

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1896 / 2023

Badshah Halim, Agriculture
Inspector BS-11
o/o the District Director Agriculture,
Upper Dir.

VERSUS

Govt. of Khyber Pakhtunkhwa
through Secretary Agriculture,
Department Peshawar & Others

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*one copy handed over
to respondent.*


DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

1

Service Appeal No. 1896 / 2023

Badshah Halim, Agriculture Inspector BS-11
o/o the District Director Agriculture, Upper Dir.

APPELLANT

Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 1065

Dated 09-02-2024

- 1- The Government of Khyber Pakhtunkhwa through Secretary Agriculture, Department Peshawar.
- 2- The Director General, Agriculture Extension Khyber Pakhtunkhwa, Peshawar.
- 3- The District Director Agriculture, Dir Upper.

RESPONDENTS

JOINT PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO.1,2 & 3.

PRELIMINARY OBJECTIONS

Respectfully Sheweth:-

- 1- That the instant appeal is baseless, frivolous and concocted based on malafide intentions and for ulterior motive, hence not tenable at all.
- 2- That the appellant wishes to waste the precious time of this Honorable Tribunal by filling the instant appeal.
- 3- That the appellant has got no prima facie to file the instant appeal.
- 4- That the appellant has deliberately concealed the important facts from this Honorable Tribunal.
- 5- That the instant appeal is not maintainable in its present form and liable to be dismissed.
- 6- That the appellant has no cause of action to file the instant appeal.
- 7- That the appellant has got no locus standi to file the instant appeal.
- 8- That the appellant has deliberately concealed the material fact from this Honorable Tribunal.
- 9- That the appellant has not come to this Honorable Service Tribunal with clean hands.

ON FACT PARA-WISE COMMENTS

2

- Para-1 Incorrect. The appellant was appointed as Field Assistant (BS-06) on 26.06.1989. His post was upgraded from BS-06 to BS-09 (**Annexure-A**) and then he was promoted to the post of Agriculture Inspector (BS-11) with effect from 07.07.2022 vide office order No.16640-740/DGA dated 07.07.2022 (**Annexure-B**).
- Para-2 Incorrect. The appellant applied before the Respondent No.3 for his retirement from service on medical grounds. It may be noted that no Respondent No.4 exists in the subject appeal. Copy of application of the appellant dated 14.03.2022 is attached as (**Annexure-C**).
- Para-3 Correct.
- Para-4 Correct to the extent that in compliance of letter dated 14.03.2022 the Medical Superintendent DHQ Hospital Dir Upper constituted a Medical Board and it was decided that the appellant is unfit to perform his duty and he may be retired on medical grounds to carry out his treatment with regular follow up due to Ischemic Heart disease vide Medical Superintendent DHQ Hospital Dir Upper letter No. 3305/MS dated 30.09.2022 (**Annexure-D**). However, before the recommendation of the Medical Board, the appellant was promoted to the post of Agriculture Inspector (BS-11) with effect from 07.07.2022. On the recommendation of Medical Board and District Director Agriculture, Dir Upper the Respondent No. 2 issued the retirement order of the appellant on medical grounds as Agriculture Inspector (BS-11) **with effect from 27.08.2022** vide office order No.39994-97/DG dated 08.11.2022 (**Annexure-E**).
- Para-05 Incorrect. The retirement order was issued by Respondent No.2 while the appellant applied to the Deputy Commissioner Dir Upper for cancellation / withdrawal of his retirement order on 10.10.2022 which is not the competent forum. Furthermore, the medical slip of the doctor in the subject appeal received to Respondent No.3 on 10.10.2023 mentions the date as 1/2023, which clearly reflects malafide on part of the appellant. Besides the above, the medical slip submitted by the appellant is signed by one Dr. Ikramullah, who is not even a member of the Standing Medical Board Upper Dir (**Annexure-F**).
- Para-06 Correct to the extent that Respondent No.3 forwarded the application of the appellant to Respondent No.2 for advice. Respondent No. 1 forwarded the same to the Finance Department seeking advice as to whether the request of the appellant regarding cancellation of his retirement order on medical ground is in line with the rules / policy vide letter No. SOE(AD) 2(2)117/EW/2022/936 dated 01.02.2023 (**Annexure-G**).

