
Abbottabad

*[Handwritten signature]*

Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Paza Islamabad  
*[Handwritten signature]*

SALARY SLIP/LAST PAY CERTIFICATE

Last Pay Certificate in respect of Mr. Muhammad Hamayun Driver, Daur Watershed Division Abbottabad.

The incumbent will be paid upto 30.06.2022 at the following rates:-

P-108

Particulars	Head	Rate	Amount
Salary	A011	21360	21360
House Rent Allowance	A01202	2383	2383
CA		1932	1932
Medical allowance	A01217	1500	1500
UKA		1000	1000
APA-2013 @ 15%	A01224	433	433
APA 2015 @ 2.5%	A0122C	303	303
APA 2016 @ 10%	A0122M	1548	1548
APA 2017 @ 10%	A01233	2136	2136
APA 2018 @ 10%	A0122Y	2136	2136
APA 2019 @ 10%		2136	2136
APA 2021 @ 10%		2136	2136
Special Allowance		3500	3500
Gross Claim-Establishment Charges.	A012-2	42503	42503
Deduction:			
General Provident Fund A/C# (FOR-13845)	11502	1010	1010
Benevolent Fund	13336	1200	1200
PF/DC	13337	450	450
Income Tax	112	0	0
Total Deduction		2660	2660
Net amount Payable Rs.		39843	39843

*[Signature]*  
 Divisional Forest Officer  
 Watershed Division  
 Abbottabad

*[Signature]*  
 DIVISIONAL FOREST OFFICER  
 DUAR WATERSHED DIVISION  
 ABBOTTABAD

*[Signature]*  
 Mr. Muhammad Hamayun  
 Advocate Supreme Court  
 Suite # 33, Durrani Plaza, Islamabad  
 Phone: 37333333

**SALARY SLIP/LAST PAY CERTIFICATE**

Last pay Certificate in respect of Mr. Muhammad Hamayun Driver Daur  
Watershed Division Abbottabad.

P-109

The incumbent will be paid upto 30.06.2022 at the following rates:-

Particulars	Head	Rate	Amount
Salary:	A011	20700	20700
House Rent Allowance	A01202	2383	2383
CA	A01203	1932	1932
Medical allowance	A01217	1500	1500
MAA		1000	1000
ARA-2013	A01224	433	433
ARA-2015	A0122C	303	303
ARA-2016	A0122M	1548	1548
ARA-2017	A01224	2070	2070
ARA-2018	A01233	2070	2070
ARA-2019	A0122Y	2070	2070
ARA-2021		2070	2070
Special Allowance		3500	3500
Gross Claim-Establishment Charges.		41579	41579
<b>Deduction:</b>			
General Provident Fund A/C# (FOR-13845)	11502	1010	1010
Benevolent Fund	13336	1200	1200
RB/DC	13337	450	450
Total Deduction		2660	2660
Net amount Payable Rs.		38919	38919

Divisional Forest Officer  
Daur Watershed Division  
Abbottabad

*Muhammad*  
Advocate Supreme Court of Pakistan  
Office # 33 Jinnah Plaza Adjacent to  
201300



GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

P-110

No. BSA/Pon-IV(I-I-67)/ 2022

Dated Peshawar the 15/11/2022

To:

The Divisional Forest Officer,  
Daur Watershed Division Abbottabad.

Subject:

PENSION CASE IN RESPECT OF MR. HAMAYUN KHAN EX. DRIVER.

Kindly refer to your letter No. 708/AE, dated 20.11.2022 on the subject noted above.

The Service Book Vol I&II along with relevant documents received with the above cited letter are returned herewith in original with the remarks that the revised pay fixation may kindly be past/attached in his service book and excess drawl may also be recovered and an attested copy of Treasury Challan may be furnished to this office OR submitted an Affidavit on stamp paper to recovered the excess amount Rs.55920/- from his pension commutation.

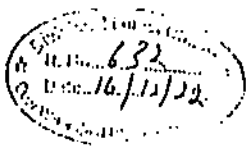
Pension Papers and LPC may also be revised according to revised pay fixation please.

BUDGET AND ACCOUNTS OFFICER

EC

So proceed as per direction of BRIA office

PDFD  
16/11/22



Attested  
Office of the Subject Court of Pakistan  
No. 23 Jinnah Plaza Abbottabad  
Distt Abbottabad

NATIONAL BANK OF PAKISTAN  
MAIN BRANCH ABBOTTABAD  
HEAD CO-3328

P-111

DATED: 21/12/2022

RCO CODE AD-4343  
(DFO Daur Watershed)

Received from Mr. Hamayun Khan Ex-Driver a sum of Rs. 55920/- (Fifty Five Thousand Nine Hundred and Twenty only) to be credited to Government account under head CO-3328 (Recovery of over payment) Forest Permittance of Divisional Forest Officer Daur Watershed Division Abbottabad on a/c of over payment pointed out by the Budget & Account Officer Govt. of Khyber Pakhtunkhwa Climate Change Forestry Environment & Wildlife Department vide letter No. B&A/Pen-IV(H-67)/882 dated 13.12.2022.

Divisional Forest Officer  
Daur Watershed Division  
Abbottabad

Attended



Attended  
MR  
Supreme Court of Pakistan  
Trade # 22, Jinnah Plaza, Abbottabad

FEDERAL BUREAU OF INVESTIGATION  
Abbottabad





P-113

Divisional Forest Officer  
Working Plan Unit-V  
Manshehra



No. \_\_\_\_\_  
Dated Manshehra the 22/08/2022

The Conservator of Forests  
Washed Management Circle  
Abbottabad

FINAL PAYMENT OF G.P. FUND.

