

3. Shortages in wheat storages at Malakand / Chitral Districts:

The Committee was briefed that DFCs Dargai & Chitral have reported shortage of thousands of bags of wheat in their Ware-houses. Similarly, the Provincial Inspection Team has recommended a thorough inspection of godowns at Dargai / Sakha Kot. In order to ascertain the actual facts, Food Department has constituted separate committees for probing into the ground realities and to adduce their observations / recommendations regarding the condition as well as quantity of wheat available in the stores of DFCs Dargai & Chitral. Moreover, M/s Sher Ali Food-grains Inspector Chitral & Mr. Samjullah, Food-grains Supervisor Chitral are facing inquiries under the Efficiency & Discipline Rules, 2011. The latter has also been suspended.

DFC Chitral informed the meeting that handing / taking processes with Mr. Sher Ali FGI have been completed, who has deposited a portion of the outstanding dues. He added that owing to suspension of Mr. Sher Ali FGI, vacuum has been created, which is affecting the recovery processes, as he has got the institutional memory to clear his transactions with various custodians of the Sale Points in his area of jurisdiction. He proposed withdrawal of suspension order of the incumbent officer in the best public interest.

Decision:

- a) The Committees constituted for probing into the condition & quantity of wheat in the godowns at Dargai-Sakha Kot & Chitral Districts shall expeditiously submit their findings.
- b) The delinquent officers / officials concerned shall clear their accounts by 31st August 2016 positively; failing which the Assistant Director Malakand Division shall take up with the NAB with relevant facts & figures for the registration of cases against them.
- c) Director Food may review his order of suspension of Mr. Sher Ali FGI, enabling him to assist the DFC Chitral in the recovery of dues outstanding against various Incharges of the Sale Points in his area. However, he shall not have the authority to deal with any other allied matter, which shall be the mandate of his successor.

4. Appointment of locals against the vacant posts of Food-grains Supervisors at Chitral:

The meeting was told that having peculiar geo-social conditions, remote location, scattered population & prone to natural calamities, Food Department Khyber Pakhtunkhwa has made special arrangements of food security for District Chitral. There are 32 Provincial Reserve Centers (PRCs) & about 100 sale points in that District. Due to shortage of executive staff, the provincial government has recently sanctioned 23 posts of Food-grains Supervisors (FGSSs) BPS-7 so that each PRC could get one FGS for proper supervision. Being unattractive area coupled with the language barrier, officers and officials from down-districts shirk to perform duties in the said District. Even the locals

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of Lower Chitral do not feel comfortable, if posted at Upper Chitral and vice versa. In the absence of effective supervision, numerous cases of embezzlement and misappropriation of public funds have been detected. It is thus need of the hour not only to induct local candidates, but also to give preference to those hailing from the particular valleys where PRCs are located. These arrangements, if approved by the competent authority by relaxing the appointment rules, shall ensure reformation, punctuality and proper supervision of government property. Above all, the masses being poor having sense of deprivation shall heave a sigh of relief.

Decision:

Proposal of the Food Department is tenable. A summary should be moved for approval of the Honorable Chief Minister Khyber Pakhtunkhwa to accord approval for induction of locals against the vacant posts of Food-grain Supervisors (BPS-7), through the competitive processes of NTS mechanism, from among the locals of Chitral District with due regard for the candidates belonging to the valleys where PRCs are located.

5. *Reduction in transportation charges in lieu of decrease in the POL prices:*

The meeting was told that Director Food Khyber Pakhtunkhwa floated tenders for transportation of wheat on PR to PR basis for the financial year 2015-16 and inked agreements with the successful bidders. Para 3.2 of the contract agreement provided as under:

"The effect of change in the POL will be reconsidered on quarterly basis. The increase / decrease in the POL rates will be calculated at the rate of fifty percent (50%) for the POL. However, impact below ten percent (10%) will not be considered."

It was explained that POL rates witnessed downwards trend during the 1st & 2nd quarters of the financial year, but the impact of decrease being below 10% during the corresponding period is not applicable. However, the average decrease during the 3rd quarter (Rs.12.868 i.e., Rs.6.434 @ 50%) as well as the 4th quarter (Rs.16.914 i.e., Rs.8.4571 @ 50%) are applicable in the light of above-cited provision. Summary of stock of wheat transported on PR to PR basis during 2015-16 (Annex-II) was placed before the Committee for consideration.

Decision:

Food Directorate Khyber Pakhtunkhwa may implement Para-3.2 of the Contract Agreement and make deductions from the Contractors concerned accordingly.

The meeting ended with a mutual vote of thanks from & to the Chair.



**MEETING OF THE PROVINCIAL FOOD COMMITTEE
DATED 21.7.2016 AT 11:00 AM UNDER THE
CHAIRMANSHIP OF MINISTER FOOD IN HIS OFFICE**

ATTENDANCE SHEET

S.No	Name with Designation	Signature
1	Haji Qalandar Khan Lodhi, Minister Food	In Chair
2	Asmatullah Khan Gandapur Secretary Food KPK.	
3	Md Nusrat Kamal Raja GM (PASSCO).	
4	S. Munir Hossain Shah. D.D. Food FCI.	
5	Shulam Haidar DDA	
6	Fazal Bazar DFC Chitral	
7	Adnan Field Supervisor	
8	MASOOD ALI KHAN 2 - H.PASSCO KPK.	
9	M. Kibaz Khan DS Low Dept.	
10	Arifad Khan DFC Malakand	
11	Sontoz Muhammed Khan DAF Hozora ATD	
12	Abdul Jabbar ADF Malakand	
13	Muhammad Nazem Purchase Inspector, Passco Chonadda.	
14	Syed Noor Ahmad Shah Duty Secretary Finance	

