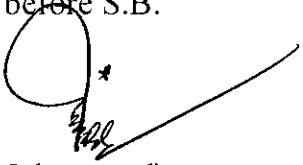


21.06.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

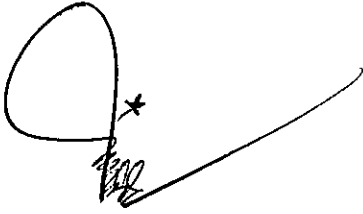
Reply/comments on behalf of respondents are still awaited. Learned Additional Advocate General requested for time to submit reply/comments. Last opportunity is extended till the next date, In case, the respondents failed to submit reply/comments on the next date, their right for submission of reply/comments shall be deemed as struck off. Adjourned. To come up for reply/comments on 29.07.2022 before S.B.


(Mian Muhammad)
Member (E)

16.05.2022

Appellant with counsel present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Written reply/comments not submitted. Learned AAG requested for adjournment to contact the respondents for submission of written reply/comments on the next date. Request is acceded to. To come up for written reply/comments on 06.06.2022 before S.B. The operation of impugned order shall remain suspended, if not acted upon earlier.




(Mian Muhammad)
Member (E)

06.06.2022

Clerk to counsel for the appellant present.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General alongwith Amir Zaman DFC for respondents present.

Reply on behalf of respondents is still awaited. Representative of respondents requested for time to submit reply/comments. Last chance is given with direction to respondents submit the same on or before the next date, positively. If the reply/comments are not submitted, right of respondents for submission of comments shall be deemed as struck off. To come up for reply/comments on 21.06.2022 before S.B.



(Rozina Rehman)
Member (J)

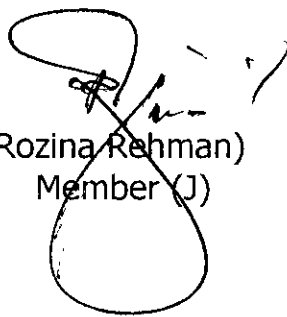
29.04.2021

Case file received from the office of Registrar on the verbal direction of Hon'ble Chairman.

Appellant present through counsel. Preliminary arguments heard. Record perused.

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments. To come up for reply/comments on 16.05.2022 before S.B.

Annexed with the memo of appeal is an application for suspension of impugned order dated 05.04.2022. Notice of this application be issued to respondents. In the meanwhile, operation of impugned order shall remain suspended, if not acted upon earlier.


(Rozina Rehman)
Member (J)

Rs-500/-
Appellant Deposited
Security & Process Fee
A. J. 29/4/22

This is an appeal filed by Mr. Khan Zaman today on 27/04/2022 against the order dated 05.04.2022 against which he preferred/made departmental appeal/representation on 06.04.2022 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority report as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 962/ST,

Dt. 27-4-2022.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Ashraf Ali Khattak Adv. Peshawar.

As per clause XIV of the posting transfer policy; the aggrieved civil servant shall prefer dept Appeal within 7 day from the date of transfer order. The Appellate authority shall decide the departmental Appeal within 15 day. Both the prescribed limitation has been completed therefore, appeals are maintainable.

This Honourable Tribunal has already entertained such like appeal and dispose the same on merit.

The impugned transfer order of appellant has been made on political consideration motivated by senior clerk of DFC office Karak. The impugned transfer order is the humiliation of appellant at the hands of senior clerk. Court of law cannot be debarred

from recurring aggrieved person

27/4/2022

Mr. Ashraf Ali Khattak

→ ^{to the counsel for appellant}
Please, put ~~the~~ Return against that the appeal
is premature.

ew
27/4/2022.

→ legal issue is involved

Please, put before the

Bench

Mr. Ashraf Ali
27/4/2022 Advocate

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 670, 2022

Khan Zaman,
District Food Controller,
Karak.....Appellant.


Versus

The Chief Secretary,
Government of,
Khyber Pakhtunkhwa & others.....Respondents.

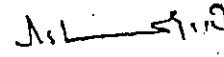
INDEX

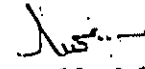
S.No.	Description of Documents	Date	Annexure	Pages
1.	Memo of appeal with Affidavit			1-9
2.	Application for suspension of impugned order dated 05.04.2022 with affidavit			10-11
3.	Copy of Transfer and Posting Order from the post of DFC, Hangu to the post of DFC, Kohat.	29-11-2013	A	12
4.	Copy of Transfer and Posting Order from the post of DFC, Kohat to the post of DFC, Tank.	02-01-2015	B	13
5.	Copy of Transfer and Posting Order from the post of DFC, Tank to the post of DFC, Karak.	06-11-2015	C	14
6.	Copy of Transfer and Posting Order from the post of DFC, Karak to the post of DFC, Kohat.	06-12-2016	D	15
7.	Copy of Transfer and Posting Order from the post of DFC, Kohat to DFC D.I.Khan.	18-04-2019	E	16
8.	Copy of Transfer and Posting Order from the post of DFC, D.I.Khan to Food Directorate, Peshawar	28-04-2020	F	17
9.	Copy of Transfer and Posting Order from the post of DFC, D.I.Khan to the post of DFC, Bannu.	15-06-2021	G	18
10.	Copy of Transfer and Posting Order	18-01-2022	H	19-20

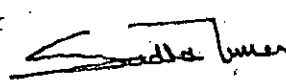
S.No.	Description of Documents	Date	Annexure	Pages
	from the post of DFC, Bannu to the post of DFC, Karak.			
11.	Copy of impugned Transfer and Posting Order from the post of DFC, Karak to the Food Directorate, Peshawar.	05-04-2022	I	21
12.	Copy of Departmental Appeal	06-04-2022	J	22
13.	Copy of Posting and Transfer Policy of the Provincial Govt.			23-26
14.	Wakalat Nama.			27


Appellant

Through


Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

& 
Ali Bakht Mughal
Advocate, Peshawar

& 
Sadia Umer
Advocate, Peshawar

Dated: 27/04/2022

1

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 670 /2022

Khan Zaman,
District Food Controller,
Karak

.....Appellant.

Versus

1. The Chief Secretary,
Govt: Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.
2. The Secretary.
Govt: of Khyber Pakhtunkhwa,
Food Department, Civil Secretariat, Peshawar.
3. Mr. Adil Badshah DFC, Kohat..... Respondents.

Service Appeal under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 read with clause No.XIV Khyber Pakhtunkhwa Govt: Posting and Transfer Policy against the impugned posting/transfer order dated 05-05-2022 of respondent No.2, thereby he directed the appellant to report to the Food Directorate with immediate effect and authorized Mr. Adil Badshah District Food Controller, Kohat (respondent No.3) to hold charge of the post of DFC, Karak in addition to his own duties (additional charge) till further order and against which appellant filed departmental appeal before the respondent No.1 under clause No.XIV of the KP Posting and Transfer Policy, which is still pending without disposal.

Prayer in Appeal:

On acceptance of the instant service appeal; this Hon'ble Tribunal may graciously be pleased to:

Declare.

the impugned order of respondent No.2 dated 05-04-2022 is illegal, unlawful, against the provision of Govt: of Khyber Pakhtunkhwa Posting and Transfer Policy and without lawful authority and also set aside the same.

Direct.

1. The respondents to allow the appellant to serve against his post i.e. District Food Controller Karak with all attached benefits under the law.
2. Any other remedy deemed appropriate by this Hon'ble Tribunal under the circumstances of the case and not specifically asked for may also be graciously granted.

Respectfully Sheweth,

The concise facts giving rise to the present service appeal are as under:-

1. That appellant was appointed as District Food Controller with effect from 01-11-2013 upon the recommendation of PSC and posted as DFC, Hangu.
2. That immediately within one month, appellant was transfer and posted as DFC, Kohat on 29-11-2013. Appellant was further subjected to continuous transfer/posting orders as to the following:
 - i. Kohat to Tank dated 02-01-2015.
 - ii. Tank to Karak dated 06-01-2015.
 - iii. Karak to Kohat dated 06-12-2016.
 - iv. Karak to D.I.Khan dated 18-04-2019.
 - v. D.I.Khan to Bannu dated 18-04-2019.

