

**GOVERNMENT OF PAKISTAN
DIRECTORATE GENERAL PAKISTAN POST OFFICE, ISLAMABAD**



DIRECTOR GENERAL'S CIRCULAR NO. 13

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PART-I
APPOINTMENTS, PROMOTIONS, POSTINGS AND TRANSFERS OF OFFICERS OF
PAKISTAN POST OFFICE

I. RETIREMENT OF BPS-17/18/19/20 OFFICERS UNDER THE PAKISTAN POST OFFICE DEPARTMENT ON ATTAINING THE AGE OF SUPERANNUATION (I.E 60 YEARS).

On attaining the age of superannuation i.e 60 years, the following officers under the Pakistan Post Office Department will stand retired from Government Service, with effect from the date indicated against each:-

S. No.	Name of Officer	BPS	Date of Birth	Date Retirement of on superannuation
1.	Capt ® Khalid Zaman Director ECO, Postal Staff College, Islamabad	20	20-09-1961	19-09-2021
2.	Mr. Karim Bukhsh Sial DSPS Sukkur	18	01-10-1961	30-09-2021
3.	Mr. Ghufraan Amjad DSPS R.Y Khan	17	21-07-1961	20-07-2021
4.	Mr. Tariq Rasheed Khan DSPS (Central), Karachi	17	29-10-1961	28-10-2021
5.	Mr. Abdul Sattar Shah CPM, Gujrat GPO	17	01-06-1961	31-05-2021
6.	Mr. Tahir Iqbal DSPS Rawalakot	17	18-10-1961	17-10-2021
7.	Mr. Muhammad Ramzan Hanif AAO, Lahore GPO	17	01-10-1961	30-09-2021
8.	Mr. Munir Hussain DSPS Kohat	17	22-12-1960	21-12-2020

{No. S.8-10/97-III- (P-I)
Dated: 26-11-2020}

II. RETIREMENT OF BPS-17/18/19/20 OFFICERS UNDER THE PAKISTAN POST OFFICE DEPARTMENT ON ATTAINING THE AGE OF SUPERANNUATION (I.E 60 YEARS).

In partial modification of this office letter of even numbers dated 26-11-2020 the revised retirement orders in respect of Capt. (R) Khalid Zaman, a BPS-20 Officers of Postal Group ae as under:-

Name of Officer	BPS	Date of Birth	Date of Retirement on superannuation
Capt. (R) Khalid Zaman Executive Director ECO, PSC Islamabad	20	20-09-1961	19-09-2021

{No. S. 8-10/97-III (P-I)
Dated: 30-11-2020}

III. NOTIFICATION.

No. CP. 3-7/2009. On the recommendations of Departmental Promotion Committee in its meeting held on 10-12-2020 and with the approval of the competent authority, the following officers working as Assistant Director (BPS-17), Directorate General, Pakistan Post, Islamabad are promoted to the post of Deputy Director (BPS-18) as mentioned against each:-

Sr. No.	Name of Officer	Remarks
1.	Mr. Mazhar Iqbal Chattha	Promoted to the post of Deputy Director (BPS-18) against clear vacancy.
2.	Mr. Amjad Ali Abbasi	Promoted to the post of Deputy Director (BPS-18) against the future vacancy due to retirement of Mr. Abdul Haleem, Dy. Director, w.e.f 26-12-2020

2. The above named officers will be on probation for a period one (01) year. This period may be further extended by another one year, if considered necessary by the competent authority in terms of rule 21 (2) and (4) of the civil Servant (Appointment, Promotion and Transfer) Rules. 1973.

The Manager,
Printing Corporation of Pakistan Press,
University Road,
Karachi.

IV. TRANSFER / POSTING OF OFFICERS UNDER THE PAKISTAN POST OFFICE DEPARTMENT.

The Director General, Pakistan Post Office Department has been pleased to order following transfers/ postings in BPS-17 (Postal Group) mentioned against each with immediate effect and until further orders:-

Sl. No.	Name of Officers	Post Held	Post against which posted
1.	Mr. Ahmed Iqbal	Probationer (Postal Group) BPS-17 under training at ECO Postal Staff College, Islamabad	DSPS (BS-17), Jhang vice Mr. Aqeel Ahmed transferred.
2.	Pir Ali Muhammad Rashdi	Probationer (Postal Group) /BS-17 under training at ECO Postal Staff College, Islamabad	DSPS (East) (BS-17), Karachi vice Mr. Muhammad Ramzan transferred.
3.	Ms. Sarah Waseem	Probationer (Postal Group / BS-17) under training at ECO Postal Staff College, Islamabad	CPM (BS-17), Jhelum GPO vice Ms. Hareem Ayaz transferred.
4.	Ms. Hareem Ayaz	CPM (BS-17), Jhelum GPO	DSPS (BS-17) Jhelum vice Ms. Hafsa Imran transferred.
5.	Ms. Hafsa Imran	DSPS (BS-17), Jhelum	DSPS (BS-17), Islamabad against newly utilized post as per arrangement contained in para. 4 below.
6.	Mr. Muhammad Ramzan	DSPS (East) (BS-17), Karachi	DSPS (BS17), Sibi against a vacant post by terminating existing arrangement, if any. No TA/DA etc will be admissible to the officer as transfer is being made on his own request
7.	Mr. Aqeel Ahmed	DSPS (BS-17), Jhang	CPM (BS-17), Shaheed Benazirabad GPO against a vacant post. No TA/DA etc will be admissible to the officer as transfer is being made on his own request
8.	Mr. Faisal Irfan	Waiting for posting on repatriation from Dte-General, ISI	APMG (BS-17), % the PMG, FC, AJK & GB Circle. The intervening period of the officer

			w.e.f 23-11-2020 till assumption of the charge of above post will be treated as waiting for posting under F.R. 9 (6) (b) (iv).
9.	Mr. Khalid Mehmood	Waiting for posting on acting charge appointment to BS-17.	CPM (BS-17), Mianwali GPO against a vacant post
10.	Mr. Muhammad Azim Khan	CPM (BS-17), Abbottabad GPO	DSPS (BS-17), Mansehra vice Ms. MisbahIqtedar transferred on completion of tenure.
11.	Ms. MisbahIqtedar	DSPS (BS-17), Mansehra	CPM (BS-17), Abbottabad GPO vice Mr. Muhammad Azim Khan transferred on completion of tenure.

2. The probationary officers mentioned at Sl. 1, 2, &3 shall join their new assignment upon Completion of STP and relieving from ECO PSC, Islamabad.

3. Mr. Khalid Mehmood (Sl. 09) is appointed on acting charge basis vide Ministry of Communications Notification No. 17 (163) / PO-II/2020 dated 13-10-2020. He should clearly understand that his appointment in BPS-17 has been made against the direct quota (Postal Group) vacancy subject to the condition of reversion to BPS-16 on joining of regular incumbent of the posts unless adjusted earlier against a clear vacancy in the share of Departmental quota in order of seniority. His appointment on acting charge basis shall take effect with the date of assumption of the charge of the post.

4. After decision of the PPSMB in its 49th meeting held on 11-11-2020 and decision of the Honorable Islamabad High Court dated 30-11-2020 on Writ Petitions No.2683/2020 and 2779/2020; the Director General, PPOD has further been pleased to order following arrangement:-

- i. After retention of Headquarter of FC, AJK&GB Circle at Islamabad; the status of DSPS (BS-18), Islamabad is downgraded from BS-18 to BS-17 as existing before the re-organization.
- ii. The post of Chief Postmaster (BPS-17) Bahawalpur GPO may be downgraded to BS-16 and the post so spared is utilized as DSPS (BPS-17), Islamabad.
- iii. After down gradation of status of DSPS, Islamabad from BPS-18) to BPS-17; the post of BPS-18 post so spared is utilized as APMG, % the PMG, FC, AJK&GB Circle, Islamabad.

5. Usual charge report should be submitted to all concerned.

{No. S. 5-1/2000-VIII
Dated: 04-12-2020}

V.

**PROMOTION TRANSFER/ POSTING IN BPS-17 /18 (GENERAL CADRE)
IN PAKISTAN POST OFFICE DEPARTMENT ISLAMABAD.**

Consequent upon promotion of Assistant Director (BS-17) to the post of Deputy Director (BPS-18) and Superintendent (BS-17) to the post of Assistant Director (BS-17) in the Directorate General, Pakistan Post Office Department vide this office Notification No. CP. 3-7/2009 dated 10-12-2020; the Director General, Pakistan Post Office Department has been pleased to order posting / transfer of following officer in the cadre of Deputy Director (BPS-18) / Assistant Director (BS-17) with immediate effect and until further orders:-

Sl. No.	Name of Officers	Post Held	Post against which posted
1.	Mr. Mazhar Iqbal Chatha	Asstt. Director (Ins) (BPS-17), Dte- General, PPOD, Islamabad	On promotion, Dy. Director (A&R) (BPS-18), Dte- General, PPOD, Islamabad against vacant post by terminating existing arrangement.
2.	Mr. Qaiser Sajjad	Superintendent (Procurement) (BPS-17), Dte- General, PPOD, Islamabad	On promotion, Assistant Director (Ins) (BPS-17), Dte- General, PPOD, Islamabad

- The above named officers will be on probation for a period of one (01) year from the date he will actually assume the charge of the post. This period may be further extended by another one year, if considered necessary by the competent authority in terms of Rule 21 (1) (2) and (4) of Civil Servant (Appointment, Promotion and Transfer Rules, 1973).
- Usual charge reports should be submitted to all concerned.

{No. S. 15-2/96(Pt) (P-I)
Dated: 10-12-2020}

VI. POSTING / TRANSFER IN THE CADRE OF SUPERINTENDENT (BPS-16/17) DTE- GENERAL PPO, ISLAMABAD.

The Director General, Pakistan Post Office Department has been pleased to order the following posting/ transfer of Superintendents (BPS-16/17) in the Dte- General, Pakistan Post Office in the interest of service with immediate effect and until further orders:-

SL. No.	NAME OF OFFICERS	POST HELD	POST AGAINST WHICH PROPOSED
1.	Mr. Abdul Majeed	Superintendent (CC) (BPS-17), Dte- General, PPO, Islamabad	Superintendent (Lit-I) (BPS-17), Dte- General, PPO, Islamabad vice Mr. Ijaz Ahmed transferred.
2.	Mr. Ijaz Ahmed	Superintendent (Lit-I) (BPS-17), Dte- General, PPO, Islamabad	Superintendent (CC) (BPS-17), Dte- General, PPO, Islamabad vice Mr. Abdul Majeed Transferred.
3.	Mr. Zulfiqar Ahmed	Superintendent (Welfare/ M&D) (BPS-17), Dte- General, PPO, Islamabad	Superintendent (EP) (BPS-17), Dte- General, PPO, Islamabad against the vacant post by terminating existing arrangement, if any.
4.	Ms. Sadia Bano	Superintendent (Estt) (BPS-16), Dte- General, PPO, Islamabad	Superintendent (Welfare/M&D (BPS-16), Dte- General, PPO, Islamabad vice Mr. Zulfiqar Ahmed transferred.

2. The Director General has further been pleased to order Mr. Shoaib Gul, Assistant (Estt) to hold the current charge of the post of Supdt (Estt) in addition to his own duties with immediate effect for 89 days or till availability of regular incumbent whichever is earlier.

3. Usual charge reports should be submitted to all concerned.

{No. P(1)6-2/2004- (Pt)

Dated: 09-12-2020}

VII. RETIREMENT OF MR. AHMED HASSAN ANIS, SUPERINTENDENT, (BPS-17), DIRECTORATE GENERAL, PAKISTAN POST, ISLAMABAD.

The Director General, Pakistan Post Office Department/ Chairman, PPSMB has been pleased to permit Mr. Ahmed Hassan Anis, Superintendent (BPS-17), Dte- General, PPOD, Islamabad to retire from Government service voluntarily with effect from 01-12-2021.

2. Mr. Ahmed Hassan Anis is also granted 365 days LPR on full pay from 02-12-2020 to 01-12-2021.

{No. Staff- 1781

Dated: 08-12-2020}

VIII. TRANSFERS / POSTINGS OF OFFICERS BPS-16 AT DTE- GENERAL, PAKISTAN POST OFFICE DEPARTMENT ISLAMABAD.

The Director General, Pakistan Post Office Department has been pleased to order following transfers/ postings mentioned against each in the interest of service with immediate effect and until further orders:-

S No.	Name of Officers	Post Held	post against which posted
1.	Mr. Bedar Muhammad Khan	Sr. Postmaster (BPS-16), Karak GPO	Asstt. Director (Regulations) (BS-16), Dte- General, PPOD, Islamabad. He shall assume the charge of the post upon relinquishment of charge by the existing incumbent viz Mr. Khalid Mehmood.
2.	Mr. Muhammad Abbas	Sr. Postmaster (BS-16), Wah Cantt GPO	Asstt. Director (Investigations) (BS-16), Dte- General, PPOD, Islamabad against vacant post by terminating existing arrangement, if any

2. All the above mentioned officers will be relieved on local arrangements.
3. Usual, charge report should be submitted to all concerned.

{No. S. 5-1/2000-VIII
Dated: 26-11-2020}

Islamabad the 10-12-2020

IX. NOTIFICATION.

No. CP. 3-7/2009 On the recommendations of Department Promotion Committee in its meeting held on 10-12-2020 and which the approval of the competent authority. Mrs. Tauseef Iqbal, working as Senior Teacher (BPS-16), Pakistan Post Model High School, Mullah Road, Lahore is promoted to the post of I Headmistress (BPS17) on regular basis with effect from the date she actually assumes the charge of the post.

