

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

In Re. S.T.A No. _____/2013.

Dr. Abdul Waheed
...Appellant

VERSUS Govt; of KPK etc.
.....Respondents.

**REJOINDER TO THE COMMENTS OFFERED
BY THE RESPONDENTS NO. 1, 2, 3 & 4.**

Respectfully Submitted:-

- 1- Incorrect and wrong. The appellant has a valid cause of action and locus standi to file the instant appeal.
- 2- All the necessary parties have been impleaded as party to the instant appeal and therefore the objections raised by the answering respondents are vague and incorrect.
- 3- Incorrect and wrong. The appeal is based on very solid legal and factual grounds and is maintainable.
- 4- Incorrect and not admitted.
- 5- Incorrect and wrong.
- 6- The appeal is well within time and the objection raised in this para is absolutely false and fabricated.

FACTS:-

- a) No reply.
- b) Incorrect and wrong. The appellant is performing his duties regularly and there is no compliant whatsoever against him from any independent quarter.
- c) No reply.
- d) Incorrect and wrong. The area where the appellant was performing his duties and is at a very remote place, even then the appellant is performing hi duties regularly despite the threat of Talibans and other terrorists.
- e) The objections raised in this para are totally false and fabricated. The appellant is performing his duties regularly at the place of his posting.
- f) Incorrect and wrong. The appellant had submitted applications for his transfer from the

- place of his posting many a times on very solid grounds but his request was not acceded to by this superiors without any rhyme and reasons.
- g)** Incorrect and not admitted. In pursuance of the order of Dr. Jan Mir DDL, D.I.Khan the appellant had joined his duty at CVN Daraban and when Dr. Anwar was posted as CVN Daraban, the appellant under the orders of the competent authority again took the charges at Garah Essa Khan and obeyed the orders of his superiors.
- h)** As far as the working of the appellant with a local NGO "Sath" is concerned the appellant never worked with the said NGO rather he remained busy in performing his duties at his place of posting. He in pursuance of his official duties had provided some guadliness and had explained policies regarding the livestock Development in the area like Mr. Attau Ullah Khan an employee of L.D.D which does not mean that the appellant was involved in the NGO SATH which were extended after office working hours, for the welfare of the public at large.
- i)** The perusal of the record would show that the appellant was regularly submitting his monthly progress reports and monthly chit-fee and was attending official meetings at D.D.L D.I.Khan office. It cannot be said that the appellant remained absent from his duty for a period of six (6) months. The letter No. 12113 dated 31/12/2011 was never received by the appellant, therefore, no reply was furnished by the appellant about the said letter.
- jl)** In correct. No such letter bearing No. 2957-58 was delivered to the appellant.
- kl)** The alleged reply was extracted by the appellant forcibly which actually was dictated to him by Dr. Jan Mir, DDL D.I.Khan in the office of the Director General, L & DD Peshawar, who took him there fraudulently us a private Motor Car driven by his friend Samdani Khan of Village Kirri Khaisore Tehsil Paharpur.
- l)** In fact no codal formalities were observed and the entire proceedings were conducted behind the back and without the knowledge of the appellant which were nothing but a mere one sided show. Beside this no opportunity of

personal hearing was extended to the appellant. The penalty of removal from service imposed against the appellant is very harsh, unjust and unfair. The long tenure of service of the appellant has totally been ignored and the appellant and his entire family has been forced to starvation.

m) Incorrect. The Chief Secretary K.P.K, has not communicated the result of his appellant to the appellant so far despite of his repeated requests.

n) Incorrect and wrong. The respondents are not supposed to distinguish the judgment of the Apex Court of the Country.

o) No reply.

GROUND:-

1- Incorrect and wrong. No codal formalities were observed in the case of the appellant and a drastic action has been taken against the appellant with malafide intention and for ulterior motives.

2- As above.

3- Incorrect and wrong. The so-called inquiry proceedings were not conducted in accordance with rules and the opportunity of personal hearing was not extended to the appellant. The appellant has been made a scapegoat with malafide intention on the basis of the one sided and illegal inquiry.

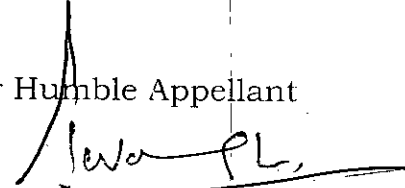
4- Incorrect and wrong. The alleged statement of allegations appended as Annexure-7 is without the signatures of the issuing authority and is of no legal sanctity which too was not served upon the appellant.

5- Incorrect and wrong. The appellant has got a long tenure of service and is a permanent Government employee. The charges leveled against him are absolutely false and fabricated. The appellant was depositing monthly Chit-fee and was making entries in daily O.P.D register and was maintaining the official record properly which is the telltale of the fact that the appellant had never absented himself from his duties throughout.


6- No reply.

In view of the above submissions, it is respectfully prayed that the objections raised by the answering respondents may very kindly be over-looked on the appeal filed by the appellant may please be accepted as prayed for to meet the ends of justice.

Your Humble Appellant


Abdul Waheed Qureshi
Through counsel

Dated: 23/02/2015


KHALIL UR REHMAN HISSAM
Advocate High Court
Dera Ismail Khan.

AFFIDAVIT

I, Khalil Ur Rehman Hissam Advocate High Court, D.I.Khan, counsel for the appellant, do hereby solemnly affirm declared on oath that contents of the above **replication** as per information given to me by my client are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Service Tribunal.


DEPONENT

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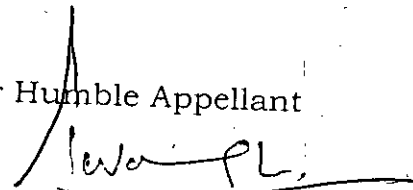
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GROUNDS:-

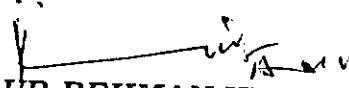
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Abdul Waheed Qureshi
Through counsel

Dated:23/02/2015


KHALIL UR REHMAN HISSAM
Advocate High Court
Dera Ismail Khan.

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I, Khalil Ur Rehman Hissam Advocate High Court, D.I.Khan, counsel for the appellant, do hereby solemnly affirm declared on oath that contents of the above **replication** as per information given to me by my client are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Service Tribunal.


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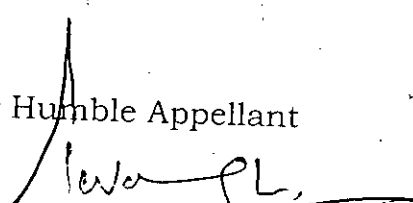
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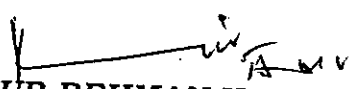
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Your Humble Appellant


Abdul Waheed Qureshi
Through counsel

Dated: 23/02/2015


KHALIL UR REHMAN HISSAM
Advocate High Court
Dera Ismail Khan.

AFFIDAVIT

I, Khalil Ur Rehman Hissam Advocate High Court, D.I.Khan, counsel for the appellant, do hereby solemnly affirm declared on oath that contents of the above **replication** as per information given to me by my client are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Service Tribunal.


DEPONENT

Most immediate
Court Matter



DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT KHYBER PAKHTUNKHWA
PESHAWAR

Tel: 091-9210249/9210276, Fax: 091-9210285, E-mail: dglddext@yahoo.com

Web: www.livestockextkp.gov.pk

Dated Peshawar, the

No 7294

29 / 08/2014.

To

✓
The District Director Livestock,
D.I.Khan.

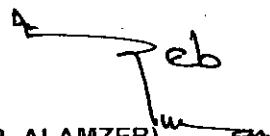
Subject: APPEAL NO. 1375/2013 ABUL WAHEED VS GOVERNMENT OF
KHYBER PAKHTUNKHWA & OTHERS

Memo:

Enclosed please find herewith original comments of the subject case with all annexure duly signed by all respondents for further submission to Khyber Pakhtunkhwa Service Tribunal Camp Court D.I.Khan on the next date of hearing fixed as 30/09/2014.

You are also requested to depute a well versant officer to pursue the instant case in the court and also cooperate with Government Pleader D.I.Khan, at Khyber Pakhtunkhwa Service Tribunal, under intimation to this office, please.