Subject please find herewith subject case in respect of Mr. Hanayun Khan Ex. (Driver)  
Of this Division, complete in all aspects for favour of further course of action in your office.

Divisional Forest Officer  
Dairi Washed Division  
Abbottabad

No. 298 / DWS.

Copy forwarded to Mr. Hanayun Khan Ex. Driver Manshehra Tehsil, District Abbottabad.

Divisional Forest Officer  
Dairi Washed Division  
Abbottabad

Handwritten signature and stamp of the Divisional Forest Officer, Manshehra.

P-114

OFFICE ORDER NO. 18 DATED ABBOTTABAD THE 04/03 /2020 ISSUED BY IBRAR AHMED DIVISIONAL FOREST OFFICER DAUR WATERSHED DIVISION, ABBOTTABAD.

In pursuance of Govt. of Khyber Pakhtunkhwa, Finance Department Notification No.FD(PRC)/1 dated 20/07/2007 and No. FD/SO(FR-7-20/2015 DATED 30/06/2015, the following drivers of Daur Watershed Division Abbottabad are hereby allowed BPS No.07 w.e.f. 02/12/2015.

S No.	Name of Driver	Existing Pay Scale	Up graded Pay Scale
01.	Hamayun Khan	BPS No.06	BPS No.07
02.	Shoukat Ali	BPS No.06	BPS No.07

(IBRAR AHMED)  
Divisional Forest Officer  
Daur Watershed Division  
Abbottabad

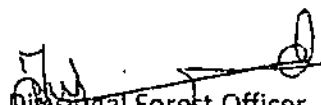
No...../

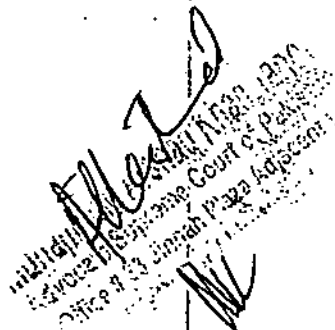
Copy Forwarded to:-

1. Divisional Accountant in Daur Watershed Division Abbottabad.
- ✓ 2. Mr. Hamayun Khan Driver in Daur Watershed Division Abbottabad.
3. Mr. Shoukat Ali Driver in Daur Watershed Division Abbottabad.

For information with reference to their application dated 07/02/2020 and 17/02/2020.

4. Office order file.
5. Personal file.

  
Divisional Forest Officer  
Daur Watershed Division  
Abbottabad

  
Divisional Forest Officer  
Daur Watershed Division  
Abbottabad



JOHN HANCOCK NATIONAL FOREST  
 REGIONAL OFFICE OF FORESTS  
 Northern Forest Region  
 No. 21172 JE-43  
 Chief Appointed on 5/10/2022

Subject: ZEPHYRUS IN RESPECT OF MR. HANCOCK NATIONAL FOREST  
 ESTABLISHMENT FROM SERVICE FILE

The Conservator of Forests, Northern Forest Region, made wide notice on August 21 dated 2022, has submitted the petition case sought following documents in respect of Mr. HANCOCK (Mr. Driver) (P. 2) of Deer Watershed Division which are enclosed herewith for further necessary action and onward submission to higher authority please.

1	State of Michigan vs. Deer Watershed Division	100-
2	Deer Watershed Division	100-
3	Deer Watershed Division	100-
4	Deer Watershed Division	100-
5	Deer Watershed Division	100-
6	Deer Watershed Division	100-
7	Deer Watershed Division	100-
8	Deer Watershed Division	100-
9	Deer Watershed Division	100-
10	Deer Watershed Division	100-
11	Deer Watershed Division	100-
12	Deer Watershed Division	100-
13	Deer Watershed Division	100-
14	Deer Watershed Division	100-
15	Deer Watershed Division	100-
16	Deer Watershed Division	100-
17	Deer Watershed Division	100-
18	Deer Watershed Division	100-
19	Deer Watershed Division	100-
20	Deer Watershed Division	100-
21	Deer Watershed Division	100-

It is requested to kindly approach the competent authority for action. Necessary approval of

Copy forwarded to the Conservator of Forests, Northern Forest Region, with reference to his letter No. cited above.

Michigan National Forest  
 Northern Forest Region  
 State of Michigan  
 Department of Natural Resources  
 Michigan National Forest  
 Northern Forest Region  
 State of Michigan  
 Department of Natural Resources

f-115

P-116

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

No.B&A/Pen-IV(H-67)/

Dated Peshawar the / /2022

To,

The Divisional Forest Officer,  
Daur Watershed Division Abbottabad..

Subject: PENSION CASE IN RESPECT OF MR. HAMAYUN KHAN EX-DRIVER.

Kindly refer to the Chief Conservator of Forests-I letter No.6896/E. dated 27.05.2022 on the subject noted above.

