

24.10.2022

Appellant present through representative.

Muhammad Jan, learned District Attorney for respondents present.

Bench is incomplete and lawyers are on strike, therefore, case is adjourned to 21.11.2022 for arguments before D.B at Camp Court, D.I.Khan.



(Rozina Rehman)


Member (J)

Camp Court, D.I.Khan

28th June 2022

Appellant in person present. Mr. Muhammad Adeel Butt,
Addl: AG for respondents present.

Appellant sought adjournment on the ground that his
counsel is not available today. Adjourned but as a last chance.
To come up for arguments on 25.07.2022 before D.B at camp
court D.I.Khan.



(Mian Muhammad)
Member(E)



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

25.7.2022 due to summons vacated the case
is adjourned to 26.9.22 for the same.



26th September, 2022

Appellant in person present. Mr. Asif Masood Ali Shah,
Deputy District Attorney for respondents present.

Appellant seeks adjournment on the ground that his
counsel is not available today. Adjourned. To come up for
arguments on 24.10.2022 before the D.B at Camp Court
D.I.Khan.



(Salah Ud Din)
Member (Judicial)
Camp Court D.I.Khan




(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan


26.10.2021

Counsel for appellant present.

Muhammad Rasheed learned Deputy District Attorney present.

Reply on behalf of respondents was not submitted. Learned D.D.A made a request for time to submit reply/comments; granted with direction to positively submit the same within 10 days in office. To come up for arguments on 15.12.2021 before D.B at Camp Court, D.I.Khan.



(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
~~Member (J)~~
Camp Court, D.I.Khan

15.12.2021

Counsel for the appellant and Mr. Muhammad Adeel Butt, learned Additional Advocate General alongwith Muslim Din, SDO Irrigation for the respondents present.

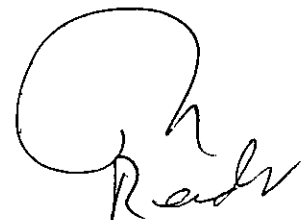
Representative of the respondents has submitted reply/comments Placed on file. Case to come up for arguments on 21.02.2022 before the D.B at camp court, D.I.Khan.


(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan


Chairman
Camp Court, D.I.Khan

21/2/22

Due to retirement of the Hon'ble
Chairman to come up for the on 28/6/22


Chairman

29.07.2021

Counsel for the appellant present. Preliminary arguments heard.

The appellant was in pursuit of Writ Petition No. 1162-D/2017 before the Honourable Peshawar High Court D.I.Khan Bench, wherein he had challenged the advertisement dated 05.08.2017. It was during the course of hearing in the said Writ Petition on 12.01.2021 that the order impugned in this appeal was produced before the Hon'ble High Court and confronted with the situation, the appellant had withdrawn his Writ Petition as is evident from order dated 12.01.2021 available on this file at Page 54. The departmental appeal was filed on 20.01.2021 after having got knowledge of the impugned order. Although the appellant has got sufficient cause to justify the delay in filing of department appeal but even otherwise the question of limitation for the time being is immaterial in view of Section 30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020. Accordingly, the limitation period provided under any law shall remain frozen. This appeal having been filed after promulgation of the said Act, is not affected by bar of limitation. Excluding the case of appellant from rigors of limitation, his appeal is fit for full hearing. Therefore, this appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 26.10.2021 before the D.B at camp court, D.I.Khan.

Appellant Deposited
Security & Process Fee
29/1/21


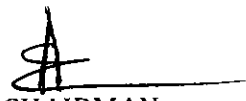

Chairman

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 4970/2021 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	27/04/2021	<p>The appeal of Mr. Khalil-ur-Rehman presented today by post through Mr. Muhammad Abdullah Baloch Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	04/06/2021	<p>This case is entrusted to S. Bench Peshawar. Notices be issued to appellant/counsel for preliminary hearing on 29 /07/2021.</p> <p style="text-align: right;"> CHAIRMAN</p>

BEFORE THE HONOURABLE SERVICES TRIBUNAL, KPK.
PESHAWAR CAMP AT DERA ISMAIL KHAN

In Service Appeal No. 4970 /2021

Khalil Ur Rehman Qureshi
(**Appellant**)

Versus

Govt Of KPK, etc
(**Respondents**)

SERVICE APPEAL

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S.No.	Description of document	Annexure	Pages
1	Memo and grounds for appeal	--	1-7
2	Memo of Addresses	--	8
3	Copies of CNIC, educational testimonials appointment order of appellant	A, A/1 & B	9-13
4	Copies of the policy	C	14-17
5	Copy of letter number 2937/S.E dated 12/11/2005	D	18
6	Copy of officer order No. 6794-95 dated 22/11/2010 of Tahir Abbas	E	19
7	Copy of Inquiry Report and Audit report	F & G	20-38
8	Copies of the orders of some of the promotees	H	39-47
9	Copy of the writ petition No. 1162-D/2017	I	48-55
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11	Copy of the departmental appeal/representation	K	57-63
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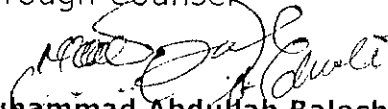
15	Copy of letter No. 859/25-M dated 10/09/2018 and reply of Mr. Waqar Anjum	O & P	75-76
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Dated: 26/04/2021

Your Humble Appellant



Khalil Ur Rehman Qureshi
Through Counsel



Muhammad Abdullah Baloch
Advocate High Court

BEFORE THE HONOURABLE SERVICES TRIBUNAL, KPK.
PESHAWAR CAMP AT DERA ISMAIL KHAN

Service Appeal No. _____/2021

Khalil ur Rehman son of Saeed Ahmad Qureshi Caste Qureshi gauge reader(BPS-7) chashma right bank canal irrigation dera Ismail khan, R/O Ziyarat Sheikh Yousaf Dera Ismail Khan.

Mob # 03469490608

.....(**APPELLANT**)

VERSUS

1. Governmet Of KPK Through Secretary Irrigation Department KPK, Peshawar.
2. Chief Engineer Irrigation Department south region, Warsak road, Kababyan Peshawar.
3. Superintending Engineer Irrigation Department Dera Ismail Khan.
4. XEN CRBC Irrigation Division Dera Ismail Khan.

.....(**RESPONDENTS**)

Service Appeal under section 04 of KPK Service Tribunal Act, 1974, against the impugned order No. 1965/5-E dated 09/11/2020, whereby appellant was promoted as gauge reader (BPS-5) "not from the date of his entitlement but with immediate effect", and finally against the indecision of departmental appeal of the appellant.

PRAYER

On acceptance of the instant service appeal, to declare impugned order against the rights and entitlement of the appellant and by accepting the instant appeal, appellant may kindly be promoted from the date of his entitlement for promotion with all back benefits.

Chaudhary

Any other relief deemed appropriate in circumstances of the case may also be allowed in favour of appellants as against respondents with costs.