Encl: As above


(DR. ALAMZEB)
Director Headquarters



DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT KHYBER PAKHTUNKHWA,
PESHAWAR

Tel: 091-9210249/9210276, Fax: 091-9210285, E-mail: dgiddext@yahoo.com

Web: www.livestockextkp.gov.pk

No 7295

Dated Peshawar, the 29 / 08/2014

AUTHORITY LETTER

Dr. Muhammad Asad, Veterinary Officer (H) Civil Veterinary Hospital D.I.Khan, is hereby authorized to pursue the Appeal No.1375/2013 filed by Mr. Abdul Waheed Versus Government of Khyber Pakhtunkhwa & others in the Khyber Pakhtunkhwa Service Tribunal Camp Court D.I.Khan, on behalf of the Chief Secretary Khyber Pakhtunkhwa (Respondent No.1), Secretary Agriculture Livestock and Cooperative Department, Khyber Pakhtunkhwa, Peshawar (Respondent No.2), Director General (Extension), Livestock and Dairy Development Department, Khyber Pakhtunkhwa, Peshawar & District Director Livestock D.I.Khan, (Respondent No.3&4).

f
Director General

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

APPEAL NO. 1375/2013

Abdul Waheed **Appellant**

VERSUS

Government of Khyber Pakhtunkhwa & others.
..... **Respondents**

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT D.I.KHAN APPEAL NO. 1375/2013

Abdul Waheed **Appellant**

VERSUS

Government of Khyber Pakhtunkhwa & others
..... **Respondents**

AFFIDAVIT

I, Dr. Muhammad Asad, Veterinary Officer (H), do hereby solemnly affirm on oath that the contents of the departmental reply are true and correct to the best of my knowledge and belief, and that nothing has been concealed from this Honorable Court.

Identified By: _____


DEPONENT

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
APPEAL NO. 1375/2013

Dr. Abdul Waheed Qureshi..... Appellant

VERSUS

Chief Secretary Government of Khyber Pakhtunkhwa Peshawar & Others.
 Respondents

Para-wise comments on behalf of the respondent No. 1, 2, 3&4.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS:

1. That the Appellant has got no locus standi to file instant appeal.
2. That the Appellant liable to be dismissed on the ground of miss joinder or non joinder of parties.
3. That the appeal is based on illegal and unlawful presumptions.
4. The Appellant has got no cause of action to file the present appeal.
5. The Appeal is not maintainable in this present form.
6. That the Appeal is badly time barred.

FACTS

1. Pertains to record hence no comments.
2. Incorrect. The appellant never performed his duties regularly and he was a consistent problem for his superiors. Earlier he was also removed from service due to his absence from duty for the period 01-02-2007 to 31-03-2008, but the appellant authority has accepted his appeal and was reinstated on sympathetic grounds. (Annexure-1).
3. Correct.
4. Correct to the extent that Civil Veterinary Hospital Garrah Essa Khan is about 50 Km from D.I.Khan. Before the posting of the appellant, many other Veterinary Officers were posted there and they performed their duties to the satisfaction of the concerned authorities. The appellant, never bothered to perform his duties regularly on the said station, and he was found absent from his duties many times by District Director and directors from Headquarter at Peshawar.
5. Incorrect. He was always absent from his duties and his statement is not based on facts, therefore he was proceeded as per rules.
6. Incorrect. The appellant did not submit any application for transfer from the Garrah Essa Khan and the fact is that he never performed his duty at Civil Veterinary Hospital Garrah Essa Khan.
7. Incorrect. The appellant did not perform his duties either at CVH Daraban or CVH Gharra Essa Khan, but actually he was working in a local NGO "Sath" as president and chief consultant (Annexure-2). He remained absent for the last six months as the Director called his explanation vide letter No.2957-58.(Annexure-3)

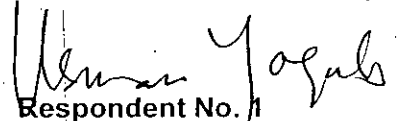
- 8. Incorrect, the enquiry committee was constituted vide letter No. SO (L & F) AD-1(25)PF/2007 dated 31/12/2012(Annexure-4) and its copy was also endorsed to the appellant (Annexure-5).The proper procedure was adopted by the enquiry officer nominated by the Chief Secretary Khyber Pakhtunkhwa (Annexure-6). No question arises regarding obtaining reply forcefully from the appellant, and adequate time was given to appellant for his reply.
- 9. Correct to the extent that the appellant was removed from service after completion of all codal formalities, and the process was not sudden, but it took considerable time, which can be confirmed from record.
- 10. Correct. As the worthy Chief Secretary Khyber Pakhtunkhwa had examined and rejected the appeal of the appellant.
- 11. Incorrect. The removal of the appellant was results of his prolong absence from his official duty, whereas the judgment of Apex Court is providing for only to those Government Servants, who were appointed and transferred by care taker Government. There also include the contract employees, who were removed from the contract service. The appellant was regular employee, and was removed from service as per rules due to his continues long absence from duty, hence he is not entitled for relief.
- 12. No comments

Grounds:

- 1. Incorrect. The removal of the appellant was a result of his prolongs absence from his official duty, whereas the judgment of Apex Court is providing for only to those Government Servants, who were appointed and transferred by care taker Government. There also include the contract employees, who were removed from the contract service. The appellant was regular employee, and was removed from service as per rules due to his continuous long absence from duty hence he is not entitled for relief.
- 2. Incorrect, proper enquiry procedures were adopted according to the prescribed rules. After completing all codal formalities the competent authority issued the removal order of the appellant from the service, in light of the findings recommended by the enquiry committee.
- 3. Incorrect, the appellant was given sufficient time by the enquiry officer to defend his case.
- 4. Incorrect, the appellant was served with statement of allegation and charge sheet duly signed by the competent authority (Annexure-7).
- 5. Incorrect. The appellant never performed his duties regularly and was a habitually absentee as mentioned in above Para's.
- 6. The respondents seek permission to raise additional grounds at the times of arguments.

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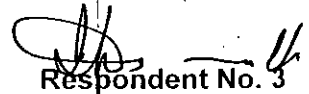
In view of the parawise comments based on facts, it is respectfully prayed that by accepting the same, the appeal may kindly be dismissed.



Respondent No. 1
Chief Secretary Khyber
Pakhtunkhwa Peshawar



Respondent No. 2
Secretary Livestock & Dairy
Development Department Khyber
Pakhtunkhwa Peshawar



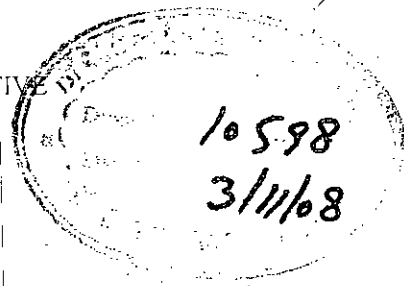
Respondent No. 3
Director General (Ext) Livestock
& Dairy Development Department
Peshawar



Respondent No. 4
District Director Livestock
D.I.Khan

GOVERNMENT OF NWFP
AGRICULTURE, LIVESTOCK & COOPERATIVE DEPARTMENT
DEPARTMENT PESHAWAR

Dated Peshawar the November 1, 2008



NOTIFICATION

No. SG(L & DD)AD-J(249)/PF/2007

WHEREAS, Dr. Abdul Waheed Qureshi,

Veterinary Officer (BS-17), Incharge Civil Veterinary Hospital Draban Kalan D.I.Khan was proceeded under the North West Frontier Province Removal from Service (Special Powers) Ordinance, 2000 for the charges mentioned in the Show Cause Notice dated 12.8.2008.

AND WHEREAS, the Chief Secretary, NWFP (competent authority) after having considered the charges/materials on record/explanation of the officer concerned and exercising his powers under Section 3 of the NWFP Removal from Services (Special Powers) Ordinance, 2000 has been pleased to pass on the following orders:-

- i) imposed upon him a minor penalty of "withholding" of three annual increments without cumulative effect.
- ii) The period of his absentee from 01.02.2007 to 31.03.2008 may be treated as Extra Ordinary leave without pay.

Sd/-
SECRETARY AGRICULTURE

Endst: No. & Date even.

Copy to:

1. Accountant General NWFP Peshawar
2. Director, Livestock & Dairy Development, NWFP Peshawar w/r to his letter No.9799/2/1950 dated 8.9.2008.
3. District Accounts Officer, D.I.Khan.
4. Officer concerned C/O Director Livestock and Dairy Development NWFP Peshawar.
5. PS to Secretary Agriculture.
6. Personal file of officer concerned
7. P.S to Secretary Agriculture.
8. Master file.