The Service Book Vol II&II along with relevant documents received with the above cited letter are returned herewith in original with the following remarks:-

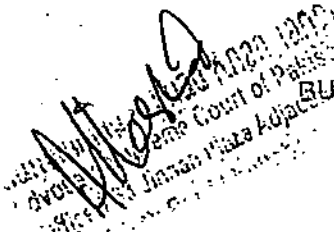
1. The official concerned was appointed as Chowkidar/Mali in the Project Phase-II in Daur Watershed Division Abbottabad vide DFO Daur Watershed Division Office Order No.48 dated 02/02/1998 and adjusted as Driver BPS-02 vide office order No.21 dated 19/10/2010 (copy of DFO may be furnished).
2. He was promoted from Driver BPS-02 as Driver BPS-04 vide DFO No.30 dated 02/12/2010 (Rules may be provided to this office)
3. The official concerned was up-graded from BPS-04 to BPS-07 w.e.f 02/12/2015, according to the Finance Department Regulation (Ving Notification No.FD/SC(FR)7-20/2015 dated 30/08/2015, two step up-gradation will be allowed to all Provincial Employees from BPS-01 to BPS-05 the same may be clarified and justified please.

BUDGET AND ACCOUNTS OFFICER

Encls: No.B&A/Pen-IV(H-67)/

Dated Peshawar the / /2022

Copy forwarded to the Chief Conservator of Forests-I Khyber Pakhtunkhwa Peshawar for information w/r to his letter No. cited above.

  
Office of the Chief Conservator of Forests-I  
Daur Watershed Division Abbottabad

BUDGET AND ACCOUNTS OFFICER

No. B & A/Pen-

Dated/Pesh: the

**Pension Payment Authority**

*P-117*

To  
The District Comptroller of Accounts Abbottabad.

Subject: Pension Case of Hamayun Khan (Ex-Driver(BPS-06))

Personal No	3990	Pension Type:	Superannuation Pen	Deptt: Name:	FOREST
Emp Name:	Hamayun Khan	Father Name:	Yaqoob Khan	Emp CNIC:	13101-6683773-7
Designation:	Driver	Scale:	(BPS-06)	Date of Birth	01/07/1962
Appoint:Date	20/10/2010	Retirement Date:	30/06/2022	Total Service:	11Y 8M 10D
N.Q.Service:	0Y 0M 0D	Net Service:	11Y 8M 10D	Retirement Age:	59Y 11M 29D
Basic Pay +PP:	20700	Increment	560	Total Emolument:	21260
Gross Pension: (21260X12X7)/300	5,953	35% Comulted	2084	65% Net Pension	3869
		Restoration :	30/06/2034	Emp Death Date:	

- I have the honour to forward a copy of Memo: No. 10080/E Dated: 13/04/2023 from the DFO Daur Water Shed Div: Abbottabad, ABBOTTABAD sanction a Superannuation Pension of Rs: 3869 (Rupees: Three Thousand Eight Hundred Sixty-Nine Only) amount to above pensioner together with a copy of first page of the application for pension, a card bearing his left hand thumb, finger impression and Last Pay Certificate and to request that you will be so good as to arrange payment of his pension at the rate mentioned above from the Treasury The District Comptroller of Accounts Abbottabad.
- The Pension / gratuity are debitable to Khyber Pakhtunkhwa consolidated funds.
- The commutation of Rs. 309396 (Rupees : Three Hundred Nine Thousand Three Hundred Ninety-six Only ) may also be paid to him in lieu of the surrendered portion of his pension and is chargeable to A04102-Payment of commuted value of pension.
- In the event of death, his family will be entitled to family pension under the pension rules.
- The following pension increases may please paid to him accordingly.

Authorization of Monthly Pension Rates Due From 01/07/2022

S#	Particulars	Values	Total
1	Net Pension	3869	3869
2	15% increase 07/2011	580	4449
3	10% increase 07/2015	445	4894
4	10% increase 07/2016	489	5384
5	10% increase 07/2017	538	5922
6	10% increase 07/2018	592	6514
7	Minimum Pension	10000	10000
8	10% increase 07/2019	1000	11000
9	10% increase 07/2021	1100	12100
10	15% increase 07/2022	1815	13915
11	25% Medical Allow of 2010	967	14882
12	25% Increase on Medical 07/2015	242	15124

*M. A. Khan*  
Advocate Supreme Court of Pakistan  
Flite # 23 Jinnah Plaza Adjacent

Total Monthly Pension: 15124/- (Fifteen Thousand One Hundred Twenty-Four Only)

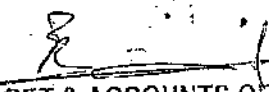
6. Please acknowledge receipts of the documents. Enclosures:-
- (i) Copy of Memo: of sanction
  - (ii) Photo-graph (in-duplicable)
  - (iii) Descriptive roll of the family
  - (iv) Specimen signature (in-duplicate)
  - (v) Left hand thumb and finger impression card ( in-duplicate)
  - (vi) Copy of 1st page of application for pension / gratuity
- Remark: Over Payment or less payment if any in pension/increases already paid may be deducted and adjusted according to this authority.

B & A/Pen- 1880-81  
Copy forwarded for information to:

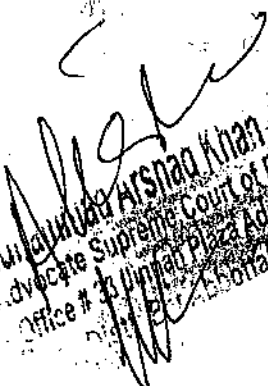
BUDGET & ACCOUNTS OFFICER,  
Dated/Pesh: the 02/05/2023.