Annex - II

Annex - II ✓

SUMMARY OF STOCK OF WHEAT TRANSFER ON PR TO PR BASIS DURING 2015-16

S/No.	Name of CC	Distt.	Quantity Received (Tons)			Approved rate 2015-16	Decrease rate as per Clause 3.2 of the contract agreement	Difference in rates (col.7-8)	Recoverable amount of the 3rd quarter (Col. 5 x 9)	Decrease rate as per Clause 3.2 of the contract agreement	Difference in rates (col. 7-11)	Total Recoverable amount of the 4th quarter (Col.6 x12)	Grand Total of Recoverable amount
			2nd Quarter 01.10.2015 to 31.12.2015	3rd Quarter 01.01.2016 to 31.03.2016	4th Quarter 01.04.2016 to 30.06.2016								
1	Haji Ikramullah	Dir Upper	3,013.833	2,301.658	114.909	-	-	-	-	-	-	-	-
2	Saeed & Brothers	Swat	4,000.000	4,388.150	-	-	-	228,439.56	-	-	10,039.60	238,479.16	
3	Seven Star Traders	Balagran	342.440	2,657.560	-	-	-	647,822.58	-	-	-	647,822.58	
4	Mir Goods	Balagran	-	1,000.000	1,340.000	-	-	366,318.07	-	-	-	366,318.07	
5	Javed & Co	Swat	3,731.158	15,268.842	2,500.000	-	-	76,590.00	-	-	90,356.20	166,946.20	
6	Bilal & Co	Hangu	128.540	1,871.460	-	-	-	-	-	-	129,050.00	129,050.00	
7	Javed & Co	Charsadda	2,309.258	8,190.742	2,000.000	-	-	-	-	-	-	-	
8	Union Carriage Co	Charsadda	-	1,500.000	-	-	-	-	-	-	115,710.00	115,710.00	
9	Union Carriage Co	Peshawar	-	13,658.406	-	-	-	-	-	-	-	-	
10	Javed & Co	Dir Lower	-	5,500.000	-	-	-	-	-	-	-	-	
11	Haji Ikramullah	Dir Lower	-	266.410	-	-	-	-	-	-	-	-	
12	Union Carriage Co	Mardan	-	2,695.320	-	-	-	-	-	-	-	-	
13	Union Carriage Co	Swabi	-	4,283.880	2,849.525	-	-	-	-	-	-	-	
14	Seven Star Traders	Mansehra	-	3,000.000	557.345	-	-	-	-	-	193,422.35	193,422.35	
	Muslim Khan	Dargai	-	-	2,000.000	-	-	-	-	-	30,180.23	30,180.23	
	Total:-		13,525.229	66,582.428	11,361.779			1,319,170.21			98,280.00	667,038.38	

OFFICE OF THE DISTRICT FOOD CONTROLLER, CHITRAL

To, No. 3167 /Sher Ali FGI, Dated Chitral the 24/10/2016

Ehtesab Commission Khyber Pakhtunkhwa,
Peshawar.

Subject: - **EMBEZELMENT OF GOVERNMENT WHEAT COSTING RS.86082499/- BY M.SHER ALI EX-FOODGRAIN INSPECTOR AND M.SAMIULLAH KHAN EX-FOODGRAIN SUPERVISOR**

Memo:-
Reference is invited to the subject noted above and to state that Mr.Sher Ali Ex-Foodgrain Inspector and Mr.Samiullah Khan Ex- Foodgrain Supervisor had been incharge Provincial Reserve Centre Torkoh,Broghil,Yarkhoon,Khot,Rech ,Oveer and connected Sale Points respectively. They embezzled a quantity of 2376.053 M.tons wheat (23416) bags amounting to Rs.86082499/-during their respective postings as Foodgrain Inspector/Foodgrain Supervisor incharge of the above-referred Provincial Reserve Centres and attached Sale points. Detail of cost of the embezzled quantity of wheat and Empty Gunny Bags is as under:-

S.No	Name of Ex-Incharge Provincial Reserve Centre	Name of Provincial Reserve Centre	Commodity	Quantity short deducted		Rate (per Ton)	Amount	Landed cost of 1232.690 ton @ 2525/- per M.ton	Recovery amount
				Bags	Tons				
1.	M.Sher Ali Ex-Incharge.	Torkoh,Broghil & Yarkhoon.	Wheat	13735	1252.690	32500/-	Rs.4324220/-	Rs.2240075/-	Rs.4548885/-
2.	M.Samiullah Khan Ex-Incharge	Khot,Rech and Oveer.	Wheat	9630	1093.353	32500/-	Rs.35534345/-	Rs.2761535/-	Rs.29591284/-
			Total	23416	2376.053		Rs.80080589/-	Rs.6001910/-	Rs.86082499/-

2. According, this office sent letters No.1615/2/1-FG, dated 30/5/2016, No.1620/Sher Ali-FGI dated 30/5/2016 and No.1770/Samiullah dated 09/6/2016 and No.1806/Samiullah dated 10/6/2016, to ex officials concerned with copy to Director Food Khyber Pakhtunkhwa Peshawar (Annex-A). Therefore, Director Food Khyber Pakhtunkhwa Peshawar constituted an inquiry committee comprising of Mr.Abdul Jaleel, Assistant Director Food Malakand Division and Mr. Jahangir Khan, Assistant Director Food Kohat Division to probe the matter and submit its recommendations thereon for appropriate action against the ex-officials. The inquiry committee submitted its report accordingly (Annex-B).After completing all code formalities, the issue was then placed before the Provincial Food Committee in its meeting under the chairmanship of Minister Food held on 28/09/2016.As per decision of Provincial Food Committee, this office has been directed to lodge a report with the Khyber Pakhtunkhwa Ehtesab Commission for taking judicial action against the above mentioned ex-officials (Annex-C).