The Finance Department regretted the request of appellant not being covered under the rules / policy vide letter No. 17.03.2023 (**Annexure-H**). In response to the said letter, the Govt. of Khyber Pakhtunkhwa Agriculture Department issued Speaking Order vide No. SOE (AD)2(2)/117/Badshah Haleem/EW/2023/382 dated 22.06.2023 and regretted the case of the appellant.

Para-07 Correct to the extent that the Respondent No.2 has issued strict directions to all sub offices of Agriculture Extension Department in Khyber Pakhtunkhwa that no medical case should be entertained at district level vide letter No. 16560-85 dated 07.07.2022.

Para-08 Incorrect. The applicant was not performing his duty from 27.08.2022 till date. The retirement order of the applicant was issued on medical grounds on 08.11.2022. A fake application dated 08.07.2022 was received to the District Director Agriculture, Upper Dir copy attached as (**Annexure-I**).

Para-09 Incorrect. As explained in above paras.

Para-10 Incorrect. As explained in above paras.

Para-11 Incorrect. The application addressed to Respondent No.1 for cancellation of retirement order was regretted not being covered under the rules / policy in light of advice of Finance Department letter No. SOSR-II/FD/1-9/2023 dated 17.03.2023 (**Annexure-J**).

Para-12 Incorrect. As explained in Para-11 above.

Para-13 No comments, hence denied.

GROUND

Para-A Incorrect. That the action and inaction of respondent are not illegal and not against the established norms.

Para-B Incorrect. As explained in Para-5 and Para-11 above.

Para-C Incorrect. That the appellant has been treated by the respondent departments in accordance with law and rules and not violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.

Para-D Incorrect. The competent authority regretted the request of the appellant in light of advice of Finance Department regarding withdrawal of retirement order not being covered under the rules / policy and devoid of merits and that the appellant has been retired on medical ground on his request..

Para-E Detailed comments given in Para-6 above.

Para-F Detailed comments given in Para-6 above.

Para-G Incorrect. The respondent No.2 ^{was} accorded sanction to leave encashment equal to (365) days' pay in lieu of LPR with effect from 26.08.2021 to 27.08.2022 in favour of appellant vide office order No. 39994-97/DGA dated 08.11.2022.

Para-H No comments, as explained in above paras.

Para-I Incorrect. That the appellant has not been discriminated by the respondents and not violated the principle of natural justice.

Para-J As replied above.

Para-K Already explained in above paras.

Para-L The respondents may also be allowed to raise additional grounds during the course of arguments.

It is hereby humbly prayed that on acceptance of the para wise comments, the appeal of the appellant may kindly be dismissed with cost.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
AGRICULTURE DEPARTMENT, PESHAWAR
RESPONDENTS NO.1

DIRECTOR GENERAL,
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR
RESPONDENT NO.2

Jan. Muhammad Khan

DISTRICT DIRECTOR AGRICULTURE
DIR UPPER
RESPONDENT NO.3

Habibul Haq

(5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1896 / 2023
Badshah Halim, Agriculture Inspector BS-11
o/o the District Director Agriculture, Upper Dir.

APPELLANT

VERSUS


- 1- The Government of Khyber Pakhtunkhwa through Secretary Agriculture, Department Peshawar.
- 2- The Director General, Agriculture Extension Khyber Pakhtunkhwa, Peshawar.
- 3- The District Director Agriculture, Dir Upper.

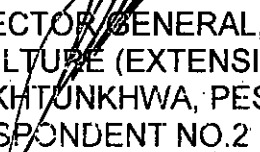
RESPONDENTS

COUNTER AFFIDAVIT

We the undersigned hereby solemnly declare / affirm that the contents of the Para-wise reply / comments are true and correct to the best of our knowledge and belief and nothing has been kept secret from this Honorable Tribunal.

It is further stated on oath that the answering respondents have another place ex-party nor their defence struck off / cost.


SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
AGRICULTURE DEPARTMENT, PESHAWAR
RESPONDENTS NO.1


DIRECTOR GENERAL,
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR
RESPONDENT NO.2

Jam. Muhammad Khan




DISTRICT DIRECTOR AGRICULTURE
DIR UPPER
RESPONDENT NO.3

Habib ul Haq

(C)

Annexure (A)

(3)

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C. S. R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant
BPS No. 6 Field ASST. D/725-28-1285	Officiating Temporary						
Field ASST.	-	-	Pay Rs. 725/- D/Pay B. 20/-			24/6 1989	
							B
			Pay Rs. 753/- D/Pay B. 21/-			12 1990 (F.N)	
Revised BPS No. 6 Field ASST. D/1065-54-1875							
			Pay Rs. 1227/- P.H.			6 1991 (F.N)	
			Pay Rs. 1281/- P.H.			12 1990 (F.N)	
			Pay Rs. 1335/- P.H.			12 1992 (F.N)	
			Pay Rs. 1389/- P.H.			12 1993 (F.N)	

10	11	12	13		14	15
			Period	Government to which debitable		
<p>Signature of the head of the office or other attesting officer</p> <p>Signature of the head of the office or other attesting officer</p>	<p>Date of termination of appointment</p>	<p>Reason of termination (e.g., promotion, transfer, dismissal, etc.)</p>	<p>Nature and duration of leave taken</p>	<p>Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government</p>	<p>Signature of the head of the office or other attesting officer</p>	<p>Reference to any recorded punishment or censure, or reward or praise of the Government</p>
				<p>Period</p>		
<p>Director of Agri. Dist. at Timergara</p>	<p>30/11/35</p>	<p>Annual Increment</p>	<p>Annual Increment</p>	<p>10/11/35 to 30/11/35</p>	<p>Signature of the head of the office or other attesting officer</p>	<p>Reference to any recorded punishment or censure, or reward or praise of the Government</p>
<p>Director of Agri. Dist. at Timergara</p>	<p>30/11/35</p>	<p>Annual Increment</p>	<p>Annual Increment</p>	<p>10/11/35 to 30/11/35</p>	<p>Signature of the head of the office or other attesting officer</p>	<p>Reference to any recorded punishment or censure, or reward or praise of the Government</p>
<p>Director of Agri. Dist. at Timergara</p>	<p>30/11/35</p>	<p>Annual Increment</p>	<p>Annual Increment</p>	<p>10/11/35 to 30/11/35</p>	<p>Signature of the head of the office or other attesting officer</p>	<p>Reference to any recorded punishment or censure, or reward or praise of the Government</p>
<p>Director of Agri. Dist. at Timergara</p>	<p>30/11/35</p>	<p>Annual Increment</p>	<p>Annual Increment</p>	<p>10/11/35 to 30/11/35</p>	<p>Signature of the head of the office or other attesting officer</p>	<p>Reference to any recorded punishment or censure, or reward or praise of the Government</p>
<p>Director of Agri. Dist. at Timergara</p>	<p>30/11/35</p>	<p>Annual Increment</p>	<p>Annual Increment</p>	<p>10/11/35 to 30/11/35</p>	<p>Signature of the head of the office or other attesting officer</p>	<p>Reference to any recorded punishment or censure, or reward or praise of the Government</p>

8

Annexure (B)

DIRECTORATE GENERAL AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR

OFFICE ORDER

On the recommendation of Departmental Promotion Committee, the competent authority is pleased to promote the following Field Assistants (BS-09) to the post of Agriculture Inspector (BS-11) on regular basis with immediate effect. However, they will be on probation for the period of one year in Terms of Section-6 (2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rules of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989.