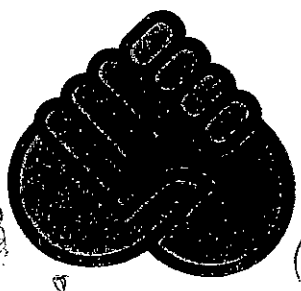

(NAEEMULLAH)
Section Officer (L&DD)

Su/xi

S.No	Ranking	Name	Address
1	President	Dr A.Wahed	Chart Saddozal P.Khan
2	Vice President	Sanaulah	Athog P.Khan
3	General Secretary	Miljaz	Athog P.Khan
4	Finance Secretary	Miqbal	Phullat P.Khan
5	Joint Secretary	M.Sharif	Chashma P.Khan
6	Press Secretary	Attaullah	Athog P.Khan
7	Member EB	M.Amir	Athog P.Khan
8	Member EB	M.Arhad	Athog P.Khan
9	Member EB	G.Yasin	Athog P.Khan
10	Member EB	Arshad Iqbal	Burkhal P.Khan
11	Member EB	Sanaulah	Burkhal P.Khan

SNO	NAME	OCCUPATION	ADDRESS
1	Mr. Makhdom Kazim Hussain Shah	Minister KPK P.Khan	Blot Sharif P.Khan
2	Mr. Samiullah Khan Alizal	MPA / PPP Leader P.Khan	Kiri Alizal P.Khan
3	Mr. Prof:Asif Jameel	Chairman PHE Department, Gomal University, P.Khan	Gulshan Colony, Cantt; P.Khan
4	Mr. Dr Zahoor-Ud-Pin	Principal VO, I.E.P.P, KPK	Kiri Alizal P.Khan
5	Mr. Shah Zaman Khan	District Social Welfare Officer P.Khan	Gillani Town, P.Khan
6	Malik Suhain Khan	Social Activist / Farmer	Jhoke Machi Parova P.Khan
7	Abdul Majeed Qureshi	Ex-Counselor / Social Activist	Singhar, P.Khan

BOARD OF GOVERNERS

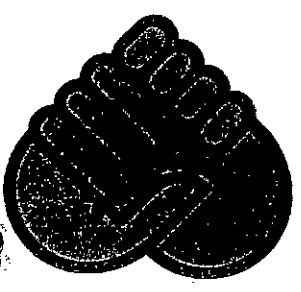


(Amendment-2) 6



SATH DEVELOPMENT ORGANIZATION HUMAN RESOURCE

S.No	NAME	QUALIFICATION	EXPERIENCE	DESIGNATION	LEVEL OF EFFORTS
1	Dr.A.Wahed Qureshi	PVM / PHMP (The Netherlands)	15 Years in project Management & Design in Livelihood development	Chief Consultant	Part Time
2	Muhammad Ijaz Khan	MBA	5 Years in Administration	General Secretary	Full Time
3	Muhammad Faeem Nawaz	MBA Finance	3 Years in Auditing & Account	Finance Consultant	Part Time
4	Yasir Wahab	M.Sc Physics	2 Year in Livelihood development	Livelihood Advisor	Part Time
5	Rahel Khan	MBA Human Resource Management	3 Years in HR development	Admin Officer	Full Time
6	Abdul Mujeeb	M.Sc Journalism & Mass Communication	3 Years in media coordination	Media support coordinator	Part Time
7	Muhammad Yousaf Qureshi	M.com	10 Years in Finance & Logistics	Admin & Logistic Officer	Full Time
8	Muhammad Nabeel	MAS Management Science	3 Year Management & Marketing	Project Management Advisor	Part Time
9	Shumaila Jabeen	B.Sc Computer Science	1 Year Office Data Management	Office Data Manager	Full Time
10	Htakhir Ahmed	MBA Banking & Finance	3 Years in Social Mobilization	Community Mobilizer	Part Time
11	Muhammad Salman	BA / PIT	3 Years in Social Mobilization	Community Mobilizer	Part Time
12	Farkhanda Jabeen	M.Ed	3 Year in Education development	Women Educationist	Part Time
13	Sabina Afshien	C.I	4 Year in Education development	Women Educationist	Part Time
14	Humayun Khan	M.Sc Archaeology / M.Sc Math / LLB	8 Year in Social Organization	Community Mobilizer	Part Time
15	Muhammad Irtar	MPA Human Resource Development	2 Years in HRD	HRD Advisor	Part Time
16	Mansoor Salam	LLB	2 Years in Social Mobilization	Community Mobilizer	Part Time
17	Mohsin Mehmood	MPA	4 Year in Community Mobilization	Community Mobilizer	Part Time
18	Muhammad Zakria	B.Ed / PIT	2 Year in Community Mobilization	Community Mobilizer	Part Time
19	Jawad Ali	MS Environmental Sciences / M.Sc Chemistry	2 years in WASH	Environmentalist / Field Chemist in WASH	Part Time
20	Sharif Uddin	M.Sc Physics	1 Year in field Operations	Community Mobilizer	Part Time
21	Mehmood Khan	M.Sc Biological Sciences	1 Year in Environment	Community Mobilizer	Full Time
22	Muhammad Iqbal	MBA Finance	4 Years in Social work	Community Mobilizer	Full Time



100-3 BDD

7

8
C Annex-3

**DIRECTORATE GENERAL (EXTENSION),
DIRECTORATE OF ANIMAL HEALTH AND PRODUCTION,
LIVESTOCK AND DAIRY DEVELOPMENT DEPARTMENT,
KHYBER PAKHTUNKHWA, PESHAWAR**

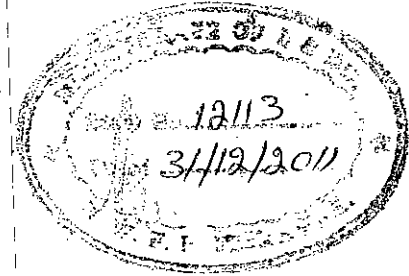
Tel: +92-91-9212973 Fax: +92-91-5286869 E-mail: dahkpk@yahoo.com

No. Dated Peshawar the

12/2011

To

Dr. Abdul Waheed Qureshi,
Veterinary Officer (Health),
Civil Veterinary Dispensary, Gara Isakhan,
D.I.Khan.



Subject: **EXPLANATION**

Memo:

With reference to the captioned subject and to inform that the District Livestock Officer, D.I.Khan has reported vide his letter No. nil dated nil (copy enclosed) that you are absent for the last six months without any information.

You are, therefore, directed to explain cogent reasons of your willful absence from official duty within a week time after the receipt of this letter, failing which, disciplinary action will be initiated against you under the rules.

Encl: **As stated above.**

(DR. IHSAN ULLAH KHAN)
DIRECTOR


No. 2957-58

Dated Peshawar the

31/12/2011

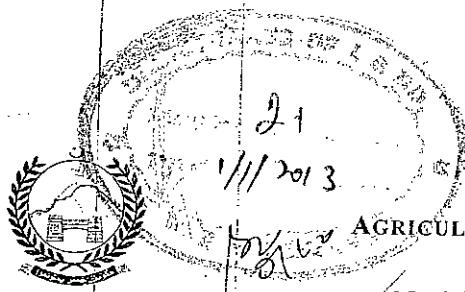
Copy of the above is forwarded to:

1. Director General (Extension), Livestock and Dairy Development, Khyber Pakhtunkhwa, Peshawar for information at the stage please.
2. District Livestock Officer, D.I.Khan w/r to his letter quoted above please.


DIRECTOR 15.12.2011

evident from the above facts and findings.

We came to Office of the District Livestock Officer (DLO), D.I.Khan, and ask him to call the previous two DLOs (Dr. Zahoor-u-Din and Dr. Tariq Mansoor) and Dr. Abdul Waheed Veterinary Officer CVH, Ghara Issa Khan for their statements.



9 (Annexure-4)

GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

No.SO(L&F)AD-1(249)/PF/2007,
Dated Peshawar the 31st December, 2012.

To

Mr.Abidullah (PCS EG BS-18),
Welfare Manager, Tanzeem Lissail-e-Wal Mahroom.

Subject:

**DISCIPLINARY ACTION AGAINST DR.ABDUL
WAHEED, VETERINARY OFFICER (H), CIVIL
VETERINARY HOSPITAL, GARA ISSA KHAN, D.I.KHAN
FOR WILLFUL ABSENCE FROM DUTY.**

I am directed to refer to the subject noted above and to enclose herewith copies of the statement of allegation and charge sheet duly signed by the Competent Authority, Chief Secretary, Khyber Pakhtunkhwa for initiating proceedings against Dr.Abdul Waheed, Veterinary Officer (H), Civil Veterinary Hospital, Gara Issa Khan, D.I.Khan under the provision of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

(Dr. Mir Ahmad Khan)
SECTION OFFICER (L&F)

Encl: As above.

Copy to:

1. Director General (Extension), Livestock & Dairy Development Department with request to depute a departmental representative who is well conversant with the fact of the case alongwith relevant record to assist the Inquiry Officer during the proceedings.
2. Dr.Abdul Waheed, Veterinary Officer (H), Civil Veterinary Hospital, Gara Issa Khan, D.I.Khan with advice to appear before the Inquiry Officer on the date, time and venue fixed by the Inquiry Officer for the purpose of the inquiry proceedings.
3. P.S to Secretary, Agriculture, Livestock & Cooperative Department.