Respectfully Sheweth;

1. That appellant is a permanent resident of District Dera Ismail Khan. Appellant was appointed as Beldar (BPS-1) in the CRBC Irrigation Department vide office order No. 3171 dated 28/08/1996. Later the post was upgraded as BPS-4. Copies of CNIC of appellant, educational testimonials and Copy of appointment order are annexed as **Annexure-A, A/1 & B.**
2. That according to the notification, policy, rules issued by the Government of KPK irrigation and power department method for the recruitment and promotion for various posts in irrigation department for the post of work munshi/gauge reader (BPS-5) the criteria is as follows;
 - i. 50% by initial recruitment.
 - ii. 50% by promotion on the basis of seniority cum fitness from amongst the mate, regulation beldar and beldar having SSC qualification and 10 years service in the circle.

Copies of the policy is annexed as **Annexure-C.**

3. The appellant submitted application along with requisite certificates for the promotion according to the policy which was duly forwarded vide letter number 2937/S.E dated 12/11/2005. Copy annexed as **Annexure-D.**
4. That the colleague of appellant namely Tahir Abbas was also appointed with appellant as beldar vide office order number 3171 dated 28/08/1996 and he was promoted as gauge reader(BPS-5) vide office order No. 6794-95 dated 22/11/2010 but the appellant have been deprived from the promotion. Order dated 22/11/2010 is annexed **Annexure-E**

A. Hassan
26/4/2021

5. That the appellant moved several applications to the high-ups but the officer of the department on personal disliking and liking and on nepotism, has been discriminating the appellant. One Mr. Kamran son of Rustam Khan was appointed as beldar on 29/04/2015 and was promoted as gauge reader (BPS-5) on 20/08/2015 (after 4 months). The one Mr Asim Nawaz Awan son of Qayyoom Nawaz was appointed as mate BPS-1 on 06/05/2015 and was promoted as work munshi (BPS-5) on 25/08/2017 (just after 2 years). Similarly Zahid Mehmood Jatoi mate was promoted on 19/08/2015 (after 11 months of appointment). Similarly Zulnoon Haider was appointed on 24/04/2013 but in violation of the rules, was promoted as telephone attendant (BPS-5) on 25/08/2017. One Mr. Waqar Anjum was promoted as work Munshi on 20/08/2015 (after 11 months from the initial appointment) and there are so many other persons, most juniors to the appellant were promoted. Pertinent to mention here that an open inquiry No. 24/2017-Irrigation has been initiated by ACE DIKhan, which is still pending but during the inquiry vide audit report of ACE, all these promotions were declared as illegal. Copies of inquiry report, audit report, some of appointment orders are annexed as **Annexure-F, G & H** respectively.

24/11/2017

6. That despite of the fact that promotion case of the present appellant had been pending since long even then the respondents published an advertisement for the recruitment for the post of work Munshi/gauge reader vide advertisement dated 05/08/2017. Feeling aggrieved the appellant filed writ petition No. 1162-D/2017 before Honourable Peshawar High Court Dera Ismail Khan bench. That an impugned promotion order No. 1965 dated 09/11/2020 had been issued but was not communicated to the appellant. Copy of the writ petition No. 1162-

D/2017 is annexed as **Annexure-I** and copy of the impugned promotion order No. 1965 dated 09/11/2020 is annexed **Annexure-J**.

7. That the writ petition No. 1162-D/2017 of the appellant was fixed before The Honorable Peshawar High Court Dera Ismail Khan bench on 12/01/2021. The respondents submitted before the Worthy Court, copy of office order No. 1965 /SE dated 09/11/2020, whereby the appellant was informed that this order pertains his promotion from beldar (BPS-4) to gauge reader (BPS-5) and consequently, as the matter of effectiveness of the promotion, being terms and condition of service, the writ petition was withdrawn. Attested copy of the order of Honourable Peshawar High Court Dera Ismail Khan bench was received on 15/01/2021. Departmental appeal/representation was submitted on 20/01/2021 which was well within time and after the lapse of statutory period, the departmental appeal being undecided, the instant service appeal is being filed today, which is also well within time and the appellate jurisdiction of this worthy tribunal is being invoked inter alia on following grounds. Copy of the departmental appeal/representation is annexed as **Annexure-K**.

G R O U N D S:

- i. That partially impugned order dated 09/11/2020 to the extent of effectiveness of the promotion of the appellant, is against service laws, discriminatory, infringing the right of the appellant, which was accrued to him from the date of entitlement for the promotion. The impugned order is liable to be partially set-aside and appellant is entitle for the promotion with his colleagues and from the date of his entitlement for the promotion.

ii. That the exchequer history of inquiries and promotions clearly shows what is going on by the respondents in the department. Hence, the respondents are liable to be treated with iron hands.

iii. That most juniors were promoted by the department without any Departmental Promotion Committees and minutes of the alleged DPC dated 21/04/2017 has no record in the office and neither any dairy dispatch number. Moreover Chairmen of the alleged DPC dated 21/04/2019 is close relative of promotee Mr. Asim Nawaz Awan who had just 2 years and 3 months length of service. Similarly, another promotee Mr. Mukhtiar Zulnoon Haider is the real brother of one of the member Mr. Syed Hassan Zulqarnain Haider. Similarly there are other so many instances duly grabbed by the audit committee and inquiry report by ACE DIKhan. Copy of the alleged DPC is annexed as **Annexure-L.**

Ms. Chaudhry 26/4

iv. That another alleged DPC No. 1572 dated 18/08/2015 was also prepared collisively in order to present it before the Honorable Peshawar High Court Bench Dera Ismail Khan but when inquired by ACE DIKhan one of the member Mr. Lal Rehman denied his knowledge about any such DPC. These fact show the malafide on the part of the respondents. Copy of DPC 1572 is annexed **Annexure-M.**


v. That illegal promotees also instituted a writ petition # 934-D/2018 against the inquiry by ACE DIKhan. The official respondents fully cooperated the illegal promotees in proceedings of writ petition. The writ petition was dismissed by the Honorable Peshawar High Court Bench Dera Ismail Khan vide order dated 12/01/2021. Copy of writ petition and order is annexed as **Annexure-N.**

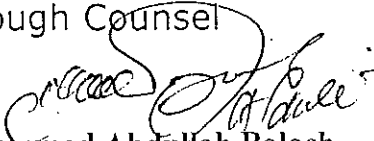
- vi. That promotion orders of the juniors and illegal promotees could not be challenged by the present appellant as all the proceedings were conducted secretly having no record in office and this fact is clear from letter No. 859/25-M dated 10/09/2018 and reply of Mr. Waqar Anjum S/O Khuda Bakhsh to the SDEO CRBC in response to his letter No. 177-2.E. Copies are annexed as **Annexure-O & P.**
- vii. That appellant was appointed as beldar in the year 1996 and till 2021, after a lapse of approximately 24 years, was not promoted. Appellant has been requesting for his promotion since his entitlement on the basis of promotion policy, but respondents have been discriminating by the ways as mentioned above.
- viii. That counsel for the petitioner may please be allowed to raise additional grounds at the time of arguments.