1. Hamayun Khan (Ex- Driver (BPS-06)) S/O Yaqoob Khan Chona Kari Nawansher Shumail P/O Nawashahr Tich & Distt: Abbotabad.
2. DFO Daur Water Shed Div: Abbottabad

The Service Book is retained in this office.

  
BUDGET & ACCOUNTS OFFICER,

P-118

  
Advocate Arshad Khan, Advocate  
Advocate Supreme Court of Pakistan  
Office # 13 Punjab Plaza Adjacent to  
Abbottabad



GOVERNMENT OF KHYBER PAKHTUNKHWA  
CLIMATE CHANGE FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT

No. B&A/Pen/Appeal/Humayyun/ 6077

Dated Peshawar the 19/08/2024

To,

The Divisional Forest Officer,  
Daur Watershed Division,  
Abbottabad

Subject

APPEAL AGAINST THE ADMISSIBILITY REPORT LETTER No. B&A/PENSION/1053.

I am directed to refer to your letter No. 989/B&A dated 23.04.2024 on the cited above and to state that this office has already finalized the pension case and no further pensionary allowed to official concerned as per standing Govt Rules/Policies.

BUDGET AND ACCOUNTS OFFICER

Endst: No. B&A/Pen/Appeal/Humayyun/ 6078 Dated Peshawar the 15/08/2024

Copy forwarded to the Muhammad Humayyun, Ex-Driver, Resident of Choona Kari, Nawan Shehr, Abbottabad w/r to his application dated 28.08.2023

BUDGET AND ACCOUNTS OFFICER

19/08/2024

Received on 3/10/24  
through watsap

(7)

Office Order No. 38 dated Abbottabad the 13/10/2022, issued by  
Mr. Rafiqullah, Divisional Forest Officer, Daur Watershed Division,  
Abbottabad

Mr. Hamayun Khan, Driver of Watershed Management Circle has applied vide his application dated 28.03.2022 regarding retirement from service after attaining the age of superannuation. The service record of the official was examined and found that his date of birth recorded in the service book as well as in NIC is 1962. As per record, he will reach the age of superannuation of 60 years on 30.06.2022. Therefore, he is hereby retired from Government service with effect from 01.07.2022.

He is also allowed encashment of leave salary in lieu of leave preparatory to retirement equal to 365 days pay as admissible to him vide rule-20 of Khyber Pakhtunkhwa, Civil Servant Revised leave Rules, 1981 amended vide Govt. of Khyber Pakhtunkhwa, Finance Department Notification No.30 (SR) D-5-92/2005/Vol.V dated 13.12.2012.

Sd/- (Rafiqullah)  
Divisional Forest Officer  
Daur Watershed Division  
Abbottabad

Copy forwarded to:

1. The Conservator of Forests, Watershed Management Circle Abbottabad for favour of information, please.
2. The Budget and Accounts Officer, Forestry, Environment and Wildlife Department, Govt. of Khyber Pakhtunkhwa, Peshawar for information.
3. Mr. Hamayun Khan, Driver for information with reference to his application dated 28.03.2022. He should provide necessary documents for preparation of pension papers so that his pension case could be sent to quarter concerned.

(E)

Divisional Forest Officer  
Daur Watershed Division  
Abbottabad

*Attended*

*Rafiq*

DIVISIONAL FOREST OFFICER  
DAUR WATERSHED DIVISION  
ABBOTTABAD

(7)

Office Order No. 38 dated Abbottabad the 12/04/2022, issued by  
Mr. Rafiqullah, Divisional Forest Officer, Daur Watershed Division,  
Abbottabad

Mr. Hamayun Khan, Driver of Watershed Management Circle has applied vide his application dated 28.03.2022 regarding retirement from service after attaining the age of superannuation. The service record of the official was examined and found that his date of birth recorded in the service book as well as in NIC is 1962. As per record, he will reach the age of superannuation of 60 years on 30.06.2022. Therefore, he is hereby retired from Government service with effect from 01.07.2022.

He is also allowed encashment of leave salary in lieu of leave preparatory to retirement equal to 365 days pay as admissible to him vide rule-20 of Khyber Pakhtunkhwa, Civil Servant Revised leave Rules, 1981 amended vide Govt. of Khyber Pakhtunkhwa, Finance Department Notification No.30 (GR)FD-5-92/2005/Mot/V dated 13.12.2012.

Sd/- (Rafiqullah)  
Divisional Forest Officer  
Daur Watershed Division  
Abbottabad

Copy forwarded to:

1. The Conservator of Forests, Watershed Management Circle Abbottabad for favour of information, please.
2. The Budget and Accounts Officer, Forestry, Environment and Wildlife Department, Govt. of Khyber Pakhtunkhwa, Peshawar for information.
3. Mr. Hamayun Khan, Driver for information with reference to his application dated 28.03.2022. He should provide necessary documents for preparation of pension papers so that his pension case could be sent to quarter concerned.

(E)

Divisional Forest Officer  
Daur Watershed Division  
Abbottabad

*Attended*

*[Signature]*

DIVISIONAL FOREST OFFICER  
DAUR WATERSHED DIVISION  
ABBOTTABAD



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FORESTRY, ENVIRONMENT & WILDLIFE DEPARTMENT**

No. B & A / Pen- 1033

Dated: Peshawar, the 10/11/23

**Pension Admissibility Report**

To

**DFO Daur Water Shed Div: Abbottabad, ABBOTTABAD**

Remarks: Pension papers may be revised according to Admissibility Report please.