SECTION OFFICER (L&F)



21
1/11/2013
OS

10 (Annexure-5)
GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

No.SO(L&F)AD-1(249)/PF/2007,
Dated Peshawar the 31st December, 2012.

To

Mr. Abidullah (PCS EG BS-18),
Welfare Manager, Tanzeem Lissail-e-Wal Mahroom.

Subject:

**DISCIPLINARY ACTION AGAINST DR.ABDUL
WAHEED, VETERINARY OFFICER (H), CIVIL
VETERINARY HOSPITAL, GARA ISSA KHAN, D.I.KHAN
FOR WILLFUL ABSENCE FROM DUTY.**

I am directed to refer to the subject noted above and to enclose herewith copies of the statement of allegation and charge sheet duly signed by the Competent Authority, Chief Secretary, Khyber Pakhtunkhwa for initiating proceedings against Dr. Abdul Waheed, Veterinary Officer (H), Civil Veterinary Hospital, Gara Issa Khan, D.I.Khan under the provision of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

(Dr. Mir Ahmad Khan)
SECTION OFFICER (L&F)

Encl: As above.

Copy to

1.

Director General (Extension), Livestock & Dairy Development Department with request to depute a departmental representative who is well conversant with the fact of the case alongwith relevant record to assist the Inquiry Officer during the proceedings.

2.

Dr. Abdul Waheed, Veterinary Officer (H), Civil Veterinary Hospital, Gara Issa Khan, D.I.Khan with advice to appear before the Inquiry Officer on the date, time and venue fixed by the Inquiry Officer for the purpose of the inquiry proceedings.

3.

P.S to Secretary, Agriculture, Livestock & Cooperative Department.

SECTION OFFICER (L&F)

11
Inquiry Procedural Report (Annexure-6)

INQUIRY REPORT ON DISCIPLINARY ACTION AGAINST DR. ABDUL WAHEED, VETERINARY OFFICER, CIVIL VETERINARY HOSPITAL, GARA ISSA KHAN D.I.KHAN.

CONDUCTED BY : ABID ULLAH, WELFARE MANAGER,
TANZEEM LISSAIL-E-WAL MAHROOM, CHIEF MINISTER SECRETARIAT,
KHYBER PAKHTUNKHWA.

Subject: INQUIRY REPORT ON DISCIPLINARY ACTION AGAINST DR. ABDUL WAHEED,
VETERINARY OFFICER, CIVIL VETERINARY HOSPITAL, GARA ISSA KHAN D.I.KHAN

Background:

Agriculture, Livestock and Cooperative Department, Government of Khyber Pakhtunkhwa communicated orders of the Competent Authority for initiating proceedings against Dr. Abdul Waheed, Veterinary Officer, Civil Veterinary Hospital, Gara Issa Khan D.I.Khan under the provisions of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011 vide letter No. SO(L&F)AD-1(249)/PF/2007 dated 31-12-2102 (Annex-A). The letter was received on 10-01-2013 by the undersigned.

Statement of allegations:

2. The charge sheet states that the accused has committed the following irregularities (Annex-B);

- i. He is habitually absenting himself from duty without leave and;
- ii. He has joined an NGO namely SATH in the capacity of its fulltime president.

Proceedings of the Inquiry:

3. Soon after receipt of the orders for inquiry, Agriculture Department was asked to depute a Departmental Representative to furnish the relevant record and assist the Inquiry Officer. The Department deputed Dr. Jan Mir Khan Distt', Director Livestock D.I.Khan as Departmental Representative (Annex-C). Dr. Jan Mir Khan being Reporting Officer of the accused, the department was asked to depute an impartial Departmental Representative to furnish the relevant record and assist the Inquiry Officer (Annex-D). Dr. Sajjad Ahmed, Research Officer at the Livestock Directorate General was, therefore nominated Departmental Representative in the case. Dr. Jan Mir Khan attended office of the undersigned on 17-01-2013 and furnished the relevant record available at the District level.

4. Dr. Jan Mir Khan, Distt' Director Livestock D.I.Khan, Dr. Malik Ayaz Wazir, Director Animal Health and Production, Dr. Sajjad Ahmed RO DG Livestock Office and Dr. Abdul Waheed, the accused officer were summoned to the office of the undersigned on 31-01-2013. Written statements of these officers were recorded. Dr. Malik Ayaz Wazir, Director Animal Health and Production and Dr. Ihsanullah Director Epidemiologist had conducted an inquiry against the accused officer. Dr. Ihsanullah could not turn up because he had proceeded for performance of Umra. His statement was, however recorded later on.

13

5. Dr. Jan Mir Khan, Distt' Director Livestock D.I.Khan submitted his written statement alongwith copies of supporting documents (Annex-E). He stated that the District Livestock Officer D.I.Khan reported on 21-10-2011 that Dr. Abdul Waheed was absent from duty since 15-08-2011 and did not respond to the explanation. Subsequently Director Headquarter called his explanation on 31-10-2011 but the accused officer failed to respond. Dr. Jan Mir Khan further states that he visited Civil Veterinary Hospital Gara Essa Khan alongwith EDO Agriculture D.I.Khan on 01-12-2011 and found the accused officer absent from duty. Dr. Asmatullah Principal Veterinary Officer D.I.Khan was requested to conduct an inquiry against him. The inquiry was conducted which reported that Dr. Abdul Waheed was willfully absent from duty since long. Dr. Ihsanullah, Director Animal Health visited Gara Essa Khan on 10-12-2011, checked all the record and found it unsatisfactory. The daily attendance register was not maintained after August 2003 and no vaccination was carried out after May 2010. Dr. Jan Mir Khan again visited Civil Veterinary Hospital Gara Essa Khan on 23-04-2012 and found Dr. Abdul Waheed absent from duty.

6. Dr. Malik Ayaz Wazir, Director Animal Health and Production submitted his written statement (Annex-F). Dr. Ayaz Wazir states that he conducted an inquiry in the absence case of Dr. Abdul Waheed and found him as habitually and intentionally absenting himself from duty. He also does not maintain vaccination, OPD and other registers of the Civil Veterinary Hospital Gara Essa Khan D.I.Khan. The officer is also running an NGO named 'SATH' for the last many years.

7. Statement of the accused officer, Dr. Abdul Waheed Veterinary Officer Civil Veterinary Hospital Gara Essa in his defence against the allegations was recorded (Annex-G). The officer stated that he always remained punctual and dutiful and is very hardworking and have best potential. He further states that he managed his duties very well but sometimes due to unavailability of public transport to the duty place, he reaches little bit late but is never absenting himself from duty. He further states that due to nature of his work, he visits different surrounding vilages for treatment and vaccination purposes.

8. To the allegation of joining an NGO, the accused officer responded that he is not working with any NGO or "SATH" but as different NGOs/Projects collaborate with Livestock and Dairy Development Department D.I.Khan for livestock trainings, vaccinations or field days. He used to assist them off-time. However since December 2011, he is not assisting them. Presently he is not an employee of SATH or any other organization.

9. To the question as to why he did not deposit the chit-fee in time, the accused officer states that he always submitted his chit-fee in time but sometimes he became late due to logistic problems otherwise he is regular in depositing the fee.

10. At the end of his statement, the accused officer has re-iterated that he is dutiful, hard worker and never worked for any NGO. However sometimes he reaches late to his place of duty due to logistic /transport problems.

11. Written statement of Dr. Ihsan Ullah Khan, Epidemiologist DG Livestock Office Peshawar was also recorded (Annex-H). Dr. Ihsan Ullah stated that he had conducted an inquiry in the absence case of Dr. Abdul Waheed. It became very clear that the officer is habitually absenting himself from duty. He never bothered to attend his official duties and to maintain vaccination, OPD and other registers since his posting. The Epidemiologist further states that the services of Dr. Abdul Waheed Veterinary Officer, may be terminated in the interest of public service.

12. The inquiry report jointly submitted by Dr. Malik Ayaz Wazir, Director Animal Health & Production L & DD and Dr. Ihsan Ullah Epidemiologist L & DD Khyber Pakhtunkhwa on 13-07 - 2012, against the accused officer was also perused which is placed at (Annex-I). The report states that the accused officer is habitually absenting himself from duty and also worked for an NGO. Another inquiry report submitted by Dr. Asmatullah, Principal Veterinary Officer CVH D.I.Khan on 10-12-2011 was also perused (Annex-J). This report also states that the officer remained absent from duty.

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13. Proceedings carried out against the accused officer under Removal from Service Ordinance 2000 during the year 2008 for absence from duty were also perused in detail (Annex-K).

14. Findings:

The evaluation of the evidence on record leads to following findings;

- i. Dr. Abdul Waheed Veterinary Officer (H), Civil Veterinary Hospital Gara Essa Khan D.I.Khan is habitually absenting himself from duty without prior approval of leave and is therefore guilty in terms of Rule 3(d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011.
- ii. The officer did work for various NGOs which is accepted by the accused officer himself, without any permission from the Competent Authority. The officer, however stopped working for NGOs after objection from his Department. No evidence could be found that he is presently working for any NGO.