S.No.	Name of official	S.No.	Name of official
1	Habib-ur-Rehman	15	Arshad Jan
2	Badshah Haleem	16	Abdul Aziz
3	Kamal Zaman	17	Nawaz Khan
4	Gohar Ali	18	Muhammad Pervaiz Alam
5	Musa Khan	19	Syed Ghulam
6	Shandi Gul	20	Sharafat Khan
7	Syed Hidayat Hussain	21	Inzam Ali
8	Shahid Hussain	22	Syed Riaz Hussain
9	Syed Saeed Moula	23	Syed Mujahid Hussain
10	Saleh Mir Khan	24	Syed Majnoon Hussain
11	Sakhi Rehman	25	Rais Khan
12	Nisar Ali	26	Inam Ali
13	Noor Ali Khan	27	Ashraf Ali
	Moula Noor	28	Ghulam Daud

Attested
 SUPERINTENDING
 DIRECTOR GENERAL
 AGRICULTURE (EXTENSION)
 KHYBER PAKHTUNKHWA PESHAWAR

Consequent upon their promotion, the following posting / transfer are hereby ordered in the interest of public service.

S.No.	Name of Official	From	To
1.	Habib-Ur-Rehman	Field Assistant (BS-09) o/o the DDA (TD) South Waziristan.	Promoted as Agriculture Inspector (BS-11) and posted in the office of DDA, Swabi against the vacant post.
2.	Badshah Haleem	Field Assistant (BS-09) o/o the DDA, Dir Upper.	Promoted as Agriculture Inspector (BS-11) and posted in the office of the DDA, Dir Upper against the vacant post.
3.	Kamal Zaman	Field Assistant (BS-09) o/o the DDA, Karak.	Promoted as Agriculture Inspector (BS-11) and posted in the office of the DDA, Nowshera against the vacant post.
4.	Gohar Ali	Field Assistant (BS-09) o/o the DDA (TD) Kurram	Promoted as Agriculture Inspector (BS-11) and posted in the office of the DDA, Haripur against the vacant post.
5.	Musa Khan	Field Assistant (BS-09) o/o the DDA, Peshawar	Promoted as Agriculture Inspector (BS-11) and posted in the office of the DDA, Peshawar against the vacant post.
6.	Shandi Gul	Field Assistant (BS-09) o/o the DDA, (TD) Khyber.	Promoted as Agriculture Inspector (BS-11) and posted in the office of the DDA, Charsadda against the vacant post.
7.	Syed Hidayat Hussain	Field Assistant (BS-09) o/o the DDA, (TD) Kurram.	Promoted as Agriculture Inspector (BS-11) and posted in the office of the DDA, Haripur against the vacant post.
8.	Shahid Hussain	Field Assistant (BS-09) o/o the DDA, (TD) Kurram	Promoted as Agriculture Inspector (BS-11) and posted in the office of the DDA, Mansehra against the vacant post.

9

No.18/159-A/Estt/ 16640-740/DGA(E)

Dated Peshawar: the 07/07/2022

Copy forwarded to: -

1. The Accountant General Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Agriculture Extension (NMAs) Hayatabad, Peshawar.
3. The District Directors Agriculture, Peshawar, Nowshera, Karak, Bannu, Swabi, Mardan, Dir Upper, DIKhan, Lakki Marwat, Charsadda, Mansehra, Hangu and Haripur.
4. The District Directors Agriculture (Tribal District), Mohmand, Kurram, Khyber, Orakzai, North Waziristan, South Waziristan and Bajaur.
5. The District Accounts Officers Tribal District, Mohmand, Kurram, Khyber, Orakzai, Bajaur, North Waziristan & South Waziristan.
6. The District Accounts Officers, Peshawar, Nowshera, Karak, Bannu, Swabi, Mardan, Dir Upper, DIKhan, Lakki Marwat, Charsadda, Mansehra, Hangu and Haripur.
7. All the concerned officials.
For information and necessary action.
8. File No.18/1/Estt/ for record.