Subject: Pension Case of Hamayun Khan (Ex- Driver(BPS-06))

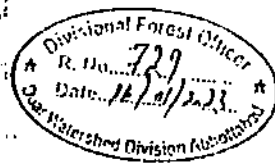
Personal Id:	3990	Pension Type:	Superannuation Pens	Deptt Name:	FOREST
Emp Name:	Hamayun Khan	Father Name:	Yaqoob Khan	Emp Code:	1310106803737
Designation:	Driver	Scale:	(BPS-06)	Date of Birth:	01/07/1967
Appointt. Date:	20/10/2010	Retirement Date:	30/06/2022	Total Service:	11Y 8M 10D
N.Q. Service:	0Y 0M 0D	Net Service:	11Y 8M 10D	Retirement Age:	55Y 11M 29D
Basic Pay +PP:	20700	Increment:	560	Total Emolument:	21260
Gross Pension: 21260X(12X7)/300	5,953	35% Committed:	2084	65% Net Pension:	3869
		Restoration:	30/06/2034	Emp Death Date:	

1. Certified that subject to the remarks recorded above duly verified of Hamayun Khan that Superannuation Pension not exceeding Rs. 3,869 (Rupees): after surrendering of 35% Committed original pension of Rs: 2,084 of which is equal to Rs: 5953.
2. Last pay of Rs: 21260 is admissible under the Civil Service Pension Rules.
3. The pension is charge-able to Provisional Revenue of Khyber Pakhtunkhwa is voted and will commence to
2. A commutation of Rs: 309396 is also admissible in lieu of the surrendered portion of the pension.
3. Attention is invited to Rules-1.8(c) and 4.2 ibid.
4. In the even of the death of his retirement his family will be entitled to a pension under the pension rules.
6. Administrative sanction may please be furnished in-duplicate.
7. A ligible copy of the Service Book may by retained in your office for record and future correspondence.

**Authorization of Monthly Pension Rates Due From: 01/07/2022**

S#	Particulars	Values	Total
1	Net Pension	3869	3869
2	15% increase 07/2011	580	4449
3	10% increase 07/2015	445	4894
4	10% increase 07/2016	489	5384
5	10% increase 07/2017	538	5922
6	10% increase 07/2018	592	6514
7	Minimum Pension	10000	10000
8	10% increase 07/2019	1000	11000
9	10% increase 07/2021	1100	12100
10	15% increase 07/2022	1815	13915
11	25% Medical Allow of 2010	967	14882
12	25% Increase on Medical 07/2015	242	15124

**Total Monthly Pension: 15124/- (Fifteen Thousand One Hundred Twenty-Four Only)**



BUDGET & ACCOUNTS OFFICER

*Ec*

*AD*

*P.D.F.O*

*16/11/23*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
CLIMATE CHANGE FORESTRY, ENVIRONMENT, & WILDLIFE DEPARTMENT

No.B&A/Pen-IV(H-67)/

Dated Peshawar the

1 / 2024

To,

The Divisional Forest Officer  
Daur Watershed Division,  
Abbottabad

Subject:

APPEAL AGAINST THE ADMISIBILITY REPORT LETTER NO. B&A/PEN/1053  
DATED 10/01/2023

I am directed refer to your letter No. 825/DWS dated 26.02.2024 on the subject noted above, and to state that your response in the subject matter/case is ambiguous having no clarification regarding regularization of the Services of Mr. Hamayun Khan Ex-Driver from date of appointment to i-e 02.02.1995 to 30.06.2010.

The DFO being appointing/pension sanctioning authority is required to send the pension case with clear position recommendation along with relevant document in light of service history etc of the employees concerned.

It is requested that the case may kindly be re-examined and it may be clarified as to whether his service period mentioned above was regularized in light of Govt. policy/rules/specific order, or in light of any specific court judgment or otherwise. His total length of regular service may also be specified so as to proceed further in the matter please.

BUDGET AND ACCOUNTS OFFICER

Ends: No.B&A/Pen-IV(H-67)/4693

Dated Peshawar the

03 / 04 / 2024

Copy forwarded to the P.S to Special Secretary, CCPE&WD, Peshawar w/r to discussion held on 22.03.2024.

  
BUDGET AND ACCOUNTS OFFICER

EC  
BP  
DR

## محکمہ خزانہ

## حکومت صوبہ سرحد

## خلاصہ برائے وزیر اعلیٰ صوبہ سرحد

عنوان: دیسوات واٹرشید بندوبست پراجیکٹ کے ملازمین کے پنشن فوائد۔

محکمہ جنگلات کے تحت چلنے والا دیسوات واٹرشید بندوبست پراجیکٹ کے 45 ملازمین کی مدت ملازمت منصوبے کے اختتام پر انتظامی محکمہ نے بے جا طور پر جنوری 1998ء ختم کر دی۔ یہ ملازمین بتاریخ 19 جون 1999 کو سروس ٹریبونل چلے گئے۔ سروس ٹریبونل کا فیصلہ (لف۔ الف) ہے۔ جس کا متین درجہ ذیل ہے۔

1- ٹریبونل کا مشاہدہ ہے کہ درخواست دہندگان جن کی دس سال سے زیادہ ملازمت ہے عدالت عظمیٰ کے حکم ناموں/ فیصلوں کی بنیاد پر پنشن فوائد کے اہل ہونگے۔ جبکہ وہ درخواست دہندگان جن کی مدت ملازمت دس سال سے کم ہے وہ پنشن فوائد کے اہل نہیں ہونگے۔