2. The above named officer will be on probation for a period one (01) year. This period may be further extended by another one year, if considered necessary by the competent authority in terms of rule 2 (1) (2) and (4) the civil Servant (Appointment Promotion and Transfer) Rules, 1973.

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Printing Corporation of Pakistan Press,
University Road,
Karachi.

**X. TRANSFER / POSTING OF OFFICERS IN BPS-17 (ACCOUNTS CADRE)
UNDER PAKISTAN POST OFFICE DEPARTMENT.**

Consequent upon promotion from the post of Junior Accountant (BPS-16) to the post of Assistant Accounts Officer (BPS-17) against 2/3rd quota vide this office Notification No. CP. 3-7/2009 dated 10-12-2020 as well as in the interest of service; the Director General, Pakistan post Office Department has been pleased to order transfer / posting of following officers of (Accounts Cadre) with immediate effect and until further orders:-

Sl. No	Name of Officers	Post Held	Post against which posted
1.	Mr. Muhammad Ishaq	Jr. Accountant (BPS-16), Muzaffargarh GPO	Asstt. Accounts Officer, % PMG Southern Punjab Circle Multan against newly utilized post consequent upon recent re-organization.
2.	Mr. Iatzaz- Ul Hassan	Jr. Accountant (Budget) (BPS-16), Dte- General PPO, Islamabad	Asstt. Accounts Officer (Pre-Audit Cell), Dte- General PPO, Islamabad against vacant post by terminating the existing arrangement.
3.	Mr. Zia Siddique	Jr. Accountant (BPS-16), Rahim Yar Khan	Asstt. Accounts Officer, Multan GPO vice Mr. Saeed Ahmed transferred.
4.	Ms. Nazia Hayat	Jr. Accountant (Budget) (BPS-16) Dte- General PPO, Islamabad	Asstt. Accounts Officer (MTRC), Dte- General PPO, Islamabad vice Mr. Abid Hussain transferred.
5.	Mr. Muhammad Wahid	Jr. Accountant (BPS-16), (UBC) Karachi GPO	Asstt. Accounts Officer, Al-Haidery GPO against vacant post by terminating the existing arrangement.
6.	Mr. Imran Siddique	Jr. Accountant (BPS-16) MST "R" Division, Rawalpindi	Asstt. Accounts Officer, ECO Postal Staff College Islamabad against newly utilized post consequent upon recent re-organization.
7.	Mr. Muhammad Salman	Jr. Accountant (BPS-16), D.G Khan GPO	Asstt. Accounts Officer, % the PMG, Northern Sindh Circle, Hyderabad against newly utilized post consequent upon recent re-organization.
8.	Mr. Muhammad Ishaq	Jr. Accountant (BPS-16), Circle Office Multan	Asstt. Accounts Officer, % Regional Director Multan vice Mr. Qadeer Afzal, Assistant Accounts Officer transferred.

2. The above mentioned officers will be on probation for a period of one (01) year from the date they will actually assume the charge of the post. This period may be further extended by another one year, if considered necessary by the competent authority in terms of rule 21 (1) (2) and (4) of the Civil Servant (Appointment, Promotion and Transfer) Rules, 1973.

3. The Director General has further been pleased to order following transfer / posting with immediate effect and until further orders:-

Sl. No	Name of Officer	Post Held	Post against which posted
1.	Mr. Qadeer Afzal	Asstt. Accounts Officer (BPS-17) % Regional Director Multan	Asstt. Accounts Officer (A/C) % the Postmaster General, KPK Circle Peshawar against vacant post by terminating the existing arrangement, if any. No TA/DA/TG/TP etc shall be admissible to Mr. Qadeer Afzal, as the transfer has been made on his own request.
2.	Mr. Saeed Ahmed	AAO, Multan GPO	Assistant Accounts Officer, % Director PLI, Multan against newly utilized post consequent upon recent re-organization
3.	Mr. Abid Hussain	AAO, MTRC, Dte- General, PPO, Islamabad	Asstt. Accounts Officer (Rev), Dte- General PPO, Islamabad against vacant post.

{No. S. 6-6/90-XI (P-I)
Dated: 10-12-2020}

Islamabad, the 10-12-2020

XI. NOTIFICATION.

No. CP. 3-7/2009. On the recommendations of Departmental Promotion Committee in its meeting held on 10-12-2020 and with the approval of the competent authority, the following officers working as Superintendent (BPS-17), Directorate General, Pakistan Post, Islamabad are promoted to the post of Assistant Director (BPS-17) as mentioned against each:-

Sl. No.	Name of Officer	Remarks
1.	Mr. Qaiser Sajjad	Promoted to the post of Assistant Director (BPS-17) against clear vacancy.
2.	Mr. Abdul Qadir	Promoted to the post of Assistant Director (BPS-17) against the future vacancy to be vacated on 26-12-2020 due to promotion of Mr. Amjad Ali Abbasi, as Deputy Director (BPS-18)

2. The above named officers will be on probation for a period on (01) year. This period may be further extended by another one year, if considered necessary by the competent authority in terms of rule 21 (1) (2) and (4) of the civil Servant (Appointment, Promotion and Transfer) Rules 1973.

The Manager,
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University Road,
Karachi.

PART-II
RULES AND REGULATIONS.

I. ORDERS PASSED BY FST ISLAMABAD IN DIFFERENT APPEALS OF THE OFFICIALS OF PAKISTAN RAILWAY AND PAKISTAN POST OFFICE DEPARTMENT.

It has been decided by the Federal Services Tribunal Islamabad in appeals of the officials of Pakistan Railways and Pakistan Post Office Department vide judgment dated 09-09-2020 received vide D. NO. 4711 dated 15-09-2020. The operative part para 9 of the judgment containing the clarification of arrears claims of daily wages services is reproduced below:-

All other appeals filed by the appellants claiming benefits of past service and pay protection prior to their regularization are hereby dismissed being devoid of merit. However, the appellants may apply to the department for taking benefits as provided under Regulations No. 371-A of Civil Service Regulations after completion of the qualifying service for pension. Reliance is placed on PLD 2016 Supreme Court 534 (Chairman, Pakistan Railways, Government of Pakistan, Islamabad vs. Shah Jehan Shah).

2. A copy of the judgment of Federal Services Tribunal Islamabad and PLD 2016 Supreme Court 534 (Chairman, Pakistan Railways, Government of Pakistan, Islamabad vs. Shah Jehan Shah) is enclosed and deserves to be circulated for guidance, strict compliance and incorporate the same in the comments in under trial cases of similar nature.

3. This issue with the approval of the Director General and all are enjoined upon for strict compliance and any laxity in this regard would be viewed seriously.

{No. Law. 7-7/2019 (Lit-II)
Dated: 20-11-2020}

IN THE FEDERAL SERVICE TRIBUNAL, 47-ATTATURK
AVENUE SECTOR G-7/2, ISLAMABAD

Subject: ORDER PASSED IN APPEAL NO.2829 TO 2842, 23340,3969 TO 3978,4259 TO 4264 (R)CS/2017, 320 TO 333, 490 TO 493, 743 TO 745, 1246 TO 1256, 2106 (R) CS/2018,717,746,761(R)CS/2019,805 TO 814(P)CS/2019, 1005 TO 1046(R)CS/2019,465(R)CS/2020,1261(P)CS/ 2017, 4265 TO 4268,4270 TO 4273,4425,4269,4297 TO 4299(R)CS/2017,1402 TO 1407,1518 TO 1521(P)CS/ 2019,1699,2072 TO 2076(R)CS/2019,114(P)CS/2020,363, 364(P)CS/2019,1840,1841(R)CS/2018,1408(P)CS/2018,1 444 TO 1447,337 TO 370,1208 TO 1217(R)CS/2019, 1502(P)CS/2018.ALONGWITH MPS FILED BY MR NASEER AHMAD AND 212 OTHER VS PAKISTAN RAILYWAYS AND 592 TO 596(P)CS/2019,1501 TO 1516 (R)CS/2019 FILED BY SYED MUBARIK SHAH AND 20 OTHER VS POST OFFICE ETC.

A certified copy of the judgment passed by, this Honourable Tribunal in the appeals along with MPs noted in the subject is sent herewith for your information / compliance.

By Order

REGISTRAR

1. Mr. Naseer Ahmed S/o Nazir Ahmed Gang Man Gang No.35, Under PWI, Pakistan Railways Multan.
2. Mr Muhammad Nuaman S/o Muhammad Jamil Night Patroller, Under PWI.
3. Mr Muhammad Azam S/o Ghulam Qasim Trolley Man Under PWI.
4. Mr Ghulam Yaseen S/o Mira khan Gate Keeper under PWI .
5. Mr Sabtain Farid S/o FaridBukhsh Work Muawan under IOW.

6. Mr. Safdar Hussain S/o Rab Nawaz Work Muawan under IOW,
 7. Mr. Aziz Ullah S/o Allah Jawaya Night Patroller under PWI,
 8. Mr. Habib Khan S/o Rahim Khan Work Muawan under IOW,
 9. Mr. Muhammad Yaqoob S/o Peer Bukhsh work Muawan under IOW.
 10. Mr. Khan Muhammad S/o Mughal Khan Gate Man under PWI.
 11. Mr. Munir Ahmed S/o Wahid Bukhak Work Muawan under IOW.
 12. Mr. Ghulam Ali S/o Yar Muhammad Night Patroller under PWI.
 13. Mr. Shaukat S/o Gamazi Night Patroller under PWI.
 14. Mr. Muhammad Amir S/o Shabbir Ahmed Work muawan under IOW.
- (Appellants Serial No.2 to 14 are C/o Pakistan Railways Rajanour)
15. Mr. Muhammad Javed S/o Muhammad Siddique Gang Man (TLA) Gang No.35 under PWI Pakistan Railways Multan.
 16. Mr. Zahid Hussain S/o Khatir Ali Gang Man Gang No.5 under PWI Pakistan Railways Rajanpur.
 17. Mr Muhammad Mashooq S/o Allah Ditta Gang Man Gang No.30 under PWI Pakistan Railways ShujaAbad.
 18. Mr. Muhammad Yaqoob S/o Muhammad Sultan Gang Man Gang No 30 under PWI Pakistan Railways Shuja Abad.
 19. Mr. Khuda Bukhsh S/o Allah Ditta, Gang Man, Gang No.30, Under PWI, Pakistan Railways, Shuja Abad.
 20. Mr. Allah Ditta S/o Mir Dost, Gang Man/Trolley Man, under PWI, Pakistan Railways, Rajanpur.
 21. Mr. Bahawal Bukhsh S/o Ameer Bukhsh, Gang Man, Gang No.30, Under PWI, Pakistan Railways, Mullan.
 22. Mr. Mohkam Din S/o Jia Kluan, Gang Man, Gang No.9, Under PWI, Pakistan Railways, Rajanpur.
 23. Mr. Ghulam Mustafa S/o Muhammad Iqbal, Gang Ma, Gang No.18, Under PWI, Pakistan, Railways, Rajanpur.
 24. Mr. Hukum Din S/o Jia Khan, Gang Man, Gang No.9, Under PWI, Pakistan Railways, Rajanpur.
 25. Mr. Qaim Din S/o Dadroo, Gang Man, Gang No.9, Under PWI, Pakistan Railways, Rajanpur.

- 26 Mr. Muhammad Ishaq S/o Manzoor Hussain, Fire Master (T.No.E-44),
- 27 Mr. Abdul Rehman S/o Mehbobur Rehman (T: No.3204),
- 28 Mr. Habib ur Rehman S/o Ehsanuillah, Fire man, (T.No.3205),
- 29 Mr. Naveed Ahmed S/o Raja Muhammad Aslam, Fire Jamadar (T.No.3208),
- 30 Mr. Kamran Yaqoob S/o Muhammad Yaqoob, Fireman, (T.No.3212),
- 31 Mr. Inam Ul Haq S/o Mehmood ul Hassan, Fireman (T.No.3210) (appellant Serial No. 26 to are C/o Pakistan Railways, Carriage Factory Islamabad)
- 32 Mr. Sabtain Abbas S/o Muhammad Usman Haider, Water Man under Head TXR, Pakistan, Railways, Lahore.
- 33 Mr. Naeem Ahmed S/o Nazir Ahmed,
- 34 Mr. Afzal Hussain Shah S/o Zahoorul Hassan,
- 35 Mr. Muhammad Riaz S/o Niamat Ali,
- 36 Mr. SherZaman Khan S/o Sher Shazzan Khan,
- 37 Mr. Nazim Ali S/o Hakim Ali,
- 38 Mr. Arif Mehmood S/o Nazir Ahmed,
- 39 Mr. Asif Ali S/o Sultan Ahmed,
- 40 Mr. Javed Iqbal S/o Afzal Hussain,
- 41 Mr. Jaffar Hussain S/o Jamil Hussain,
- 42 Mr. Ali Rashid S/o Muhammad Rashid,
- 43 Mr. Noor ul Islam S/o Safdar Ali,
- 44 Mr. Muhammad Imran S/o Nawab Din,
- 45 Mr. Muhammad Mustafa S/o Muhammad Sarwar, (Appellant Serial No: 33 to 45are Water Man, under TXR, Pakistan Railways, Lahore).
- 46 Mr. Zufar Iqbal S/o Muhammad Fazil, Gang Man, Gang No.14, Under PWI, Pakistan Railways, Kutabpur.
- 47 Mr. Muhammad Tariq S/o Zulfiqar, Gang Man, Gang No.11; under PWI, Pakistan Railways, Kutabpur.
- 48 Mr. Jehangir Alam S/o Ibrahim, Gang Man, Gang No.11, under PWI, Pakistan Railways, Kujabpur. .
- 49 Mr. Muhimmad Arif S/o Imam Bukhsh, Gang Man No. 9, PWI: Pakistan Railways Kutabpur.