- vi. D.I.Khan to Food Directorate, Peshawar, dated 28-04-2020, which later on modified, and
- vii. D.I.Khan to Bannu dated 15-06-2021.
- viii. Bannu to Karak dated 18-01-2022 and,
- ix. lastly after about 2 months through the impugned order dated 05-04-2022 from Karak to Food Directorate, Peshawar. (Nine time transfer during 8 year service)

Copies of the continuous transfer orders are attached as Annexure-A, B, C, D, E, F, G, H and I.

3. That from the bare perusal of the above cited transfer order, it can be easily judged that appellant has been made a rolling stone and has never been allowed to complete his normal tenure at any of the station.
4. That the posting/transfer order dated 18-01-2022 from the post of DFC, Bannu to the post of DFC, Karak and immediately after about 2 months from the post of DFC, Karak to the Food Directorate, Peshawar is totally based on malafide and colorable exercise of powers. Appellant after his posting as DFC, Karak was confronted with internal and local deep rooted "Maphia" with its master mind named "Qaiser Nawaz" Senior Clerk, who has been stationed at DFC Office, Karak since his initial appointment in 2008 and has been steering the office as a De-facto DFC and Godown AFC. Mr. Qaiser Nawaz Senior Clerk in connivance with market maphia were actively engaged in malpractices which were/are against the interest of the department and has earned bad name for the department and also against the public interest. Appellant being the competent authority took serious notice of the illegal engagements and

called explanation from the officer. Appellant submitted representation before the Director Food thereby highlighting to illegal activities of the officer concerned and also recommended transfer and posting of the Senior Clerk (defiant official), but very sorry to say that instead of taking action or conducting inquiry into the allegation made and submitted by the appellant; the Directorate (respondent No.2) directed the appellant vide impugned order dated 05-04-2022 to report to the Office of Food Directorate with immediate effect and authorized Mr. Adil Badshah District Food Controller, Kohat (respondent No.3) to hold charge of the post of DFC, Karak in addition to his own duties (additional charge) till further.

5. That the impugned transfer order is nothing more than humiliation of the appellant at the hand of a Senior Clerk and that too at the cost of appellant strong stance upon the holding of Rule of Law. Appellant does not know the crime or sin he has committed.
6. That appellant being aggrieved of the illegal, unlawful posting order dated 05-04-2022 immediately submitted departmental appeal (Annexure-J) before the respondent No.1, who has made deaf ear to the grievances of the appellant and failed to decide the appeal within the limited time of 15 days prescribed under rule/clause XIV of the Provincial Government Posting and Transfer Policy, hence the instant service appeal inter alias on the following grounds.
 - A. That the respondents has not treated the appellant in accordance with law, rules and policy on the subject and acted in violation of Article 4 of the Constitution of Pakistan, 1973. The impugned

transfer and posting order is not only premature but also based on malafide, which is against all norms of justice therefore, not sustainable at law and liable to be set aside.

- B. That repeated transfer of a civil servant from one place of posting to another place of posting within span of few months speaks the malafide of the authority, which cannot be allowed under the prescribed tenure of posting and transfer policy therefore, liable to be interfere with by the Tribunal. In the instant case the frequent transfer order of the appellant with short span of time is the violation of safe administration of justice.
- C. That it has repeatedly held by the Apex Court of Pakistan that transfer/posting order should be passed fairly, justly, impartially and judiciously. Transfer order should not be passed arbitrary, mala fide, motivated by political considerations and in colourable exercise of power under section 10 of the Civil Servant Act, 1973. Transfer order which is politically motivated, in colorable exercise of power and passed without wisdom and good sense would not be judicious order. Such an order would be arbitrary, fanciful and mala fide, which would not be sustainable at law. Wisdom is derived from reported judgments 1999 SCMR 755 and PLD 2016 SC 80.
- D. That where a transfer order is made contrary to the rules and against public interest and without allowing officer to complete his tenure. The Courts are empowered to examine such administrative action by applying principle of judicial review. In the instant case the impugned transfer order is against public interest and purely based on choice of transferring authority and

also against the tenure policy therefore, liable to be interfere with by this Hon'ble Tribunal.

- E. That appellant has been condemned unheard. The well-known principle of law "Audi altram Partem" has been violated. This principle of law was always deemed to have embedded in every statute even though there was no express specific or express provision in this regard.

"...An adverse order passed against a person without affording him an opportunity of personal hearing was to be treated as void order. Reliance is placed on 2006 PLC(CS) 1140. As no proper personal hearing has been afforded to the appellant before the issuing of the impugned order, therefore, on this ground as well the impugned order is liable to be set aside."

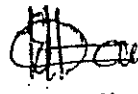
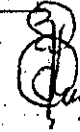
In the instant case; the representation of the appellant against the Senior Clerk of the Office of DFC, Karak was not scrutinized through prescribed legal procedure and instead an adverse action was taken against the appellant, which highly un-warranted and undesirable rather amount to humiliation of a superior officer at the hand of inferior officer. This un-precedential trend is highly deplorable and liable to be interfering with by the Court of justice.

- F. The Executive is not above law and it must, on challenge to its action, show the legal authority from where it derives the source of its authority. In case the executive fails to show the source of its power, its acts, as so far they conflict with legal protected interests of individuals, must be declared by courts. Ultra vires and

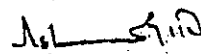
without jurisdiction. [PLD 1990 Kar 9].

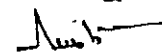
- G. That appellant would like to seek the permission of Your Kind Honour for award of personal hearing. Appellant may kindly be granted the opportunity of personal hearing.

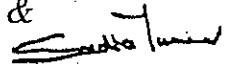
In view of the above explained position, it is humbly requested that the appeal may graciously be allowed in terms of the pray set forth in the heading of the appeal.


Appellant → 

Through


Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

&

Ali Bakht Mughal
Advocate, Peshawar

&

Sadia Umer
Advocate, Peshawar

Dated: 27/04/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

Service Appeal No. _____/2022

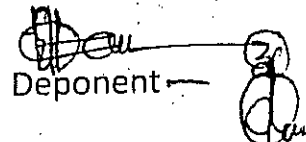
Khan Zaman,
District Food Controller,
Karak.....Appellant.

Versus

The Chief Secretary,
Government of,
Khyber Pakhtunkhwa & others Respondents.

AFFIDAVIT

I, Khan Zaman District Food Controller, Karak do hereby solemnly affirm and declare on oath that the contents of this service appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Court.


Deponent

CNIC: 14203-2036285-1

Cell: 0342-9768291

0346-9168426

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. ____/2022

Khan Zaman,
District Food Controller,
Karak.....Appellant.

Versus

The Chief Secretary,
Government of ,
Khyber Pakhtunkhwa & othersRespondents.

ADDRESSES OF PARTIES

APPELLANT

Khan Zaman,
District Food Controller,
Karak

RESPONDENTS

1. The Chief Secretary,
Govt: Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.
2. The Secretary.
Govt: of Khyber Pakhtunkhwa,
Food Department, Civil Secretariat, Peshawar.
3. Mr. Adil Badshah DFC, Kohat

Through

Appellant

Ashraf Ali Khattak
Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan
& *Ali Bakht Mughal*
Ali Bakht Mughal
Advocate, Peshawar
& *Sadia Umer*
Sadia Umer
Advocate, Peshawar.

Dated: ~~_____~~ /04/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____/2022

Khan Zaman,
District Food Controller,
Karak.....Appellant.

Versus

The Chief Secretary,
Govt: Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar and others..... Respondents.

Application for suspension of the impugned transfer order dated 05-04-2022 till the final decision of the accompanying service appeal.

Respectfully Sheweth,

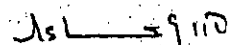
The applicant humbly submits as to the following.