It is therefore humbly request that On acceptance of the instant service appeal , to declare impugned order No. 1965/5-E dated 09/11/2020, against the rights and entitlement of the appellant and by accepting the instant appeal, appellant may kindly be promoted from the date of his entitlement for promotion with all back benefits. Any other relief deemed appropriate in circumstances of the case may also be allowed in favour of appellants as against respondents with costs.

Dated: 26/04/2021

Your Humble Appellant


Khalil Ur Rehman Qureshi
Through Counsel


Muhammad Abdullah Baloch
Advocate High Court

(7)

BEFORE THE HONOURABLE SERVICES TRIBUNAL, KPK.
PESHAWAR CAMP AT DERA ISMAIL KHAN

In Service Appeal No. _____/2021

Khalil Ur Rehman Qureshi
(**Appellant**)

Versus.

Govt of KPK, etc
(**Respondents**)

CERTIFICATE

Certified that appellant have not filed an appeal regarding the subject controversy, earlier in this august Tribunal.

Date: 26/04/2021


Appellant

Allotted


~~Oath Commissioner
Dist. Dera Ismail Khan~~

AFFIDAVIT

Adv

I, **Khalil Ur Rehman Qureshi** son of Saeed Ahmad Qureshi Caste Qureshi R/O Ziyarat Sheikh Yousaf Dera Ismail Khan, appellant herein, do hereby solemnly affirm on oath that all parawise contents of the accompanying appeal are true and correct to the best of my knowledge, belief and information; that nothing has been concealed or kept secret from this worthy Tribunal, nor anything contained therein is based on exaggeration or distortion of facts.

Dated: 26/04/2021


Deponent
CNIC # 12101-0921673-9

8

BEFORE THE HONOURABLE SERVICES TRIBUNAL, KPK.
PESHAWAR CAMP AT DERA ISMAIL KHAN

In Service Appeal No. _____/2021

Khalil Ur Rehman Qureshi
(**Appellant**)

Versus

Govt of KPK, etc
(**Respondents**)

ADDRESSES OF PARTIES

Khalil ur Rehman son of Saeed Ahmad Qureshi Caste Qureshi gauge reader(BPS-7) chashma right bank canal irrigation dera Ismail Khan, R/O Ziyarat Sheikh Yousaf Dera Ismail Khan.

Mob # 03469490608

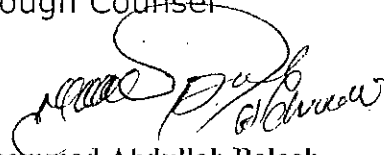
.....(**APPELLANT**)

1. Government Of KPK Through Secretary Irrigation Department KPK, Peshawar.
2. Chief Engineer Irrigation Department south region, Warsak road, Kababyan Peshawar
3. Superintending Engineer Irrigation Department Dera Ismail Khan.
4. XEN CRBC Irrigation Division Dera Ismail Khan.

..... (**RESPONDENTS**)

Your Humble Appellant


Khalil Ur Rehman Qureshi
Through Counsel


Muhammad Abdullah Baloch
Advocate High Court

9

Annex - (A)

PAKISTAN National Identity Card
 REPUBLIC OF PAKISTAN

Name: **Khalil Ur Rehman Qureshi**
 خليل الرحمن قريشي

Father Name: **Saeed Ahmad Qureshi**
 سيد احمد قريشي

Gender: Country of Stay
 M Pakistan

Identity Number: **12101-0921673-9** Date of Birth: **12.08.1967**

Date of Issue: **17.09.2018** Date of Expiry: **17.09.2028**

Holder's Signature

1: 101-0921673-9

101051221208
 149-92-006789

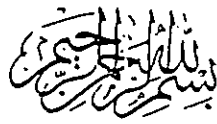
گمشدہ کارڈ ملنے پر قریبی لیو بکس میں ڈال دیں

Attested to be true copy

(Signature)

s.No 531198

Roll No. 51180



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Peshawar N.W.F.P. Pakistan
Secondary School Certificate Examination

SESSION 1986 (ANNUAL)

THIS IS TO CERTIFY THAT Khalil ur Rahman Qureshi
Son/Daughter of Saeed Ahmad Qureshi
and a resident of D.I. Khan District.

has passed the *Secondary School Certificate Examination*
of the Board of Intermediate & Secondary Education, Peshawar held in April 1986 as a
Private candidate. He/She obtained 331 Marks out of 850
and has been placed in Grade E Representing Satisfactory.

The Candidate passed in the following subjects:

1. English
2. Urdu
3. Islamiyat
4. Pak; Studies
5. Gen; Science
6. Isl; Studies
7. Gen; Mathematics
8. Art.

Date of birth according to admission form is Twelfth August,
one thousand nine hundred and Sixty Seven . 12-8-1967 .

Rauf
Asste. Secretary

[Signature]
Secretary

This certificate is issued without alteration or erasure

Attested to be true copy

[Signature]

Ann-I

OFFICE OF THE EXECUTIVE ENGINEER, CANAL IRRIGATION DIVISION DEKHAH.

OFFICE ORDER

On the recommendation of Deputation Committee constituted for the necessary purpose vide No. 3171/5-E, dated, 20.8.1996, the following persons are hereby appointed as Regular Welder on contract basis against the vacant post in this Division in basic pay scale noted against each plus usual allowances as admissible under the rules with effect from the actual date of arrival for duty subject to the under-mentioned terms and conditions:-

Sl. No. Name and Designation.	Pay Scale.
1. Zaffar Khan S/O Abdul Ghafoor r/o Mandhra Kola.	As Mate in BPS No. III (1275-44-1935).
2. Hesar Gul S/O Malik Juma Khan Bohi Kot, Jalal Hussain Shah.	..do..
3. Khadim S/O Abdul Aziz r/o Diyal.	As Welder in BPS No. I (1245-35-1770).
4. Allah Biwayn S/O Ghulam Rasool post, Mathra r/o Diyal.	..do..
5. Khallur Rehman S/O Saood Anjad Qureshi r/o Sh. Yousof.	..do..
6. Abdul Sattar S/O Khuda Baksh r/o Mandhra Sladan.	..do..
7. Arif Hussain Shah S/O Mahor Hussain Shah Basti Gaidan, DEKHAH.	..do..
8. Imdadullah S/O Haji Jan Mohd, R/O Ghor Kot, at DEKHAH.	..do..
9. Zulfiqar S/O Fazil R/O Keen, DEKHAH.	..do..
10. Mohammad Arif S/O Mohd, Afzal R/O Ghor Kot DEKHAH.	..do..
11. Muhammad Akram S/O Rustom villi Diyal DEKHAH.	..do..
12. Muhammad Bashir S/O Muhammad Akram Basti Aman Abad Sh. Yousof DEKHAH.	..do..
13. Hafiz Kulu S/O Qadir Baksh r/o Katch D.I. KHAN.	..do..
14. Tahir Abbasa S/O Khuda Baksh Bah, Mohandana DEKHAH.	..do..
15. Khadim Hussain S/O Allah Biwayn Binat Wala DEKHAH.	..do..
16. Mahmood Arif S/O Fatch Ghor villi Gora Mandra Kolan DEKHAH.	..do..
17. Ghulam Jaffar S/O Allah Biwayn Binat Wala DEKHAH.	..do..
18. Amir Hussain Shah S/O Saad Hussain Shah R/O Mandhra Kolan DEKHAH.	..do..
19. Muhammad Latif S/O Sarwar Khan, Ghor Baloch R/O Ghor DEKHAH.	..do..
20. Muhammad Riaz S/O Abdul Ghani Housa No. 637/D, Moh. Faizullah Nagar DEKHAH.	..do..