2- عدالت عالیہ نے عدالت عظمیٰ کے حکم ناموں/ فیصلوں کی بنیاد پر درخواست دہندگان کیلئے پنشن فوائد کا ذکر کیا ہے۔ جبکہ پنشن کا خصوصی طور پر ذکر کیا گیا ہے۔

3- سرکاری ملازمین کے پنشن رولز ۲۱ (لف/ب) کے مطابق کوئی سرکاری ملازمین پنشن کا اس وقت اہل ہوتا ہے جب مندرجہ ذیل شرائط ہوں۔

- ۱- وہ ملازمت حکومت کے تحت ہو۔
- ۲- وہ ملازمت غیر پنشن یافتہ نہ ہو۔
- ۳- اس ملازمت کو ادائیگی Provincial Consolidated Fund سے کی جاتی ہو۔

4- سول سرونٹ ایکٹ پیرا نمبر ۲ (b)(ii) Chapter-I (الف ت) کے مطابق پراجیکٹ ملازمین سول ملازم نہیں ہوتے۔ اس لیے کہ پراجیکٹ ملازمین معینہ عرصہ کیلئے کنٹریکٹ پر تعینات کئے جاتے ہیں۔

5- سرکاری ملازمین کی پنشن رول (۳۲) بھی مندرجہ ذیل وضاحت کرتا ہے (الف-ٹ)۔

اگر ایک سرکاری ملازم کی کئی برخاستگی اس پوسٹ کے فرائض کی نوعیت میں تبدیلی کی یا اس مستقل پوسٹ کے خاتمے کی وجہ سے تاگزیر ہو جاتی ہے۔ اس سرکاری ملازم کو یہ اختیار حاصل ہے کہ وہ درج ذیل (Actions) میں کوئی بھی پناے بشرطیہ کہ اس کی تقرری کسی ایسی دوسری پوسٹ پر نہ ہو جائے جو کہ ہر لحاظ سے اس کی پہلی پوسٹ کے ہم پرنہ ہو۔

الف۔ کوئی کمپنیشن پنشن سے لینا اور یا اتنی گریجویٹی کالینا جس کا وہ سروس کرنے کے بدلے میں حقدار ٹھہرایا جاتا ہے۔

ب۔ کسی دوسری پوسٹ کو قبول کرنا یا کسی دوسرے محکمہ میں تبدیلی حتیٰ کہ قدرے کم تنخواہ پر بھی اگر پیشکش کی جائے جو اسکی سابقہ سروس پنشن کیلئے شمار کی جائے۔

6- محکمہ S&GAD نے بذریعہ خط نمبری SORIII(S&GAD(8/38/86 مورخہ 30 مارچ 1989 (الف ٹ) تمام صوبائی محکموں کو وضاحت جاری کی کہ تمام پراجیکٹ ملازمین کو پراجیکٹ کی پوسٹوں پر مقررہ معیار کیلئے بھرتی کیا جائے گا اور پراجیکٹ ختم ہونے پر ایسے ملازمین کو برخاست کر دیا جائے گا اس مراسلے کے جاری ہونے سے پہلے بھی پراجیکٹ ملازمین صرف مقررہ معیار کیلئے بھرتی کئے جاتے تھے۔ لیکن کچھ محکموں کی غفلت اور سیاسی دباؤ کی وجہ سے بعض پراجیکٹ ملازمین زیادہ عرصہ کیلئے متواتر سروس میں رہے۔ S&GAD کی وضع کردہ نمونہ کے مطابق پراجیکٹ /کنٹریکٹ ملازمین کے ساتھ باقاعدہ معاہدہ تعیناتی طے کرنا ہوتا ہے۔ لیکن مشاہدہ کیا گیا ہے کہ مختلف محکمے ایسا کرنے سے قاصر رہے جس کی وجہ سے پراجیکٹ ملازمین کو مقررہ معیار کے بعد بھی کہیں نہ کہیں کھپھایا گیا جس سے ان کو ملازمت کی مستقلی کا جواز مل گیا۔

7- پنشن اور گریجویٹی کے فوائد کیلئے اہلیت اور ملازمت / ملازم کی حیثیت کے تعین کے سلسلے میں حکومت مغربی پاکستان محکمہ خزانہ کی پالیسی چھٹی نمبر 67SO(SR)V-2571 مورخہ ستائیس اپریل انیس سو ستر سٹھ کا پیرا گراف ۶ اور ۷ (لف-ج) مندرجہ ذیل وضاحت کرتا ہے۔

پیرا-۱-۷:- مستقل سرکاری ملازمین کیلئے پنشن کی مقدار۔

اس صورت میں جہاں سرکاری ملازم کی تقرر کسی قابل پنشن سروس میں مستقل حیثیت سے ہوا ہو پنشن کی مقدار مندرجہ ذیل طریقے سے کی گئی ہے۔

اگر ایک سرکاری ملازم جو کہ نوکری سے ریٹائر کیا جاتا ہے یا نوکری سے خارج کیا جاتا ہے اگر دس سال یا دس سال زیادہ کی کو ایفائیٹنگ سروس مکمل کر چکا ہو اسے پنشن دی جائے گی جس کا پیمانہ پنشن روز میں متعین کیا گیا ہے۔