Attested
[Signature]

SUPERINTENDENT
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PUKHTUNKHWA PESHAWAR

DIRECTOR GENERAL
[Signature]
22/7/22

16

Annexure C

OFFICE OF THE
DISTRICT DIRECTOR AGRICULTURE
DIR UPPER



No: 0944-881518 Email: ddaagriculturedirupper@gamil.com Face Book; Agriculture Extension
pper

Dated 14 /03/2022

106 /DDA (E) Dir Upper

To,
The Medical Superintendent
District Head Quarter Hospital Dir Upper

Subject: APPLICATION OF MR. BADSHAH HALEEM FIELD ASSISTANT WARI
DISTRICT DIR UPPER FOR RETIRMENT ON MEDICAL GROUND

Dear Sir,
I am forwarding to your office, the application of Mr. Badshah Haleem Field Assistant Wari, which is self Explanatory. You are requested to kindly constitute standing Medical Board for his physical examination and submit the report for further necessary action please.

Handwritten signature
SUPERINTENDENT
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
HYDERABAD, PUNJAB

Handwritten signature
District Director Agriculture
Dir Upper.

Dated 14 /03/2022

No 107 /DDA (E) Dir Upper
Copy to,

Mr. Badshah Haleem Field Assistant Wari for information.

Handwritten signature
District Director Agriculture
Dir Upper.

(11)

Annexure (D)



**OFFICE OF THE MEDICAL SUPERINTENDENT
DHQ, HOSPITAL DIR UPPER.**

Office: - 0944881012
Fax: - 0944881455

No. 938 / MS, dated 30/09/2022

To

The Deputy Commissioner
District Dir Upper.

Subject: - **MEDICAL BOARD**

With reference your office letter No. 14932-37/DC/Estt:/R/G/M dated: 23-08-2022, the Medical Board comprised of mentioned below doctors is constituted on dated 27-08-2022, at 11:00am to examine Mr. Badshah Haleem Field Assistant Agriculture Deptt:

01 .Dr. Sahibzadad Imtiaz Ahmad
MS/ Medical Specialist
DHQ Hospital Dir Upper

(Chairman)

01. Dr. Khalid Khan DMS (Admn)
DHQ Hospital Dir Upper

(Member)

02. Dr. Muhammad Islam Surgeon
DHQ Hospital Dir Upper

(Member)

03. Dr. Hanif Ullah
DHQ Hospital Dir Upper

(Member)

A known case of Ischemic Heart disease with history of inferior wall myocardial infarction in January, 2022, for which Steptokinase was given. He was treated in Cardiology Deptt: LRH Peshawar with Angiography followed by Angioplasty with stents insertion. He is on maintenance medication lifelong. Being a field assistant he is doing his duty in hilly areas which is a risk factor for his disease.

Hence, in light of aforementioned facts and looking at his physical condition, the medical board members decided that, he is unfit to perform his duty and he may be retired on medical grounds to carry out his treatment with regular follow-up.

Medical Superintendent
DHQ Hospital Dir Upper

(12)

[Handwritten signature]
Amekure (E)

**DIRECTORATE GENERAL AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR**

OFFICE ORDER

In pursuance of Government of Khyber Pakhtunkhwa, Finance Department (Regulation Wing) Notification No.SO(FR)FD/5-92/2005/Vol-V/6040 dated 25.08.2017, sanction is hereby accorded to leave encashment equal to (365) days pay in lieu of LPR with effect from 26.08.2021 to 27.08.2022 in favour of Mr. Badshah Haleem, Agriculture Inspector (BS-11) office of the District Director Agriculture, Dir Upper.

In terms of Section-13 of the Khyber Pakhtunkhwa, Civil Servants Act, 1973, the above named official shall stand retired from service on medical grounds with effect from 27.08.2022 (AN).

**Sd/- (JAN MUHAMMAD KHAN)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA, PESHAWAR**

No.16/118/Estt./39994-97/DGA(E)

Dated Peshawar the 08/11/2022

Copy forwarded to:-

1. The District Director Agriculture, Dir Upper w/r to this office letter No.436 dated 27.10.2022.
2. The District Accounts Officer, Dir Upper.
3. The official concerned.

For information and necessary action.

4. File No. 18/1/Estt./ for record.

[Handwritten signature]
SUPERINTENDENT
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA PESHAWAR

[Handwritten signature]
DIRECTOR GENERAL
08/11/22

بخدمت جناب ڈپٹی کمشنر دیر بالا

Annexure (F)

درخواست برآمد ضدور حکم منسوخی ریٹارمنٹ ان میڈیکل گراؤنڈ

عنوان:-

جناب عالی!