3. It is added that administrative action has already been taken in the instant case and both the ex-officials have been dismissed from service. Keeping in view recommendation of the Provincial Food Committee, it is requested that judicial action may kindly be taken against the ex-officials concerned and the embezzled money may kindly be recovered from them in the public interest.

Enclosure as above.

DF	
DDESH	
Diary No	10409
Dated	25-10-16

No. 3168-69 /Sher Ali FGI,

District Food Controller,
Chitral,
Dated Chitral the 24/10/2016

Copy forwarded to:-

1. Direct or Food Khyber Pakhtunkhwa Peshawar for information please.
2. The Assistant Director Food Malakand Division at Swat for information.

Syeda LE
31-X-16
Mu 211X

District Food Controller,
Chitral.

Recd/H.A.H.
Please put
1/11



FOOD DIRECTORATE,
KHYBER PAKHTUNKHWA,
PESHAWAR.

No. 1394/PF-1037
Dated 07/08/2016

OFFICE ORDER

In pursuance to the decision of the Provincial Food Committee taken in its meeting held on 21-07-2016 (Para-3-c of the Minutes), suspension of Mr. Sher Ali Foodgrain Inspector Office of District Food Controller, Chitral is hereby reviewed ^{and withdrawn} into-service enabling him to assist the District Food Controller Chitral in the recovery of outstanding dues against him being incharge of PRCs Yarkhoon & Turkoh. However proceedings against him under the E&D Rules-2011 shall continue.

2 On re-instatement he shall deal only with the issues of outstanding recovery and will not deal with other allied matters, which will be the mandate of his successor.

Bmat
DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR
05-0816.

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.
3. The Section Officer General Government of Khyber Pakhtunkhwa Food Department Peshawar with reference to his letter No.SOF/FD/2-26/Vol.VI/2874 dated 26-07-2016.
4. The District Accounts Officer, Chitral
5. The Assistant Director Food Malakand Division at Saidu Sharif Swat
6. The District Food Controller, Chitral
7. Mr. Mr. Sher Ali FGI incharge PRCs Yarkhoon & Turkoh.
8. Personal File

MCC
Pl. up date his Salaries.
16/8

Bmat
DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR
05-0816

Attested

D.No	3753
R.Dt:	18.8.16
F.No.	Sher Ali
When:	

3. Shortages in wheat storages at Malakand / Chitral Districts:

The Committee was briefed that DFCs Dargai & Chitral have reported shortage of thousands of bags of wheat in their Ware-houses. Similarly, the Provincial Inspection Team has recommended a thorough inspection of godowns at Dargai / Sakha Kot. In order to ascertain the actual facts, Food Department has constituted separate committees for probing into the ground realities and to adduce their observations / recommendations regarding the condition as well as quantity of wheat available in the stores of DFCs Dargai & Chitral. Moreover, M/s Sher Ali Food-grains Inspector Chitral & Mr. Samiullah, Food-grains Supervisor Chitral are facing inquiries under the Efficiency & Discipline Rules, 2011. The latter has also been suspended.

DFC Chitral informed the meeting that handing / taking processes with Mr. Sher Ali FGI have been completed, who has deposited a portion of the outstanding dues. He added that owing to suspension of Mr. Sher Ali FGI, vacuum has been created, which is affecting the recovery processes, as he has got the institutional memory to clear his transactions with various custodians of the Sale Points in his area of jurisdiction. He proposed withdrawal of suspension order of the incumbent officer in the best public interest.

Decision:

- AD(S)
- A
- AD(E)
- a) The Committees constituted for probing into the condition & quantity of wheat in the godowns at Dargai-Sakha Kot & Chitral Districts shall expeditiously submit their findings.
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 - c) Director Food may review his order of suspension of Mr. Sher Ali FGI, enabling him to assist the DFC Chitral in the recovery of dues outstanding against various Incharges of the Sale Points in his area. However, he shall not have the authority to deal with any other allied matter, which shall be the mandate of his successor.

4. Appointment of locals against the vacant posts of Food-grains Supervisors at Chitral:

AD(E)

AD(F)

The meeting was told that having peculiar geo-social conditions, remote location, scattered population & prone to natural calamities, Food Department Khyber Pakhtunkhwa has made special arrangements of food security for District Chitral. There are 32 Provincial Reserve Centers (PRCs) & about 100 sale points in that District. Due to shortage of executive staff, the provincial government has recently sanctioned 23 posts of Food-grains Supervisors (FGSs) BPS-7 so that each PRC could get one FGS for proper supervision. Being unattractive area coupled with the language barrier, officers and officials from down-districts shirk to perform duties in the said District. Even the locals

Before the NPL Services Tribunal Registrar.

Shah Ali

vs

Brant

Appeal

Application for adjournment

Al Shaukat:-

- ① That the above title appeal is pending before this Honorable Tribunal & fixed for today.
- ② That Counsel for the appellant is busy in Dar-ul-Qarya Surat.
- ③ That due to above mentioned reason, Counsel for appellant can't attend this Honorable Court.