(..... Next page no.)

Attested to be true copy

(Signature)

1. They will produce Medical Witness Certificate from the Medical Superintendent District Hospital Dikhan.
2. Their services are purely temporary and can be terminated on the one month notice from any side one month salary payment in advance in lieu of one month notice.
3. They will be on probation period of one year. In case of misconduct on his part, his service will be terminated at any time without notice.

S. I. ...
 EXECUTIVE ENGINEER
 ORGO IRR. DIV. D. I. KHAN.

NO. 3348-50

15-E

Dated Dikhan, the 8/9/96.

- Copy to the:-
1. Private Secretary to the Minister for Irrigation, Govt. of Punjab.
 2. Chief Engineer, Irrigation Deptt, G.A. Peshawar.
 3. Superintending Engineer, Southern Irr. Div., D.I. Khan.
 4. All other concerned.

S. I. ...
 EXECUTIVE ENGINEER
 ORGO IRR. DIV. D. I. KHAN.

Attestal to be true copy

Q

(Better Copy.)

12

OFFICE OF THE EXECUTIVE ENGINEER, CRBC IRRIGATION DIVISION DIKHAN

OFFICE ORDER

On the recommendation of selection committee constituted for the necessary purpose vide No. 3171/5-E, dated 28-08-1996, the following persons are hereby appointed as regular beldar/mate on contract basis against the vacant post in this division in basic pay scale noted against each as usual allow as admissible under the rules with effect from the actual date of arrival for duty subject to the under mentioned terms and condition:-

1	Zaffar Khan S/O Abdul Ghafoor r/o Mandhra Kala	As mate in BPS- No II(1275-44-1935)
2	Nisar Gul S/O Malik Juma Khan Moh Lat Jalal Hussain Shah	..do..
3	Khadim Hussain S/O Abdul Aziz r/o Diyal	As Beldar in BPS-No.1 (1245-35-1770)
4	Allah Diwaya S/O Ghulam Rasool caste Mathra r/o Diyal	..do..
5	Khalil ur Rehman S/O Saeed Amjad Qureshi r/o Shiekh Yousaf	..do..
6	Abdul Sattar S/O Khuda Bakhsh r/o Mandhra Siadan	..do..
7	Arif Hussain Shah S/O Mehar Hussain Shah r/o Basti Saidan DIKhan	..do..
8	Imdadullah S/O Haji Jan Mohd r/o Shor Kot DIKhan	..do..
9	Zulfiqar S/O Fazil r/o Kech DIKhan	..do..
10	Muhammad Arif S/O Mohd: Afzal R/O Shor Kot DIKhan	..do..
11	Muhammad Akram S/O Rustam Vill Diyal DIKhan	..do..
12	Muhammad Bashir S/O Muhammad Akram Basti Aman Abad Shiekh Yousaf DIKhan	..do..
13	Hafiz Kalu S/O Qadir Bakhsh r/o Katch DIKhan	..do..
14	Tahir Abbas S/O Khuda Bakhs r/o Moh: Mohan DIKhan	..do..
15	Khadim Hussain S/O Allah Diwaya Himmat vala DIKhan	..do..
16	Muhammad Arif S/O Fateh Sher Vill Mandra Kalan DIKhan	..do..
17	Ghulam Jaffar S/O Allah Wasaya Moh: alam Sher DIKhan	..do..
18	Amir Hussain Shah S/O S. Wazir Hussain Shah r/o Mandran Kalan DIKhan	..do..
19	Muhammad Latif S/O Sarwar Khan caste Baloch r/o Luchra DIKhan	..do..
20	Muhammad Riaz S/O Abdul Ghani House No. 637/D, Moh Mujahid Nagar DIKhan	..do..

1. They will produce Medical fitness certificate from medical superintendent District HQ Hospital DIKhan.

Attested to be true copy

[Signature]

2. Their services are purely temporary and can be terminated on the one month notice from any side one month salary payment in advance in lieu of one month notice.
3. They will be on probation period of one year. In case of misconduct on his part their service will be terminated at any time without notice.

EXECUTIVE ENGINEER

CRBC IRRIGATION DIKHAN

No. 3348-50/5-E

Dated DIKhan 8/09/1996

Copy to the:-

1. Private Secretary to minister of Irrigation Department, Peshawar
2. Chief engineer, irrigation deptt Peshawar.
3. Superintending Engineer , southern Irrigation Bannu.
4. All other concerned

EXECUTIVE ENGINEER

CRBC IRRIGATION DIKHAN

Altered to be true copy

W R

GOVERNMENT OF NWFP
IRRIGATION & POWER DEPARTMENT

Dated Peshawar the 29th December, 2008

NOTIFICATION

NO. SD/IR/23-573 In pursuance of the provisions contained in sub-rule (2) of rule 3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1939, the Irrigation & Power Department in consultation with the Establishment Department & Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification which shall be applicable to various posts in Irrigation and Power Department as specified in column 1 of the said Appendix.

Secretary to Govt of NWFP
Irrigation & Power Department

as above.

Copy of the above is forwarded to:-

- Chief Engineer (DAM), Irrigation Department, Peshawar.
- Chief Engineer (DOW), Irrigation Department, Peshawar.
- Director General, Small Dams & Irrigation, Peshawar.
- The Secretary, NWFP Public Service Commission, Peshawar.
- All Superintending Engineers, Irrigation Department, NWFP. (Headquarters posts)
- All Executive Engineers, Irrigation Department, NWFP.
- The Manager Government Printing Press, Peshawar for publication in the Government Gazette. He is requested to supply 50 copies of printed notification to this department and 2 copies to Law Department, Peshawar.
- PS to Secretary, Law Department, Peshawar.

Section Officer (Establishment)
Irrigation & Power Department

Encls: No. & date as above.

- 1. PS to Secretary, Irrigation & Power Department, Peshawar.
- 2. PA to Secretary, Irrigation & Power Department, Peshawar.