13

مودبانہ ذیل عرض گزار ہے۔

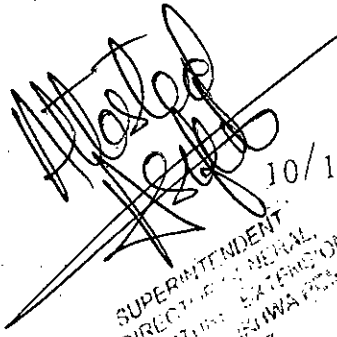
یہ کہ مسائل محکم زراعت میں ایگریکلچر انسپکٹر / فیلڈ اسٹنٹ اپنے ڈیوٹی سال 1986 سے سرانجام دے رہا ہے۔

یہ کہ مسائل نے اس سال 2022 جنوری میں دل کے تکلیف کے وجہ سے انجیو گرانی کے تھے۔

یہ کہ مسائل نے بوجہ بیماری میڈیکل ریٹارمنٹ کے لئے درخواست جمع کی تھی جو کہ میڈیکل بورڈ نے ان فٹ قرار دے کر ریٹارمنٹ کرنے کے سفارش کی ہے۔ اور مزید کارروائی کے لئے محکمہ ہذا کو ارسال کیا ہے۔

یہ کہ مسائل اب اپنے آپ کو کافی بہتر اور صحت مند محسوس کر رہا ہے۔ اور اپنے ڈیوٹی جاری رکھنے کے خواہاں ہے۔

لہذا آپ صاحبان کی خدمت میں مودبانہ التماس کی جاتی ہے کہ مسائل ریٹارمنٹ ان میڈیکل گراؤنڈ کے منسوخی کے حکم صادر فرما کر مشکور فرمادیں۔ عین نوازش ہوگی۔



مورخہ: 10/10/2022

SUPERINTENDENT
DIRECTOR GENERAL
AGRICULTURE & EXTENSION
RAJASTHAN DEPARTMENT

العارض

بادشاہ حلیم ایگریکلچر انسپکٹر ضلع دیر بالا۔
0300 9823844
0315 9048047

(ANT

Dr. Ikram Ullah



پروفیسر ڈاکٹر اکرام اللہ

ایم بی بی ایس ایم سی بی ایس (میڈیسن)
ایف سی بی ایس (کارڈیالوجی)
ایف ای سی سی (امریکہ)
بی ایچ بی ای (کے ایم یو)
سرپاکستان سوسائٹی آف انٹرنیشنل کارڈیالوجی

B.S. CPS (Medicine)
CPS (Cardiology)
FACC (USA)
CHPE (KMU)
Member Pakistan Society of
Interventional Cardiology

Institutional Based Practice
CPD Block, Lady Reading Hospital (L.H.I.)
Medical Teaching Institution Peshawar

انٹرنیشنل کارڈیالوجی سوسائٹی آف پاکستان

Name Radha Halim Age 67 Sex M Date 1/2/23

Clinical Record

507

Med. Hist

130 12/6

(- 275)

Rx

Accepted

Reading

He is asymptomatic with good
functional capacity on exertion.

E.C.G. normal

E.C.G. good low voltage

He is in good health
and can do any job.

Attested

SUPERINTENDENT
DIRECTOR GENERAL
AGRICULTURE & FISHERIES
KHARER PUNJAB

DR. IKRAM ULLAH
Assistant Professor, Cardiology Dept
M.T.I. (L.H.I.) Peshawar

کلینک نمبر 10 اربن وی بڈاگ بریڈنگ ہسپتال پشاور



GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE DEPARTMENT

No. SOE(AD)2(2)117/EW/2022/1936
Dated Peshawar, the 01st February, 2023

15
Ammeare (G)

To,

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

Subject:

APPLICATION/APEAL FOR REPEAL MY SANCTION ORDER
BEARIN NO.16/118/ESTT/39994/DGA(E) DATED 08/11/2022 IN RESPECT
OF HUMANITARIAN & NEED BASIS

Dear Sir,

I am directed to enclose here with a Copy of self-explanatory application in respect of Badshah Halim S/O Shams-Ur-Rehman, Agriculture Inspector, along with letter of Director General Agriculture (Extension), Khyber Pakhtunkhwa No. 1434/DGA(E) dated 19.01.2023 with its enclosures on the subject noted above and to state that the above named applicant was retired on medical ground on 08.11.2022 (copies enclosed) and now has submitted an application regarding cancellation of his retirement Notification.

It is, therefore, requested that advice may solicited as to whether the request of Mr. Bashah Halim, Ex-Agriculture Inspector (BS-11) regarding cancellation of his retirement order on medical ground may in line with the rules/policy in vogue or otherwise, please.

Yours faithfully

Encls. As Above:

Noted
[Signature]

SECTION OFFICER-ESTT

Endst. Of even No. & Date.

Copy forwarded to:

1. The Director General, Agriculture, Extension, Khyber Pakhtunkhwa w/r to his letter quoted above.
2. P.S to Secretary Agriculture Department Khyber Pakhtunkhwa, Peshawar.
3. P.A to Deputy Secretary (Admn) Agriculture Department Khyber Pakhtunkhwa, Peshawar.
4. Master File

SUB-DIRECTOR GENERAL
DIRECTOR GENERAL
AGRICULTURE EXTENSION
PESHAWAR

SECTION OFFICER-ESTT

Ec-III
13/2/23
[Signature]

Support/ESTT
[Signature]

General Diary
No. 570-23
Date 8-2-23
Directorate Agriculture
EXT. KPK Peshawar

123
13/02/23

Noted
[Signature]
13/2/23



GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT

Finance Department Civil Secretariat Peshawar

<http://www.finance.gkp.pk>

facebook.com/GoKPFDD

twitter.com/GoKPFDD

Dated Peshawar the 17.03.2023

16

NO.SOSR-II/FD/1-9/2023

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture Department.

Annexure (H)

Subject:-

APPLICATION/APEAL FOR REPEAL MY SANCTION ORDER BEARING
NO.16/118/ESTT/39994/DGA(E) DATED 08.11.2022 IN RESPECT OF
HUMANITARIAN & NEED BASIS.

Dear Sir,

I am directed to refer to your letter No.SOE(AD)2(2)117/EW/2022/936 dated 01.02.2023 on the subject noted above and to state that vide Establishment & Administration Department's circular dated 27.09.2004, a government servant who is boarded out on medical ground is required to submit appeal for reconsideration/revision in case if he is not satisfied with the decision of Standing Medical Board. As the Ex-Inspector has been retired on medical ground at his own request his request for cancellation of retirement order cannot be entertained being not covered under the rules/policy, hence regretted, please.

Yours faithfully,

Attested
[Signature]

SUPERINTENDENT
DIRECTOR GENERAL
AGRICULTURE & EXTENSION
GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR

17/03/2023
SECTION OFFICER (SR.II)

[Signature]
27/03
A.S

[Signature]
D.S.A
SOE(E)

[Signature]
Ant:

S.O (E) 189
Dy. Secy
Agriculture Deptt.

[Signature]
27/3

1267

21/03/23

کتابت - صواب در دست و کتابت در دست دیگران

Annexure I

(17)

صواب عالی

گزارش ایامی و مسائل مربوط به جشن صید است

بزرگم و شکر بر صفا و سبب از 2 به 8/7/2022

پیر ایام ایامی و مسائل در دست

به مزید کاروانی نه درین - شکر

السلامی 8/7/2022

بزرگم و شکر بر صفا و سبب از 2 به 8/7/2022

Attached



(18)

GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT

Finance Department Civil Secretariat Peshawar

<http://www.finance.gkp.pk>

[facebook.com/GoKFPD](https://www.facebook.com/GoKFPD)

twitter.com/GoKFPD

Dated Peshawar the 17.03.2023

NO.SOSR-II/FD/1-9/2023

To

The Secretary to Govt. of Khyber Pakhtunkhwa,
Agriculture Department.