So, it is humbly requested before this Honorable Tribunal may kindly adjourned date for today.

Date: 08/12/2020

Counsel through



M. Usaid



3. Shortages in wheat storages at Malakand / Chitral Districts:

The Committee was briefed that DFCs Dargai & Chitral have reported shortage of thousands of bags of wheat in their Ware-houses. Similarly, the Provincial Inspection Team has recommended a thorough inspection of godowns at Dargai / Sakha Kot. In order to ascertain the actual facts, Food Department has constituted separate committees for probing into the ground realities and to adduce their observations / recommendations regarding the condition as well as quantity of wheat available in the stores of DFCs Dargai & Chitral. Moreover, M/s Sher Ali Food-grains Inspector Chitral & Mr. Samiullah, Food-grains Supervisor Chitral are facing inquiries under the Efficiency & Discipline Rules, 2011. The latter has also been suspended.

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Decision:

DD E

Proposal of the Food Department is tenable. A summary should be moved for approval of the Honorable Chief Minister Khyber Pakhtunkhwa to accord approval for induction of locals against the vacant posts of Food-grain Supervisors (BPS-7), through the competitive processes of NTS mechanism, from among the locals of Chitral District with due regard for the candidates belonging to the valleys where PRCs are located.

5. *Reduction in transportation charges in lieu of decrease in the POL prices:*

The meeting was told that Director Food Khyber Pakhtunkhwa floated tenders for transportation of wheat on PR to PR basis for the financial year 2015-16 and inked agreements with the successful bidders. Para 3.2, of the contract agreement provided as under:

DDA

"The effect of change in the POL will be reconsidered on quarterly basis. The increase / decrease in the POL rates will be calculated at the rate of fifty percent (50%) for the POL. However, impact below ten percent (10%) will not be considered."

It was explained that POL rates witnessed downwards trend during the 1st & 2nd quarters of the financial year, but the impact of decrease being below 10% during the corresponding period is not applicable. However, the average decrease during the 3rd quarter (Rs.12.868 i.e., Rs.6.434 @ 50%) as well as the 4th quarter (Rs.16.914 i.e., Rs.8.4571 @ 50%) are applicable in the light of above-cited provision. Summary of stock of wheat transported on PR to PR basis during 2015-16 (Annex-II) was placed before the Committee for consideration.

Decision:

Food Directorate Khyber Pakhtunkhwa may implement Para-3.2 of the Contract Agreement and make deductions from the Contractors concerned accordingly.

The meeting ended with a mutual vote of thanks from & to the Chair.



**MEETING OF THE PROVINCIAL FOOD COMMITTEE
DATED 21.7.2016 AT 11:00 AM UNDER THE
CHAIRMANSHIP OF MINISTER FOOD IN HIS OFFICE**

ATTENDANCE SHEET

S.No	Name with Designation	Signature
1	Haji Qalandar Khan Lodhi, Minister Food	In Chair
2	Asmatullah Khan Gandapur Secretary Food KPK.	
3	Md. Nusrat Kamil Raja GM (PASSCO)	
4	S. Munir Hossain Shah D.D. Food F&I.	
5	Shulam Haidar DDA	
6	Fazal Raan DFC Chitral	
7	Adnan Field Supervisor	
8	MASOOD ALI KHAN 2 - H PASSCO KPK	
9	M. Kibaz Khan DS Low Diff.	
10	Amyad Khan DFC Malakand	
11	Sontoz Muhammed Khan DADE Hozora ATD	
12	Abdul Jaleel ADF Malakand	
13	Muhammad Naeem Purchase Inspector, Passco Chonadda.	
14	Syed Noor Ahmad Shah Duty Secretary Finance	

Annex - II

Annex - II ✓

SUMMARY OF STOCK OF WHEAT TRANSFER ON PR TO PR BASIS DURING 2015-16

S/No.	Name of CC	Distt:	Quantity Received (Tons)			Approved rate 2015-16	Decrease rate as per Clause 3.2 of the contract agreement	Difference in rates (col.7-8)	Recoverable amount of the 3rd quarter (Col. 5 x 9)	Decrease rate as per Clause 3.2 of the contract agreement	Difference in rates (col. 7-11)	Total Recoverable amount of the 4th quarter (Col.6 x12)	Grand Total of Recoverable amount
			2nd Quarter 01.10.2015 to 31.12.2015	3rd Quarter 01.01.2016 to 31.03.2016	4th Quarter 01.04.2016 to 30.06.2016								
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Haji Ikramullah	Dir Lower	3,013.833	2,301.658	114.909	-	-	-	228,439.56	-	-	10,039.60	2,387,907.16
2	Saeed & Brothers	Shangla	4,000.000	4,388.150	-	-	-	-	647,822.58	-	-	-	547,822.58
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14	Seven Star Traders	Mansehra	-	3,000.000	557.345	-	-	-	-	-	-	193,422.35	193,422.35
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	Total:-		13,525.229	66,582.428	11,361.779	-	-	-	1,319,170.21	-	-	98,280.00	667,038.38

13/5

Annex-F

OFFICE OF THE DISTRICT FOOD CONTROLLER, CHITRAL

To,

No. 3167 / Sher Ali FGI, Dated Chitral the 24/10/2016

Ehtesab Commission Khyber Pakhtunkhwa,
Peshawar.

