

THROUGH REGISTERED POST

Dated 3-5-2023

To

Secretary to Government of Khyber Pakhtunkhwa,
Administration Department, Peshawar

Subject: APPLICATION FOR IMBURSEMENT OF EXECUTIVE ALLOWANCE AS PART OF SALARY DRAWN DURING POSTING AS OSD AT ESTABLISHMENT DEPARTMENT W.E.F. 3-4-2023 TO 31-4-2023

Dear Sir, it is stated:

1. That I remained Officer on Special Duty (OSD) at the Establishment Department w.e.f. 3-4-2023 to 31-5-2023,
2. That I have received my salary for the said period on 2-4-2023,
3. That I was astonished to discover that Executive Allowance which is part and parcel of my Pay and Allowances has not been included in my salary for the said period,
4. That there is a speaking judgement announced on 19-6-2021 by the Khyber Pakhtunkhwa Service Tribunal in a Service Appeal No 1132/2019 titled Mr. Muhammad Arshad Additional Secretary Inter Provincial Coordination Department versus the Provincial Government through Chief Secretary and others,
5. That the *ibid* judgment has struck down condition-5 of the Finance Department Notification No. FD (SOSR-II) 8-7/2016-17 dated 2-2-2018 that "Executive Allowance will not be admissible to OSDs",
6. That the *ibid* judgement has attained finality,
7. That after striking down of the said condition, Executive Allowance at the prescribed rate cannot be denied to officers of relevant cadres during entire period of their posting as OSDs in the Establishment Department,
8. That the *ibid* judgment has been duly served by the KP Service Tribunal upon all concerned for implementation and has been implemented,

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9. That Administration Department is the Controlling Department of salaries of OSDs,

10. That despite facts submitted at paras 4 to 9; Administration Department has in violation of the judgment of Service Tribunal denied imbursement of Executive Allowance as a part my salary for the said period.

Therefore, it is requested that imbursement of Executive Allowance may be authorized as an arrear of salary in my favor for the said period in compliance with the Judgement of the KP Service Tribunal.

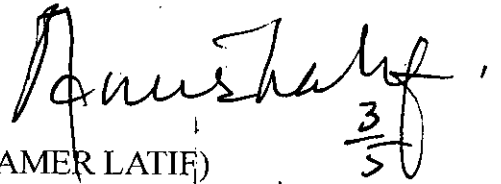
It is further added that I reserve the right to approach Service Tribunal for execution of its order referred to at para-4 in case of denial to me of my established right or in case of delay in response to this application beyond prescribed period please.

(AMER LATIF)

Member-1 Board of Revenue

Copy for information to:

1. Secretary Establishment Department
2. Secretary Finance Department
- ✓ 3. Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar with reference to KP Service Tribunal Judgement dated 19-6-2021 in Service Appeal No 1132/2019.



(AMER LATIF)

Member-1 Board of Revenue