Subject:-

APPLICATION/APEAL FOR REPEAL MY SANCTION ORDER BEARING
NO.16/118/ESTT/39994/DGA(E) DATED 08.11.2022 IN RESPECT OF
HUMANITARIAN & NEED BASIS.

Dear Sir,

I am directed to refer to your letter No.SOE(AD)2(2)117/EW/2022/936 dated 01.02.2023 on the subject noted above and to state that vide Establishment & Administration Department's circular dated 27.09.2004, a government servant who is boarded out on medical ground is required to submit appeal for reconsideration/revision in case if he is not satisfied with the decision of Standing Medical Board. As the Ex-Inspector has been retired on medical ground at his own request his request for cancellation of retirement order cannot be entertained being not covered under the rules/policy, hence regretted, please.

Yours faithfully,

M. Asif Khan

Asst. Secy to Govt
be the
copy

SECTION OFFICER (SR.II)

[Signature]
District Director Agriculture
Dir Upper



GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE DEPARTMENT

Dated Peshawar, the 22nd June, 2023

19

SPEAKING ORDER.

NO. SOE(AD)2(2)/117/Badshah Haleem/EW/2023/382

In response to the application submitted by Mr. Badshah Haleem S/O Shams Ur Rehman, Ex-Agriculture Inspector (BS-11) O/O District Director Agriculture Extension Dir Upper R/O Wari District, Dir Upper, the case of the applicant was discussed and found that he was boarded out on medical grounds at his own request, accordingly his retirement was notified on 28.11.2022 by the Director General Agriculture Extension Khyber Pakhtunkhwa Peshawar. Finance Department vide letter No.SOSR-II/FD/1-9/2023 dated 17.03.2023 being custodian of the retirement cases advised the Department that "a government servant who is boarded out on medical ground is required to submit appeal for reconsideration/revision in case if he is not satisfied with the decision of Standing Medical Board. As the Ex-Inspector has been retired on medical ground at his own request, his request for cancellation of retirement order cannot be entertained being not covered under the rules/policy hence, regretted."

02. Now, therefore, the competent authority i.e Secretary Agriculture Department in light of advice of Finance Department is pleased to regret the request of Mr. Badshah Haleem regarding withdrawal of retirement order being not covered under the rules/policy and devoid of merit.

Attended
[Signature]
SUPERINTENDENT
DIRECTORATE GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA PESHAWAR

Sd/-X
SECRETARY AGRICULTURE

Endst. of even No. & Date.

DIRECTORATE GENERAL AGRICULTURE (EXTENSION) KHYBER PAKHTUNKHWA, PESHAWAR

No.16/118/Estt./ 14381-83 (E)

Dated Peshawar, the 05/07 2023

Copy forwarded to:

1. The District Director Agriculture, Dir Upper.
2. Mr. Badshah Haleem, Ex-Agriculture Inspector (BS-11) office of DDA Dir Upper with the remarks to submit his pension paper for further necessary action.
3. Office copy for record.

For information & necessary action.

[Signature]
INCHARGE ESTT:
HQ, OFFICE
04/7/23

[Signature]
15/11/23



Directorate General Agriculture Extension

091 922 4223

Khyber Pakhtunkhwa

091 922 4225

AGRICULTURE SERVICES ACADEMY CAMPUS (OLD ATI CAMPUS)

University Road, Opp. Islamia Collegiate, Peshawar



AUTHORITY LETTER

Mr. Asad ud din Asif Jah, Superintendent Establishment, Department of Agriculture Extension Khyber Pakhtunkhwa are hereby authorized to submit the reply/comments and to attend the court till the decision /final judgment on behalf of the Government, Service Appeal No. 1896/2023 Title Badshah Haleem vs Government of Khyber Pakhtunkhwa through Secretary Agriculture & Others in the best interest of Public Services.

Director General
Agriculture Extension
Khyber Pakhtunkhwa Peshawar.