1843
29/12

Section Officer (Establishment)
Irrigation & Power Department

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PROFORMA SHOWING PREVIOUS METHOD OF RECRUITMENT FOR THE VARIOUS POSTS IN THE REVENUE DEPARTMENT N.W.P.

No	Name of Post with BS	Minimum qualification for appointment by initial Recruitment or by transfer	Age Limit	Method of Recruitment
1	Supervisor Auto Call Operator BS-13	Graduate with one year diploma in computer from recognized Institute or Certificate of Auto Call from recognized Institute		1) 50% by promotion on the basis of seniority cum fitness from amongst the State Holders and seniority cum fitness from amongst the employees of Govt of N.W.P. with 3 years service as such; and 2) 50% by initial recruitment.
2	Data Processing Supervisor BS-11	Graduate with one year Diploma in computer from recognized Institute		1) 50% by promotion on the basis of seniority cum fitness from amongst the State Holders and seniority cum fitness from amongst the employees of Govt of N.W.P. with 3 years service as such; and 2) 50% by initial recruitment.
3	Data Entry Operator/ Key punch operator BS-10	P.A.C.E. with one year Diploma in computer Speed of 10,000 key Dependent position.		1) 50% by promotion on the basis of seniority cum fitness from amongst the State Holders and seniority cum fitness from amongst the employees of Govt of N.W.P. with 3 years service as such; and 2) 50% by initial recruitment.
4	Superintendent (E&M) BS-11	Diploma of Associate Engineering in Electrical Mechanical Technology or the case may be from a recognized Institute.		1) 50% by promotion on the basis of seniority cum fitness from amongst the State Holders and seniority cum fitness from amongst the employees of Govt of N.W.P. with 3 years service as such; and 2) 50% by initial recruitment.
5	Supervisor (E&M) BS-11	Diploma of Associate Engineering in Electrical Mechanical Technology from a recognized Institute.		1) 50% by promotion on the basis of seniority cum fitness from amongst the State Holders and seniority cum fitness from amongst the employees of Govt of N.W.P. with 3 years service as such; and 2) 50% by initial recruitment.
6	Work Superintendent BS-9	SSC or equivalent Qualification from a recognized Institute/Board.		1) 50% by promotion on the basis of seniority cum fitness from amongst the State Holders and seniority cum fitness from amongst the employees of Govt of N.W.P. with 3 years service as such; and 2) 50% by initial recruitment.
7	Work Munshi BS-5 <i>Call Muzafar</i>			By promotion on basis of seniority cum fitness from amongst the work Munshis and employees with seven years service. 1) 50% by initial recruitment. 2) 50% by promotion on basis of seniority cum fitness from amongst the State Holders having SSC and ten years service in the circle.
8	Mate BS-2			By promotion on basis of seniority cum fitness from amongst the Holders having 3 years service in the respective Division.
9	Deodar BS-1	Literate		By initial recruitment.

Call Muzafar

1) 50% by initial recruitment.
2) 50% by promotion on basis of seniority cum fitness from amongst the State Holders having SSC and ten years service in the circle.

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**PROFORMA SHOWING PROPOSED METHOD OF RECRUITMENT
FOR THE VARIOUS POSTS IN IRRIGATION DEPARTMENT.**

16 8

S.No.	Name of Post with BPS	Minimum Qualification for appointment by initial recruitment or by transfer	Age limit	Method of recruitment
1	Supervisor / Auto Cd Operator BS-15	Graduate with one year diploma in computer from recognized institute & certificate of Auto Cad From recognized institute	18-30 years	1). By promotion on the basis of seniority-cum fitness from amongst the Data processing supervisor with qualification as mentioned in column 3 against Sl.No.2 with 3 year. 2). If no suitable candidate is available then by initial recruitment.
2	Data processing supervisor BS-14	Graduate with one year Diploma in computer from a recognized institute	18-30 years	1). 75% by promotion on the basis of seniority-cum fitness from amongst the Data Entry operators/Key Punch operator with qualification as mentioned in column 3 against Sl.No.3 will three years service as such and. 2). 75% by initial recruitment.
3	Data Entry operator/ key punch operator BS-10.	FA/F.Sc with one year Diploma in Computer. Speed of 10.000 Key depression per hour.	18-30 years	By initial recruitment.
4	Superintendent (E&M) BS-11	Diploma of Associate Engineer in Electrical/Mechanical Technology as the case may be from a recognized institute.	18-30 years	1). 75% by initial recruitment. 2). 50% by promotion.
5	Supervisor (E&M) BS-11	Diploma of Associate Engineering in Electrical Mechanical Technology from a recognized institute.	18-30 years	1). 50% by initial recruitment. 2). 50% by promotion of authority com fitness with five year _____ superintendent in.
6	Work superintendent BS-9.			By promotion on basis of seniority-cum fitness from amongst the work ____ Canal inspector with seven years service.
7	Work Munshi BS-5	S.S.C or equivalent qualification from a recognized institute / Board.	18-30 years	1). 50% by initial recruitment. 2). 50% by promotion on basis of seniority-cum fitness from amongst the Mate having SSC and ten years service in the Circle.
8	Mate BS-2			By promotion on basis of seniority cum fitness from amongst the Beldars having 5 years service in the respective Division.
9	Beldars BS-1 - 10	Literate	18-30 years	By initial recruitment.
10	General Supervisor BS-11	Diploma of Associate Engineering in Auto Technology from a recognized institute.	18-30 years	1). 50% by initial recruitment. 2). 50% by promotion on the basis of seniority-cum fitness with five years service as mechanic Grade -H, (BS-7)
11	Mechanic Grade-I, BPS-8	SSC with one year certificate in auto mobile from a recognized institute with 3 year experience certificate in relevant field from a reputable Firms/organization.	18-30 years	1). 75% by initial recruitment. 2). 25% by promotion on the basis of seniority-cum fitness with five years service as mechanic Grade -H, (BS-7)

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**PROFORMA SHOWING PROPOSED METHOD OF RECRUITMENT
FOR THE VARIOUS POSTS IN IRRIGATION DEPARTMENT.**