- 50 Mr. Ghulam Abbas. S/o Mulazim Hussain, Gang Mang, Gang No.23, under PWI, Pakistan, Railways, Layyah,
- 51 Mr. Nazar Hussain S/o Ghulam Rasool, Carriage Muawan; under Head TXR, Pakistan, Railways, Multan.
- 52 Syed Abbas Raza S/o Syed SajjadHusstin, Sweeper, under SM Tharmal Powers, Pakistan Railways, Muzaffar Garh.
- 53 Mr. Asif Mehumood, Skilled Fitter,
- 54 Mr. Muhammad Razzaq, Skilled Jamadar,
- 55 Syed Imran Haider Zaidi, Muawan,
- 56 Mr. Muhamimad Mushtaq Semi Skilled,
- 57 Mr. Muhammad Shahid Khan, Semi Skilled Teemer,
- 58 Mr. Abdul Jabbar, Muawan,
- 59 Mr. Muhammad ishaq, Muawan,
- 60 Mr. Muhammad Yaseen, Muawan,
- 61 Mr. Khaleeq Ahmed, Semi Skilled Jamadar,
- 62 Mr. Muhammad Nawaz, Skilled Jamadar, (appellants Serial No. 53 to 62 are C/o Pakistan Railways, Steel Shop, Mughalpura, Lahore
- 63 Mr. Muhammad Sahid Hussain S/o Muhammad Hussain, Gang Man, Gang No. 13, under PWI, Pakistan Railways, Kutabpur.
- 64 Mr. Imran Bakhsh S/o Hussain Bakhsh, Gang Man, Gang No. 33, Under PWI, Pakistan Railways, Bhakkar
- 65 Mr. Muhammad Hamraz Khan S/o Noorain Shah, Gang Man, Gang No. 17, Under PWI, Pakistan Railways, Layyh
- 66 Mr. Fida Hussain S/o Muhammad Hussain Khan, Gatekeeper, Gate No. 88-A, under PWI, Pakistan Railways, Layyah
- 67 Mr. Rasool Bakhsh S/o Kalo Khan, Pointsman, under SM Jampur, Multan Division
- 68 Mr. Gohar Ali S/o Jamshaid, Security Guard,
- 69 Mr. SaifUllah S/o Zameer Ullah, Muawan (MCT)
- 70 Mr. Muhammad Ilyas S/o Muhammad Israil, S.V. Man,
- 71 Mr. Shakhawat Shah S/o Rangeen Shah, Naib Qasid,
- 72 Mr. Fazal Rabi S/o Nazeefullah, Muawan,
- 73 Syed Abdul Nasir S/o Syed Fazal Manan, SS Pump Fitter,
- 74 Mr. Muhammad Ishaq S/o Hidayatullah Khan, SS Pump Fitter,
- 75 Mr. Akhlaq Ahmed S/o Hashim Khan, SS Pump Fitter,
- 76 Mr. Waqar Ahmed S/o Abdul Jalil, Naib Qasid,

- 77 Mr. Samuel Jan Masih S/o Fazal Masih, Security Guard, Appellants Serial No. 68 to 77 are Pakistan Railways Locomotive Factory, Risalpur,
- 78 Muhammad S/o Ghulam Fareed, Night Patroller TLA, Gang No. 37,
- 79 Muhammad Arshad, Gang Man, under Gang No. 37,
- 80 Hafeez Ullah, Gang Man under Gang No. 36,
- 81 Muhammad Tariq, Gang Man, under Gang No. 41,
- 82 Muhammad Ismail, Gang Man, under Gang No. 39,
- 83 Sajjad Ayub, Gang Man, under Gang No. 33,
- 84 Malik Rab Nawaz, Gang Man, under Gang No. 34,
- 85 Muhammad Abu Bakar, Gang Man, under Gang No. 42,
- 86 Iftikhar Hussain, Gang Man, under Gang No. 35,
- 87 Shakeel Ahmed, Gang Man, under Gang No. 38,
- 88 Samiullah Rabbani, Gang Man, under Gang No. 40,
- 89 Muhammad Hasnain, gang Man, under Gang No. 36,
- 90 Muhammad Imran, Gatekeeper, Gate No. 208,
- 91 Abdul Hameed, Gang Man, under Gang No. 39,
- 92 Muhammad Ibrahim, Gang Man, under Gang No. 40,
- 93 Mujahid Hussain Gang Man, under Gang No. 37,
- 94 Muhammad Hashim, Gang Man, under Gang No. 37,
- 95 Muhamamd Khalid, Gang Man, under Gang No. 37,
- 96 Rasheed Hussain, Gang Man, under Gang No. 37,
- 97 Muhammad Bilal, Gang Man, under Gang No. 36,
- 98 Ameer Hussain, Gang Man, under Gang No. 34,
- 99 Muhammad Saleem, Gang Man, under Gang No. 35,
- 100 Muhammad Akhtar, Gang Man, under Gang No. 42,
- 101 Muhammad Ashfaq, Gang Man, under Gang No. 45, (Appellants Serial No. 78 to 101 are working under PWI, Pakistan Railways, D.G. Khan,
- 102 Muhammad Abid S/o Muhammad Ramzan, Pakistan Railways, inspector of Works CSF, Pakistan Railways, Khanewal,
- 103 Nasir Ahmed, Pakistan Railways, Inspector of Works CSF, Pakistan Railways, Khanewal,
- 104 Mr. Khalid Tariq S/o Tariq Shamim, (Appellants Serial No. 165 to 168 are C/o R/o House No. 3, Block 811, Near Modern Floor

- Mills, Coop Store Chowk, Mohallah DhobiGhat, Railways colony, Lahore
- 105 Mr. Ali Muhammad S/o Sher Muhammad R/o House No. 138-E, Mohallah DhokeHasu, Railway colony, Rawalpindi
- 106 Mr. Sajid Hussain S/o Haji Muhammad Tariq, Muawa R/o DhokeHasu, Mohallah Railway Carriage Factory Colony, Rawalpindi
- 107 Mr. Muhammad Waheed S/o Muhammad Siddique, R/o House No. 7, Block No. 487, Railway Diesel Colony, Rawalpindi,
- 108 Mr. Abid Ali S/o Liaqat Ali, R/o Mohallah Watan Colony, Kalaymabad, Rawalpindi
- 109 Mr. Muhammad Asif, S/o Muhammad Mumtaz R/o DhokeHasu, Flat No. 123-B, Mohallah Railway Carriage Factory Colony, Rawalpindi,
- 110 Mr. Muhammad Javed S/o Mehboob Ellahi, R/o House No. ZB-2719, Mohallah DhokeHasu, Rawalpindi,
- 111 Mr. Naeem Akhtar S/o Mehboob Ellahi, R/o House No. 56, Mohallah Dhoke Mangtal, Boring Road, Rawalpindi,
- 112 Mr. Mubashir Khan S/o Naeem Khan R/o House No. HP-88, Mohallah ModelColony, DhokeHasu, Rawalpindi,
- 113 Mr. Ghulam Jillani, S/o Muhammad Anwar, R/o House No. 1444-A, Mohallah Bakeri Chowk, Westridge, Rawalpindi,
- 114 Mr. Muhammad Saleem S/o Abdul Majeed R/o Mohallah DhokeHasu, Rawalpindi.
- 115 Mr. NathanilMasih S/o Allah Rakha R/o House No. 415/N, Street No. 4, Mohallah Alaabad, Rawalpindi.
- 116 Mr. Shakil Ahmed Khan S/o Mirdad Khan R/o House No. 123/A, Mohallah Railway Carriage Factory, Rawalpindi.
- 117 Mr. Muhammad Arif Maqbool R/o House No. 107-C, Mohallah Dhoke Hasu, Railway Carriage Factory colony, Rawalpindi.
- 118 Mr. Tariq Mehmood Malik S/o Khuda Bakhsh, R/o Dhoke Malik Ashraf Mira, Post Office Golra Sharif Tehsil and District Islamabad.
- 119 Mr. Muhammad Shabir S/o Maula Bakhsh, R/o Mohallah Eid Gah, Post Office Taman, Tehsil Talagang, District Chakwal.
- 120 Mr. Saleem Akhtar S/o Akhtar Hussain, R/o H. No. 173-A, Mohallah Railway diesel Colony, Rawalpindi.

- 121 Mr. Muhammad Sharif S/o Muhammad Aslam, R/o House No. 100-D, Mohallah Railway Carriage Factory colony, Rawalpindi.
- 122 Mr. Muhammad Akash Javed S/o Javed Iqbal, R/o House No. M/1569, Mohallah 78, Amarpura, Rawalpindi.
- 123 Mr. Muhammad Shaffique S/o Said ur Rehman, R/o Quarter No. 4, Bakeri Chowk, Westridge Block 258/A, Rawalpindi Cantt.
- 124 Mr. Arshad Hussain S/o Abdul Rehman, R/o House No. 0-1-11, Sohan Colony Muslim Town, Post Office Muslim Town, Rawalpindi.
- 125 Mr. Muhammad Shahid Iqbal S/o Muhammad Younas, R/o H. No. 1, Block 591, Near Railway Hospital Rawalpindi.
- 126 Mr. Abdul Rehman S/o Malik Sultan Muhammad, R/o H. No. 151, Street No. 1, Mohallah Hafizabad Dhokehassu, Rawalpindi.
- 127 Mr. Shafique ur Rehman S/o Abdul Samad, R/o Mohallah Habib Colony, Westridge-III, Rawalpindi.
- 128 Mr. Vicky Boota S/o Boota Masih, R/o H. No. ZA-1544, Mohallah New Gulshan Colony, Dhoke Mangtal, Rawalpindi.
- 129 Mr. Muhammad Tariq S/o Said ur Rehman, R/o KandhaKoh, Post Office Sherwan, Tehsil and District Abbottabad.
- 130 Mr. Muhammad Waheed S/o Khan Muhammad R/o Mohallah DhokeHasu, Almaabad, Rawalpindi.
- 131 Mr. Muhammad Altaf S/o Rab Nawaz, R/o Dera Agral, Post Office Nallishumali, Tehsil and District Khushab.
- 132 Mr. Muhammad Nazir S/o Muhammad Sharif, R/o H. No. 100-D, Mohallah DhokeHasu, Rawalpindi.
- 133 Mr. Abid Ali, pointsmitn under Station Mast, (Jahangirn) Station, Pakistan Railwa 5, Peshawar Division.
- 134 Mr. Ayaz. Muhammad, Pointsman, under Station Muster (Attock Khurd) Pakistan Railway, Peshawar Division.
- 135 Mr. Badshah Wahid, Ex-Gate Man, under PWI Pakistan Railways, Attock City, Peshawar Division.
- 136 Mr. Muhammad Riaz, Ex-Gangman, under Assistant Engineer Pakistan Railways, Attock City, Peshawar Division.
- 137 Mr. Safeer Ahmed, EX-Gangman, under Assistant Engineer Pakistan Railways, Attock City, Peshawar Division.

- 138 Mr. Mandan Ali, Ex-GangMan under Assistant Engineer
Pakistan Railway, Attock City, Peshawar Division.
- 139 Mr. Ahsan Ali Khan,
- 140 Mr. Muhammad Asif
- 141 Mr. Kamran Khan,
- 142 Mr. Naveed Khan, (**Appellant mentioned Serial No. 141 to
144 are Pointsman under Station Superintend, Pakistan
Railways, Peshawar Cantt).**
- 143 Mr. Aqeel Shahzad,
- 144 Mr. Shabbir Hussain,
- 145 Mr. Sajid Masih,
- 146 Mr. Shakeel Masih, (**Appellants Serial No. 145 to 148 are C/o
Carriage Cleaner (TLA) Railway Station Shorkot, Pakistan
Railways, Multan Division).**
- 147 Mr. ArifUllah Khan S/o Abdul Majid Khan, Sub Engineer Way
under Assistant Engineer, Pakistan Railways, DaudKhel,
Peshawar Division.
- 148 Mr. Muhammad Rizwan, Assistant Personnel Officer, Pakistan
Railway, Locomotive Factory, Risalpur.
- 149 Miss. FarzanaTaqi D/o Muhammad Taqi, LDC, Pakistan
Railways, Carriage Factory, Islamabad.
- 150 Mr. Naseer Khan S/o Rafi Ullah, Under Divisional
Superintendent, Pakistan Railways, Peshawar
- 151 Mr. Imran Khan S/o Fazal Dad, Ex-Muawan under IOW-II
(Inspector of Works) Pakistan Railways, Rawalpindi.
- 152 Mr. Zubair Khan, Ticket No.2732, Sk. Fitter, Pakistan Railways,
Carriage Factory, Islamabad.
- 153 Mr. Muhammad Naeem Abdullah, Ticket NoA36, S.S.
Machinist, Fabrication-II, Pakistan Railways, Carriage Factory,
Islamabad.
- 154 Mr. Muhammad Aamir, Ticket No.485, SS. Machinist,
Fabrication Shop, Pakistan Railways, Carriage Factory,
Islamabad.
- 155 Mr. Muhammad Arshad, Ticket No.322, S.S. Fitter, Fabrication
Shop, Pakistan Railways, Carriage Factory, Islamabad.
- 156 Mr. Nehmat Khan, Ticket No.363, Press Operator, Fabrication
Shop, Pakistan Railways, Carriage Factory, Islamabad.