1. That instant application is being filed with the accompanying service appeal which yet to be fixed for hearing.
2. That the impugned transfer order is the result of mala fide on the part of respondents and has been passed in utter violation of the provision of posting and transfer policy.
3. That the facts and grounds taken in main service appeal may kindly be considered as part and parcel of the instant application.
4. That applicant/appellant has very prima facie and arguable case, the balance also lie on the part of applicant/appellant and if the impugned order is not suspended; appellant would suffer with irreparable loss.

In view of the above submission, it is humbly requested that the operation of the impugned order may kindly be suspended till the final decision of the main service appeal.

Appellant

Through


Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

11

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2022

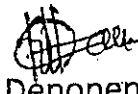

Khan Zaman,
District Food Controller,
Karak.....Appellant.

Versus

The Chief Secretary,
Government of,
Khyber Pakhtunkhwa & othersRespondents.

AFFIDAVIT

I, Khan Zaman District Food Controller, Karak do hereby solemnly affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Court.


Deponent 

CNIC: 14203-2036285-1

Cell: 0346 9168426

Anx-A

12



FOOD DIRECTORATE,
KHYBER PAKHTUNKHWA
PESHAWAR

No. 9236 /ET-378-IV

Dated 29 / 11 / 2013

OFFICE ORDER

The following postings / transfers of District Food Controllers are hereby ordered with immediate effect in the interest of public.

S.No	Name of Officer	From	To
1	Mr. Abu Bakr Mehmood DFC	DFC Turghar	DFC Hangu
2	Mr. Khan Zaman DFC	DFC Hangu	DFC Kohat.
3	Syed Asif Ali Shah DFC	DFC Kohistan	He will also hold addition charge of the post of DFC Turghar till further orders.


DIRECTOR FOOD,
KHYBER PAKHTUNKHWA
PESHAWAR

Endorsement No & Date Even

Copy is forwarded to

- 1) PS to Advisor for Food to Chief Minister Khyber Pakhtunkhwa with reference to his verbal direction.
- 2) PS to Secretary Food for information of the Secretary Food Government of Khyber Pakhtunkhwa
- 3) The Accounts General Khyber Pakhtunkhwa Peshawar.
- 4) The District Accounts Officers, Kohistan, Hangu, Kohat & Turghar
- 5) The Assistant Directors Food Kohat & Hazara Division.
- 6) The District Food Controllers Kohistan, Hangu, Kohat & Turghar
- 7) Officers concerned/Personal File.


DIRECTOR FOOD,
KHYBER PAKHTUNKHWA
PESHAWAR

Anx-B

13



FOOD DIRECTORATE,
KHYBER PAKHTUNKHWA
PESHAWAR

No. 51 /PF-Khar. Zaman DFCDated 02/02/201401/2015OFFICE ORDER

On re-instatement of Mr. Khan Zaman District Food Controller Kohat into service, the following postings /transfers of District Food Controllers are hereby ordered with immediate effect in the interest of public

S.NO	Name of Official	From	To
1.	Mr. Khan Zaman DFC	DFC Kohat	DFC Tank
2.	Mr. Aurangzeb Khan DFC	DFC Tank	DFC Hangu

[Signature]
DIRECTOR FOOD
KHYBER PAKHTUNKHWA
PESHAWAR

Endorsement No & Date Even

Copy is forwarded to

- 1) PS to Minister Food for information of the Minister Food Government of Khyber Pakhtunkhwa.
- 2) PS to Secretary Food for information of the Secretary Food Government of Khyber Pakhtunkhwa Peshawar.
- 3) The District Accounts Officers Kohat, Tank & Hangu.
- 4) The Assistant Directors Food D.I.Khan and Kohat
- 5) The District Food Controllers Kohat, Tank & Hangu
- 6) Officers/ Officials concerned/ Personal File.

[Signature]
DIRECTOR FOOD
KHYBER PAKHTUNKHWA
PESHAWAR

Anx-C



**FOOD DIRECTORATE
KHYBER PAKHTUNKHWA
PESHAWAR**

14

No 5943 /ET-378-V
Dated 06 /11/2015

OFFICE ORDER

The following postings / transfers of District Food Controllers and Assistant Food Controllers are hereby ordered with immediate effect in the public interest

S.NO	Name of Officer/ Official	From	TO
1.	Mr. Qazi Faridullah Khan DFC	DFC Charsadda	He is directed to report to Food Directorate Peshawar.
2.	Mr. Muhammad Nawab DFC	DFC Dargai	DFC Charsadda
3.	Mr. Adil Badshah DFC	DFC Karak	DFC Dargai
4.	Mr. Khan Zamar DFC	DFC Tank	DFC Karak
5.	Mr. Ijaz Mehsood DFC	DFC Lakki Marwat	He will hold the additional charge of the post of DFC Tank in addition to his own duties till further order.
6.	Mr. Moin Uddin Rehman AFC	AFC D.I.Khan	AFC Swabi
7.	Mr. Amanullah Khan AFC	AFC Swabi	AFC Nowshera

**DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR.**

Endorse: Even No & Dates

Copy is forwarded to:-

- 1 PS to Minister Food for information of the Minister Food Government of Khyber Pakhtunkhwa, Peshawar.
- 2 PS to Secretary Food for information of the Secretary Food Government of Khyber Pakhtunkhwa, Peshawar
- 3 The Accountant General Khyber Pakhtunkhwa Peshawar.
- 4 The District Accounts Officers Mardan, Charsadda, Swabi, D.I.Khan, Karak, Tank and Malakand and Dargai.
- 5 All Assistant Directors Food at Divisional level in Food Department Khyber Pakhtunkhwa.
- 6 The District Food Controllers Mardan, Charsadda, Swabi, D.I.Khan, Karak, Tank and Malakand or Dargai for information with the directions to furnish proper handing /taking over charge reports of the above Officers/ Officials for record.
- 7 The Pay Bill Assistant Food Directorate, Peshawar.
- 8 Officer / Officials concerned / Personal Files

Anx-D



GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE, OF FOOD
PESHAWAR.

15

No. 1996 /PF-

Dated Peshawar, the 6 December, 2016

OFFICE ORDER

The following postings /transfers of District Food Controllers / Assistant Food Controllers are hereby ordered with immediate effect in the public interest.

S.NO	Name of Officer / Official	From	To
✓ 1.	Mr. Khan Zaman DFC	Under transfer as DFC Tank	DFC Kohat, relieving Mr. Gulab Gul AFC of the additional charge of DFC.
2.	Mr. Smeraz Anwar AFC	DFC Haripur in his own pay & scale.	AFC Haripur. Mr. Shad Muhammad DFC Abbottabad will hold the additional charge of the post of DFC Haripur till further orders.
3.	Mr. Aman Khan AFC	AFC Tank	He will work as DFC Tank in his own pay & scale in addition to his own duties.
4.	Mr. Qazi Bilal AFC	Office of DFC Haripur	Office of DFC Battagram
5.	Mr. Noor Khan	Office of DFC Bannu	Food Directorate, Peshawar.

DIRECTOR FOOD
KHYBER PAKHTUNKHWA
PESHAWAR.

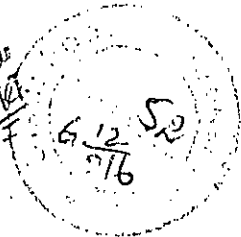
Endorsement No & Dates Even

Copy for information to:-

1. The Accountant General, Khyber Pakhtunkhwa.
2. PS to Minister Food Khyber Pakhtunkhwa.
3. PS to Secretary Food Khyber Pakhtunkhwa
4. The District Accounts Officers, Tank, Karak, Kohat, Shangla, Bannu, Battagram, Abbottabad and Haripur
5. The Assistant Directors Food Kohat, Bannu, D.I.Khan, Hazara and Malakand Divisions.
6. The District Food Controllers Tank, Karak, Kohat, Shangla, Bannu, Battagram, Abbottabad and Haripur
7. Officers / Officials Concerned/ Personal File.

Nafees
for compliance

DFC-101



DIRECTOR FOOD
KHYBER PAKHTUNKHWA
PESHAWAR.