پیرا-۲-۷:- عارضی سرکاری ملازمین کیلئے پنشن کی مقدار۔

اگر ایک سرکاری ملازم جو قابل پنشن سروس میں ہو لیکن اس کی تقرری عارضی حیثیت سے ہو اسے پچیس سال یا اس سے زیادہ ملازمت پوری کرنے پر پنشن روز کے (پیرا گراف ۶) میں درج مستقل ملازم کے مشابہ پنشن کے فوائد ملیں گے اور اگر اس کا عرصہ ملازمت دس سال سے زیادہ لیکن ۲۵ سال سے کم ہو تو اسے سروس کے ہر سال مکمل کرنے کے بدلے ایک مہینے کی تنخواہ بطور گریجویٹی دی جائے گی جس کی زیادہ سے زیادہ 75000/- روپے ہے۔

8- ان روز کی وضاحت کی بابت فنانس ڈویژن حکومت پاکستان اسلام آباد سے اس ضمن میں رابطہ کیا گیا (لف-ج) جنہوں نے مندرجہ ذیل وضاحت بھیجی۔

ایک عارضی سرکاری ملازم جسکی مدت ملازمت دس سال سے زیادہ لیکن پچیس سال سے کم ہو ملازمت کے بعد درخواست / زبردستی ریٹائر ہونے پر سروس کے ہر مکمل سال کے بدلے ایک مہینے کی تنخواہ (بشمول الاؤنسز) کے برابر گریجویٹی کا حقدار ہے جس کی زیادہ سے زیادہ حق پچتر ہزار روپے ہے (لف-ج)۔

حکومت مغربی پاکستان محکمہ خزانہ کی چھٹی نمبر S.O(SR)V-2776/68 مورخہ 19 فروری 1969 کی وضاحت کے مطابق (لف۔خ) ایک عارضی سرکاری ملازم جو اس کی پوسٹ کے خاتمے یا ایک اہل امیدوار کی آمد کی وجہ سے ملازمت سے برخاست ہو جائے وہ پچیس سال یا اس سے زیادہ کو ایلفائیٹنگ سروس کی تکمیل پر نئے پنشن خاکے میں دی گئی شرح اور شرائط کے تحت عام پنشن کا اہل ہو جاتا ہے۔ اور دس سال لیکن پچیس سال سے کم کو ایلفائیٹنگ سروس کی تکمیل پر ہر مکمل سال کی کو ایلفائیٹنگ سروس کے بدلے ایک مہینے کی ایما لو منٹس سے جو زیادہ نہ ہو گریجویٹی دی جائے گی۔ جس کی زیادہ سے زیادہ حد پچیس ہزار روپے ہے (اب پچتر ہزار روپے ہے) ایسا عارضی ملازم جس نے برخاستگی کے وقت دس سال سے کم سروس کی ہو پنشن یا گریجویٹی کا اہل نہیں ہے۔

9- اس بنیاد پر محکمہ خزانہ نے اس ضمن میں ایک وضاحت بذریعہ مراسلہ نمبر SOSR.III(FD)4-112/80 VOL-1 مورخہ ۲۶ جولائی ۱۹۹۷ جاری کی ہے (لف۔د) جس کا متن درج ذیل ہے۔

”فنانس ڈویژن حکومت پاکستان کی مشاورت سے وضاحت کی جاتی ہے کہ ایک عارضی سرکاری ملازم دس سال یا اس سے زیادہ لیکن پچیس سال سے کم ملازمت کے بعد ایک اہل امیدوار کی آمد یا اسکی پوسٹ کے خاتمے کی وجہ سے ملازمت سے برخاست / زبردستی ریٹائر کیا جائے ملازمت کے ہر مکمل سال کے بدلے ایک مہینے کی ایما لو منٹس کی شرح سے جو زیادہ پچتر ہزار روپے ہوگی گریجویٹی کا اہل ہے۔“

10- پنشن قوانین وفاقی حکومت کی طرف سے وضاحت اور اس پر جاری ان ہدایت کی روشنی میں اور سروس ٹریبونل کے فیصلے کے مطابق دیرسوات واٹرشید بندوبست پراجیکٹ ملازمین گریجویٹی کے اور پنشنری فوائد کے زمرے میں آتے ہیں اور یوں ان کو گریجویٹی کے معینہ فوائد یعنی ہر سال کے بدلے ایک ماہ کے برابر ادائیگی کرنے سے سروس ٹریبونل کے فیصلے کی تکمیل ہو جاتی ہے۔ مندرجہ بالا وضاحت حقائق پر مبنی ہے اور وضاحت اس لیے بھی ضروری ہے تاکہ آئندہ کیلئے اس کی تشریح میں کسی قسم کا بہانہ نہ ہو۔

11- درج بالا وضاحت کی روشنی میں محکمہ خزانہ مزید تشریح جاری کرے گا جس کا متعین درج ذیل ہوگا پراجیکٹ ملازمین جن کی گزشتہ ملازمت محکمہ S&GAD کے چھٹی نمبر SOR-III(S&GAD)/38/86 مورخہ مارچ 1989 کے تحت پنشن کے فوائد کیلئے حقدار ٹھہرائی گئی ہے۔ ایسے ملازمین محکمہ خزانہ کے خط کے مطابق گریجویٹی کے حقدار ہونگے پنشن حقدار ملازمین کے زمرے میں صرف وہ ملازمین آئینگے جن کی اہلیت میں روز 21 میں دی گئی (خلاصہ کے پراگراف ۲ میں ان شرائط کا ذکر ہے)۔