- 157 Mr. Muhammad Amin S/o Gohar Ali, R/o Mohallah New Bagh Colony, Marchako Kalay, Mardan.
- 158 Mr. Abid Hussain S/o Habib Ullab, Gang Man, working under PWI (Permanent Way Inspector) Kundian, Pakistan Railways, Peshawar Division.
- 159 Mr. Muhammad Ibrahim S/o Abdur Rahim, Gang Man, working under PWI (Permanent Way Inspector) Kundian, Pakistan Railways, Peshawar.
- 160 Mr. Munir Ahmed S/o Noor Ahmed, Gang Man working under PWI (Permanent Way Inspector), Gujar Khan, Pakistan Railways, Rawalpindi Division.
- 161 Mr. Tariq Mehmood S/o Noor Ahmed working at Railway Siding No.69-A, Taxila Cantt, Pakistan Railways, Rawalpindi, Division.
- 162 Mr. Ali Nawaz S/o Haq Nawaz R/o House No.10-F, Railway Colony, Nowshehra.
- 163 Mr. Muhammad Irfan Anwar S/o Muhammad Anwar
- 164 Mr. Habib Ullah S/o Muhammad Abdullah,
- 165 Mr. Idrees Ali S/o Abdul Aziz,
- 166 Mr. Khalid Tariq S/o Tariq Shamim, (Appellants Serial No. 165 to 168 are C/o R/o House No.3, Block 811, Near Modern Floor Mills, Coop Store Chowk, Mohallah, Dhobi Ghat, Railway Colony, Lahore.
- 167 Mr. Ali Muhammad S/o Sher Muhammad R/o House No.138-E, Mohallah DhokeHasu, Railway Colony, Rawalpindi.
- 168 Mr. Sajid Hussain S/o Haji Muhammad Tariq, Muawan, R/o DhokeHasu, Mohallah Railway Carriage Factory Colony, Rawalpindi.
- 169 Mr. Muhammad Waheed S/o Muhammad Siddique, R/o House No.7, Block No.487, Railway Diesel Colony, Rawalpindi.
- 170 Mr. Abid Ali S/o Liaqat Ali, R/o Mohallah Watan Colony, Kalaymabad, Rawalpindi.
- 171 Mr. Muhammad Asif S/o Muhammad Mumtaz R/o DhokeHasu, Flat No.123-B, Mohallah Railway Carriage Factory Colony, Rawalpindi.
- 172 Mr. Muhammad Javed S/o Muhammad Sadiq Hussain, R/o House No.ZB-2719, Mohallah DhokeHasu, Rawalpindi.

- 173 Mr. Naeem Akhtar S/o Mehboob Ellalhi, R/o House No.56, Mohallah Dhoke Mangtal, Boring Road, Rawalpindi.
- 174 Mr. Mubashir Khan S/o Naseem Khan, R/o House No.HP-88, Mohallah Model Colony, DhokeHasu, Rawalpindi.
- 175 Mr. Ghulam Jilani, S/o Muhammad Anwar, R/o House No.1444-A, Mohallah Bakeri Chowk, Westridge, Rawalpindi.
- 176 Mr. Muhammad Saleem S/o Abdul Majeed R/o Mohallah DhokeHasu, Rawalpindi.
- 177 Mr. Nathanil Masih S/o Allah Rakha R/o House No.415/N, Street No.4, Mohallah Alaabad, Rawalpindi.
- 178 Mr. Shakil Ahmed Khan S/o Mirdad Khan, R/o House No. 123/A, Mohallah Railway Carriage Factory, Rawalpindi.
- 179 Mr. Muhammad Arif Maqbooll R/o House No. 107-C, Mohallah DhokeHassu, Railway Carriage Factory colony, Rawalpindi.
- 180 Mr. Tariq Mehmood Malik S/o Khuda Bakhsh, R/o Dhoke Malik Ashraf Mira, Post Office Golra Sharif, Tehsil and District Islamabad.
- 181 Mr. Muhammad Shabbir S/o Maula Bakhsh, R/o Mohallah Eid Gah, Post Office Taman, Tehsil Talagang, District Chakwal.
- 182 Mr. Saleem Akhtar S/o Akhtar Hussain, R/o H. No. 173-A, Mohallah Railway Diesel Colony, Rawalpindi.
- 183 Mr. Muhammad Sharif S/o Muhammad Aslam, R/o House No. 100-D, Mohallah Railway Carriage Factory Colony, Rawalpindi.
- 184 Mr. Muhammad Akash Javed S/o Javed Iqbal, R/o House No.M/1569, Mohallah 78, Amarpura, Rawalpindi.
- 185 Mr. Muhammad Shaffique S/o Said ur Rehman, R/o Quarter No. 4, Bakeri Chowk, Westridge Block 258/A, Rawalpindi Cantt.
- 186 Mr. Arshad, Hussain S/o Abdul Rehman, R/o H. No. O-1-11, Sohan Colony Muslim Town, Post Office Muslim Town, Rawalpindi.
- 187 Mr. Muhammad Shahid Iqbal S/o Muhammad Younas, R/o H. No. 1, Block 591, Near Railway Hospital Rawalpindi.
- 188 Mr. Abdul Rehman S/o Malik Sultan Muhammad, R/o H. No. 151, Street No. 1, Mohallah Hafizabad Dhokehassu, Rawalpindi.

- 189 Mr. Shafique ur Rehman S/o Abdul Samad, R/o Mohallah Habib Colony, Westridge-III, Rawalpindi.
- 190 Mr. Vicky Boota S/o Boota Masih, R/o H. No. ZA-1544, Mohallah New Gulshan Colony, Dhoke Mangtal, Rawalpindi.
- 191 Mr. Muhammad Tariq S/o Said ur Rehman, R/o Kandha Koh, Post Office Sherwan, Tehsil and District Abbottabad.
- 192 Mr. Muhammad Waheed S/o Khan Muhammad R/o Mohallah DhokeHassu, Almaabad, Rawalpindi.
- 193 Mr. Muhammad Altaf S/o Rab Nawaz, R/o Dera Agral, Post Office Nalli Shumali, Tehsil and District Khushab.
- 194 Mr. Muhammad Nazir S/o Muhammad Sharif, R/o H. No. 100-D, Mohallah DhokeHassu, Rawalpindi.
- 195 Mr. Saghir Ahmed S/o Muhammad Amanat, R/o H. No. 1520/2, Street No. 73, Mohallah Dhoke Mangtal, Rawalpindi.
- 196 Mr. Summer Ali S/o Bagh Ali R/o Chanmba Papin Post Office Banth Tehsil Gujar Khan, District Rawalpindi.
- 197 Mr. Muhammad Imran S/o Atta Muhammad, R/o Street No.2, Mohallah New Abadi, Rawalpindi.
- 198 Mr. Waqas Ali S/o Manzoor Ellahi, R/o Post office Golra Sharif, Tehsil and District Islamabad.
- 199 Mr. Ijaz Khan S/o Sarwar Khan, R/o Mohallah Dhoke Hagsu, Almaabad, Rawalpindi.
- 200 Mr. Muhammad Mumtaz S/o Munwar Hussain, R/o H No. B4-1036-V/16, Mohallah Sohan Colony, Muslim Town, Rawalpindi.
- 201 Mr. Khalid Khokhar S/o PitrasKhokhar, Muawan, R/o Mohallah DhokeHassu, Rawalpindi.
- 202 Mr. Ahmed Khan S/o Muhammad Yaqoob R/o Street No.4, Mohallah DhokeHassu, Rawalpindi.
- 203 Mr. Asif Shah S/o Muazam Shah, R/o. DhokeHassu, Mohallah Railway Carriage Factory Colony, Rawalpindi.
- 204 Mr. Kamran Jamil S/o Muhammad Jamil, R/o House No.4, Mohallah Westidge Railway Bakery Chowk, Rawalpindi.
- 205 Syed Waqar Ahmed Shah R/o Syed Zulfiqar Ahmed Shah, R/o House No.ZB-2780, Nawab Colony, DhokeHassu, Rawalpindi.
- 206 Mr. Aneel Asad S/o Muhammad Khalil, R/o Quarter B, Railway Carriage Factory Colony, Westridge, Block 19, Rawalpindi.

- 207 Mr. Muhammad Ibrar Khan S/o Aman Gul Malik R/o House No.198, Mohallah/Street 6, Hafizabad, Rawalpindi.
- 208 Mr. Muhammad Iqbal S/o Muhammad Asghar R/o DhokeHassu. House No.C-119, Mohallah Railway Carriage Factory Colony, Rawalpindi.
- 209 Mr. Muhammad Naseer S/o Muhammad Bashir, R/o House No.ZB,36-D, Street No.22, Mohallah DhokeHassiu, Alamabad, Rawalpindi.
- 210 Mr. Abdul Sattar S/o Abdul Rasheed Khan, R/o Street No.4, Mohallah Kalyamabad, DhokeHasu, Rawalpindi.
- 211 Mr. Ameer Abdullah Khan, Pointsman, Sumbal Hameed (SLHD), Pakistan Railways, Peshawar Division.
- 212 Syed Mubarik Shah S/o Syed Shah Shams, Driver, Office of the Assistant Director Postal Life Insurance, Abbotabad.
- 213 Mr. Nasir Mehmood S/o Rashid Mehmood, Naib Qasid, Office of the Assistant Superintendent Post Offices, Haripur Sub Division
- 214 Mr. Muhammad Mumtaz Ali S/o Muhammad Suleman Khan, Mail Runner, Nathiagali Post Office, Abbottabad.
- 215 Mr. Sajid Imran S/o Abdul Rasheed, Mail Peon, Haripur G.P.O.
- 216 Mr. Muhammad Shoaib S/o Munsif Khan, Cerkl, Kakul Post Office Abbottabad G.P.O.
- 217 Mr. Imran Ahmad Faruqi S/o Ikram Ahmad Farouqi, Clerk, South Division, Pakistan Post, Lahore.
- 218 Mr. Nadeem Ashraf S/o Muhammad Ismail, Postman, Lahore G.P.O.
- 219 Mr. Talat Hameed S/o Abdul Hameed, Mail Peon, SMS, Lahore G.P.O.
- 220 Mr. Muhammad Farooq S/o Ghulam Hussain, Postman, South Division, Lahore
- 221 Mr. Habib Ullah S/o Sher Muhammad, Delivery Agent, Express Delivery, Lahore G.P.O.
- 222 Mr. Muhammad Kashif S/o Chiragh Din, Assistant Delivery Agent, Express Post, Delivery Lahore G.P.O.
- 223 Mr. Muhammad Tariq S/o Rasheed, Ahmed, Mail Peon, South Division, Lahore.

- 224 Mr. Muhammad Shafique S/o Muhammad Sarwar Baig, Main Peon RLO, Lahore.
 - 225 Mr. Muhammad Sattar S/o Muhammad Aslam, Foreign Post, Lahore.
 - 226 Mr. Muhammad Raza Butt S/o Muzammal Hussain Butt, Postman South, Division Lahore.
 - 227 Mr. Muhammad Tanveer S/o Muhammad Gulzar, Mail Peon West Division, Lahore
 - 228 Mr. Asad Raza S/o Main Mubarik Hussain, Postman, South Division, Lahore,
 - 229 Mr. Waseem Akthar S/o Abu Bakar Sheikh, Mail Peon, South Division, Lahore.
 - 230 Syed Amir Hussain Zaidi S/o Syed Rafiqur Hassan, Zaidi, Delivery Agent, Delivery, Lahore, G.P.O.
 - 231 Mr. Muhammad Shafique Sarwar S/o Muhammad Sarwar, Assistant Delivery Agent Express, Post Delivery Lahore G.P.O.
 - 232 Syed Amin Raza Zaidi S/o Rafiqul Hassan, Pickup Courier Postmall, Lahore.
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- 233 Pakistan Railways through its Chairman, Islamabad.
- 234 Divisional Superintendent, Pakistan Railways, Multan.
- 235 Senior General Manager/Chief Executive Officer, Pakistan Railways, Office, Lahore.
- 236 Managing Director, Pakistan Railways, Carriage Factory, Islamabad.
- 237 Divisional Superintendent, Pakistan Railways, Lahore.
- 238 Managing Director, Pakistan Locomotive Factory, Risalpur.
- 239 Divisional Superintendent, Pakistan Railways, Peshawar.
- 240 Chief Personnel Officer, Pakistan Railways, Headquarters Office, Lahore.
- 241 General Manager/W & SI, Pakistan Railways, Headquarters Office, Lahore:
- 242 Medical Superintendent, Pakistan Railways, Cairns Hospital, Lahore
- 243 Divisional Superintendent, Pakistan Railways, Rawalpindi.
- 244 Divisional Engineer-I, Pakistan Railways, Rawalpindi.