06/12/16

Anx-E

Dated Peshawar, the, 18th April, 2019

~~Anx-E~~

16

NOTIFICATION

NO.50G/FOOD/1-2/2018/VOL-VI:- The Competent Authority is pleased to order the following posting/transfer in Food Directorate, Khyber Pakhtunkhwa with immediate effect in the public interest:-

Sr. No	Name of Officer	From	To
1.	Mr. Muhammad Shakeel (BS-18)	Deputy Director (F&I), Food Directorate	Deputy Director (A&C) Food Directorate
2.	Mr. Abdul Jalil (BS-17)	Deputy Director (A&C) in his own pay & scale Food Directorate	Deputy Director (Dispatches) in his own pay & scale Food Directorate.
3.	Mr. Imtiaz Muhammad Khan (BS-17)	Assistant Director, Hazara Division.	Deputy Director (F&I), in his own pay & scale in Food Directorate.
4.	Mr. Kifayat Khan, (BS-17)	Assistant Director (OPS) Peshawar Division	Assistant Director (Inspection) (OPS), Food Directorate
5.	Syed Asif Ali Shah (BS-17)	Assistant Director, D.I.Khan Division	Assistant Director, Peshawar Division
6.	Qazi Fida ur Rehman (BS-17)	Assistant Director (OPS) Malakand Division	Assistant Director (OPS) (Estt), Food Directorate Peshawar
7.	Mr. Muhammad Iqbal (BS-17)	DFC, Swat	Assistant Director (OPS), Malakand Division
8.	Mr. Khan Zaman (BS-17),	DFC, Kohat	Assistant Director (OPS), D.I.Khan Division alongwith additional charge of the post of Assistant Director Bannu Division till further orders.
9.	Mr. Amjad Ali, (BS-17)	DFC, Manshera	Assistant Director (OPS), Hazara Division Abbottabad.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

Endst No. SOG/Food/1-2/2018/2779

Dated Peshawar the 18th April, 2019

Copy for information and necessary action to:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Director Food, Khyber Pakhtunkhwa, Peshawar.
3. District Account Officers, D.I.Khan, Peshawar, Malakand, Swat
4. All Assistant Directors Food at Divisional level in Khyber Pakhtunkhwa.

Anx- F

17

Anx-11

11/6



GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

Dated Peshawar the 28-04-2020

001-9225373

fourc: departmentkpk@gmail.com



@fooddepartmentkpk

@foodsecretariat

NOTIFICATION

No. SOG/Food/1-2/2019/ 6232 :- Owing to the load of work and shortage of working hands/officers at Directorate level, the competent authority is pleased to direct the following officers to report to the Directorate of Food for the performance of duties to be assigned accordingly till further orders, in the best public interest:

S.No.	Name of Officer	Present Posting
1.	Mr. Rashid Janal (ADF)	Assistant Director Food, Kohat Division
2.	Mr. Khan Zaman (ADF)	Assistant Director Food, D.I Khan Division.

Note: The above officers shall continue to draw their salaries from their respective district/divisions of their current posting.

Sd/-

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT.

Enclst: No. & date even.

Copy for information and necessary action to:-

1. Senior Member Board of Revenue, Khyber Pakhtunkhwa.
2. PSO to Chief Secretary, Khyber Pakhtunkhwa.
3. Director Food, Khyber Pakhtunkhwa Peshawar.
4. PS to Minister for Food, Khyber Pakhtunkhwa, Peshawar.
5. PS to Secretary Food, Khyber Pakhtunkhwa, Peshawar.
6. Officers concerned.

SECTION OFFICER (GENERAL)

28/4/20



GOVERNMENT OF KHYBER PAKHTUNKHWA,
FOOD DEPARTMENT.

Anx-G

Dated Peshawar 15th June, 2021

18

NOTIFICATION:

No. SO(G)/Food/1-2/2020/9458

The Competent Authority is pleased to order the following postings/transfers in Directorate of Food with immediate effect in the public interest:

Sr#	Name, Designation & Basic pay Scale of Officers	From	To	Remarks
1.	Mr. Riaz ul Karim, Deputy Director, BS-18	Deputy Director, Dispatches at Directorate of Food	He is assigned the duties of Deputy Director, Coordination at Directorate of Food	Mr. Abdul Jalil, Deputy Director (A&C), BS-18 is relieved from the duties of Deputy Director Coordination at Directorate of Food.
2.	Mr. Rashid Jamal, Assistant Director Food, BS-17	Assistant Director Food, Kohat Division	Assistant Director Food, Peshawar Division	Vice Sr # 4
3.	Muhammad Zafrullah Khan, Assistant Director Food, BS-17	Assistant Director Food Coordination at Directorate of Food.	Assistant Director (Estt.), Directorate of Food	
4.	Syed Asif Ali Shah, Assistant Director Food BS-17	Assistant Director Food, Peshawar Division	Assistant Director Food, Kohat Division	Vice Sr # 2
5.	Mr. Khan Zaman, District Food Controller, BS-17	Assistant Director Food, D.I.Khan Division (OPS) with Additional Charge of the post of Assistant Director Food, Bannu Division	Assistant Director Food, Bannu Division in his own pay and scale	Mr. Hayat Khan DFC D.I.Khan is directed to take over the charge of Assistant Director Food D.I.Khan Division in addition to his own duties.

Consequent upon the above, Mr. Muhammad Shakeel Deputy Director (F&I), BS-18 is hereby authorized to hold the additional charge of the post of Deputy Director Dispatches till further orders.

Sd/-

SECRETARY TO GOVERNMENT OF
KHYBER PAKHTUNKHWA FOOD DEPARTMENT

Dated: 15th June, 2021

Endst: No. & Dntc even:

Copy forwarded to:

1. Accountant General, Khyber Pakhtunkhwa and concerned District Account Officers.
2. PS to Minister Food, Khyber Pakhtunkhwa.
3. PS to Secretary Food, Khyber Pakhtunkhwa.
4. PA to Director Food, Khyber Pakhtunkhwa.
5. Personal files of the officers.

SECTION OFFICER GENERAL

Anx- H
19

Amir R



GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

Dated Peshawar the 18-01-2022

091-9225373

fooddepartmentkpk@gmail.com



@fooddepartmentkpk

@foodsecretariat

NOTIFICATION

No.SOG/Food/1-2/2019/Vol.VII 10600 The competent authority is pleased to order the following postings/transfers of officers of Food Department, Khyber Pakhtunkhwa with immediate effect in the public interest.

S.No.	Name of Officer	From	To
1.	Mr. Muhammad Akbar, DFC (BS-17)	AFC S&EO Peshawar	DFC Mohmand against the vacant post
2.	Mr. Muhammad Salm Iqbal, DFC (BS-17)	AFC Kolai Pallas	DFC Kolai Pallas against the vacant post with additional charge of DFC Kohistan Lower.
3.	Mr. Noor Khan, DFC (BS-17)	AFC S&EO Azakhel	DFC Bajaur against the vacant post
4.	Mr. Iqbal Hussain Afridi, DFC (BS-17)	AFC D.I.Khan	DFC Khyber against the vacant post
5.	Mr. Aftab Umar Khan, DFC (BS-17)	DFC Mardan (OPS)	Retained as DFC Mardan against the vacant post.
6.	Muhammad Tariq, DFC (BS-17)	DFC Battagram (OPS)	Retained as DFC Battagram against vacant post.
7.	Mr. Ansar Qayum, DFC (BS-17)	DFC Manshera (OPS)	Retained as DFC Manshera against the vacant post.
8.	Mr. Abdul Hafeez, DFC (BS-17)	DFC Charsadda (OPS)	Retained as DFC Charsadda against the vacant post.
9.	Mr. Aman Khan, DFC (BS-17)	DFC Lakki Marwat (OPS)	Retained as DFC Lakki Marwat against the vacant post.
10.	Mr. Arshad Hussain, DFC (BS-17)	AFC Chitral Lower	DFC Chitral Upper against the vacant post.
11.	Mr. Ali Asghar Hussain, DFC (BS-17)	DFC Buner (OPS)	Retained as DFC Buner against the vacant post.
12.	Mr. Shabir Ahmad Khan, DFC (BS-17)	DFC Nowshera (OPS)	Retained as DFC Nowshera against the vacant post.
13.	Mr. Said Nawaz, DFC (BS-17)	DFC Dir Upper (OPS)	Retained as DFC Dir Upper against the vacant post.
14.	Mr. Jamshed Khan Afridi, DFC (BS-17)	Rationing Controller Peshawar (OPS)	DFC D.I.Khan
15.	Mr. Sohail Habib, DFC (BS-17)	AFC Karak	DFC Bannu against the vacant post.

