

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Execution Petition No.137/2022 in Service Appeal No.1513/2019 Muhammad Aslam v/s Government of Khyber Pakhtunkhwa & Others.

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Agriculture & Others.

Appellant

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 4925

Dated 19/4/2022

Respondents

PROPER IMPLEMENTATION REPORT/ RELEASE OF SALARIES APPLICATION IN LIGHT OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT D.I KHAN ORDER SHEET DATED 18.01.2023 PASSED IN EXECUTION PETITION NO.137/2022 IN SERVICE APPEAL NO.1513/2019 TITLED MUHAMMAD ASLAM V/S GOVT OF KHYBER PAKHTUNKHWA & OTHERS.

The Khyber Pakhtunkhwa Service Tribunal Camp Court D.I Khan on 18.01.2023 passed the following orders in the above titled case: -

"Despite clear directions given on the previous date, respondents have not submitted implementation report. Therefore, salaries of the respondents i.e Secretary Agriculture, Livestock, Fisheries and Cooperative Department, Peshawar and Director General Khyber Pakhtunkhwa Agriculture Department Peshawar are attached till further order by this Tribunal. The Accountant General Khyber Pakhtunkhwa is directed to attach salary of the said respondents till further order by this Tribunal"

02. The above order has been passed for non-submission of implementation report of the following order passed in Appeal No.1513/2019 which is reproduced below: -

"The instant appeal is accepted. The impugned order dated 16.10.2019 is set aside with direction to the respondents to change the nomenclature of the post of the appellant from Horticulturist (BPS-17) to Agriculture Officer (BPS-17) by awarding him all back benefits from 01.02.1997 (the date of posting of appellant as Agriculture Officer in his own pay & scale)".

03. This department has filed CPLA against the judgment/ order dated 27.01.2022 passed of this Tribunal, followed by applications of early hearing but the date has not yet been fixed.

04. The Competent Authority has approved the note with consultation of Law Establishment, & Finance Departments. Accordingly, the Agriculture Department has issued conditional Notification of the appellant i.e Muhammad Aslam (**Copy of letter No. SOE (AD)General/Nomenclature/Aslam/EW/22/155 dated 12.04.2023 attached Annexure-I for ready reference**). Therefore, the order of the Service Tribunal is fully implemented in letter in spirit and no further action is pending on the part of the respondents.

05. In view of the above, latest progress report duly signed and stamped by the undersigned is submitted with the request that the salaries of the respondent No.1 & 3, i.e. Secretary Agriculture Khyber Pakhtunkhwa & Director General Agriculture (Extension) Khyber Pakhtunkhwa may kindly be released, please.

~~Signature~~ 17.04.23.
Secretary to Government of Khyber Pakhtunkhwa
Agriculture, Department Peshawar

(Respondent No.01)

Secretary
Deptt. Livestock & Coop: Deptt.
Govt of KPK, Peshawar.

Annex-1314



GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE DEPARTMENT

Dated Peshawar the 12th April, 2023

Corrigendum

No. SOE(AD)General/Nomenclature/Aslam/EW/22/239 The competent authority is pleased to include the word "back benefits" in this Department Notification No. SOE(AD)General/Nomenclature/Aslam/EW/22/239 dated 24.10.2022 issued regarding change of nomenclature of the post of Horticulturist (BS-17) to Agriculture Officer (BS-17) in respect of Muhammad Aslam S/O Muhammad Ibrahim in the office of District Director Agriculture D.I.Khan w.e.f 01.02.1997 subject to final outcome of CPLA filed by the Provincial Government in the Supreme Court of Pakistan.

SD/-
SECRETARY AGRICULTURE

Endst. of Even No. & Date:

Copy forwarded for information and further necessary action to:

1. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. The Director General, Agriculture (Extension), Khyber Pakhtunkhwa, Peshawar.
3. The District Director Agriculture (Extension). D.I.Khan.
4. The District Accounts Officers, D.I.Khan.
5. The Section Officer (Litigation). Agriculture Department. Khyber Pakhtunkhwa. Peshawar.
6. P.S to Secretary Establishment Department. Khyber Pakhtunkhwa, Peshawar.
7. P.S to Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
8. P.S to Secretary Law, Parliamentary Affairs & Human Rights Department, Khyber Pakhtunkhwa, Peshawar.
9. P.S to Secretary Agriculture Department, Khyber Pakhtunkhwa.
10. P.A to Deputy Secretary (Admn) Agriculture Department, Khyber Pakhtunkhwa.
11. Officer concerned/personal file.
12. Master file.


SECTION OFFICER (ESTT-I)
AGRICULTURE DEPARTMENT