15
(Signature)
10/

- iii. The officer was proceeded against under Removal from Service Ordinance 2000 during the year 2008 for absence from duty. A Show Cause Notice of "Removal from Service" was served upon him. The major penalty was later on converted into minor penalty of withholding of three annual increments without cumulative effect, after personal hearing.
- iv. During the inquiry proceedings it was noticed that the seat of Veterinary Assistant (VA) is lying vacant in Civil Veterinary Hospital Gara Essa Khan D.I.Khan for quite long time. This has badly affected the vaccination and other activities at the CVH.

15. Recommendations:

- i. Dr. Abdul Waheed, Veterinary Officer (H) CVH Gara Essa Khan D.I.Khan is guilty of habitually absenting himself from duty, the Competent Authority may therefore impose one of the minor or major penalties from the list specified in Rule 4 of the Khyber Pakhtunkhwa (Efficiency and Discipline) Rules 2011 (Annex-L).
- ii. The post of Veterinary Assistant (VA) may be filled at CVH Gara Essa Khan D.I.Khan by transfer from the Civil Veterinary Hospital/Dispensary within the District where the Veterinary Assistant is in surplus.

M. Abid
Abid Ullah 22-02-2013
Welfare Manager,
Tanzeem Lissail-e-Wal Mahroom,
Chief Minister Secretariat, Khyber Pakhtunkhwa.

~~2/8~~ ~~EG~~

STATEMENT OF ALLEGATIONS

I, Ghulam Dastagir Akhtar, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, am of the opinion that Dr. Abdul Waheed Qureshi, Veterinary Officer (H), B-17, In-charge Civil Veterinary Hospital Garra Issa Khan, District D.I.Khan, has rendered himself liable to be proceeded against as he has committed the following acts / omissions within the meaning of Section-3 (b) & (d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

- i. He is un-authorizedly absent from duty since the last two years; and
- ii. He has joined the NGO namely SATH in the capacity of its fulltime President.

2. For the purpose of scrutinizing the conduct of the accused with reference to the above allegations, an Inquiry Officer / Committee consisting of the following is constituted under Section-5 of the Khyber Pakhtunkhwa, Government Servants (Efficiency and Discipline Rules), 2011.

- i.
- ii.

3. The Inquiry Officer/Committee shall, in accordance with the provision of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline Rules), 2011, provide reasonable opportunity of hearing to the accused, record its findings and make within twenty five days of the receipt of this order, recommendations as to fix penalty or otherwise.

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.

(GHULAM DASTAGIR AKHTAR)
CHIEF SECRETARY

(COMPETENT AUTHORITY)

17
2017

CHARGE SHEET

I, Ghulam Dastagir Akhtar, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, hereby charge you, Dr. Abdul Waheed Qureshi, Veterinary Officer (BS-17), in charge Civil Veterinary Hospital Garra Issa Khan, District DI Khan, as follows:

That you while posted as District Livestock Officer, Hangu committed the following irregularities:

- i. You are habitually absenting yourself from duty without leave. and
- ii. You have joined an NGO namely SATH in the capacity of its fulltime president.

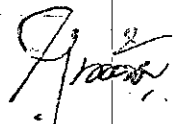
2. By reason of the above, you appear to be guilty of misconduct and absence from duty under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the rules ibid.

3. You are, therefore, required to submit your written defence within seven days of the receipt of this Charge Sheet to the inquiry officer/inquiry committee. as the case may be.

4. Your written defence, if any, should reach the inquiry officer/inquiry committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be initiated against you.

5. Intimate whether you desire to be heard in person.

6. A statement of allegations is enclosed.


(GHULAM DASTAGIR AKHTAR)
CHIEF SECRETARY, KHYBER PAKHTUNKHWA.

Most immediate
Court Matter



DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT KHYBER PAKHTUNKHWA
PESHAWAR

Tel: 091-9210249/9210276, Fax: 091-9210285, E-mail: dgdtext@yahoo.com

Web: www.livestockextkp.gov.pk

Dated Peshawar, the

29 / 08/2014.

No 7294

To

✓
The District Director Livestock,
D.I.Khan.


Subject: **APPEAL NO. 1375/2013 ABUL WAHEED VS GOVERNMENT OF**
KHYBER PAKHTUNKHWA & OTHERS

Memo:

Enclosed please find herewith original comments of the subject case with all annexure duly signed by all respondents for further submission to Khyber Pakhtunkhwa Service Tribunal Camp Court D.I.Khan on the next date of hearing fixed as 30/09/2014.

You are also requested to depute a well versant officer to pursue the instant case in the court and also cooperate with Government Pleader D.I.Khan, at Khyber Pakhtunkhwa Service Tribunal, under intimation to this office, please.

Encl: As above


(DR. ALAMZEB)
Director Headquarters



DIRECTORATE GENERAL (EXTENSION)
LIVESTOCK & DAIRY DEVELOPMENT KHYBER PAKHTUNKHWA,
PESHAWAR

Tel: 091-9210249/9210276, Fax: 091-9210285, E-mail: dglddext@yahoo.com

Web: www.livestockextkp.gov.pk

No. 7295

Dated Peshawar, the 29 / 08/2014.

AUTHORITY LETTER

Dr. Muhammad Asad, Veterinary Officer (H) Civil Veterinary Hospital D.I.Khan, is hereby authorized to pursue the Appeal No.1375/2013 filed by Mr. Abdul Waheed Versus Government of Khyber Pakhtunkhwa & others in the Khyber Pakhtunkhwa Service Tribunal Camp Court D.I.Khan, on behalf of the Chief Secretary Khyber Pakhtunkhwa (Respondent No.1), Secretary Agriculture Livestock and Cooperative Department, Khyber Pakhtunkhwa, Peshawar (Respondent No.2), Director General (Extension), Livestock and Dairy Development Department, Khyber Pakhtunkhwa, Peshawar & District Director Livestock D.I.Khan, (Respondent No.3&4).

f
Director General

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

APPEAL NO. 1375/2013

Abdul Waheed **Appellant**

VERSUS

Government of Khyber Pakhtunkhwa & others
..... **Respondents**

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6	Enquiry Committee Letter	4	9
7	Copy Endorsed to Appellant	5	10
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT D.I.KHAN APPEAL NO. 1375/2013

Abdul Waheed **Appellant**

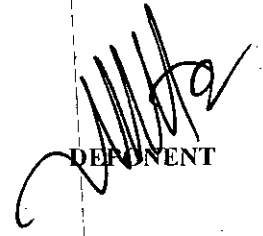
VERSUS

Government of Khyber Pakhtunkhwa & others
..... **Respondents**

AFFIDAVIT

I, Dr. Muhammad Asad, Veterinary Officer (H), do hereby solemnly affirm on oath that the contents of the departmental reply are true and correct to the best of my knowledge and belief, and that nothing has been concealed from this Honorable Court.

Identified By: _____


DEPONENT

IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.
APPEAL NO. 1375/2013

Dr.Abdul Waheed Qureshi..... Appellant

VERSUS

Chief Secretary Government of Khyber Pakhtunkhwa Peshawar & Others.
..... Respondents

Para-wise comments on behalf of the respondent No. 1, 2, 3&4.

Respectfully Sheweth:

PRELIMINARY OBJECTIONS:

1. That the Appellant has got no locus standi to file instant appeal.
2. That the Appellant liable to be dismissed on the ground of miss joinder or non joinder of parties.
3. That the appeal is based on illegal and unlawful presumptions.
4. The Appellant has got no cause of action to file the present appeal.
5. The Appeal is not maintainable in this present form.
6. That the Appeal is badly time barred.