Subject: -

EMBEZELMENT OF GOVERNMENT WHEAT COSTING RS.86082499/- BY M.SHER ALI EX-FOODGRAIN INSPECTOR AND M.SAMIULLAH KHAN EX-FOODGRAIN SUPERVISOR

Memo:-

Reference is invited to the subject noted above and to state that Mr.Sher Ali Ex-Foodgrain Inspector and Mr.Samiullah Khan Ex- Foodgrain Supervisor had been incharge Provincial Reserve Centre Torkoh,Broghil,Yarkhoon,Khot,Rech ,Oveer and connected Sale Points respectively. They embezzled a quantity of 2376.053 M.tons wheat (23416) bags amounting to Rs.86082499/-during their respective postings as Foodgrain Inspector/Foodgrain Supervisor Incharge of the above-referred Provincial Reserve Centres and attached Sale points. Detail of cost of the embezzled quantity of wheat and Empty Gunny Bags is as under:-

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				Bags	Tons				
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2.	M.Samiullah Khan Ex-Incharge	Khot,Rech and Oveer.	Wheat	9630	1093.363	32500/-	Rs.35034349/-	Rs.2761835/-	Rs.32272514/-
			Total	23416	2376.053		Rs.80080589/-	Rs.6001910/-	Rs.86082499/-

2. According, this office sent letters No.1615/2/1-FG, dated 30/5/2016, No.1620/Sher Ali-FGI dated 30/5/2016 and No.1770/Samiullah dated 09/6/2016 and No.1805/Samiullah dated 10/6/2016, to Ex officials concerned with copy to Director Food Khyber Pakhtunkhwa Peshawar (Annex-A). Therefore, Director Food Khyber Pakhtunkhwa Peshawar constituted an inquiry committee comprising of Mr.Abdul Jallil, Assistant Director Food Malakand Division and Mr. Jahangir Khan, Assistant Director Food Kohat Division to probe the matter and submit its recommendations thereon for appropriate action against the ex -officials. The inquiry committee submitted its report accordingly (Annex-B).After completing all code formalities, the issue was then placed before the Provincial Food Committee in its meeting under the chairmanship of Minister Food held on 28/09/2016.As per decision of Provincial Food Committee, this office has been directed to lodge a report with the Khyber Pakhtunkhwa Ehtesab Commission for taking judicial action against the above mentioned ex-officials (Annex-C).

3. It is added that administrative action has already been taken in the instant case and both the ex-officials have been dismissed from service. Keeping in view recommendation of the Provincial Food Committee, it is requested that judicial action may kindly be taken against the ex-officials concerned and the embezzled money may kindly be recovered from them in the public interest.

Enclosure as above.

DF	
DDES/H	
Diary No	10409
Dated	25-10-16

No. 3168-69 / Sher Ali FGI,

District Food Controller,
Chitral

Dated Chitral the 24/10/2016

Copy forwarded to:-

1. Direct or Food Khyber Pakhtunkhwa Peshawar for information please.
2. The Assistant Director Food Malakand Division at Saidu Sharif Swat for information.

District Food Controller,
Chitral

31-X-16

Recd/BAG
Please put
1/11



FOOD DIRECTORATE,
KHYBER PAKHTUNKHWA,
PESHAWAR.

No. 4394/PF-1037

Dated 07/08/2016

OFFICE ORDER

In pursuance to the decision of the Provincial Food Committee taken in its meeting held on 21-07-2016 (Para-3-c of the Minutes), suspension of Mr. Sher Ali Foodgrain Inspector Office of District Food Controller, Chitral is hereby reviewed ^{and withdrawn} into service enabling him to assist the District Food Controller Chitral in the recovery of outstanding dues against him being incharge of PRCs Yarkhoon & Turkoh . However proceedings against him under the E&D Rules-2011 shall continue.

2 On re-instatement he shall deal only with the issues of outstanding recovery and will not deal with other allied matters, which will be the mandate of his successor.

Bmat

DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR

05-08-16

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.
3. The Section Officer General Government of Khyber Pakhtunkhwa Food Department Peshawar with reference to his letter No.SOF/FD/2-26/Vol.VI/2874 dated 26-07-2016 .
4. The District Accounts Officer, Chitral
5. The Assistant Director Food Malakand Division at Saidu Sharif Swat
6. The District Food Controller, Chitral
7. Mr. Mr. Sher Ali FGI incharge PRCs Yarkhoon & Turkoh.
8. Personal File

HCC
Pl. up date his Salaries.
16/8

Bmat

DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR

05-08-16

Attested

D.No	3753
R.Dt	18.8.16
F.No.	Sher Ali
When	

3. Shortages in wheat storages at Malakand / Chitral Districts:

The Committee was briefed that DFCs Dargai & Chitral have reported shortage of thousands of bags of wheat in their Ware-houses. Similarly, the Provincial Inspection Team has recommended a thorough inspection of godowns at Dargai / Sakha Kot. In order to ascertain the actual facts, Food Department has constituted separate committees for probing into the ground realities and to adduce their observations / recommendations regarding the condition as well as quantity of wheat available in the stores of DFCs Dargai & Chitral. Moreover, M/s Sher Ali Food-grains Inspector Chitral & Mr. Samiullah, Food-grains Supervisor Chitral are facing inquiries under the Efficiency & Discipline Rules, 2011. The latter has also been suspended.