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S.No.	Name of Post with BPS	Minimum Qualification for appointment by initial recruitment or by transfer	Age limit	Method of recruitment
12.	Mechanic Grage-H, BS-7	SSC with valid H.T.V license and 3 years experience of relevant institute from reportable from / organization.	Upto 35 year	By initial recruitment.
13.	Operator Drifting Rig BS-7	SSC with 8 years experience or relevant Machine from reportable firm/organization.	Upto 35 year	1). 75% by initial recruitment. 2). 25% by promotion on the basis of seniority-cum fitness from amongst Machine with 8 years service.
14.	Well Borer BS-4	SSC with 3 years experience certificate in the relevant field from a reportable from / organization.	18-30 years	By initial recruitment.
15.	Tunner BS-7	SSC with 3 years experience certificate in the relevant field from a reportable from / organization.	18-30 years	1). 75% by initial recruitment. 2). 25% by promotion on the basis of seniority-cum fitness from amongst Machine with 5 years service and SSC qualification.
16.	Machine Man BS-7	Literate with 5 years experience certificate in the relevant field or modle with three years experience certificate in the institute.	18-30 years	By initial recruitment.
17.	Foreman BS-7 ✓	SSC with Diploma in the relevant field from a recognized institute	18-30 years	1). 75% by initial recruitment. 2). 25% by promotion on the basis of seniority-cum fitness from amongst Machine with 5 years service Mechanic Grade-III BS-5.
18.	Mechanic BS-5 Grade-III	SSC with one year certificate of Automobile and one year experience in the relevant field.	18-30 years	1). 75% by initial recruitment. 2). 25% by promotion on the basis of seniority-cum fitness from amongst Machine with 5 years service as fitter.
19.	Fitter BS-4	SSC with one year certificate of Automobile and one year experience in the relevant field.	18-30 years	1). 75% by initial recruitment. 2). 25% by promotion on the basis of seniority-cum fitness from amongst the fitter coolly with 7 years service.
20.	Fitter Coolly BS-2	Literate with five years experience certificate in the relevant field or middle with three years experience certificate in the relevant field.	18-30 years	By initial recruitment.
21.	Electrician Grade-I, BS-7 (Auto).	SSC with one year certificate from a recognized institute as auto electrician with 3 years experience from a reportable Firm/organization.	18-30 years	1). 75% by initial recruitment. 2). 25% by promotion on the basis of seniority-cum fitness from amongst the Electrician Grage-II with 5 years science as Electrical Grade-II (BS-5) on the basis of seniority / fitness.
22.	Electrician Grade-II BS-5	SSC with one year certificate in the relevant field from a recognized institute.	18-30 years	By initial recruitment.
23.	Low body trailer operator BS-8	SSC with valid H.T.V.license and five years experience certificate on the relevant machine from a reputable firm/organization.	18-30 years	By initial recruitment.

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[Signature]

(18)

Amman (D)

NO. 2937 / 5 E
TO,

Dated Dikhan the 12 / 11 / 2

The Superintending Engineer,
Southern Irrigation Circle
Bannu.

Subject:- PROMOTION AS WORK MUNSHI.

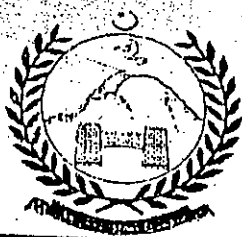
Enclosed please find herewith an application
alongwith Metric Certificate of Mr. Khalilur Rehman Qureshi
Beldar requesting for promotion as Work Munshi for favour
of further disposal, please.

Encl: As above.

EXECUTIVE ENGINEER,
CIRCULAR IRRIGATION DIVISION, DIKHAN
ofc. dr. jr.

Attested to be true G.P.B

(Signature)



19

Annex E

OFFICE OF THE SUPERINTENDING ENGINEER,
SOUTHERN IRRIGATION CIRCLE BANNU
Phone & Fax No. 0928-9279061

OFFICE ORDER

Consequent upon the recommendation of Departmental Promotion Committee in its meeting held on 15/11/2010, Mr. Tahir Abbas Mate attached to CRBC Irrigation Division D.I. Khan is hereby promoted as a Gauge Reader BPS-05 against the vacant post.

SUPERINTENDING ENGINEER
Southern Irrigation Circle Bannu.

No. 6794-9512E

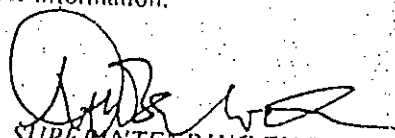
Dated

Bannu

the 22/11/2010

Copy of the above is forwarded to:-

- 1) Executive Engineer, CRBC Irrigation Division D.I. Khan for information and necessary action.
- 2) District Accounts Officer, District D.I. Khan for information.


SUPERINTENDING ENGINEER
Southern Irrigation Circle Bannu.

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بخدمت جناب ڈائریکٹر جنرل اینٹی کرپشن۔ صوبہ خیبر پختونخواہ۔ پشاور
 عنوان: درخواست برآمد کاروائی کئے جانے برخلاف حکام بالا محکمہ اریگیشن سی آر بی سی اریگیشن ڈویژن ڈیرہ
 اسماعیل خان بر بنائے کئے جانے غلط، غیر قانونی، ناجائز پروموشن/بھرتیاں:

جناب عالی!

سائل حسب ذیل عرض پیش کرتا ہے:

- 1- یہ کہ من سائل محکمہ سی آر بی سی اریگیشن ڈویژن ڈیرہ اسماعیل خان میں عرصہ گزشتہ 21 سال سے بطور "بیلدار" کام کرتا چلا آ رہا ہے اور تاحال من سائل کو مجوزہ سیٹ پر کسی قسم کا Legal Benefit اور پروموشن سے محروم رکھا گیا ہے جو کہ عین انصاف کے منافی ہے۔
- 2- یہ کہ من سائل کو محکمہ ہڈانے اپنے 2003ء میں Own Pay Scale کی بنیاد پر بطور "میٹ" ترقی دی جو کہ تاحال من سائل بطور میٹ اپنے فرائض منصبی سرانجام دیتا چلا آ رہا ہے۔ دریں حالات اب من سائل بطور "ورک منشی" کی ترقی کا اہل ہے جو کہ ابھی تک من سائل کو اس ترقی سے محروم رکھا گیا ہے اور گاہے بگاہے مختلف قسم کے روڑے اٹکائے جا رہے ہیں۔
- 3- یہ کہ من سائل نے اپنے جائز حق Promotion کی بابت سال 2005ء میں ایک درخواست سپرٹنڈنٹ انجینئر (SE) بنوں کو گزاری جس کی کاپی لف درخواست ہڈا ہے، جس میں باقاعدہ طور پر ورک منشی کے عہدے پر قانونی طور پر ترقی دینے کی استدعا کی گئی تھی لیکن اس پر محکمہ Authorities کے کانوں پر جوں تک نہ رہی اور من سائل آج تک اپنے جائز حق کی جنگ کرتا آ رہا ہے جو کہ Irrigation Laws کو Overline کرنے کے مترادف ہے۔
- 4- یہ کہ من سائل نے با امر مجبوری محکمہ کے Higher Authorities کو انکی ناجائز من مانی کی بنیاد پر فقط اپنی دادرسی اور جائز حقوق کے تحفظ کے لئے ان کی ناجائز خواہشات کا بھی سامنا کیا لیکن تاحال بھی معاملہ جوں کا توں ہے اور revenge کے طور پر محکمہ نے اپنی گندگی چھپانے کی خاطر ہم نادار لوگوں کی Inquiry شروع کرادی اور آپ جناب دالا کے نوٹس میں Immeral Practice اور Unlafull اقدامات لانے کی