FACTS

1. Pertains to record hence no comments.
2. Incorrect. The appellant never performed his duties regularly and he was a consistent problem for his superiors. Earlier he was also removed from service due to his absence from duty for the period 01-02-2007 to 31-03-2008; but the appellant authority has accepted his appeal and was reinstated on sympathetic grounds. (Annexure-1).
3. Correct.
4. Correct to the extent that Civil Veterinary Hospital Garrah Essa Khan is about 50 Km from D.I.Khan. Before the posting of the appellant, many other Veterinary Officers were posted there and they performed their duties to the satisfaction of the concerned authorities. The appellant, never bothered to perform his duties regularly on the said station, and he was found absent from his duties many times by District Director and directors from Headquarter at Peshawar.
5. Incorrect. He was always absent from his duties and his statement is not based on facts, therefore he was proceeded as per rules.
6. Incorrect. The appellant did not submit any application for transfer from the Garrah Essa Khan and the fact is that he never performed his duty at Civil Veterinary Hospital Garrah Essa Khan.
7. Incorrect. The appellant did not perform his duties either at CVH Daraban or CVH Gharra Essa khan, but actually he was working in a local NGO "Sath" as president and chief consultant (Annexure-2). He remained absent for the last six months as the Director called his explanation vide letter No.2957-58.(Annexure-3)

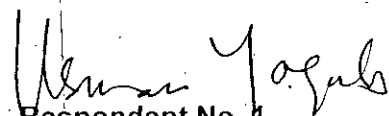
8. Incorrect, the enquiry committee was constituted vide letter No. SO (L & F) AD-1(259)PF/2007 dated 31/12/2012(Annexure-4) and its copy was also endorsed to the appellant (Annexure-5).The proper procedure was adopted by the enquiry officer nominated by the Chief Secretary Khyber Pakhtunkhwa (Annexure-6). No question arises regarding obtaining reply forcefully from the appellant, and adequate time was given to appellant for his reply.
9. Correct to the extent that the appellant was removed from service after completion of all codal formalities, and the process was not sudden, but it took considerable time, which can be confirmed from record.
10. Correct. As the worthy Chief Secretary Khyber Pakhtunkhwa had examined and rejected the appeal of the appellant.
11. Incorrect. The removal of the appellant was results of his prolong absence from his official duty, whereas the judgment of Apex Court is providing for only to those Government Servants, who were appointed and transferred by care taker Government. There also include the contract employees, who were removed from the contract service. The appellant was regular employee, and was removed from service as per rules due to his continues long absence from duty, hence he is not entitled for relief.
12. No comments

Grounds:

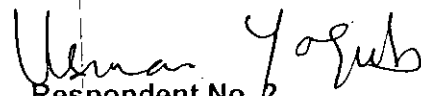
1. Incorrect. The removal of the appellant was a result of his prolongs absence from his official duty, whereas the judgment of Apex Court is providing for only to those Government Servants, who were appointed and transferred by care taker Government. There also include the contract employees, who were removed from the contract service. The appellant was regular employee, and was removed from service as per rules due to his continuous long absence from duty hence he is not entitled for relief.
2. Incorrect, proper enquiry procedures were adopted according to the prescribed-rules. After completing all codal formalities the competent authority issued the removal order of the appellant from the service, in light of the findings recommended by the enquiry committee.
3. Incorrect, the appellant was given sufficient time by the enquiry officer to defend his case.
4. Incorrect, the appellant was served with statement of allegation and charge sheet duly signed by the competent authority (Annexure-7).
5. Incorrect. The appellant never performed his duties regularly and was a habitually absentee as mentioned in above Para's.
6. The respondents seek permission to raise additional grounds at the times of arguments.

4

In view of the parawise comments based on facts, it is respectfully prayed that by accepting the same, the appeal may kindly be dismissed.



Respondent No. 1
Chief Secretary Khyber
Pakhtunkhwa Peshawar



Respondent No. 2
Secretary Livestock & Dairy
Development Department Khyber
Pakhtunkhwa Peshawar



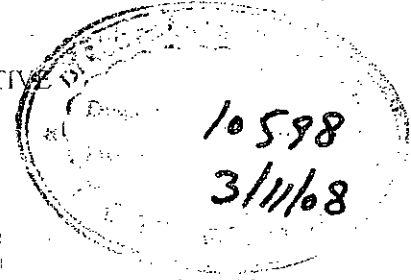
Respondent No. 3
Director General (Ext) Livestock
& Dairy Development Department
Peshawar



Respondent No. 4
District Director Livestock
D.I.Khan

GOVERNMENT OF NWFP
AGRICULTURE, LIVESTOCK & COOPERATIVE
DEPARTMENT PESHAWAR

Dated Peshawar the November 1, 2008



NOTIFICATION.

No.SO(L&DD)AD-I(249)/PF/2007

WHEREAS, Dr. Abdul Waheed Qureshi,

Veterinary Officer (BS-17), Incharge Civil Veterinary Hospital Draban Kalan D.I.Khan was proceeded under the North West Frontier Province Removal from Service (Special Powers) Ordinance, 2000 for the charges mentioned in the Show Cause Notice dated 12.8.2008.

AND WHEREAS, the Chief Secretary, NWFP (competent authority) after having considered the charges/materials on record/explanation of the officer concerned and exercising his powers under Section 3 of the NWFP Removal from Services (Special Powers) Ordinance, 2000 has been pleased to pass on the following orders:-

- i) imposed upon him a minor penalty of "withholding" of three annual increments without cumulative effect.
- ii) The period of his absentee from 01.02.2007 to 31.03.2008 may be treated as Extra Ordinary leave without pay.

Sd/-
SECRETARY AGRICULTURE

Endst: No. & Date even.

Copy to:

1. Accountant General NWFP Peshawar
2. Director, Livestock & Dairy Development, NWFP Peshawar w/t to his letter No.9799/2/1950 dated 8.9.2008.
3. District Accounts Officer, D.I.Khan.
4. Officer concerned C/O Director Livestock and Dairy Development-NWFP Peshawar.
5. PS to Secretary Agriculture.
6. Personal file of officer concerned
7. P.S to Secretary Agriculture.
8. Master file.


(NAEMULLAH)
Section Officer (L&DD)

Su/xi

6 (Amendment-2)



NOTES 1300

BOARD OF GOVERNERS			
S.NO	NAME	OCCUPATION	ADDRESS
1	Mr. Makdom Kazim Hussain Shah	Minister KPK D.I.Khan	Bilot Shariff, D.I.Khan
2	Mr. Samiullah Khan Alizai	MPA / PPP Leader D.I.Khan	Kiri Alizai, D.I.Khan
3	Mr. Prof:Asif Jameel	Chairman PH&E Department, Gomal University, D.I.Khan	Gulshan Colony, Cantt, D.I.Khan
4	Mr. Dr.Zahoor-Ud-Din	Principal VO, LEPP, KPK	Kiri Alizai, D.I.Khan
5	Mr.Shah Zaman Khan	District Social Welfare Officer, D.I.Khan	Gillani Town, D.I.Khan
6	Malik Sultan Khan	Social Activist / Farmer	Jhoke Maehi, Parova, D.I.Khan
7	Abdul Majeed Qureshi	Ex-Counselor / Social Activist	Singhar, D.I.Khan

S.No	Ranking	Name	Address
1	President	Dr.A.Waheed	Ghari Saddozal, D.I.Khan
2	Vice President	Sanaullah	Athog, D.I.Khan
3	General Secretary	M.Ijaz	Athog, D.I.Khan
4	Finance Secretary	M.Iqbal	Phollari, D.I.Khan
5	Joint Secretary	M.Shariff	Chashma, D.I.Khan
6	Press Secretary	Attaullah	Athog, D.I.Khan
7	Member EB	M.Amir	Athog, D.I.Khan
8	Member EB	M.Arshad	Athog, D.I.Khan
9	Member EB	G.Yasin	Athog, D.I.Khan
10	Member EB	Arshad Iqbal	Purrikhel, D.I.Khan
11	Member EB	Sanaullah	Purrikhel, D.I.Khan

SATH DEVELOPMENT ORGANIZATION HUMAN RESOURCE

LEVEL OF EFFORTS	DESIGNATION	EXPERIENCE	QUALIFICATION	NAME	S.NO
Part Time	Chief Consultant	15 Years in project Management & Livelihood development	PVM / PHMP (The Netherlands)	Dr.A.Wahed Qureshi	1
Full Time	General Secretary	5 Years in Administration	MBA	Muhammah Ijaz Khan	2
Part Time	Finance Consultant	3 Years in Auditing & Account	MBA Finance	Muhammah Fahem Nawaz	3
Part Time	Livelihood Advisor	2 Year in Livelihood development	M.Sc Physics	Yasir Wahab	4
Full Time	Admin Officer SPO	3 Years in HR development	MBA Human Resource Management	Kahel Khan	5
Part Time	Media support Coordinator	3 Years in media coordination	M.Sc Journalism & Mass Communication	Abdul Mugeet	6
Full Time	Admin & Logistic Officer	10 Years in Finance & Logistics	M.Com	Muhammah Yousof Qureshi	7
Part Time	Project Management Advisor	3 Year Management & Marketing	M.S Management Science	Muhammah Nabeel	8
Full Time	Office Data Manager	1 Year Office Data Management	B.Sc Computer Science	Shwalia Jabeen	9
Part Time	Community Mobilizer	3 Years in Social Mobilization	MBA Banking & Finance	Itadhar Ahmed	10
Part Time	Women Educationist	3 Year in Education development	BA / DIT	Muhammah Salma	11
Part Time	Women Educationist	4 Year in Education development	M.Ed	Farhanda Jabeen	12
Part Time	Community Mobilizer	8 Year in Social Organization	M.Sc Archeology / LLB	Humayun Khan	14
Part Time	HRD Advisor	2 Years in HRD	MBA Human Resource Development	Muhammah Izzat	15
Part Time	Community Mobilizer	2 Years in Social Mobilization	LLB	Mansoor Salam	16
Part Time	Community Mobilizer	4 Year in Community Mobilization	MPA	Mohsin Mehmood	17
Part Time	Community Mobilizer	2 Year in Community Mobilization	B.Ed / P.T	Muhammah Zakia	18
Part Time	Environmentalist / Field Chemist in WASH	2 years in WASH	MS Environmental Sciences / M.Sc Chemistry	Jawad Ali	19
Part Time	Community Mobilizer	1 Year in field Operations	M.Sc Physics	Sharif Uddin	20
Full Time	Community Mobilizer	1 Year in Environment	M.Sc Biological Sciences	Mehmood Khan	21
Full Time	Community Mobilizer	4 Years in Social Work	MBA Finance	Muhammah Iqbal	22



