

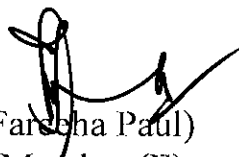
5. FR-54 is reproduced as under:


“54. When proposals for a new grant-in-aid are placed before the Standing Finance Committee, details should be furnished showing the purpose of the grant and the exact nature of the conditions on which it is proposed to be made. To enable the Accountant-General to compare such purposes and conditions with those enumerated by the sanctioning authority in its subsequent orders of sanction, the Accountant General should be supplied, when the sanction is conveyed to him under para. 51, with relevant extracts from the Proceedings of that Committee.”

6. Besides, the reasons mentioned for rejection of the appeal of the appellant that is not sustainable.

7. Keeping in view the above, the impugned order is set aside and the matter is remitted back to the appellate authority to pass a detailed order in the light of FR-54, within 60 days of passing of this order. Costs shall follow the event. Consign.

8. *Pronounced in open Court at Abbottabad and given under our hands and seal of the Tribunal on this 25th day of September, 2024.*


(Farscha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

Mutazem Shah

Service Appeal No.1728/2023 titled "Muhammad Ali Vs. Government of Khyber
Pakhtunkhwa"

ORDER

25th Sept. 2024

Kalim Arshad Khan, Chairman: Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Appellant's case that Earlier Appeal No.30/2017 of the appellant was decided by this Tribunal on 19.03.2018, wherein, the issue of back benefits was held to be subject to the rules on the subject. The appellant was reinstated on 06.06.2018 for the purpose of de-novo inquiry. The period from 25.08.2014 to 05.06.2018 during which the appellant had served the department, was treated as leave without pay, while decision on the period after 05.06.2018 was deferred in the report of inquiry. There is an order on the file dated 27.06.2022, which shows that the appellant was exonerated from the charges leveled against him but no order was passed regarding the issue of back benefits. For the purpose, he filed departmental appeal but the same was rejected, hence, the instant service appeal.

3. Arguments heard. Record perused.

4. Perusal of record shows that there is a letter dated 16.03.2023 of the Finance Department to the Section Officer (Estt:) Climate Change, Forestry, Environment & Wildlife Department, wherein it has been stated that the case of the appellant might be examined in the light of FR-54. However, the impugned order does not utter single word regarding FR-54.