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Annex-I ②

16	Mr. Sheraz Anwar, DFC (BS-17)	AFC Kohistan	DFC Shangla against the vacant post.
17	Mr. Khan Zaman, DFC (BS-17)	ADF Bannu Division (OPS)	DFC Karak against the vacant post.
18	Mr. Muhammad Arshad, DFC (BS-17)	DFC Kohat	S&EO PRC Peshawar vice Sr.No.19
19	Mr. Adil Badshah, DFC (BS-17)	S&EO Peshawar	DFC Kohat.
20	Mr. Muhammad Zubair, DFC (BS-17)	ADF Malakand Division (OPS)	DFC Malakand
21	Mr. Noor Hayal Khan, DFC (BS-17)	DFC D.I.Khan	Rationing Controller, Peshawar

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

Endst: No. & date even.

Copy for information and necessary action to:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Director Food, Khyber Pakhtunkhwa Peshawar.
3. All Divisional Assistant Directors Food in Khyber Pakhtunkhwa.
4. All District Food Controllers.
5. All concerned District Accounts Officers
6. PS to Minister for Food, Khyber Pakhtunkhwa, Peshawar.
7. PS to Secretary Food, Khyber Pakhtunkhwa, Peshawar.
8. Assistant Director (IT), Food Directorate for uploading on official website.
9. Officers concerned.
10. Personal File.

(MURAD AHMAD HOTI)
SECTION OFFICER (GENERAL)



GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

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Peshawar, the April 11, 2022

NOTIFICATION

Anx-1

NO.SO(G)/FOOD/1-2/2019/VOL.VI/10963 : The Competent Authority is pleased to direct Mr. Khun Zaman District Food Controller, Karak to report to the Food Directorate with immediate effect.

2. Consequent upon the above, Mr. Adil Badshah District Food Controller Kohat is hereby authorized to hold charge of the post of DFC Karak in addition to his own duties, till further orders.

SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

Endorsement & Date Ever:

Copy forwarded to:

1. The Accountant general Khyber Pakhtunkhwa, Peshawar.
2. The Director Food Khyber Pakhtunkhwa, Peshawar
3. The District Account Officers, Karak and Kohat.
4. The Assistant Director Food Kohat Division.
5. The Assistant Director (IT/Network) Food Directorate, Peshawar.
6. The District Food Controllers, Karak and Kohat.
7. Officers concerned.
8. PS to Minister Food, Khyber Pakhtunkhwa.
9. Ps to Secretary Food, Khyber Pakhtunkhwa.
10. Personal files

*Complain report
may be PIU
in two days*

MALIK
5/4/2022

(ENGR. MALIK M. AHSAN TAHR)
SECTION OFFICER (GENERAL)
KP FOOD DEPARTMENT

*FBST
464
5-4-22*



Anx- J

22

Dated. 11.04.22

Secy: Food Office KPK

OFFICE OF THE DISTRICT
FOOD CONTROLLER
KARAK

No. 629 /DFC-KK

DATED 06/04/2022

/food.karak

/dfc karak

M

dfckarak@gmail.com

To

The Chief Secretary
Government of Khyber Pakhtun Khwa,
Peshawar.

Subject: APPEAL FOR REPATRIATION AS DISTRICT FOOD CONTROLLER TO DISTRICT KARAK.

Venerable Sir,

With profound veneration, it is submitted to Your Honors that: -

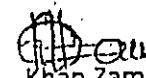
1. I, Mr. Khan Zaman, got posted as District Food Controller (DFC) Karak vide Secretary For Food Government of Khyber Pakhtun Khwa Peshawar notification No: SOG/Food /1-2/2019/Vol.VII 10600 dated 18/01/2022; after repatriation from the post of Assistant Director Food D.I.Khan Division (OPS) & Bannu Division(OPS & Dual charge) for two and half years.
2. In District Karak, I got confronted with my office internal and local deep-rooted "Maphia" with its mastermind named: Qaiser Nawaz Senior Clerk, who has been stationed here (DFC office Karak) since his appointment in 2008 and has been steering the office as a De-facto DFC and Godown AFC. In this regard, official Explanation was called upon him and his unofficial reaction to it is a clear introspective portrayal of his official defiance. He clumped his hands with market "Maphia" who always keep close affinity with District Administration with ostentatious face of a philanthropist.

In this regard, I, offered a presentation to Director Food and submitted him in black & white a requisition for posting / transfer of the defiant officials of my office, but in spite of any action on my official requisition in the best public interest, I, was posted to Food Directorate vice notification No: SO(G)/Food /1-2/2019/VOL.VI /10963 dated 05/04/2022 and my office charge was ordered to be taken over by DFC Kohat on look-after basis which is clearly in favor of the Maphia and against the public interest. It is also in clear contravention of Section-I Section-IV & Section-VIII of the POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

It is also brought into lime light for your kind notice that I, have always been transferred pre-maturely in my entire service since Nov.2013 (Eight times transfer in Eight years duration). (N.B):- All the testimonials / credentials are hereby affixed for your convenience please.

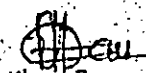
Invoking: - In this regard, Your Honor is earnestly entreated that I, may please be repatriated to District Karak as a District Food Controller in the large public interest.

I, shall be much beholden to Your Honor for this graciousness.


Khan Zaman
District Food Controller
Karak

Copy forwarded to:

1. The Secretary Food Khyber Pakhtun Khwa Peshawar for information please.
2. The Director Food Khyber Pakhtun Khwa Peshawar for information please.


Khan Zaman
District Food Controller
Karak

767
20/04/22

Posting and Transfer

Statutory Provision.

Section 10 of the NWFP Civil Servants Act, 1973.

Posting and Transfer. Every civil servant shall be liable to serve anywhere within or outside the Province, in any post under the Federal Government, or any Provincial Government or Local authority, or a Corporation or body set up or established by any such Government:-

Provided that nothing contained in this section shall apply to a civil servant recruited specifically to serve in a particular area or region;

Provided further that, where a civil servant is required to serve in a post outside a service or cadre, his terms and conditions of service as to his pay shall not be less favourable than those to which he would have been entitled if he had not been so required to serve.

Posting/transfer policy of the Provincial Government.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) Existing tenure of posting/transfer of three (03) years for settled areas and two (02) years for unattractive/hard areas shall be reduced to two (02) years for settled areas, 01½ years for unattractive areas and one year for hard areas.
- v) ⁷⁹[]

⁷⁹ Para-1(v) regarding months of March and July for posting/transfer and authorities for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008. Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make Posting/Transfer subject to observance of the policy and rules.

- vi) ⁸⁰While making posting/transfers of officers/officials up to BS-17 from settled areas to FATA and vice versa approval of the Chief Secretary, NWFP needs to be obtained. Save Tehsildars/Naib Tehsildars within a division in respect of whom the concerned Commissioner will exercise the same power. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor, NWFP shall be obtained.

Provided that the power to transfer Political Tehsildars and Political Naib Tehsildars within FATA between different divisions shall rest in Additional Chief Secretary FATA.

- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for at least eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officers/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.
- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement

⁸¹ DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;

- xii) In terms of Rule 17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof:

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Department in consultation with Head of Attached Department concerned. Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:

- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports; past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/ officials be considered.
- b) Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

⁸¹ Added vide Urdu circular letter No: SOR-VI (E&AD)/1-4/2005, dated 9-9-2005.

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xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) Pre-mature posting/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed/implemented.

5. All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

(Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003).

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Misc: Application No. _____/2022

IN

Service Appeal No.670/2022

Khan Zaman,
District Food Controller, Karak.....Appellant.