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From lower step complainst محکمہ اریگیشن CRBC ڈویژن طور پر ایک خاطر باقاعدہ طور پر ایک
 to Top گزاری جا رہی ہے کہ آپ اس کے خلاف سخت سے سخت کارروائی کرتے ہوئے محکمہ کو گندی مچھلیوں
 سے پاک کریں اور ہم حقوق سے محروم لوگوں کو At the door step اپنے حقوق دلاویں۔
 یہ کہ جناب کے نوٹس میں لاتے ہوئے ایک اور حقیقت سے بھی پردہ کشائی کرتے چلیں کیونکہ محکمہ اینٹی کرپشن کا
 حقیقی مقصد ہی یہی ہے کہ معاشرے کے اندر خصوصاً گورنمنٹ اداروں سے کرپشن کا جڑ سے خاتمہ کیا جائے۔ تو آپ کی
 خدمت میں یہ گزارشات ہیں:

☆ یہ کہ اس سال 2014ء، 2015ء میں محکمہ سی آر بی سی اریگیشن ڈویژن میں حکام بالاکا کی باہمی ملی بھگت سے
 چند ایسی غیر قانونی بھرتیاں / پروموشن کی گئی ہیں جو کہ سراسر حکومت اور محکمہ کے ملازمین کے خلاف ظلم کے
 مترادف ہے۔ جن کی تفصیل باقاعدہ اس شکایت نامہ کے ساتھ لف ہے۔ بصورت دیگر اگر محکمہ اینٹی کرپشن
 Detail طلب فرمائی تو وہ بھی ہم فراہم کرنے کے لئے تیار ہیں۔

جناب عالی اور ج ذیل ملازمین جو کہ سروس رولز کے مطابق انتہائی جونیئر ہیں جن کو بوس آفس آرڈر کے تحت
 پروموشن دی گئی۔ پروموشن کا کوئی ریکارڈ S.E کے دفتر میں موجود نہیں ہے اور ان کو افسران کی ملی بھگت سے اگلے سکیل
 میں پروموٹ کیا گیا جو کہ خلاف قانون ہے اور صاف شفاف تحقیقات کا متقاضی ہے۔

جناب عالی! گذشتہ سال ڈی آئی خان اریگیشن سرکل میں ورک منشی اور گج ریڈر کی سیٹوں پر جونیئر سٹاف
 پروموٹ کر دیا گیا جبکہ معاملہ کو خفیہ رکھتے ہوئے متعلق متاثرہ اہلکاروں کو اندھیرے میں رکھ کر ان کی حق تلفی کی گئی۔ جن کی
 تفصیل درج ذیل ہے:

- ۱۔ محمد کامران ولد رستم خان بطور ”ریگولیشن بیلدار“ آرڈر نمبر E-829/5 مورخہ 29.04.2015 بھرتی ہوا
 جبکہ آرڈر نمبر 1586/D.I.C/4E مورخہ 20.08.2015 کے تحت بطور ”گج ریڈر“ پروموٹ ہو گیا۔
- ۲۔ وقار انجم ولد خدا بخش بطور ”میٹ“ آرڈر نمبر E/2167-5 مورخہ 03.09.2014 بھرتی ہوا اور بطور
 ورک منشی آرڈر نمبر 1586/D.I.C No. 4E مورخہ 20.08.2015 ترقی دے دی گئی۔

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۳۔ زاہد محمود جتوئی ولد صادق جتوئی بطور ”میٹ“ آرڈر نمبر E-2160/5 مورخہ 03.09.2014 کے تحت

بھرتی ہوا جبکہ آرڈر نمبر E-1582/D.I.C/4 کے تحت بطور ”گیج ریڈر“ پروموٹ ہو گیا۔

۴۔ زبیر نواز ولد عاشق محمد بطور ”بیلدار“ آرڈر نمبر E-30141-44/5 مورخہ 21.11.2011 کے تحت

بھرتی ہوا جبکہ آرڈر نمبر E-4256/D.I.C/4 مورخہ 22.12.2014 کے تحت بطور ”گیج ریڈر“

پروموٹ ہو گیا جو حال میں بحیثیت سب انجینئر O.P.S کام کر رہا ہے۔

۵۔ محمد رضوان ولد بطور ”بیلدار“ آرڈر نمبر E-2171-5 مورخہ 03.09.2014 کے تحت بھرتی ہوا جبکہ آرڈر

نمبر E-1652-D.I.C/4 مورخہ 28.08.2015 کے تحت بطور ”گیج ریڈر“ پروموٹ ہو گیا۔

۶۔ محمد مہران ولد رستم خان بطور ”بیلدار“ ایک سال کے اندر بطور ”ورک منشی“ پروموٹ ہو گیا۔

لہذا استدعا ہے کہ مندرجہ بالا حالات و انکشافات و گزارشات کو ملحوظ خاطر رکھتے ہوئے پہلے پہل متذکرہ محکمہ کے حکام بالا سے نچلے طبقے تک Individual Inquiry شروع کی جائے اور ماضی میں محکمہ کے اندر ہونے والی ناجائز و غیر قانونی بھرتیوں اور Promotions کے خلاف سخت ایکشن لیا جائے اور بعد ازاں ملوث پائے گئے افسران/حکام کو قانون کی گرفت میں لیتے ہوئے انکے خلاف immediate ZCourt Trial چلاتے ہوئے اور انہیں Back Boar کر کے فی الفور اپنے اپنے عہدے سے برطرف کیا جائے تاکہ یہ معاشرے کے ناسور آئندہ ایسے غلط اقدامات نہ کر سکیں اور معاشرے کو ہر قسم کی غلامت سے نجات مل سکے۔

فقط مورخہ: 12.7.2017.....

عارض

سائل خلیل الرحمن قریشی ولد سعید احمد قریشی ”بیلدار“ محکمہ CRBC ایریکیشن

شناختی کارڈ نمبر: 9-0921673-12101 موبائل نمبر: 0346-9490608

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16

23

ADL

①

The report of Col/SW/Banu in detail and self explanatory. He has also attached stay order of High Court. Therefore forwarded for further direction please.

[Signature]
ADL I

ADC. SW (South)

②

As per attached order sheet dated 23-10-2018 of Peshawar High Court B/DIK Bench, CO should submit comments/reply to honourable High Court within 15 days positively. Legal action on the OE may be adjourned till the vacation of court order.