DFC Chitral informed the meeting that handing / taking processes with Mr. Sher Ali FGI have been completed, who has deposited a portion of the outstanding dues. He added that owing to suspension of Mr. Sher Ali FGI, vacuum has been created, which is affecting the recovery processes, as he has got the institutional memory to clear his transactions with various custodians of the Sale Points in his area of jurisdiction. He proposed withdrawal of suspension order of the incumbent officer in the best public interest.

Decision:

- A.D.F. (S)
- a) The Committees constituted for probing into the condition & quantity of wheat in the godowns at Dargai-Sakha Kot & Chitral Districts shall expeditiously submit their findings.
 - b) The delinquent officers / officials concerned shall clear their accounts by 31st August 2016 positively; failing which the Assistant Director Malakand Division shall take up with the NAB with relevant facts & figures for the registration of cases against them.
 - c) Director Food may review his order of suspension of Mr. Sher Ali FGI, enabling him to assist the DFC Chitral in the recovery of dues outstanding against various Incharges of the Sale Points in his area. However, he shall not have the authority to deal with any other allied matter, which shall be the mandate of his successor.
- AD (E)

4. Appointment of locals against the vacant posts of Food-grains Supervisors at Chitral:

The meeting was told that having peculiar geo-social conditions, remote location, scattered population & prone to natural calamities, Food Department Khyber Pakhtunkhwa has made special arrangements of food security for District Chitral. There are 32 Provincial Reserve Centers (PRCs) & about 100 sale points in that District. Due to shortage of executive staff, the provincial government has recently sanctioned 23 posts of Food-grains Supervisors (FGSs) BPS-7 so that each PRC could get one FGS for proper supervision. Being unattractive area coupled with the language barrier, officers and officials from down-districts shirk to perform duties in the said District. Even the locals

A.D.F. (S)

کبریا کے حج و عمرہ سرگرمیوں میں شرکت کرنے والے

پیر علی صاحب بنام حکومت پاکستان

بھارت - درخواست برائے التوا کے اہتمام
تاریخ دہلی یوم جمعہ صفت کوئی اور

جن علی
عرض و دلالت

۱۔ ایک فقیر عورتان باہر ا کفور
۲۔ فاضل عدالت سے ترقی ملنے
۳۔ اور بچت کے لئے تفریح

۴۔ ایک سال اسلام آباد میں
۵۔ مردان کو برائے میں دو سال
۶۔ سے معروف اور عدالت کفور
۷۔ میں ۱۲ میں میں سے

۸۔ ایک سال میں ازراہ میں ایک ترقی
۹۔ میں ترقی میں ایک ترقی

۱۰۔ علی صاحب بنام
۱۱۔ مدعی مقدمہ ۲۰۱۹

SYED TRAVELS
EMAIL ADDRESS: NO-REPLY@SABRETN.COM.PK

DATE: 26/07/2017
TIME: 10:05:38
ITINERARY
CONSULTANT NAME: KHAN
BOOKING REF: HWHKZV

5

ITINERARY PREPARED FOR:
ILYAS/SYED MUHAMMAD MR

DAY	DATE	CITY/TERMINAL/ STOPOVER CITY	TIME	FLIGHT CLASS STATUS	STOP/EQP/ FLYING TIME SERVICES
WED	02AUG	DEP PESHAWAR	1300	PK 283	NON-STOP
		ARR DUBAI INTL	1515	ECONOMY CLASS (V) CONFIRMED	AIRBUS 320 03HR 15MIN SNACK
PK - PAKISTAN INTL AIRLINES REF: TEERXG PK PAKISTAN INTL AIRLINES RESERVATION NUMBER (PESHAWAR): PEW-PK					
SUN	13AUG	DEP DUBAI INTL	1240	PK 284	NON-STOP
		ARR PESHAWAR	1640	ECONOMY (U) CONFIRMED	AIRBUS 320 03HR 00MIN SNACK
PK - PAKISTAN INTL AIRLINES REF: TEERXG PK PAKISTAN INTL AIRLINES RESERVATION NUMBER (DUBAI): DXB-PK					

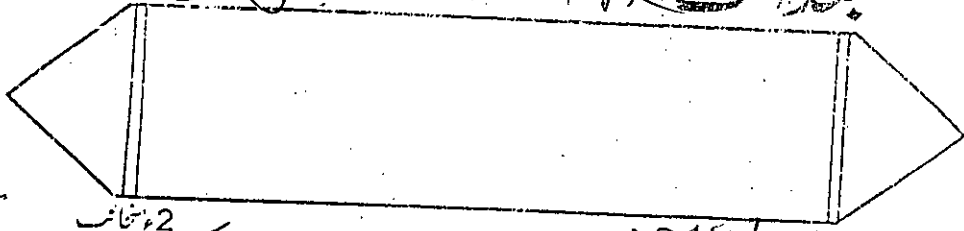
AIRLINE TICKET NUMBER:
2145629662485 - ILYAS/SYED MUHAMMAD MR

DISCLAIMER

Sabre Asia Pacific Pte Ltd ("Sabre") does not warrant the accuracy or completeness of the information contained herein. As such, Sabre shall not be liable for any damages or loss as a result of the (i) use of, (ii) omission from, (iii) error or inaccuracy in such information.