Versus

The Chief Secretary,
Govt. Khyber Pakhtunkhwa & othersRespondents.

INDEX

S.No.	Description of Documents	Date	Annexure	Pages
1.	Application for suspension of notification No.SOG/FOOD/1-2/2022/11400 dated Peshawar, the July,1, whereby the services of appellant/applicant was suspended along with notification No.SOG/FOOD/8-1/2019/8641 dated 30-06-2019; thereby inquiry committee was constituted and appellant was served with charge sheet and statement of allegations alongwith affidavit.			1-4
2.	Copy of suspension order.	01-07-2022	A	0-5
3.	Copy of notification No.SOG/Food/B-1/2019/8641 along with charge sheet and statement of allegations.	30-06-2022	B	6-8

Applicant / Petitioner

Through

Ashraf Ali Khattak

Ashraf Ali Khattak

Advocate,

Supreme Court of Pakistan

0331 9931698

Dated: 25 /07/2022

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Misc: Application No. _____/2022

IN

Service Appeal No.670/2022



Khan Zaman,
District Food Controller, Karak.....Appellant.

Versus

The Chief Secretary,
Govt. Khyber Pakhtunkhwa & othersRespondents.

**APPLICATION FOR SUSPENSION OF NOTIFICATION
NO.SOG/FOOD/1-2/2022/11400 DATED PESHAWAR,
THE JULY,1, WHEREBY THE SERVICES OF
APPELLANT/APPLICANT WAS SUSPENDED ALONG
WITH NOTIFICATION NO.SOG/FOOD/8-1/2019/8641
DATED 30-06-2019; THEREBY INQUIRY COMMITTEE
WAS CONSTITUTED AND APPELLANT WAS SERVED
WITH CHARGE SHEET AND STATEMENT OF
ALLEGATIONS.**

Respectfully Shweth,

The applicant humbly submits as to the following;

1. That the titled appeal is pending before this Hon'ble Tribunal and is fixed for 29-07-2022.
2. That this Hon'ble Tribunal was pleased to suspend the operation of the impugned transfer order dated 05-04-2022 vide Order Sheet dated 29-04-2022.
3. That inspite of the suspension order, respondent department in violation of Order of this Hon'ble Tribunal, notified joining order of respondent No.3 vide order dated 01-06-2022 and moreover, subsequently vide order dated 24-06-2022 transferred and posted one Mr. Hashim Khan as DFC Karak.

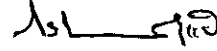
4. That both the orders mentioned above have been notified with pure malafide and in violation of the Order of this Hon'ble Tribunal dated 29-04-2022.
5. That appellant filed contempt application against the respondents on the above mentioned score and this Hon'ble Tribunal was pleased to issue notices to respondents for their willful violation of the Tribunal Order.
6. That respondents have now suspended the services of the appellant vide impugned Notification No.SOG/FOOD/1-2/2022/11400 dated Peshawar the July 1st (**Annexure-A**) without mentioning the year.
7. That enmity of the respondents with appellant / applicant did not stopped here and now they have bent upon to terminate the services of the appellant/applicant. The respondents vide Notification No. SOG/FOOD/B-1/2019/8641 dated 30-06-2022 (**Annexure-B**) have constituted inquiry committee in order to legalize the termination / removal of the appellant / applicant from his legal service and for this purpose, appellant has been served with charge sheet and statement of allegations on the score as to why appellant/applicant has not relinquished his charge as DFC Karak.
8. That the impugned suspension order alongwith notification of constitution of inquiry committee and as well as the impugned charge sheet and statement of allegations are malafide in nature and spirit. The only purpose of suspension order and inquiry proceedings is to pressurize the appellant / applicant from seeking his legal remedy; noting more nothing less.
9. That this Hon'ble Tribunal has already suspended the operation of impugned transfer order vide order dated 29-04-2022 therefore, appellant/applicant was not under any obligation to comply with the main impugned transfer order dated 05-04-2022. The subsequent proceedings, on the part of respondents in shape of suspension order, constitution of inquiry committee and Charge sheet / statement of allegations are the outcome of the conspiracy designed by the respondents against the appellant which is highly unwarranted and undesirable and against the spirit and provisions of Article 3, 4, 10-A etc.

In view of the above humble submissions, it is requested that this Hon'ble Tribunal may graciously be pleased to suspend the operation of suspension Notification No.SOG/Food/1-2/2022/11400 dated 1st July, Notification No.SOG/Food/8-1/2019/8641 dated 30-06-2022 (constitution

of inquiry committee) alongwith charge sheet and statement of allegations in the best interest of justice and fair play till the final disposal of the main service appeal No.670/2022.

Applicant / Petitioner

Through



Ashraf Ali Khattak
Advocate,
Supreme Court of Pakistan

&



Ali Bakht Mughal
Advocate, Peshawar

Dated: 28/07/2022

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL**

Appeal No. ____/2022

**Khan Zaman Appellant
V E R S U S
Secretary Foods & others.....Respondents**

AFFIDAVIT

I, **Khan Zaman S/o Atlas Khan R/o P.O Kojaki, Village Lagri Rajab Khel, District Karak**, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

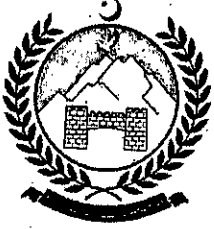
[Handwritten Signature]

DEPONENT

CNIC # 14203-20362851

Cell # 0346-9168426

[Handwritten mark]
[Faint stamp]
28.07-2022



GOVERNMENT OF KHYBER PAKHTUNKHWA FOOD DEPARTMENT

Peshawar, the July 1

NOTIFICATION

NO. SOG/FOOD/1-2/2022/ 11400 In exercise of the powers conferred by Rule 3(a) and 3(b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Disciplinary) Rules, 2011, Mr. Khan Zama (BPS-17), District Food Controller, Food Directorate, Khyber Pakhtunkhwa Food Department is hereby suspended from service with immediate effect, till further orders.

SECRETARY
GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

ENDST. NO. AND DATE EVEN:

1. Accountant General, Government of Khyber Pakhtunkhwa for information
2. Director Food, Khyber Pakhtunkhwa Food Department, for information
3. CSO to Chief Secretary, Government of Khyber Pakhtunkhwa, for information
4. PA to Minister Food, Government of Khyber Pakhtunkhwa, for information
5. PS to Secretary, Khyber Pakhtunkhwa Food Department, for information
6. Personal file of Mr. Khan Zaman, District Food Controller, Khyber Pakhtunkhwa Food Department
7. Officer/Official concerned

(Handwritten signature)

(ENGR. MALIK M. AHSAN TAHIR)
SECTION OFFICER (GENERAL)
KHYBER PAKHTUNKHWA FOOD DEPARTMENT

(Handwritten initials)

Anx - B

6



**GOVERNMENT OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT**

Dated Peshawar, the 30-06-2022

091-9225373

fooddepartmentkpk@gmail.com

@FoodKPGovt

@foodkpgovt

NOTIFICATION

No.SOG/Food/8-1/2019/8641 :- The Competent Authority (Chief Secretary, Khyber Pakhtunkhwa) has been pleased to constitute an inquiry committee comprising of the following officers to probe into the matter regarding Mr. Khan Zaman, District Food Controller (BPS-17), Directorate of Food:

- 1) Mr. Malik Manzoor Ahmad (PMS-BS-18)
Deputy Secretary Energy & Power Department
Khyber Pakhtunkhwa
- 2) Mr. Muhammad Shakeel (BS-18)
Deputy Director Malakand Division Directorate of Food,
Khyber Pakhtunkhwa

02. The committee shall look into the matter, in the light of the charge Sheet and Statement of Allegations duly enclosed and submit its report to the Secretary Food Department within Sixty (60) days of the issuance/receipt of this notification.

**SECRETARY
GOVT: OF KHYBER PAKHTUNKHWA
FOOD DEPARTMENT**

Endst: No. and Date even.