245 The Chief Executive Officer, Pakistan Railways, Headquarters Office, Lahore.

246 The Director General, Pakistan Post, Islamabad.

247 The Postmaster General, Central Punjab, Lahore.

248 Regional Director, Postal Life Insurance, Peshawar.

249 Postmaster General Khyber Pakhtunkhwa, Peshawar.

250 The Secretary Establishment Division Government of Pakistan Islamabad

251 The Solicitor, Law & Justice Division, Islamabad.

Judgment Sheet
IN THE FEDERAL SERVICE TRIBUNAL, ISLAMABAD

BEFORE:- Qazi Khalid Ali, Chairman
Mr. Manzoor Ali Khan and
Mr. Muhammad Humayun, Members

Date of Hearing	09.09.2020
Date of Judgment	09.09.2020

S. No.	Appeals Nos.	Name of Appellants	Date of Institution
1.	2829(R)CS/2017	Naseer Ahmad	13.06.2017
2.	2830(R)CS/2017	Muhammad Nauman	15.01.2019
3.	2831(R)CS/2017	Muhammad Azam	13.06.2017
4.	2832(R)CS/2017	Ghulam Yaseen	-do-
5.	2833(R)CS/2017	Sabtain Farid	-do-
6.	2834(R)CS/2017	Safdar Hussain	-do-
7.	2835(R)CS/2017	Aziz Ullah	-do-
8.	2836(R)CS/2017	Habib Khan	-do-
9.	2837(R)CS/2017	Muhammad Yaqoob	-do-
10.	2838(R)CS/2017	Khan Muhammad	-do-
11.	2839(R)CS/2017	Munir Ahmed	-do-

12.	2840(R)CS/2017	Ghulam Ali	-do-
13.	2841(R)CS/2017	Shaukat	-do-
14.	2842(R)CS/2017	Muhammad Amir	-do-
15.	3340(R)CS/2017	Muhammad Javed	01.08.2017
16.	3969(R)CS/2017	Zahid Hussain	18.10.2017
17.	3970(R)CS/2017	Muhammad Mashooq	18.10.2017
18.	3971(R)CS/2017	Muhammad Yaqoob	-do-
19.	3972(R)CS/2017	Khuda Baksh	-do-
20.	3973(R)CS/2017	Allah Ditta	-do-
21.	3974(R)CS/2017	Bahawal Bukhish	-do-
22.	3975(R)CS/2017	Mokham Din	-do-
23.	3976(R)CS/2017	Ghulam Mustafa	-do-
24.	3977(R)CS/2017	Hukum Din	-do-
25.	3978(R)CS/2017	Qaim Din	-do-
26.	4259(R)CS/2017	Muhammad Ishaq	20.11.2017
27.	4260(R)CS/2017	Abdul Rehman	-do-
28.	4261(R)CS/2017	Habib ur Rehman	-do-
29.	4262(R)CS/2017	Naveed Ahmed	-do-
30.	4263(R)CS/2017	Kamran Yaqoob	-do-
31.	4264(R)CS/2017	Inamul Haq	-do-
32.	320(R)CS/2018	Sabtain Abbas	26.02.2018
33.	321(R)CS/2018	Naeem Ahmed	-do-
34.	322(R)CS/2018	Afzal Hussain Shah	-do-
35.	323(R)CS/2018	Muhammad Riaz	-do-
36.	324(R)CS/2018	Sher Zaman Khan	26.02.2018
37.	325(R)CS/2018	Nazim Ali	-do-
38.	326(R)CS/2018	Arif Mehmood	-do-
39.	327(R)CS/2018	Asif Ali	-do-
40.	328(R)CS/2018	Javed Iqbal	-do-
41.	329(R)CS/2018	Jaffar Hussain	-do-
42.	330(R)CS/2018	Ali Rasheed	-do-
43.	331(R)CS/2018	Noor ul Islam	-do-
44.	332(R)CS/2018	Muhammad Imran	-do-

45.	333(R)CS/2018	Muhammad Mustafa	-do-
46.	490(R)CS/2018	Zafar Iqbal	07.02.2018
47.	491(R)CS/2018	Muhammad Tariq	-do-
48.	492(R)CS/2018	Jehangir Alam	-do-
49.	493(R)CS/2018	Muhammad Arif	-do-
50.	743(R)CS/2018	Ghulam Abbas	13.04.2018
51.	744(R)CS/2018	Nazar Hussain	-do-
52.	745(R)CS/2018	Syed Abbas Raza	-do-
53.	1246(R)CS/2018	Asif Mehmood	18.07.2018
54.	1247(R)CS/2018	Muhammad Razzaq	-do-
55.	1248(R)CS/2018	Syed Imran Haider Zaidi	-do-
56.	1249(R)CS/2018	Muhammad Mushtaq	-do-
57.	1250(R)CS/2018	Muhammad Shahid Khan	-do-
58.	1251(R)CS/2018	Abdul Jabbar	-do-
59.	1252(R)CS/2018	Muhammad Ashfaq	-do-
60.	1253(R)CS/2018	Muhammad Yaseen	-do-
61.	1254(R)CS/2018	Khalceq Ahmed	-do-
62.	1255(R)CS/2018	Muhammad Nawaz	-do-
63.	1256(R)CS/2018	Muhammad Sajid Hussain	-do-
64.	2106(R)CS/2018	Imam Bukhsh	06.12.2018
65.	717(R)CS/2019	Muhammad Hamraz Khan	05.04.2019
66.	746(R)CS/2019	Fida Hussain	11.04.2019
67.	761(R)CS/2019	Rasool Bukhsh	16.04.2019
68.	805(P)CS/2019	Gohar Ali	23.10.2019
69.	806(P)CS/2019	Saif Ullah	-do-
70.	807(P)CS/2019	Muhammad Ilyas	-do-
71.	808(P)CS/2019	Sakhawat Shah	-do-
72.	809(P)CS/2019	Fazal Rabi	-do-
73.	810(P)CS/2019	Syed Abdul Nasir	-do-
74.	811(P)CS/2019	Muhammad Ishaq	-do-
75.	812(P)CS/2019	Akhlaq Ahmed	-do-
76.	813(P)CS/2019	Waqar Ahmed	-do-
77.	814(P)CS/2019	Samuel John Masih	-do-

78.	1005(R)CS/2019	Muhammad Asif	28.05.2019
79.	1006(R)CS/2019	Muhammad Arshad	-do-
80.	1007(R)CS/2019	Hafeezullah	-do-
81.	1008(R)CS/2019	Muhammad Tariq	28.05.2019
82.	1009(R)CS/2019	Muhammad Ismail	-do-
83.	1010(R)CS/2019	Sajjad Ayub	-do-
84.	1011(R)CS/2019	Malik Rab Nawaz	-do-
85.	1012(R)CS/2019	Muhammad Abu Bakar	-do-
86.	1013(R)CS/2019	Iftikhar Hussain	-do-
87.	1014(R)CS/2019	Shakeel Ahmad	-do-
88.	1015(R)CS/2019	Sami Ullah Rabbani	-do-
89.	1016(R)CS/2019	Muhammad Hussain	-do-
90.	1017(R)CS/2019	Muhammad Imran	-do-
91.	1018(R)CS/2019	Abdul Hameed	-do-
92.	1019(R)CS/2019	Muhammad Ibrahim	-do-
93.	1020(R)CS/2019	Mujahid Hussain	-do-
94.	1021(R)CS/2019	Muhammad Hashim	-do-
95.	1022(R)CS/2019	Muhammad Khalid	-do-
96.	1023(R)CS/2019	Rasheed Hussain	-do-
97.	1024(R)CS/2019	Muhammad Bilal	-do-
98.	1025(R)CS/2019	Ameer Hussain	-do-
99.	1026(R)CS/2019	Muhammad Saleem	-do-
100.	1027(R)CS/2019	Muhammad Akhtar	-do-
101.	1028(R)CS/2019	Muhammad Ishfaq	-do-
102.	1029(R)CS/2019	Muhammad Abid	28.05.2019
103.	1030(R)CS/2019	Nasir Ahmad	-do-
104.	1031(R)CS/2019	Muhammad Asif	-do-
105.	1032(R)CS/2019	Ghulam Ghaus	-do-
106.	1033(R)CS/2019	Muhammad Asif	-do-
107.	1034(R)CS/2019	Riaz Hussain	-do-
108.	1035(R)CS/2019	Muhammad Asif	-do-
109.	1036(R)CS/2019	Muhammad Ramzan	-do-
110.	1037(R)CS/2019	Muhammad Zohaib	-do-

111.	1038(R)CS/2019	Muhammad Allah Rakha	-do-
112.	1039(R)CS/2019	Munib Arshad	-do-
113.	1040(R)CS/2019	Shaukat Hussain	-do-
114.	1041(R)CS/2019	Abdul Qadeer	-do-
115.	1042(R)CS/2019	Sana Ullah	-do-
116.	1043(R)CS/2019	Muhammad Saad	-do-
117.	1044(R)CS/2019	Imran Hussain	-do-
118.	1045(R)CS/2019	Zawar Hussain	-do-
119.	1046(R)CS/2019	Sanaullah	-do-
120.	465(R)CS/2020	Ghulam Abbas	20.04.2020
121.	1261(R)CS/2017	Shams-ud-Din Khan	28.12.2017
122.	4265(R)CS/2017	Abdul Waheed	20.11.2017
123.	4266(R)CS/2017	Khurram Khan	-do-
124.	4267(R)CS/2017	Muhammad Suleman	-do-
125.	4268(R)CS/2017	Waseem Abbas	-do-
126.	4270(R)CS/2017	Inam Rabbani	20.11.2017
127.	4271(R)CS/2017	Ghulam Rasool	-do-
128.	4272(R)CS/2017	Imran Ahmed	-do-
129.	4273(R)CS/2017	Safdar Hussain	-do-
130.	4425(R)CS/2017	Muhammad Pervaiz	08.12.2017
131.	4269(R)CS/2017	Muhammad Ansar Abbasi	20.11.2017
132.	4297(R)CS/2017	Muhammad Ashraf	24.11.2017
133.	4298(R)CS/2017	Muhammad Aqeel	-do-
134.	4299(R)CS/2017	Nadeem Ahmed Khan	-do-
135.	1402(P)CS/2018	Abid Ali	25.09.2018
136.	1403(P)CS/2018	Ayaz Muhammad	-do-
137.	1404(P)CS/2018	Badshah Wahid	27.09.2018
138.	1405(P)CS/2018	Muhammad Riaz	-do-
139.	1406(P)CS/2018	Safeer Ahmed	-do-
140.	1407(P)CS/2018	Shoukat Ali	-do-
141.	1518(P)CS/2018	Ahsan Ali Khan	11.12.2018
142.	1519(P)CS/2018	Muhammad Asif	-do-
143.	1520(P)CS/2018	Kamran Khan	-do-

144.	1521(P)CS/2018	Naveed Khan	-do-
145.	210(R)CS/2019	Aqeel Shahzad	28.01.2019
146.	211(R)CS/2019	Shabbir Hussain	-do-
147.	212(R)CS/2019	Sajid Masih	-do-
148.	213(R)CS/2019	Shakeel Masih	-do-
149.	348(P)CS/2019	Arif Ullah Khan	05.04.2019
150.	513(R)CS/2019	Muhammad Rizwan	14.05.2019
151.	527(R)CS/2019	Miss Farzana Taqi	12.03.2019
152.	316(P)CS/2019	Naseer Khan	24.10.2017
153.	1699(R)CS/2019	Imran Khan	17.09.2019
154.	2072(R)CS/2019	Zubair Khan	30.12.2019
155.	2073(R)CS/2019	Muhammad Naseem Abdullah	-do-
156.	2074(R)CS/2019	Muhammad Aamir	-do-
157.	2075(R)CS/2019	Muhammad Arshad	-do-
158.	2076(R)CS/2019	Nehmat Khan	-do-
159.	114(P)CS/2020	Muhammad Amin	28.05.2020
160.	363(P)CS/2019	Abid Hussain	17.04.2019
161.	364(P)CS/2019	Muhammad Ibrahim	-do-
162.	1840(R)CS/2018	Munir Ahmad	15.10.2018
163.	1841(R)CS/2018	Tariq Mehmood	-do-
164.	1408(P)CS/2018	Ali Nawaz	28.09.2018
165.	1444(R)CS/2019	Muhammad Irfan Anwar	29.07.2019
166.	1445(R)CS/2019	Habib Ullah Khan	-do-
167.	1446(R)CS/2019	Idrees Ali	-do-
168.	1447(R)CS/2019	Khalid Tariq	-do-
169.	337(R)CS/2019	Ali Muhammad	27.02.2019
170.	338(R)CS/2019	Sajjad Hussain	-do-
171.	339(R)CS/2019	Muhammad Waheed	27.02.2019
172.	340(R)CS/2019	Abid Ali	-do-
173.	341(R)CS/2019	Muhammad Asif	-do-
174.	342(R)CS/2019	Muhammad Javed	-do-
175.	343(R)CS/2019	Naseem Akhtar	-do-
176.	344(R)CS/2019	Mubashir Khan	-do-

177.	345(R)CS/2019	Ghulam Jilani	-do-
178.	346(R)CS/2019	Muhammad Saleem	-do-
179.	347(R)CS/2019	Nathanil Masih	-do-
180.	348(R)CS/2019	Shakil Ahmed Khan	-do-
181.	349(R)CS/2019	Muhammad Arif Maqbool	-do-
182.	350(R)CS/2019	Tariq Mehmood Malik	-do-
183.	351(R)CS/2019	Muhammad Shabir	-do-
184.	352(R)CS/2019	Saleem Akhtar	-do-
185.	353(R)CS/2019	Muhammad Sharif	-do-
186.	354(R)CS/2019	Muhammad Aqash	-do-
187.	355(R)CS/2019	Muhammad Shafique	-do-
188.	356(R)CS/2019	Arshad Hussain	-do-
189.	357(R)CS/2019	Muhammad Shahid Iqbal	-do-
190.	358(R)CS/2019	Abdul Rehman	-do-
191.	359(R)CS/2019	Shafiqur Rehman	-do-
192.	360(R)CS/2019	Vicky Boota	-do-
193.	361(R)CS/2019	Muhammad Tariq	-do-
194.	362(R)CS/2019	Muhammad Waheed	-do-
195.	363(R)CS/2019	Muhammad Altaf	-do-
196.	364(R)CS/2019	Muhammad Nazir	-do-
197.	365(R)CS/2019	Saghir Ahmed	-do-
198.	366(R)CS/2019	Summer Ali	-do-
199.	367(R)CS/2019	Muhammad Imran	-do-
200.	368(R)CS/2019	Waqas Ali	-do-
201.	369(R)CS/2019	Ijaz Khan	-do-
202.	370(R)CS/2019	Muhammad Mumtaz	-do-
203.	1208(R)CS/2019	Khalid Khokhar	04.07.2019
204.	1209(R)CS/2019	Ahmed Khan	-do-
205.	1210(R)CS/2019	Asif Shah	-do-
206.	1211(R)CS/2019	Kamran Jamil	-do-
207.	1212(R)CS/2019	Syed Waqar	-do-
208.	1213(R)CS/2019	Aneel Asad	-do-
209.	1214(R)CS/2019	Muhammad Ibrar Khan	-do-

210.	1215(R)CS/2019	Muhammad Iqbal	-do-
211.	1216(R)CS/2019	Muhammad Naseer	-do-
212.	1217(R)CS/2019	Abdul Sattar	04.07.2019
213.	1218(R)CS/2019	Ameer Abdullah Khan	25.10.2019

VERSUS

- RESPONDENTS: 1. Pakistan Railways, through its Chairman, Islamabad.
2. Divisional Superintendent, Pakistan Railways, Multan.