[Handwritten signature]
S. M. Mujib Ace

بعد الت ERK سرسہ سٹیٹس



سید علی بنام صاحب

28/08/2017

Restoration
- Application

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ اور اس کے

آن مقام سرسہ سٹیٹس کے لیے اس کے واسطے اور اس کے اختیار کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقریر ثالثتہ فیصلہ برحلاف دہیے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل انگریزی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا اجزائی کاروائی 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 پروا خستہ منظر قبول ہوگا۔ دوران مقدمہ میں جو خرچہ درجہ جانا اتوائے 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 نہ کر کریں۔ لہذا اوقات نامہ لکھ دیا کہ سندر ہے۔

الرقوم 28 ماہ 2017

بمقام سید علی کے لئے منظور ہے۔

Accepted by

S. M. Ijaz

Handwritten signature on the right margin.

Before The Khyber PuktoonKhwa Serive Tribunal Peshawar

Restoration in Appeal No. 177 of 2017

Sher Ali Vs Govt KPK etc.

APPLICATION FOR CONDONATION OF DELAY

Respectfully Sheweth,

1. That above titled restoration application is pending in this Honorable court for 26/10/2017.
2. That on 02/08/2017 the case was dismissed for non-prosecution due to non-attendance of the parties.
3. That on 02/08/2017 counsel for appellant was abroad in Dubai and appellant are permanently residing at Chitral in remote area therefore delay was occurred in filling restoration application.
4. That valuable right of the petitioner is attached with above titled appeal, if the delay was not condoned, then petitioner will suffer for irreparable losses, further case of the appellant was not decided on merits and primary object of the court is to give justice and to decide the case on merit.

So it is therefore requested that on acceptance of this application the delay may please becondoned.

Dated 24/10/2017

Through,

S.M.Ilyas Advocate

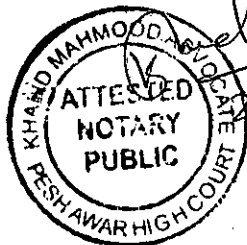
High Court at District Courts

Mardan.

AFFIDAVIT

I Sher Ali Appellant solemnly affirm that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Deponent



Before The Khyber PuktoonKhwa Serive Tribunal Peshawar

Restoration in Appeal No. 177 of 2017

Sher Ali Vs Govt KPK etc.

APPLICATION FOR CONDONATION OF DELAY

Respectfully Sheweth,

1. That above titled restoration application is pending in this Honorable court for 26/10/2017.
2. That on 02/08/2017 the case was dismissed for non-prosecution due to non-attendance of the parties.
3. That on 02/08/2017 counsel for appellant was abroad in Dubai and appellant are permanently residing at Chitral in remote area therefore delay was occurred in filling restoration application.
4. That valuable right of the petitioner is attached with above titled appeal, if the delay was not condoned, then petitioner will suffer for irreparable losses, further case of the appellant was not decided on merits and primary object of the court is to give justice and to decide the case on merit.

So it is therefore requested that on acceptance of this application the delay may please becondoned.

Dated 24/10/2017

Through,

S.M.Ilyas Advocate

High Court at District Courts

Mardan.

AFFIDAVIT

I Sher Ali Appellant solemnly affirm that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

Deponent

Annex-D



FOOD DIRECTORATE
KHYBER PAKHTUNKHWA,
PESHAWAR

No 4891 / PF-1037
Dated 15/09/2016

To,


Mr. Sher Ali FGI,
Office of DFC Chitral

Subject:- SHOW CAUSE NOTICE / PERSONAL HEARING
Memo

Reference this Directorate letter No. 4614 / PF-1037 dated 26-08-2016, on the subject noted above.

2 You were directed to appear before the competent authority for personal hearing on 09/09/2016 and submit reply to the Show Cause Notice vide Food Directorate letter No. 4800/PF-1037 dated 06-09-2016 as well as verbal information conveyed in this respect through Mr. Maqsud Ahmad Head Clerk Chitral, but you have failed to appear on the same date and time.


3 You are therefore again directed to appear before the competent authority for personal hearing on 26/09/2016 and submit your reply to the Show Cause Notice to proceed further in the matter, failing which it shall be presumed that you have nothing to produce in your defense and as such the case will be decided in accordance with the Khyber Pakhtunkhwa Government Servants E&D Rules, 2011.


DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR. 15-09-16

Endorsement No. & Date Even

Copy for information to:

- 1) The Assistant Director Food Malakand Division
- 2) The District Food Controller, Chitral.
- 3) Personal Files.


DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR. 15-09-16



FOOD DIRECTORATE
KHYBER PAKHTUNKHWA,,
PESHAWAR

No 4800/PF-1037

Dated 06/09/2016

2016/34

To,

Mr. Sher Ali FGI,
Office of DFC Chitral

Subject:- **SHOW CAUSE NOTICE / PERSONAL HEARING**
Memo

Reference this Directorate letter No. 4614 / PF-1037 dated 26-08-2016, on the subject noted above.

2 You are directed to appear before the competent authority for personal hearing on 09/09/2016 along with reply to the Show Cause Notice to proceed further in the matter.

Smaj
DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR. 05/09

Endorsement No. & Date Even

Copy for information to:

- 1) The Assistant Director Food Malakand Division
- 2) The District Food Controller, Chitral.
- 3) Personal Files.

Smaj
DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR. 05/09



Annex-E

128
GOVERNMENT OF
KHYBER PAKHTUNKHWA
FOOD DEPARTMENT

No.SOF/F.D/2-26/Vol.VI/2874
Dated Pesh: the 26-07-2016

To

1. Secretary Finance Department, Khyber Pakhtunkhwa.
2. Secretary Law Department, Khyber Pakhtunkhwa.
3. Director Food, Khyber Pakhtunkhwa.
4. Assistant Director Food Malakand Division.
5. District Food Controller Dargai.
6. District Food Controller Chitral.