Copy forwarded for information to the:-

1. The Director Food, Khyber Pakhtunkhwa, Peshawar.
2. Mr. Malik Manzoor Ahmad. PMS BS-18, Chief Rules of Law, P&D Department
3. Mr. Muhammad Shakeel, Deputy Director Malakand Division Food Directorate.
4. Mr. Khan Zaman, District Food Controller (BPS-17) Food Directorate.
5. PA to Secretary Food, Khyber Pakhtunkhwa.

M. Ahsan Tahir
15/7/2022
**(ENGR. MALIK M. AHSAN TAHIR)
SECTION OFFICER (GENERAL)
KHYBER PAKHTUNKHWA FOOD DEPARTMENT**

CHARGE SHEET

I, Dr. Shahzad Khan Bangash Chief Secretary Khyber Pakhtunkhwa as competent authority, hereby charge you, Mr. Khan Zaman, the then District Food Controller, Karak (now posted in Food Directorate Khyber Pakhtunkhwa Peshawar as follows:-

2 That you, while posted as District Food Controller, Karak committed the following irregularities.

- A. You were transferred from the post of DFC Karak to Directorate of Food Peshawar vide Food Department Notification No. SO(G)/Food/1-2/2019/Vol.VI/10963 dated 5th April, 2022, but did not relinquish the charge of District Food Controller Karak.

The Deputy Commissioner Karak has also reported vide letter No. 176 / DC / ADC (G) / report dated 13-04-2022 that:

"During performance review meeting held on 08th March 2022, a follow-up meeting was held under the chairmanship of Deputy Commissioner Karak with all line departments. Necessary instruction were issued to all concerned regarding improvement of PMRU indicators and establishment of Ramazan Sasta Bazar etc, but the performance of the DFC Karak is not good. It is highly disappointing to note that the officer used to misguide the District Administration by providing wrong information. The following are the main indicators which are pending on his part since long:-

- i. The DFC Karak performance regarding KP-Inspection (IPMS Dashboard) is not satisfactory after repeated directions.
- ii. Various complaints regarding daily price list from shopkeepers were received and the undersigned time and again issued direction to him via Telephone as well as through line department Whats-app group but all in vain.
- iii. The DFC does not provide daily data to the office of the undersigned for uploading on Prime Minister National Food Security Dashboard, due to which report is pending since his posting.
- iv. All the Assistant Commissioner in district Karak reported that the daily subsidized atta quota allocated to Sasta Bazar has not been provided as per Bazar allocation without prior approval of the undersigned which creates embarrassing situation for the district Administration.
- v. Response of the officer concerned with the District Administration officer as well as general public is not professional as a result the general public knock the door of the District Administration in their activities i.e distribution of Subsidized Atta, inspection of Bazar, display of price list etc.


- B. Your un-official and un-ethical behavior destroyed the official decorum and all the staff of DFC Office Karak has requested for their transfer from Karak, thus affecting the official day to day work and creating problem for Directorate of Food.

3 By reason of the above, you appear to be guilty of inefficiency negligence and misconduct under rule 3(a)(b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011 and have rendered yourself liable to all or any of the penalties specified in rule 4 of the ibid rules.

4 Your written defense, if any, should reach the Inquiry Officer / Committee within 14 days, failing which it shall be presumed that you have no defense to put in and, in that case, an ex-parte action shall be taken against you.

5 Intimate whether you desire to be heard in person.

6 A statement of allegations is enclosed.


DR. SHAHZAD KHAN BANGASH
CHIEF SECRETARY
KHYBER PAKHTUNKHWA/
COMPETENT AUTHORITY

DISCIPLINARY ACTION

I, Dr. Shahzad Khan Bangash Chief Secretary Khyber Pakhtunkhwa as competent authority, am of the opinion that Mr. Khan Zaman District Food Controller, Karak (now posted in Food Directorate Khyber Pakhtunkhwa Peshawar) rendered himself liable to be proceeded against, as he committed the following acts/ omissions, within the meaning of rule 3 (a) (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011:-

STATEMENT OF ALLEGATIONS.

- A. He was transferred vide Food Department Notification No. SO (G) / Food /1-2/ 2019/ Vol.VI / 10963 dated 5th April, 2022, but did not relinquish the charge of District Food Controller Karak.

The Deputy Commissioner Karak has also reported vide letter No. 176/DC/ADC (G)/report dated 13-04-2022 that:

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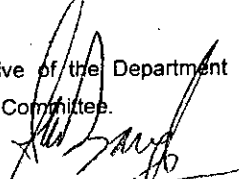
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 - ii. Various complaints regarding daily price list from shopkeepers were received and the undersigned time and again issued direction to him via Telephone as well as through line department Whats-app group but all in vain.
 - iii. The DFC does not provide daily data to the office of the undersigned for uploading on Prime Minister National Food Security Dashboard, due to which report is pending since his posting.
 - iv. All the Assistant Commissioner in district Karak reported that the daily subsidized atta quota allocated to Sasta Bazar has not been provided as per Bazar allocation without prior approval of the undersigned which creates embarrassing situation for the district Administration.
 - v. Response of the officer concerned with the District Administration officer as well as general public is not professional as a result the general public knock the door of the District Administration in their activities i.e distribution of Subsidized Atta, inspection of Bazar, display of price list etc.
- B. His un-official and un-ethical behavior destroyed the official decorum and all the staff of DFC Office Karak has requested for their transfer from Karak, thus affecting the official day to day work and creating problem for Directorate of Food.

2 For the purpose of Inquiry against the said accused, with reference to the above allegations, an Inquiry Officer / Committee, consisting of the following is constituted under rule 10(1) (a) of the ibid rules.

- 1) Malik Mansoor Ahmad (PMRS-18) D.S., ES, Power Dept
- 2) Muhammad Shaukat, Dy. Director Food (BS-18)

3 The Inquiry Officer / Committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings, make within (60) Sixty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4 The accused and a well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the Inquiry Officer/ Committee.


DR. SHAHZAD KHAN BANGASH
CHIEF SECRETARY
KHYBER PAKHTUNKHWA/
COMPETENT AUTHORITY

AFC

★

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR. S.B

No.

Regd

Appeal No. 670 of 20 22

Khan Zaman Appellant/Petitioner

Versus

The chief Secy to Pesh. Respondent

Respondent No. (13)

Notice to:

Mr. Adil Badshah DFC, Kohat.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 16/5/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 10th

Day of May 20 22

(For Reply)

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

- Note:
1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR. S.B

No.

Regd

Appeal No. 670 of 2022

Khan Zaman Appellant/Petitioner

Versus

The chief Secy KP Pesh: Respondent

Respondent No. (3)

Notice to:

Mr. Adil Badshah DFC, Kohat.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 16/5/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Day of May 2022

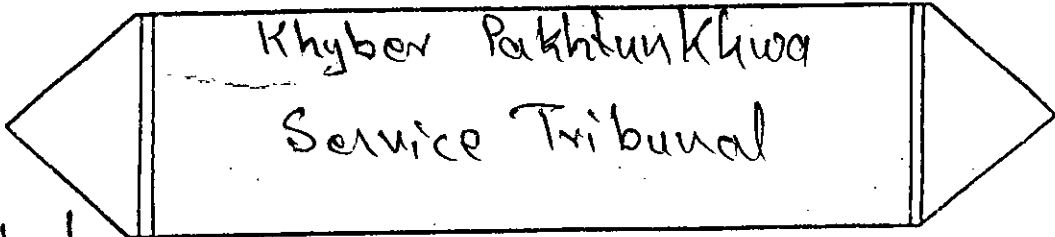
(For Reply)

Registrar,

Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

- Note:
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 2. Always quote Case No. While making any correspondence.

بعدالت



Appellant 2 منجانب بنام Khan Zaman DFC, Karak

Vs

Chief Secretary KP
and others

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام پشاور کیلئے اشرف علی شاہ

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
دکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔

کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔


Attested & Accepted

المرقوم 27 ماہ اپریل 2022

_____ گواہ العبد

کے لئے منظور ہے۔

بمقام


Khan Zaman

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD,
PESHAWAR.