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L. Amn... 3

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**DIRECTORATE GENERAL (EXTENSION),
DIRECTORATE OF ANIMAL HEALTH AND PRODUCTION,
LIVESTOCK AND DAIRY DEVELOPMENT DEPARTMENT,
KHYBER PAKHTUNKHWA, PESHAWAR**

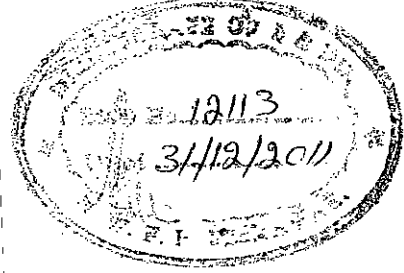
Tel: +92-91-9212973 Fax: +92-91-5286869 E-mail: dahkpk@yahoo.com

No. Dated Peshawar the

12/2011

To

Dr. Abdul Waheed Qureshi,
Veterinary Officer (Health),
Civil Veterinary Dispensary, Gara Isakhan,
D.I.Khan.



Subject: **EXPLANATION**

Memo:

With reference to the captioned subject and to inform that the District Livestock Officer, D.I.Khan has reported vide his letter No. nil dated nil (copy enclosed) that you are absent for the last six months without any information.

You are, therefore, directed to explain cogent reasons of your willful absence from official duty within a week time after the receipt of this letter, failing which, disciplinary action will be initiated against you under the rules.

Encl: **As stated above.**

(DR. IHSAN ULLAH KHAN)
DIRECTOR

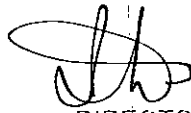
No. 2957-58

Dated Peshawar the

31/12/2011

Copy of the above is forwarded to:

1. Director General (Extension), Livestock and Dairy Development, Khyber Pakhtunkhwa, Peshawar for information at the stage please.
2. District Livestock Officer, D.I.Khan.w/r.to.his letter quoted above please.


DIRECTOR 15.12.2011

evident from the above facts and findings.

We came to Office of the District Livestock Officer (DLO), D.I.Khan, and ask him to call the previous two DLOs (Dr. Zahoor-u-Din and Dr. Tariq Mansoor) and Dr. Abdul Waheed Veterinary Officer CVH, Ghara Issa Khan for their statements.



9 (Amended-4)

GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

No.SO(L&F)AD-1(249)/PF/2007,
Dated Peshawar the 31st December, 2012.

To

Mr.Abidullah (PCS EG BS-18),
Welfare Manager, Tanzeem Lissail-e-Wal Mahroom.

Subject:

**DISCIPLINARY ACTION AGAINST DR.ABDUL
WAHEED, VETERINARY OFFICER (H), CIVIL
VETERINARY HOSPITAL, GARA ISSA KHAN, D.I.KHAN
FOR WILLFUL ABSENCE FROM DUTY.**

I am directed to refer to the subject noted above and to enclose herewith copies of the statement of allegation and charge sheet duly signed by the Competent Authority, Chief Secretary, Khyber Pakhtunkhwa for initiating proceedings against Dr.Abdul Waheed, Veterinary Officer (H), Civil Veterinary Hospital, Gara Issa Khan, D.I.Khan under the provision of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

Encl: As above.

(Dr. Mir Ahmad Khan)
SECTION OFFICER (L&F)

Copy to:

1. Director General (Extension), Livestock & Dairy Development Department with request to depute a departmental representative who is well conversant with the fact of the case alongwith relevant record to assist the Inquiry Officer during the proceedings.
2. Dr.Abdul Waheed, Veterinary Officer (H), Civil Veterinary Hospital, Gara Issa Khan, D.I.Khan with advice to appear before the Inquiry Officer on the date, time and venue fixed by the Inquiry Officer for the purpose of the inquiry proceedings.
3. P.S to Secretary, Agriculture, Livestock & Cooperative Department.

SECTION OFFICER (L&F)



21
1/11/2013
J.S.

10 (Annexure-5)
GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

No.SO(L&F)AD-1(249)/PF/2007,
Dated Peshawar the 31st December, 2012.

To

Mr. Abidullah (PCS EG BS-18),
Welfare Manager, Tanzeem Lissail-e-Wal Mahroom.

Subject:

**DISCIPLINARY ACTION AGAINST DR. ABDUL
WAHEED, VETERINARY OFFICER (H), CIVIL
VETERINARY HOSPITAL, GARA ISSA KHAN, D.I. KHAN
FOR WILLFUL ABSENCE FROM DUTY.**

I am directed to refer to the subject noted above and to enclose herewith copies of the statement of allegation and charge sheet duly signed by the Competent Authority, Chief Secretary, Khyber Pakhtunkhwa for initiating proceedings against Dr. Abdul Waheed, Veterinary Officer (H), Civil Veterinary Hospital, Gara Issa Khan, D.I. Khan under the provision of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

(Dr. Mir Ahmad Khan)
SECTION OFFICER (L&F)

Encl: As above.

Copy to:

1.

Director General (Extension), Livestock & Dairy Development Department with request to depute a departmental representative who is well conversant with the fact of the case alongwith relevant record to assist the Inquiry Officer during the proceedings.

2.

Dr. Abdul Waheed, Veterinary Officer (H), Civil Veterinary Hospital, Gara Issa Khan, D.I. Khan with advice to appear before the Inquiry Officer on the date, time and venue fixed by the Inquiry Officer for the purpose of the inquiry proceedings.

3.

P.S to Secretary, Agriculture, Livestock & Cooperative Department.

SECTION OFFICER (L&F)

11
Inquiry Procedural Report (Annexure-6)

INQUIRY REPORT ON DISCIPLINARY ACTION AGAINST DR. ABDUL WAHEED, VETERINARY OFFICER. CIVIL VETERINARY HOSPITAL, GARA ISSA KHAN D.I.KHAN.

CONDUCTED BY : ABID ULLAH, WELFARE MANAGER,
TANZEEM LISSAIL-E-WAL MAHROOM, CHIEF MINISTER SECRETARIAT,
KHYBER PAKHTUNKHWA.

Subject: INQUIRY REPORT ON DISCIPLINARY ACTION AGAINST DR. ABDUL WAHEED,
VETERINARY OFFICER, CIVIL VETERINARY HOSPITAL, GARA ISSA KHAN D.I.KHAN

Background:

Agriculture, Livestock and Cooperative Department, Government of Khyber Pakhtunkhwa communicated orders of the Competent Authority for initiating proceedings against Dr. Abdul Waheed, Veterinary Officer, Civil Veterinary Hospital, Gara Issa Khan D.I.Khan under the provisions of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules-2011 vide letter No. SO(L&F)AD-1(249)/PF/2007 dated 31-12-2102 (Annex-A). The letter was received on 10-01-2013 by the undersigned.

Statement of allegations:

2. The charge sheet states that the accused has committed the following irregularities (Annex-B):

- i. He is habitually absenting himself from duty without leave and;
- ii. He has joined an NGO namely SATH in the capacity of its fulltime president.

Proceedings of the Inquiry:

3. Soon after receipt of the orders for inquiry, Agriculture Department was asked to depute a Departmental Representative to furnish the relevant record and assist the Inquiry Officer. The Department deputed Dr. Jan Mir Khan Distt', Director Livestock D.I.Khan as Departmental Representative (Annex-C). Dr. Jan Mir Khan being Reporting Officer of the accused, the department was asked to depute an impartial Departmental Representative to furnish the relevant record and assist the Inquiry Officer (Annex-D). Dr. Sajjad Ahmed, Research Officer at the Livestock Directorate General was, therefore nominated Departmental Representative in the case. Dr. Jan Mir Khan attended office of the undersigned on 17-01-2013 and furnished the relevant record available at the District level.