AND

214.	592(P)CS/2019	Syed Mubarik Shah	29.05.2020
215.	593(P)CS/2019	Nasir Mehmood	-do-
216.	594(P)CS/2019	Muhammad Mumtaz	-do-
217.	595(P)CS/2019	Sajid Imran	-do-
218.	596(P)CS/2019	Muhammad Shoaib	-do-
219.	1501(R)CS/2019	Imran Ahmed Faruqi	08.08.2019
220.	1502(R)CS/2019	Nadeem Ashraf	-do-
221.	1503(R)CS/2019	Talat Hameed	-do-
222.	1504(R)CS/2019	Muhammad Farooq	-do-
223.	1505(R)CS/2019	Habib Ullah	-do-
224.	1506(R)CS/2019	Muhammad Kashif	-do-
225.	1507(R)CS/2019	Muhammad Tariq	-do-
226.	1508(R)CS/2019	Muhammad Shafique	-do-
227.	1509(R)CS/2019	Muhammad Sattar	-do-
228.	1510(R)CS/2019	Muhammad Raza Butt	-do-
229.	1511(R)CS/2019	Muhammad Tanveer	-do-
230.	1512(R)CS/2019	Asad Raza	-do-
231.	1513(R)CS/2019	Waseem Akhtar	-do-
232.	1514(R)CS/2019	Syed Amir Hussain Zaidi	-do-
233.	1515(R)CS/2019	Muhammad Shahid Sarwar	-do-
234.	1516(R)CS/2019	Syed Asam Raza Zaidi	-do-

VERSUS

RESPONDENTS: 1. Director General, Pakistan Post Islamabad.
2. Postmaster General, Khyber Pakhtunkhwa (KPK), Peshawar.

PRESENT: Mr. Muhammad Ramzan Khan, Advocate, Mr. Ghulam Rasool Bhatti, Advocate, Mr. Muhammad Shabbir Bhutta, Advocate, Ms. Mubeen Sarwar, Advocate and Mr. Muhammad Owais, Advocate for the appellants / employees of Pak, Railways.

Ch. Muhammad Asad Raan, Advocate for the appellants / employees in Pakistan Post.

Ch. Ishtiaq Meherban, Deputy Attorney General and Mr. Muhammad Amin Feroz Khan, Advocate Mr. Imran Fazal, Advocate, Ms. Ayesha Manzoor Abbasi, Advocate, Ms. Huma Noreen Hassan, Advocate, Mr. Shahzad Itazil Naqvi, Advocate, Mr. Tajammal, Hussain, Advocate, Ms. Mehraj Tareen, Advocate, Mr. Bilal Khan, Advocate Syed Mumtaz Mazhar Naqvi, Advocate, Mr. Binyamin Abasi, Advocate and Syed Sadaqat Ali, Advocate, for respondents Pak, Railways alongwith Mr. Zafar iqbal and Mr. Rashid Ahmad, Head Constable from Pak, Railways as DRs and M/s Naseer Ahmed ASPO, Qaiser Iqbal, A.S Circle Office, Lahore Muhammad Safdar, A.s, Lahore GPO, Mazhar Ahmad, AS (West), Mumtaz Mustafa, A.s South Division, Lahore and Shah Nawaz Bhatti, A.S, North Division, Lahore as DRs on behalf of Pakistan Post.

JUDGMENT

The above appeals have been by the Pakistan Railways and Pakistan Post employees /appellants under Section 4 of the Service Tribunals Act, 1973, with the following prayers,-

- (a) Regularization of their services on regular basis;
- (b) Relief of pay protection and
- (e) Benefit of previous service period prior to regularization and consequential relief.

2. Comments/objections have been filled in almost all the appeals by the respondent by stating that, the Pakistan Railways formulated new policy regarding regularization of service with immediate effect i.e. from 20.02.2012, therefore, the appellants are not entitled for any back benefits according to the Policy dated 20.02.2012.

3. Para-wise contents in Appeal No.592(P)CS of 2019 and in other appeals were also filed on behalf of the respondent Pakistan Post wherein it was stated that services of the appellant and others were regularized on 31.07.2002 by G.M PL1, Lahore in pursuance of the D.G. Pakistan Post, Islamabad, Memo No.Rcclt_121/96(pt)-P-Coll-V dated 29.07.2002, and on 25.07.2015 the appointing authority regularized his services from the initial date of his appointment i.e. 19.09.1989 in pursuance of order contained in the D.G. Pakistan Post, Islamabad Office Memo No.Admin-I-16/99(V111) dated 25.05.2015 along with all back benefits. The payment of arrears will be made as per policy of the Federal Government and on availability of funds. Hectic efforts for allocation of funds through Ministry of Finance are being made. Almost same comments have been filed in other appeals as well. It was further stated that necessary orders regarding regularization of services from the initial date of arrears to the officials and hundred of others of the similar cases in accordance with Government Policy. The Federal Service Tribunals had also directed to the respondents in various appeals for their regularization on regular basis from their initial date of appointment with all back benefits, in Appeals No.79(R)CS/2009 to 83(R)CS/2009 vide order dated 23.07.2010 filed by Qadeer Ahmed and others which was upheld by the Hon'ble Supreme Court of Pakistan in CP.No.2243 to 2245/2010 Appeal No. 976(R)CS/2013 to 9114(R)CS/2013 filed by Tahir Mehmood and others vide judgment dated 17.11.2015. The benefit of the judgment was also extended to some employees.

4. We have heard the rival arguments of the teamed counsel for parties, perused the record and case laws on the subject.

5. The different Benches of the Tribunal have passed the following judgments in identical appeals:-

Judgments dated 10.05.2016, 18.10.2018; 06.08.2018; 28.11.2018, 23.05.2016, 27.03.2019, passed in Appeals No.68 to 76(R)CS/2013; 4322 to 4334, 4654 to 4658 16 4406 to 4414(R)CS of 2017; 868 to 884(R)CS of 2016, 1462 to 1472, 1474 to 1477, 1468 & 1473(R) of 2016; 1402(R)CS/2013; 58 to 63(R)CS/72017; 4040 to 4060 and 4303 to 4308(R)CS of 2017.

Pakistan Railways assailed all the above judgment before the Hon'ble Supreme Court of Pakistan through Civil Appeal Nos.864 to 872/2017 and 1090 to 1116/2019 & 1059 to 1075 of 2019; Civil Petitions No.324 to 334, 430 & 431 of 2019 Civil Petitions No.2853 of 2016 & CMA No.5767 of 2016; Civil Petition Nos. 2104 to 2109 and 2980 to 3006 of 2019 and CMA No.5918 to 5926 of 2016 titled as Divisional Superintend. Pakistan Railways and others Vs. Syed Usman Ali and others. The Hon'ble Supreme Court of Pakistan has been pleased to pass the judgment dated 08.10.2019 in all these appeals and petitions and hold as uncle,-

"Therefore the only policy, available in the field which was applicable to the facts of the respondents ins Regularization Policy, 2012 under which the respondents have already been regularized by the appellant. As the said policy is with immediate effect i.e. 20.02.2012, the respondents cannot claim the regularization from the date of initial appointment".
(Emphasis supplied)

6. We have also been able to lay our hands at a very recent judgment announced in open court on 07.08.2020 by the Hon' ble Supreme Court of Pakistan in Civil Appeal Nos.17 to 29 of 2020 filed by Pakistan Railways against the judgment dated 18.07.2019 passed.

by a Bench of this Tribunal headed by the Chairman, FST in Appeal No. 1885 to 1887(R)CS of 2016 and 1960 to 1969(R)CS of 2016 titled Sajid Hussain and others. The Hon'ble Apex Court vide judgment dated 09.07.2020 announced on 07.08.2020 has upheld the judgment of this Tribunal dated 18.07.2019 wherein the relief was given with immediate effect anti not from the date of initial appointment.

7. Indeed, it is well settled of a principle of law, requiring no consideration that the judgment / orders passed by the Hon'ble Supreme Court of Pakistan are binding on the Service Tribunals, High Courts and all the functionaries. Article 190 of the Constitution of Islamic Republic of Pakistan, 1973 states that all executive and judicial authorities, throughout Pakistan shall act in aid of the Supreme Court, hence the orders passed in above cases by the Hon'ble Supreme Court of Pakistan have got to be implemented in its true letter and spirit.

8. In view of the above, the appeals filed by the appellants for regularization of their services are accepted and the respondents are directed to regularize their services with immediate effect. The process may be completed preferably within sixty days of receipt of the copy of the judgment.

9. All other appeals filed by the appellants claiming benefits of past service and pay protection prior to their regularization are hereby dismissed being devoid of merit. However, the appellants may apply to the department for taking benefits as provided under Regulations No.371-A of Civil Service Regulations after completion of the qualifying service for pension Reliance is placed as on PLD 2016 Supreme Court 534 (Chairman, Pakistan Railways, Government of Pakistan, Islamabad Vs. Shah Jehan Shah).

10. Since all the listed appeals have finally been decided, the NO.1589 to 1602/2017 in Appeals No.7829 to 2842MCS/2017, No.2124- in Appeal No.3340(R)CS/2017, M.Ps No.740 to 731/2019 in Appeals No.1005 to 1046CR)CS/2019 and Iva's No.1004 to 1013

in Appeals No.1029 to 1 046(R)CS/2019 filed by the employees of Pakistan Railways have become in fructuous and the sane are disposed of accordingly.

11. No order as to costs Parties he informed accordingly.

Member

Member

Member

ALL PAKISTAN LEGAL DECISION

PLD 2016 Supreme Court 534

Present: Anwar Zaheer Jamali, C.J

Mian Saqib Nisar, Amir Hani Muslim,

Iqbal Hameedur Rahman and Khilji Arif Hussain, JJ

Civil Appeal No:1072/2005

**CHAIRMAN, PAKISTAN RAILWAY, GOVERNMENT OF
PAKISTAN, ISLAMABAD and others---Appellants**

versus

SHAH JEHAN SHAH---Respondent

(On appeal against the judgment dated 29-12-2003 passed by the Federal Service Tribunal, Islamabad in Appeal No.6(P)/CS/2003)

Civil Appeal No. 686/2012

Mst. ROBINA SHAHEEN---Appellant

versus

**DIRECTOR EDUCATION (E&SC) KHYBER.
PAKHTUNKHWA and others---Respondent**

(On appeal against the judgment dated 9-4-2012 passed by the KPK Service Tribunal, Peshawar, in Appeal No. 539/2909).
Civil Appeals Nos. 1072 of 2005 and 686 of 2012, decided on 14th April, 2016.

(a) Interpretation of statutes---

---When a word had not been defined in the statute, its ordinary dictionary meaning was to be looked at. [p.540] B

(b) Words and phrases---

---"Count" ---Definition [p.541] C

Clambers 21st Dictionary and Oxford Advanced Learner's Dictionary of Current English 7th Edn. Ref.

(c) Civil Service Regulations (CSR)---

---Art: 371-A---Pensionary benefits---Government servants rendering temporary service in a temporary establishment for more than first years---Entitlement to grant of pensionary benefits within the meaning of Art.371-A of the Civil Service Regulations (CSR)---scope--- Article 371-A of the Civil Service Regulations (CSR) would not ipso

Chairman, P.R Govt. Pakistan v. Shah Jehan Shah SC535
(Mian Saqib Nisar, J)

Facto of simplifiers allow government servants rendering temporary service in a temporary establishment for more than five years to be entitled to grant of pension, rather such period would only be counted towards such government servants pension if otherwise entitled to pension. [Mir Ahmad Khan v. Secretary to Government and others (1997 SCMR 1477) declared to be per incuriam

Service rendered for more than five years as contemplated by Article 71-A of the Civil Service Regulations (CSR), would only be added, included, or taken into account for the purposes of pensionary benefits, and not make such government servant qualify for pension per se. Article 371-A of Civil Service Regulations (CSR) by itself did not provide for the entitlement for the purposes of pension, rather, it was restricted to the counting of the period of a minimum of five

years which had been rendered by the temporary employee that once he was appointed on a permanent basis, such period (of five years) shall be taken into account for the Object of calculating his entitlement to pension with respect to the requisite minimum period under the law: [pp. 541, 542, 545] D, F, G & I

Mir Ahmad Khan v. Secretary to Government and others 1997 SCMR 1477 declared to be per incuriam

Article 371-A cannot be used as a tool to bypass the conditions for qualifying service of pensionary benefits, and such government servant had to fulfill the minimum number of years for grant of pension This was due to the use of the word “count” as opposed to qualify or “eligible” in Article 371-A of the Civil Service Regulations (CSR). [p. 540] A

It was absurd, ludicrous and inconceivable that a government servant, who was in regular employment, would become entitled to Pension after serving the minimum years of qualifying service as prescribed by the law, whereas while interpreting Article 371-A of the Civil Service Regulations (CSR), a government servant who had served as a temporary employee could be given preference over a regular employee, and after a minimum service of only five years would automatically become entitled to pension. Holding so would be against the object and spirit of the concept of pension: [p. 541] E

PLD 2013 SC 829 ref.