9.8

No.

Appeal No. 670 of 2022.

Khan Zaman Appellant/Petitioner

Versus

The Chief Secy Kp Pesh. Respondent

Respondent No. 1

Notice to: —

The Chief Secretary Govt, Kp K
Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 16/5/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No. dated

Given under my hand and the seal of this Court, at Peshawar this 10th

Day of May 2022.

(For Reply)

[Signature]
10/05/22

[Signature]
 Registrar,

Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

S.B

No.

Diary No.....
 Dated.....
 Secy: Food Office KPK

Appeal No..... 670 of 2022.

Khan Zaman Appellant/Petitioner

Versus

The chief Secy KP Pesh. Respondent

Respondent No..... (2)

Notice to:

The Secretary Govt. of KPK Food Deptt.
Peshawar.

[Signature]

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on..... 16/5/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No..... dated.....

Given under my hand and the seal of this Court, at Peshawar this..... 16th.....

Day of..... May 2022.

(For Reply)

[Signature]
 Registrar,

[Signature]
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

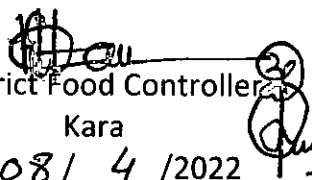
Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
 2. Always quote Case No. While making any correspondence.

His (Qaiser Nawaz) this behavior tantamount to grave misconduct, for it is prejudicial to good order and service discipline under section 2 of Khyber Pakhtun Khwa Government servant (E&D) rules 2011, Subsection (1) Para (i), contrary to the Khyber Pakhtun Khwa Government servant (Conduct) Rules 1987 under Para (ii) of the ibid section and a conduct unbecoming of Government servant and a gentleman under Para (iii) of the ibid rules owing to the a fore enumerated charges.

There is sound ground against Mr.Qaisar Nawaz S/Clerk , DFC office Karak as a Government servant who has liable himself to be proceeded against him under section 3,subsection(a) as inefficient official and (b) as guilty of misconduct.

Encls: (5 copies). Copied of concerned credentials are official here with for your convenience please.

So I, Mr. Khan Zaman District Food Controller Karak eave Mr. Kashif Iqbal Gelani Director Food Khyber Pakhtun Khwa being competent authority under section 2 (i) –f for the accused official to proceed ----- against the accused official under the a-fore cited rules in the best public interest. -----

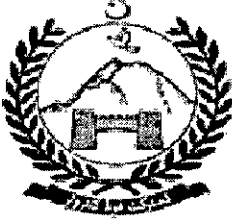

District Food Controller
Kara
Dated 08/4/2022

Endst and Even No: 631/DFC-KK

Copy is submitted to:

1. The Secretary Food Khyber Pakhtun Khwa Peshawar for information please.
2. The Secretary Establishment & Administrative department Peshawar for information please.
3. The Assistant Director Food Kohat Division Kohat for information please.


District Food Controller
Karak



**OFFICE OF THE DISTRICT
FOOD CONTROLLER
KARAK**

No 631 /DFC-KK
DATED 08 / 4 /2022

 /food.karak

 /dfc karak

 dfckarak@gmail.com

To,

The Director Food
Khyber Pakhtun Khwa
Peshawar.

Subject: **INITIATION OF DISCIPLINARY PROCEEDING AGAINST Mr.QAISAR NAWAZ
SENIOR CLERK DFC OFFICE KARAK**

Memo:

Kindly refer to District Food Controller Office Karak explanations vide No: 534/DFC-KK dated 11/03/2022. And non submission of reply vide No: 626/DFC-KK dated 01/04/2022

In this regard it is submitted that :-

1. That accused official Mr.Qaisar Nawaz S/clerk has received the a-fore cited explanation by hand of naib Qasid Karim khan.
2. That the accused didn't bother to reply to the undersigned till to date (04/04/2022) .

I Mr. Khan Zaman, being controlling officer for the accused official (Qaiser Nawaz S/clerk) charges against

- i. That he frequently and willfully remained absent from his own office duty (DFC office Karak)
- ii. That the official duty assigned to his seat remained pending over for days.
- iii. That He has taken over the duty of godown and remained there for the whole duty hours without permission or appraisal of the District Food Controller.
- iv. That on calling an explanation upon him, He turned to utter defiance and refused to compose / dispatch official letters, communicate officials figures to Food Directorate & District Administration and turned off mobile phone during office hours and stopped up-loading PMRU,IPMS, and National Food Security data which was already carried out by him.
- v. That He refused to reply official explanation and repudiated my official authority as controlling officer of the District Food Controller Office Kara.
- vi. That He unified the whole staff of my office and incited them against me for defiance and non-cooperating in carrying official business.



OFFICE OF THE DISTRICT
FOOD CONTROLLER

KARAK

No 629 /DFC -KK

DATED 06 / 4 /2022

 /food.karak

 /dfc karak

 dfckarak@gmail.com

To,

Qaiser Nawaz Senior clerk.

Subject: Non-submission of reply to the Explanation for (i) willful absence from own Office duty (ii) Evasion of own duty (iii) Taking over of other duties.

When the a-fore cited subject explanation was called upon you vide this office memo No 584 /DFC – KK, dated 07-03-2022; you exhibited very sever and unofficial response. Despite submission of reply and evasion of its recurrence (The cited subject practices), you unified the whole staff of my office and incited them against me for defiance and non-cooperation in carrying my official business.

Your this behavior tantamount to great misconduct, for it is prejudicial to good order and service discipline under section 2 sub-section (I) Para i, ii & iii of Khyber Pakhtun Khwa Government Servants (Efficiency and Discipline) Rules 2011 and labile you to disciplinary action under section 4 of the ibid rules.

Moreover, you have collected the previous month POL Bill amounting to Rs: 13000/- from Khattak Filling Station to which the undersigned has already paid the cost of POL on the spot while filling there from. You haven't paid this amount to the undersigned till to date despite its demand which amount to your unofficial middling in the official business and again constitute a misconduct.

You're hereby required to explain the a-fore cited actions on your part with cogent reason immediately without any further deliberate delay.


District Food Controller
Karak

Copy forwarded to:


1. The Director Food Khyber Pakhtun Khwa for information please.
2. The Deputy Commissioner Karak for information please.
3. The Assistant Director Food Kohat Division Kohat.



District Food Controller
Karak



Office of the District
Food Controller Karak
No 583/DFC-KK
Dated: 10/3/2022

 /food.karak

 /dfc_karak

 dfckarak@gmail.com

To

The Director Food
Khyber Pakhtun Khwa
Peshawar

Subject: Requisition for staff (by substitution) for District Food Controller Office Karak

With profound veneration, it is submitted for the sake of good governance in the best public interest that the cited subject requisition may kindly be honoured your kind consideration.

Main Causes for substitution: -

1. They don't feel comfortable with me in discharge of their official duties, for I urge it to be carried out regularly and under the frame of rules.
2. There are used to evasive and delaying tactics which badly hampered the discharge of official duties.
3. They shelve their bounden duties upon others' shoulders, which hinder the deliverance of good governance and public interest subsequently.
4. Ultimately, they have turned to utter defiance in caring out office routine works like composing, dispatching or conveying official figures to Food Directorate or District Administration. They are not uploading the PMRU, IPMS and National Food Security data and thus my office have practically ceased to function.

In wake of their utter unified defiance the following substitution may kindly be materialized for the sake of good governance in the large public interest.

S.No	Name	Designation	Station	Substitute	Designation	Station
1	Amjad Khan	AFC	DFC Office Karak	Sami Ullah Jan	AFC	DFC Office Torghar
2	Sulaiman Khattak	FGI	DFC Office Karak	Muhammad Farhan	FGI	DFC Office Lakki Marwat
3	Muhammad Khanif	Office Assistant	DFC Office Karak	Hazrat Ullah	Office Assistant	Food Directorate Peshawar
4	Qaisar Nawaz	Senior Clerk	DFC Office Karak	Mubashir	Senior Clerk	DFC Office Kohat


District Food Controller
District Karak