4. Dr. Jan Mir Khan, Distt' Director Livestock D.I.Khan, Dr. Malik Ayaz Wazir, Director Animal Health and Production, Dr. Sajjad Ahmed RO DG Livestock Office and Dr. Abdul Waheed, the accused officer were summoned to the office of the undersigned on 31-01-2013. Written statements of these officers were recorded. Dr. Malik Ayaz Wazir, Director Animal Health and Production and Dr. Ihsanullah Director/Epidemiologist had conducted an inquiry against the accused officer. Dr. Ihsanullah could not turn up because he had proceeded for performance of Umra. His statement was, however recorded later on.

5. Dr. Jan Mir Khan, Distt' Director Livestock D.I.Khan submitted his written statement alongwith copies of supporting documents (Annex-E). He stated that the District Livestock Officer D.I.Khan reported on 21-10-2011 that Dr. Abdul Waheed was absent from duty since 15-08-2011 and did not respond to the explanation. Subsequently Director Headquarter called his explanation on 31-10-2011 but the accused officer failed to respond. Dr. Jan Mir Khan further states that he visited Civil Veterinary Hospital Gara Essa Khan alongwith EDO Agriculture D.I.Khan on 01-12-2011 and found the accused officer absent from duty. Dr. Asmatullah Principal Veterinary Officer D.I.Khan was requested to conduct an inquiry against him. The inquiry was conducted which reported that Dr. Abdul Waheed was willfully absent from duty since long. Dr. Ihsanullah, Director Animal Health visited Gara Essa Khan on 10-12-2011, checked all the record and found it unsatisfactory. The daily attendance register was not maintained after August 2003 and no vaccination was carried out after May 2010. Dr. Jan Mir Khan again visited Civil Veterinary Hospital Gara Essa Khan on 23-04-2012 and found Dr. Abdul Waheed absent from duty.

6. Dr. Malik Ayaz Wazir, Director Animal Health and Production submitted his written statement (Annex-F). Dr. Ayaz Wazir states that he conducted an inquiry in the absence case of Dr. Abdul Waheed and found him as habitually and intentionally absenting himself from duty. He also does not maintain vaccination, OPD and other registers of the Civil Veterinary Hospital Gara Essa Khan D.I.Khan. The officer is also running an NGO named "SATH" for the last many years.

7. Statement of the accused officer, Dr. Abdul Waheed Veterinary Officer Civil Veterinary Hospital Gara Essa in his defence against the allegations was recorded (Annex-G). The officer stated that he always remained punctual and dutiful and is very hardworking and have best potential. He further states that he managed his duties very well but sometimes due to unavailability of public transport to the duty place, he reaches little bit late but is never absenting himself from duty. He further states that due to nature of his work, he visits different surrounding villages for treatment and vaccination purposes.

8. To the allegation of joining an NGO, the accused officer responded that he is not working with any NGO or "SATH" but as different NGOs/Projects collaborate with Livestock and Dairy Development Department D.I.Khan for livestock trainings, vaccinations or field days. He used to assist them off-time. However since December 2011, he is not assisting them. Presently he is not an employee of SATH or any other organization.

9. To the question as to why he did not deposit the chit-fee in time, the accused officer states that he always submitted his chit-fee in time but sometimes he became late due to logistic problems otherwise he is regular in depositing the fee.

10. At the end of his statement, the accused officer has re-iterated that he is dutiful, hard worker and never worked for any NGO. However sometimes he reaches late to his place of duty due to logistic /transport problems.

11. Written statement of Dr. Ihsan Ullah Khan, Epidemiologist DG Livestock Office Peshawar was also recorded (Annex-H). Dr. Ihsan Ullah stated that he had conducted an inquiry in the absence case of Dr. Abdul Waheed. It became very clear that the officer is habitually absenting himself from duty. He never bothered to attend his official duties and to maintain vaccination, OPD and other registers since his posting. The Epidemiologist further states that the services of Dr. Abdul Waheed Veterinary Officer, may be terminated in the interest of public service.

12. The inquiry report jointly submitted by Dr. Malik Ayaz Wazir, Director Animal Health & Production L & DD and Dr. Ihsan Ullah Epidemiologist L & DD Khyber Pakhtunkhwa on 13-07 - 2012, against the accused officer was also perused which is placed at (Annex-I). The report states that the accused officer is habitually absenting himself from duty and also worked for an NGO. Another inquiry report submitted by Dr. Asmatullah, Principal Veterinary Officer CVH D.I.Khan on 10-12-2011 was also perused (Annex-J). This report also states that the officer remained absent from duty.

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13. Proceedings carried out against the accused officer under Removal from Service Ordinance 2000 during the year 2008 for absence from duty were also perused in detail (Annex-K).

14. Findings:

The evaluation of the evidence on record leads to following findings;

- i. Dr. Abdul Waheed Veterinary Officer (H), Civil Veterinary Hospital Gara Essa Khan D.I.Khan is habitually absenting himself from duty without prior approval of leave and is therefore guilty in terms of Rule 3(d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011.
- ii. The officer did work for various NGOs which is accepted by the accused officer himself, without any permission from the Competent Authority. The officer, however stopped working for NGOs after objection from his Department. No evidence could be found that he is presently working for any NGO.

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①
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- iii. The officer was proceeded against under Removal from Service Ordinance 2000 during the year 2008 for absence from duty. A Show Cause Notice of "Removal from Service" was served upon him. The major penalty was later on converted into minor penalty of withholding of three annual increments without cumulative effect, after personal hearing.
- iv. During the inquiry proceedings it was noticed that the seat of Veterinary Assistant (VA) is lying vacant in Civil Veterinary Hospital Gara Essa Khan D.I.Khan for quite long time. This has badly affected the vaccination and other activities at the CVH.

15. Recommendations:

- i. Dr. Abdul Waheed, Veterinary Officer (H) CVH Gara Essa Khan D.I.Khan is guilty of habitually absenting himself from duty, the Competent Authority may therefore impose one of the minor or major penalties from the list specified in Rule 4 of the Khyber Pakhtunkhwa (Efficiency and Discipline) Rules 2011 (Annex-L).
- ii. The post of Veterinary Assistant (VA) may be filled at CVH Gara Essa Khan D.I.Khan by transfer from the Civil Veterinary Hospital/Dispensary within the District where the Veterinary Assistant is in surplus.

M. Abid
Abid Ullah 22-02-2013
Welfare Manager,
Tanzeem Lissail-e-Wal Mahroom,
Chief Minister Secretariat, Khyber Pakhtunkhwa.

~~ES~~ ESSTATEMENT OF ALLEGATIONS

I, Ghulam Dastagir Akhtar, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, am of the opinion that Dr. Abdul Waheed Qureshi, Veterinary Officer (H), B-17, In-charge Civil Veterinary Hospital Garra Issa Khan, District D.I.Khan, has rendered himself liable to be proceeded against as he has committed the following acts / omissions within the meaning of Section-3 (b) & (d) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

- i. He is un-authorizedly absent from duty since the last two years; and
- ii. He has joined the NGO namely SATH in the capacity of its fulltime President.

2. For the purpose of scrutinizing the conduct of the accused with reference to the above allegations, an Inquiry Officer / Committee consisting of the following is constituted under Section-5 of the Khyber Pakhtunkhwa, Government Servants (Efficiency and Discipline Rules), 2011.

- i.
- ii.

3. The Inquiry Officer/Committee shall, in accordance with the provision of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline Rules), 2011, provide reasonable opportunity of hearing to the accused, record its findings and make within twenty five days of the receipt of this order, recommendations as to fix penalty or otherwise.

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.

(GHULAM DASTAGIR AKHTAR)
CHIEF SECRETARY

(COMPETENT AUTHORITY)

17
2007

CHARGE SHEET

I, Ghulam Dastagir Akhtar, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, hereby charge you, Dr. Abdul Waheed Qureshi, Veterinary Officer (BS-17), in charge Civil Veterinary Hospital Garra Issa Khan, District D.I Khan, as follows:

That you while posted as District Livestock Officer, Hangu committed the following irregularities:

- i. You are habitually absenting yourself from duty without leave. and
- ii. You have joined an NGO namely SATH in the capacity of its fulltime president.

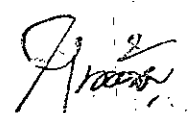
2. By reason of the above, you appear to be guilty of misconduct and absence from duty under Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in Rule-4 of the rules *ibid*.

3. You are, therefore, required to submit your written defence within seven days of the receipt of this Charge Sheet to the inquiry officer/inquiry committee. as the case may be.

4. Your written defence, if any, should reach the inquiry officer/inquiry committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be initiated against you.

5. Intimate whether you desire to be heard in person.

6. A statement of allegations is enclosed.


(GHULAM DASTAGIR AKHTAR)
CHIEF SECRETARY, KHYBER PAKHTUNKHWA.