Subject:- MINUTES OF PROVINCIAL FOOD COMMITTEE MEETING.

Dear Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of minutes of the subject meeting held on 21st July, 2016 under the chairmanship of Minister for Food Khyber Pakhtunkhwa, for information/necessary action, please.

Encl: as above

Your's faithfully,

SECTION OFFICER (FOOD)

Endst: No & date even.

Copy of the above is forwarded for information to the:-

1. P.S to Minister for Food, Khyber Pakhtunkhwa.
2. P.S to Secretary Food Khyber Pakhtunkhwa.
3. P.A to Deputy Secretary Food Department.
4. Deputy Director (F&I), Food Directorate, Peshawar.
5. Deputy Director (Accounts), Food Directorate, Peshawar.

ADFLS)
[Handwritten signature]

[Handwritten signature]



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**FOOD DEPARTMENT,
KHYBER PAKHTUNKHWA,
PESHAWAR**

MINUTES OF THE MEETING DATED 21.07.2016

In order to deliberate upon the agenda points: *Outstanding dues of PASSCO; Procurement Issues, 2016; Shortages in wheat storages at Malakand / Chitral Districts, Appointment of locals against the vacant posts of Food-grains Supervisors at Chitral & Reduction in transportation charges in lieu of decrease in the POL prices*, a meeting of the Provincial Food Committee was held on 21st July 2016 at 11:00 a.m under the chairmanship of Minister for Food Khyber Pakhtunkhwa in his office. List of the participants is attached overleaf (Annex-I). After due deliberations, the following decisions were taken:-

1. Outstanding dues of PASSCO:

The meeting was told that during the period 2009-10, Food Department Khyber Pakhtunkhwa purchased wheat from PASSCO. However, outstanding dues of the latter on this account to the tune of Rs.142, 831,570 were withheld due to an audit objection of alleged overpayments amounting to Rs.364.867 millions made to PASSCO by the Food Department KPK; followed by the PAC's decision duly adopted by the Provincial Assembly. Conversely, due to non-payment of its dues, notwithstanding no provision in the MOU so inked, PASSCO, *inter alia*, claimed mark up of Rs.617.639 million on the plea of being borrowing loans from the banks for running its affairs.

The Chair recalled that he coupled with his team made individual as well as collective hectic efforts, which ultimately resulted in the unprecedented review by PAC of its earlier decision. Accordingly, PASSCO's actual outstanding dues (Rs.142, 831,570) could now be liquidated by the Food Department Khyber Pakhtunkhwa and that the issue between the parties might stand settled without any further mutual dissention.

DG PASSCO expressed that, in the first instance, Food Department Khyber Pakhtunkhwa may pay the principal outstanding amount as the issue of mark up was subject to approval of the BODs of the PASSCO / competent authority. He, however, manifested his principle agreement for settlement of the instant issue once and for all, after the actual outstanding dues are paid by the Food Department Khyber Pakhtunkhwa.

Decision:

Food Department Khyber Pakhtunkhwa shall pay Rs. 142,831,570 to PASSCO as per reconciled statement & DG PASSCO shall get the issue of mark up settled at his own level.

2. Procurement Issues, 2016:

130

It was elaborated that the Federal Government had set a target of 350,000 metric tons of wheat for Khyber Pakhtunkhwa for the year 2016 out of which only 73,000 metric tons of wheat could be procured till date. The total existing wheat stock in the Province is 135,000 metric ton and that the shortfall of 215,000 metric tons shall have to be met as yet. It was due to escalation of rate of wheat in the open market that the procurement drive in the province has come to a standstill, which could be attributed to various factors: reduction in the wheat crop yield; transportation of wheat from Punjab to Karachi, its reported onwards smuggling to India due to wheat shortage there & hoardings by the dealers from Punjab etc.

In a recent meeting at the Directorate level, the Divisional Assistant Directors Food suggested grant of incentives in the shape subsidy to the growers in transportation charges on the analogy of the year 2014, otherwise, purchases from PASSCO shall have to be made to stabilize the rates of wheat atta in the market during the lean period (September 2016 to April 2017) and to maintain strategic reserves for the rainy days.

It was also pointed out that rates of wheat are fixed by the Federal Government as such subsidy cannot be extended to this effect. Alternately, the growers could be compensated / subsidized for the transportation charges they bear, which will be economical as compared to the incidental charges (Rs.1,000 approximately) to be paid to PASSCO per 100 KG bag.

Decision:

Food Department shall exercise all available options for ensuring stability in the market rates of wheat atta and food security in the province, particularly during the lean period (September 2016 to April 2017). The Committee proposed as under:

- a) In the first instance, on the analogy of 2014, the Competent Authority may allow the Food Department to compensate the growers in lieu of transportation charges as follows:
 - i. A flat subsidy of Rs.40 per 100 KG bag of wheat for D.I.Khan Division (in 2014 it was Rs. 50)
 - ii. A flat subsidy of Rs.100 per 100 KG bag of wheat for the rest of Khyber Pakhtunkhwa (in 2014 it was Rs. 125).
- b) In case the aforesaid incentives package might not work, then the Food Department may purchase remaining quantity of wheat from PASSCO for replenishing its godowns up to total required quantity of wheat reserves of 350,000 metric tons, as last year about 300,000 metric tons of wheat was issued to the Flour Mills during the lean period for grinding, while 50,000 metric tons of wheat shall be kept as strategic reserves for meeting un-foreseen emergencies.

ADF (S)