(d) Civil Service Regulations (CSR)---

---Art. 371-A --- Pensionary benefits — Government servants rendering temporary service in a temporary establishment “Temporary establishment”---Meaning—Temporary establishment said to mean an organization or institution which “was not permanent, rather effective for a certain period only. [p. 542] H

Hafiz S.A. Rehman, Senior, Advocate Supreme Court for Appellants (in C.A. No. 1072 of 2005).

Riaz Sherpao, Advocate Supreme Court and Mir Adam Khan, Advocate-on-Record for Appellant (in C.A.No.686 of 2012).

Abdur Rehman Siddiqui, Advocate _ Supreme Court for Respondent (in C.A. No.1072 of 2005).

Ijaz Anwar, Advocate Supreme Court and M.S. Khattak, Advocate-on-Record for Respondent No.5 (in C.A.No.686 of 2012).

Waqar Ahmed Khan, Addl. A.G. (on behalf of Khyber Pakhtunkhwa).

Dates of hearing: 14th and 15th March, 2016.

JUDGMENT

MIAN SAQIB NISAR, J:- These appeals, by leave of the Court, involve a similar question of law, hence are being disposed of together. The key question involved herein is whether persons who have rendered more than five years service in a temporary establishment are entitled to the grant of pensionary benefits within the meaning of Article 371-A of the Civil Service Regulations (CSR), and a re-visitation of the judgment of this Court reported as Mir Ahmad Khan v. Secretary to Government and others (1997 SCMR 1477).

Civil Appeal No. 1072/2005:

2. This appeal entails the facts in that the respondent was appointed as an Assistant Executive Engineer (BPS-17) in Pakistan, Locomotive Factory Risalpur, Pakistan Railways on 11.7.1989 on an ad hoc basis where after his employment was converted into a contract employment for two years with effect from 1.7.2000. Subsequently, due to the respondent's failure to qualify for regularization before the Federal Public Service Commission, his services were terminated on 4.9.2002. He filed a departmental appeal

on 3.10.2002 for the grant of pensionary benefits which (departmental appeal) was dismissed vide order dated 9.1.2003. Subsequently, the respondent approached the teamed Federal Service Tribunal (Tribunal) challenging not the termination of his Services or the conversion of services from ad hoc to contractual, only non-payment of pensionary benefits. The learned Tribunal while relying upon the case of Mir Ahmad Khan (supra) accepted the respondent's service appeal on 29.12.2003 through the impugned judgment holding as follows:-

"7. In view of the clear provision available in Civil Service Regulations as CSR 371-A.(i) and in the light of the Judgment of Honourable Supreme Court, reproduced below, there is no ambiguity that the Appellants who have put in more than 10 years of uninterrupted service were entitled to pension as per rules.....

9. In view of the rulings of Nondurable Supreme Court, we accept the appeals, set aside the impugned orders and direct the respondents to give pension to the Appellants as admissible to them under CSR 371-A

(i).They are also entitled to receive their other legal dues like General Provident (GP) Fund etc. However, Respondents would be at liberty to deduct any valid/legal dues outstanding against them from amount payable to them."

Aggrieved of the above order, the appellants approached this Court, and leave was granted on 15.9.2005 in the following terms:-

".....Since interpretation of a number of provisions of Civil Service Regulations as to entitlement to pension of the government servants, which will have impact On a large number of card, is involved leave is granted to consider whether temporary service rendered by the three of respondents qualified for pension"?"

Subsequently, this Court on 21.2.2012 was of the view that a larger bench should hear the master for the following reason(s):-

“....The learned counsel or the appellant states that admittedly respondent is not, a Civil Servant and he cannot claim pensionary benefits thus the judgment in the case of Mir Ahmed Khan (ibid) needs to be revisited in that if stab, wide interpretation is given to Regulations 371-A all contractual and temporary employees working in the Government Department would become entitled to pensionary benefits on termination of their employment, without being regularly employed. Since Mir Ahmed Khan's case was decided by three members Bench, the matter be placed for consideration of the Hon'ble Chief Justice for placing the case before a larger Bench.

3. The basic argument of the learned counsel for the appellants was hi: Article 371-A was an enabling, as opposed to charging provision, and that the use of the word “count” in Article 371-A of the CSR, as opposed to “eligible” or “qualify”, does not mean that government servants who have rendered more than five years continuous temporary service in a temporary establishment are entitled to the grant of pension, rather that such period of service would only be counted/added for the purposes of calculating pension, which the government servant has to nevertheless qualify for by fulfilling the three conditions of qualification for pension as provided in Article 361 of the CSR. In support of his arguments, he made reference to various Articles of the CSR and Fundamental Rules (FR). Learned counsel attempted to buttress his submission by drawing an analogy with the judgment reported as *Federation of Pakistan and others v. Rais Khan* (1993 SCMR 609), in which it was held that the period of ad hoc service followed by regular service in the same scale shall be counted towards length of service prescribe for promotion or move-over is the next higher scale, thus in the same manner, the period of temporary service of more than five years would be counted towards pension if it was followed by regular service.

4. On the other hand learned counsel for the respondent argued that word “count” can be used interchangeably with “qualify” or

“eligible”, and in fact “count” is more often than not the precise word used for the purposes of pensionary benefits. Further, the appellants interpretation of Article 371-A of the CSR that the period of temporary service of more than five years would be counted towards pension if it was followed by regular service would only be true if the said article specifically provided “temporary followed by permanent service”, but this is not the case. Further, the words “except as otherwise provided” in Article 368 of the CSR gives sanction to the grant of pensionary benefits to temporary employees. In support of his arguments, learned counsel pieced reliance upon two office memorandums issued by the Ministry of Finance at Serial Nos. 5 and 6 of Chapter V of Section VI of the Compendium of Pension Rules and Orders.

5. Heard Before resolving the proposition at hand, we find it expedient to reproduce the relevant articles of 'the CSR which read as under:-

“361. Except as otherwise provided in these Regulations, the service of an officer does not qualify for pension unless it conforms to the following three conditions,

First.- The service must be under Government.

Second.- The employment must be substantive and permanent.

Third.- The service must be paid by Government.

These three conditions are fully explained in the following Articles.

368. Except otherwise provided in these Regulations services does not qualify unless the officer, holds a substantive office on a permanent establishment.

369. An establishment, the duties of which are not continuous, but are limited to certain fixed periods in each year, is not a

temporary establishment. Service in such an establishment, including the period during which the establishment is not employed, qualifies; he concession of counting as service the period during which the establishment is not employed does not apply to an officer who was not on actual duty when the establishment was discharged, after completion of its work, or to an officer who was not on actual duty on the first day on which the establishment was again re-employed.

370. *An officer transferred from a temporary to a permanent appointment can count his service in the temporary office, it, though at first created experimentally or temporarily, it eventually becomes permanent.*

371. *An officer without it substantive appointment officiating in an office which is vacant, or the permanent incumbent of which does not draw any part of the pay or count service, may, if he is confirmed without interruption to this service, count his officiating service.*

371-A. *Notwithstanding anything contained in Articles 355(b), 361, 365, 370 and 371 of these Regulations, temporary and service, in the case of Government servants who retired on or after the 1st January, 1949, or who joined service thereafter shall count for pension according to the following rule:-*

(i) Government servants borne on temporary establishments who have rendered more than 5-years continuous temporary service shall count such service for the purpose of pension or gratuity excluding periods of temporary service if any, rendered previously, and

(ii) Continuous temporary and officiating service of less than five years immediately followed by confirmation shall also count for gratuity or pension, as the case may be. (Emphasis supplied)

We begin with the basics. The CSR pertains to salary leave, pension and travelling allowance of those serving in the civil departments. Despite the nomenclature used, i.e. Civil Service Regulations, the application of the CSR is not restricted to "civil servants" as defined in the Civil Servants Act, 1973 (Act), but also applies to "government-servants" interestingly, "government servants" has neither been specifically defined in the Act nor in the CSR. However, we are not treading those waters, rather leaving it for an appropriate case, as the applicability of the CSR to the respondent is not disputed in the instant matter. Although we would like to observe that whether or not a particular Article of the SR- applies only to a civil servant or extends to the broader pool of government servants would ultimately depend on the particular wording the article under consideration. The CSR classifies pension into four basic types:- compensation pension, invalid pension, superannuation pension and retiring pension. In order to be able to claim pensionary benefits, one must fulfill the three conditions of qualifying service for pension stipulated in Article 361 of the CSR:- (i) the service must be under the Government; (ii) the employment must be substantive and permanent; and (iii) the service must be paid by the Government. An interpretation of the provisions pertaining to the second condition is relevant to the matter at hand. Article 368 of the CSR provides that the officer must hold a substantive office on a permanent establishment. Articles 370 and 371 of the CSR in essence allow for temporary and officiating services respectively, to be counted towards

an officer service if such service (temporary or officiating) becomes permanent.

6. Article 371-A(i) allows for governments rendered temporary service for more than five years at a temporary establishment to count such service for the purposes of their pension (or gratuity), but the temporary service must be continuous, and excludes broken periods of temporary service rendered previously. By example, Article 371-A(i) would attract to a government servant rendered continuous temporary service at a temporary establishment for six years and was subsequently confirmed at the end of his temporary service, those six

years would be counted towards his service for the purposes of pensionary benefits. The said article Would also encompass the situation where a government servant rendered continuous temporary service at a temporary establishment for six years but was not confirmed at the end of his temporary service, rather two years after his temporary service ended he was taken back and confirmed then again those six years would be counted towards his service for the purposes of pensionary benefits, excluding the broken period of two years (the interregnum). On the other hand, Article 371-A(ii) provides that government servants who have rendered temporary and officiating service for less than five years immediately followed by confirmation shall also count for gratuity or pension (as the case may be), which (service) must also be continuous. By way of illustration, where a government servants rendered continuous temporary or officiating service for three years and was subsequently immediately confirmed, those three years would be counted towards his service for the purposes of pension. However, due to the inclusion of the word "immediately" and the omission of the words "excluding broken periods of temporary service" in clause (ii) of the Article 371-A, in a situation where a government servant rendered continuous temporary or officiating service for three years but was not confirmed at the end of his temporary service, rather two years after his temporary service ended he was taken back and subsequently confirmed, then those three years would not be counted towards his pensionary benefits. However, it is important to note that Article 371-A presupposes that such a government servant (whether falling under clause (i) or (ii), is otherwise entitled to Pension (or gratuity, as the case may be). In other words, Article 371-A cannot be used as a tool to bypass the conditions for qualifying service pensionary benefits, and such government servant has to fulfill the minimum number of years for grant of pension. This is due to the use of the word "count" as opposed to "qualify" or "eligible", as rightly argued by the learned counsel for the appellant. As per the settled rules of interpretation, when a word has not been defined in the statute, the ordinary dictionary meaning is to be looked at. Chambers 21st Dictionary defines "count" as "to find the total amount of (items), by adding up item by item; to include". Oxford Advanced Learner's Dictionary of

Current English (7th Ed.) defines "count" as to calculate the total number of people, things, etc. in a particular group; In Include Mirth when you C clause total to consider sb/sth In a particular way; to be considered in a particular way". Thus in light, of the above, service rendered for more included, or taken Account for the purposes of pensionary benefits, than five years as contemplated by Article 371-A would only be added, include and not the such government servant qualify for pension per se. This interpretation is bolstered by logic, reason and common sense. If we were to accept the reasoning of the learned Service Tribunal in the impugned judgment and the arguments) of the learned counsel for the respondents, it would create a bizarre and anomalous situation, where a government servant who4laslrendered temporary service in a temporary establishment for, let its ;say, seven years, would be entitled to pensionary benefits, and on the other hand, a government servant rendering services as a regular employee for fifteen years would not (yet) have completed the requisite number of years to qualify for grant of pension. It is absurd, fudidrous and inconceivable that a government servant, who is in regular employment, would become entitled to pension after serving the minimum years of qualifying service as prescribed by the law, whereas while interpreting Article 371-A, a government servant who has served as a temporary employee could be given preference over a regular employee, and after a minimum service of only five years would automatically become entitled to pension. Holding so would be against the object and spirit of the concept of pension which has been discussed by this Court in Regarding pensionary benefits of the Judges of Superior Courts from the date of their respective retirements irrespective of their length of service as Judges (PLD 2013 SC 829) as follows:-

“...pension is not the bounty from the State/employer to the servant/ employee, but it fashioned on the premise and the resolution that the employee serves his employer in the days of his ability and capacity and during the former's debility, the latter compensates hint for the services an rendered. Therefore, the right to pension has to be earned and for the

accomplishment thereof, the condition of long/b of service is relevant mad purposive. (Emphasis supplied)

Thus, we are not inclined to interpret Article 371-A in such a way so as to render the provisions stipulating minimum years for grant of Pensionary benefits superfluous and redundant. As far as the provisions Article 371-A are concerned, which is a non-obstante clause to Articles 355(b), 361, 368, 370 and 371 stipulated therein, suffice it to that such article by itself does not provide for the entitlement for the Purposes of pension, rather, at the cost of repetition, it is restricted to the counting of the period of a minimum of five years which has been rendered by the temporary employee that once he is appointed on a permanent basis, such period shall be taken into account for the object of calculating his entitlement to pension with respect to the requisite minimum period under the law. Therefore we are not persuaded hold the words "notwithstanding anything contained in Articles 355(b), 361, 368, 370 and 371 of, these Regulations.." in Article 371-A to allow those who do not fulfill the requisite conditions for qualifying for pension to bypass such conditions, so as to render the articles of the CSR providing for such conditions unnecessary and surplus. Therefore, we are of the candid view, that Article 371-A of the CSR would not ipso facto or simplifiers allow government servants, rendering temporary service in a temporary establishment for more than five years to be entitled to grant of pension, rather such period would only be counted towards such government servants' pension if otherwise to pension.