12- محکمہ خزانہ گزارش کرتا ہے کہ پراگراف 11 میں پیش کی گئی تشریح کو منظور فرمایا جائے۔

دستخط: ضیاء الحسن

(سیکرٹری خزانہ)

30/07/2005

سینئر وزیر برائے خزانہ

چیف سیکرٹری

وزیر اعلیٰ صوبہ سرحد

13- سینئر وزیر برائے خزانہ نے اس موضوع پر اجلاس مورخہ 22 ستمبر 2005 کی صدارت کی جس میں درج

ذیل محکموں کے سیکرٹری صاحبان اور افسران نے شرکت کی (اجلاس کاروبار کی نقل منسلک ہے)۔

محکمہ خزانہ  
i- سیکرٹری خزانہ  
ii- ڈپٹی سیکرٹری (ریگولیشن)

محکمہ ماحولیات  
i- سیکرٹری ماحولیات  
ii- ڈائریکٹر بجٹ اینڈ اکاؤنٹس

14- اجلاس میں کئے گئے فیصلہ درج ذیل ہیں۔

1- بھرتی کے وقت ملازمین کے تعیناتی کے آرڈر میں عارضی کنٹریکٹ کی صراحت نہیں کی گئی۔

2- کم و بیش ایک سواہلکار سروس میں بغیر Break کے محکمہ میں ایڈجسٹ ہو گئے۔

۱۶- آخرت میں یقین کرنا ہے۔

۱۷- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔ (۱۱)

۱۸- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۱۹- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔ (۱۱)

۲۰- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۲۱- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۲۲- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۲۳- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔ 18

درخواست واپس لینے کے لئے درخواست دہانہ

31/11/2005ء کی درخواست

درخواست دہانہ

درخواست دہانہ

درخواست دہانہ

17

۱۶/۱۱/۲۰۰۵ء کی درخواست

درخواست دہانہ

۱۶- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۱۷

۱۸- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۱۹- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔ 15

۲۰- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۲۱- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۲۲- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۲۳- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

۲۴- آخرت میں یقین کرنا ہے کہ جو کچھ ہے وہ خدایے کی طرف سے ہے۔

(iii) - غلط تعیناتی آرڈر کی وجہ سے سروس ٹریبونل نے نہ صرف ان کے کیسز کی سماعت کی بلکہ حکومت کے خلاف فیصلہ دیا حالانکہ سروس ٹریبونل کنٹریکٹ ملازمین کے کیس کی سماعت کا اختیار ہی حاصل نہیں۔

(iv) - محکمہ ماحولیات نے اس سے قبل کئی افراد کو اپنے طور پر پنشن دے چکا ہے۔ جبکہ دوسرے لوگوں کے کیسز محکمہ خزانہ کو روانہ کر دیئے۔ جو کہ ناقابل فہم ہے۔

(v) - سروس ٹریبونل کے فیصلے کے خلاف سپریم کورٹ میں اپیل دائر کی گئی تاہم بغیر وجوہات کے واپس لے لی گئی۔

19 - محکمہ ماحولیات ان تمام خامیوں کی وضاحت کرے کہ محکمہ ماحولیات کے علاوہ اور دیگر محکمہ جات میں ایسے بے شمار ملازمین میں جو مختلف پراجیکٹوں میں کام کر رہے ہیں اگر محکمہ خزانہ کی سفارشات منظور کی گئیں تو حکومت کو دیگر ملازمین کے ساتھ بھی وہی برتاؤ کرنا پڑے گا جس کیلئے لاکھوں درکار ہوں گے۔ لہذا تجویز کیا جاتا ہے کہ ان معاملات کو نمٹانے سے قبل محکمہ ماحولیات ان افسران کی نشاندہی کرے جو ان کو تاہیوں کے مرتکب ہوئے تاکہ ان کے خلاف تادیبی کارروائی عمل میں لائی جائے تاکہ اس بات کو یقینی بنایا جائے کہ آئندہ ان کو تاہیوں کا اعادہ نہ ہو اور آئندہ ایک پراجیکٹ کے اختتام پر تمام عملہ فارغ کیا جائے اور نئے پراجیکٹ کی تمام آسامیاں بذریعہ ابتدائی بھرتی پر کی جائیں۔ تعیناتی کے آرڈر میں دورانہ بھی واضح طور پر تحریر کیا جائے۔

دستخط

CHIEF SECRETARY

معدنا اعلیٰ صوبہ سرحد

وزیر اعلیٰ صوبہ سرحد

20 - پیرا گراف نمبر 19 اتفاق ہے۔

دستخط

اکرم خان دورانی

23/02/2006



Acceptance  
Muhammad Ibrahim  
Adv Hc

Acceptance  
Muhammad Asad Khan  
Adv of Pakistan at Ado

الرقم:

بتاریخ:

میں نے اپنے والدین سے اس معاہدے پر رضامندی ظاہر کی ہے۔  
میں نے اس معاہدے کے تحت اپنے والدین سے اس معاہدے پر رضامندی ظاہر کی ہے۔  
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میں نے اپنے والدین سے اس معاہدے پر رضامندی ظاہر کی ہے۔

بوسیدہ محمد  
بجانب  
عنوان  
بھارت

گورنمنٹ

وکیلانہ

محمد الیاس صاحب

بجانب