7. It is not disputed that the respondent rendered continuous temporary service and that his length of service was continuous and for more than five years. However, the question that needs to be answered is whether he was working in a "temporary establishment" or not. "Temporary establishment" has not been defined in the CSR, the Fundamental and Supplementary Rules issued by the Government of Pakistan, the ESTA Code or the Compendium of Pension Rules and Orders. In this context Article 369 of the CSR mentions temporary establishment but only explains what it is not and thus is not very helpful. Therefore as mentioned earlier in the opinion, as per

the settled rules of interpretation, the dictionary meaning of the words has to be resorted to. The Concise Oxford Dictionary (6th Ed.) has defined "temporary" as "lasting, meant to last, only for a time", and "establishment" as an "organized body of mean maintained, for a purpose". Chambers 21st Century Dictionary defines "temporary" as "lasting, acting or used, etc. for a limited period of the Only", and "establishment" as "a public or government institution". Oxford Advanced Learner's Dictionary of Current English (7th Ed.) defines "temporary" as lasting or intended to last or be used only for a short time; not permanent" and "establishment" an "On organization, a large institution..." In light of the above dictionary 'meanings, "temporary establishment" can be said to mean an organization or institution which is not permanent, rather effective for a certain period only. Admittedly the respondent was serving in Pakistan Locomotive Factory Risalpur, Pakistan Railways, which does not in any way fall within the meaning and purview of "temporary establishment. Thus the respondent could not rely upon Article 371-A of the CO. Besides, if hypothetically speaking Pakistan Locomotive Factory Risalpur was a temporary establishment, even then the respondent would not be able to take the benefit of Article 371-A (supra) as he otherwise does not qualify for pensionary benefits having not been subsequently taken into permanent employment, which is sine qua non for the grant thereof.

8. Adverting to the law laid down in the case of Mir Ahmad Khan (supra) wherein it was held:-

"Admittedly he appellant put in more than ten years temporary service before his services were terminated he was, therefore, entitled to pensionary benefits, under Regulation 371-A(i) of Civil Service Regulations."

In light of the discussion in paragraph No.6, the judgment delivered Mir Ahmad Khan's case (supra) is declared to be per incuriam.

9. In view of the foregoing, we find that the respondent was not entitled to the grant of pensionary benefits in terms of Article 371-A

of the CSR, and the learned Service Tribunal had erroneously allowed him Pension by wrongly relying upon the case of Mir Ahmad Khan (supra) which is declared to be per incuriam.

10. The above are the detailed reasons for our short order of even date whereby the appellants appeal was accepted and the impugned judgment was set aside, which reads as follows:-

“We have heard the arguments of learned ASCs for the parties. For the reasons to be recorded (later, this appeal is allowed, the impugned judgment of the Federal Service Tribunal dated 29.12.2003 is set aside and the service appeal preferred by the respondent is dismissed.”

Civil Appeal No. 686/2012:

11. The brief facts of the instant appeal are that the appellant was a Professional Teaching Certification (PTC) Teacher in the Commissionerate for Afghan Refugees, Peshawar (Commissionerate), from 28.2.1987 to 17.1.2005, i.e. approximately 18 years. During her employment at the Commissionerate, she applied for two months leave on 20.1.2004, after which she was appointed as a PTC Teacher in the Schools and Literacy Department, Government of Khyber Pakhtunkhwa (department) and she assumed charge of her post on 25.11.2004 and tendered her resignation with the Commissionerate on 10.1.2005. Thereafter she filed a departmental appeal to respondent No.1 claiming that her 18 years service with the Commissionerate be counted for the purpose of her pension, which (departmental appeal) was accepted vide order dated 24.6.2008. However, the said order stated, that her 10 years service be counted towards calculation of her pension, as opposed to 13 Years, which the appellant was dissatisfied with thus she filed a corrigendum application for correction of the said mistake. However, in response, the department on 20.7.2009 informed the appellant that her Prior service with the Commissionerate could not be counted towards her Pension. Aggrieved, the appellant filed an appeal before the learned Khyber Pakhtunkhwa Service Tribunal which was dismissed vide the

impugned judgment dated 9.4.2012 where she this Court. Leave was granted on 5.7.2013 in the following terms:-

".....Prime facie, it is difficult to understand that admittedly when the petitioner had served for a period of about 18 years in the Commissionerate and thereafter joined the Education Department and initially the Education Department had also accepted her claims allowing computing of her previous service for the purpose of pension then what prevailed with the department subsequently in disallowing continuity in vim of the judgment cited by the learned counsel in the case of Zafar Shah (2003 SCMR 686) in such like circumstances, continuity for the purpose of extending the benefit of pension is permissible.

3. Inter alia, to examine this aspect, of the case, leave to appeal is granted in this case....."

Subsequently on 19.9.2013, it was decided that this case was to be heard along with Civil Appeal No.1072/2005 before the larger bench as they both involved similar questions of law.

12. Learned counsel for the appellant, primarily submitted that the time spent at the Commissionerate is to be counted towards her pension in terms of Article 371-A of the CSR.

13. On the other hand, learned counsel for the respondents stated that due to the special facts and circumstances prevalent at that time, the decision rendered in the case of Mir. Ahmad Khan (supra) is good however in the instant matter, the appellant is not entitled to inclusion of the period she spent as an employee of the Commissionerate for the purposes of pensionary benefits for the reason that she was in fact a project employee of a non-governmental organization called Basic Education for Afghan Refugees (BEFARe), and not an employee of the Federal Government, and that she had resigned from the Commissionerate on 10.1.2005 after which she joined the department.

14. Learned Additional Advocate General, KPK adopted the arguments of Mr. Hafiz S. A. Rehman, learned counsel for the appellants in Civil Appeal No.1072/2005.

15. Heard. The appellant's main grievance is that the eighteen years she spent at the Commissionerate be counted towards her service at (tin department for the purpose of the grant of pensionary benefits as per Article 371-A of the CSR, Suffice it to any that the Commissionerate for Afghan Refugees does not in any way fall within the meaning of "temporary establishment" as defined in Civil Appeal No.1072/2005 to mean an organization or institution which is not permanent, rather effective for & certain period only as described. Even otherwise, the: appellant's service with the department was temporary and on a contract basis, and there is nothing on the record which suggests that she was subsequently confirmed or made permanent within the department. Therefore keeping in view the interpretation of Article 371-A of the CSR explained above with; regard to Civil Appeal No.1072/2005 in that the said article would not ipso facto allow government servants rendering temporary service in a temporary establishment for more than five years to be entitled to grant of pension, rather such period would only be counted towards such government servants pension if otherwise entitled to pension, we are of the opinion that the appellant is not entitled to pensionary benefits as claimed by her.

16. In light of the above, we find no infirmity in the impugned judgment warranting interference by this Court, therefore thin appeal is dismissed as being devoid of merit.

MWA/C-6/5

Appeal dismissed.

PLD 2016 Supreme Court 545

Present: Mian Saqib Nisar,

Iqbal Hameedur Rahman and Tariq Parvez, JJ

**COMMISSIONER OF INCOME TAX_LEGAL
DIVISION, LAHORE and others-Appellants.**

versus

KHURSHID AHMAD and others---Respondents

Civil Appeals Nos. 1084 to 1098 of 2008, 1481 to 1529 of 2009, 254 and 255 of 2011, 310, 2012, 1235 to 1270 of 2015 and Civil Petitions Nos. 2595 and 2596 of 2009, decided on 5th April, 2016.

(Against the judgments dated 10.4.2008, 27.5.2009, 17.2.2009, 31.3.2010, 24.12.2014, 19.11.2024, 27.5.2009 of • the Lahore High Court, Lahore passed in PTE Nos.12, 13, 14, 15 Go 16/2004, ITAs Nos. 242, 246 & 601/1999, 268 & 806/2000, 294, 295 & 296/1999, 49/2000, 82/2002, PTR Nos.402/2003, 117/2000, 403 & 404/2003, 216 & 217/2005, 59, 60, 153, 154, 155, 156, 187, 188, 246 & 588/2006, 589, 10, 20, 67, 86, 88, 87, 89, 90, 234, 277, 278, 295, 401, 515, 516 & 621/2007 W.P.No.1654/2009, FTR No.7991/2002, W.Ps. Nos.8317, 10124 & 10125/2002, PTR Nos.91/2007, 103/2005, 194, 195, 236 & 2y712006 373, 417, 319, 400, 326 & 327/2007, TA No.357/1993, PTR .303/2014, 1947, 467, 463, 469, 470, 471, 152, 557, 553, 559, 560, 61, 372, 242, 448, 446, 447, 376, 377, 378, 379 & 380/2012, 202, 324

II. AMENDMENT IN ALLOTMENT RULES, 2005 AS PRINTED UNDER APPENDIX-16 OF P.O MANUAL VOL-II 2ND EDITION (CORRECTED UPTO 15TH MARCH 2010.

The Director General/ Chairman, PPSMB in exercise of powers under Rule- 4 (5) of Allotment Rules, 2005 has been pleased to order following amendments in existing Rule-4 (1), (3) and Rule-6 (1), (2), (3), (4) of Allotment Rules, 2005 as printed under Appendix- 16 of P.O Manual- II 2nd Edition (Corrected upto 15th March, 2010) further amended vide Memo No. PD-II. 14-1/89-V dated 29-01-2014 and 04-12-2014:-

- (i) The existing provision of Rule-4 (1) of Allotment Rules, 2005 upto the extent of Basic Pay Scales of employees and category of accommodation shall be substituted with the following:

Basic Pay Scale of employees	Category of accommodation	Built up area (in Sq. feet)
1----6	VI	520
7----13	V	606
14----16	IV	1000
17----18	III	1500
19	II	2500
20-22	I	3000

- (ii). The existing provision of Rule- 4 (3) of Allotment Rules, 2005 upto the extent of Basic Pay Scales of employees and category of accommodation shall be substituted with the following:

Basic pay scale of employees	Category of accommodation	Built up area (in Sq. feet)
1----6	H	VI
7---13	G&F	V
14----16	E&D	IV
17---18	C&D	III
19	B	II
20-22	A	I

- (iii) **Amendment in Rule-6 (1) & (2) of allotment Rules, 2005:**

For the purpose of allotment of residential accommodation to employees in BPS-17 to 22 in the Pakistan Post Office Department Headquarters, Islamabad the Director General shall constitute Allotment Committee a and when required comprising three officers posted in Directorate General PPO, one in BPS-21 as Chairman and on each in BPS-20 and BPS-19 officers as Members other than those dealing with allotment of accommodations.

(iv) **Amendment in Rule-6 (3) of Allotment Rules, 2005:**

For the purpose of allotment of residential accommodation to employees in BPS 1 to 10 in the Pakistan Post Office Department Headquarters, Islamabad, the Director General shall constitute Allotment Committee as and when required comprising three officers, on in BPS-19 as Chairman and one each in BPS-18 and BPS-17 officers as Members other than those dealing with allotment of accommodations.

(v) **Amendment in Rule-6 (4) of Allotment Rules, 2005:**

Superintendent (SS) shall at as Secretary of the Allotment Committee and present complete record before the Allotment Committee. In case of concealment of facts or provision of inaccurate / incorrect record to the Allotment Committee, Secretary shall be held personally responsible and liable to disciplinary action under Government Servant (E&D) Rules, 1973.

2. Necessary correction in relevant Rules of Allotment Rules, 2005 as contained in Appendix-16 of P.O Manual-II 2nd Edition (Corrected upto 15th March, 2010) may please be made accordingly for compliance in letter and spirit by all concerned.

{No. Reg. 2-1/2015

Dated:- 27-11-2020}

III. TRANSFER OF POST OF LDC TO CONFIDENTIAL BRANCH.

The competent authority has been pleased to transfer one post of LDC (BPS-09) from IP & Protocol branch to Confidential Branch for smooth running of official business.

2. The revised Sanctioned strength of Confidential branch is as under:-

Superintendent	1
UDC	1
LDC	1

{No. Estt. 1-1/2020

Dated: 01-12-2020}

IV. RENAMING VARIOUS POSTS IN THE ECO POSTAL STAFF COLLEGE ISLAMABAD.

As per decision made in 48th meeting of PPSMB, the Director General Pakistan Post has been pleased to change the nomenclature of following posts of ECO, Postal Staff College, Islamabad as detailed below:-

Sl. No	Existing nomenclature	Revised nomenclature
1	Junior Instructor BPS-17	Assistant Director (Admn & Training)
2	Senior Instructor I & II BPS-18	Deputy Director, (Training I & II)
3	Joint Director BPS-19	Director, (Training)
4	Director Postal Staff College, BPS-20	Executive Director, ECO, PSC, Islamabad

{No. Estt. 12-11/2020 (Psc)

Dated: 01-12-2020}

PART-III
POSTAL AND EXPRESS SERVICE

Nil

PART-IV
POSTAL SAVINGS, AGENCY FUNCTIONS AND SPECIAL FINANCIAL SERVICES.

Nil

PART-V
FINANCE AND BUDGET / ACCOUNTS

Nil

**PART-VI
GENERAL**

**I. RE-ORGANIZATION OF DIRECTORATE GENERAL, PAKISTAN POST
OFFICE DEPARTMENT.**

The Director General has been pleased to make the following changes in hierarchal structure of Directorate General Pakistan Post Office Islamabad:-

- i. The System Analyst (BPS-18) will route his files to Deputy Director General (SI) through Director (SI) (BPS-19) for smooth running of official business.

{Estt. 5-1/2018

Dated: 23-11-2020}