[Signature]
ADL I

06-11-2018

③

Col/SW BAN: For compliance of ADL above mentioned

Attested to be
True copy
[Signature]

[Signature]
ADL I

فائل رپورٹ

Anti-Corruption
SIW / South Region

No: 103

Date: 8/8/2018

اوپن انکوائری نمبر 24/2017 Irrigation

خلیل الرحمن قریشی ولد سعید احمد قریشی بیلدار نمکہ CRBC ایریکشن DIK

برخلاف: ۱۔ عقیل اظہر ایکسٹن CRBC رسب ڈویژن ضلع ڈیرہ اسماعیل خان (BPS-17) (پیرین)

(کیٹی ممبر)

۲۔ سید حسن ذوالقرنین حیدر

(کیٹی ممبر)

۳۔ ہدایت اللہ SDO ایریکشن DIK

(کیٹی ممبر)

۴۔ فضل الہی سکشن آفیسر اسٹیشنمنٹ ایریکشن KPK پشاور

(کیٹی سیکرٹری)

۵۔ محمد رفیق اسٹیشنمنٹ کلرک

۶۔ خطاب گل ایڈیٹریٹو آفیسر چیف انجمنر سادہ آفیس پشاور (کیٹی ممبر)

✓ اہلکاران جن کو متذکرہ بالا سلیکشن کمیٹی نے ترقی دی ہیں

۱۔ زاہد محمود جتوئی ولد محمد صدیق جتوئی گج ریڈر CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05

۲۔ محمد کامران ولد رستم خان گج ریڈر CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05

۳۔ محمد وقار انجم ولد خدا بخش ورک فٹ CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05

۴۔ شفقت اللہ جان ولد حید اللہ گج ریڈر CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05

۵۔ عامر نواز ولد قیوم نواز ورک فٹ CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05

۶۔ زبیر نواز ولد عاشق نواز گج ریڈر CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05

۷۔ محمد کامران خان ولد رستم خان ریگولیشن بلڈر CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05

۸۔ مختیار زداونین حیدر ولد ذوالقرنین حیدر ٹیل فون اسٹنٹ CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05

۹۔ محمد رضوان ولد محمد بلال گج ریڈر CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05

جناب عالی! معروض ہوں کہ انکوائری ہذا سابقہ انسپکٹر SIW سیف الرحمن جمعہ DIK نے عمل میں لائی ہیں دوران انکوائری مذکور نے صحیح طور پر

کارروائی کر کے متعلقہ ریکارڈ بیانات دستاویز کے ذریعہ آڈٹ بھی کرائی ہے جو انکوائری ہذا پر موجود ہے۔ انکوائری فائل کا ملاحظہ کرایا گیا۔

درخواست کنندہ خلیل الرحمن قریشی نے اپنی تحریر میں الزامات لگائے ہیں کہ

1۔ یہ کہ من سائل محکمہ سی آر ڈی ای ایریکشن ڈویژن ڈیرہ اسماعیل خان میں عرصہ گزشتہ 21 سال سے بطور "بیلدار" کام کرتا چلا آ رہا ہے اور تاحال

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بائل کو مجوزہ سیٹ پر کسی قسم کا Legal Benefit اور پروموشن سے محروم رکھا گیا ہے جو کہ عین انصاف کے منافی ہے۔

2- یہ کہ من سائل کو محکمہ ہذا نے اپنے 2003ء میں Own Pay Scale کی بنیاد پر بطور "میٹ" ترقی دی جو کہ تاحال من سائل بطور میٹ ہی رہے۔
فرائض منصبی سرانجام دیتا چلا آ رہا ہے۔ دریں حالات اپ من سائل بطور "درک منشی" کی ترقی کا اہل ہے جو کہ ابھی تک من سائل کو اس ترقی سے محروم رکھا گیا ہے اور گا ہے بگا ہے مختلف قسم کے روڑے انکا۔ یہ جار ہے ہیں۔

3- یہ کہ من سائل نے اپنے جائز حق Promotion کی بابت سال 2005 میں ایک درخواست سپرنٹنڈنٹ انجینئر (SE) بنوں کو گزاری جس کی کاپی لف درخواست ہذا ہے جس میں باقاعدہ طور پر درک منشی کے عہدے پر قانونی طور پر ترقی دینے کی استدعا کی گئی تھی لیکن اس پر محکمہ Authorities کے کانوں پر جوں تک نہ رہی اور من سائل آج تک اپنے جائز حق کی جنگل لڑتا آ رہا ہے جو کہ Irrigation Laws کے مترادف ہے۔

4- یہ کہ من سائل نے باامریجوری محکمہ کے Higher Authorities کو ان کی ناجائز من مانی کی بنیاد پر فقط اپنی دادری اور جائز حقوق کے تحفظ کیلئے ان کی ناجائز خواہشات کا بھی سامنا کیا لیکن تاحال ابھی معاملہ جوں کا توں ہے اور Revenge کے طور پر محکمہ نے اپنی گندگی چھپانے کی خاطر ہم نادار لوگوں کی Inquiry شروع کرادی اور آپ جناب والا کے نوٹس میں Unlawful practice اور mmeral practice اقدامات لانے کی خاطر باقاعدہ طور پر ایک Complaint محکمہ ایریکیشن CRBC ڈویژن From lower step to top گزاری جارہی ہے کہ آپ اس کے خلاف سخت سخت کارروائی کرتے ہوئے محکمہ کو گندہ پھیلوں سے پاک کریں اور ہم حقوق سے محروم لوگوں کو At the door step اپنے حقوق دلادیں یہ کہ جناب کے نوٹس میں لاتے ہوئے ایک اور حقیقت سے بھی پردہ کشائی کرتے چلیں کیونکہ محکمہ اینٹی کرپشن کا حقیقی مقصد ہی یہی ہے کہ معاشرے کے اندر نسوسا گورنمنٹ اداروں سے کرپشن کا جز سے خاتمہ کیا جاتے تو آپ کی خدمت میں یہ گزراشت ہیں: یہ کہ اس سال 2014-15 میں محکمہ سی آر بی ن ایریکیشن ڈویژن میں حکام بالا کی باہمی ملی بھگت سے چنانہ کسی غیر قانونی بھرتیاں اور پروموشن کی گئی ہیں جو کہ سراسر حکومت اور محکمہ کے ملازمین کے خلاف ظلم کے مترادف ہے۔ جن کی تفصیل باقاعدہ اس شکایت نامہ کے ساتھ لف ہے۔ بصورت دیگر اگر محکمہ اینٹی کرپشن Detail طلب فرمائی تو وہ بھی ہم فرام کرنے کیلئے تیار ہیں۔

جناب عالی! درج ذیل ملازمین جو سروس روڈ کے مطابق انتہائی جوئیر ہیں جن کو بوس آفس آرڈر کے تحت پروموشن دی گئی۔ پروموشن کا کوئی ریکارڈ S.E کے دفتر میں موجود نہیں ہے اور ان کو انفران کی ملی بھگت سے اگلے سکیل میں پروموٹ کیا گیا ہے جو کہ خلاف قانون ہے اور صاف شفاف تحقیقات کا تقاضا ہے۔

جناب عالی! گزشتہ سال ڈی آئی خان ایریکیشن سٹرک میں درک منشی اور گج ریڈر کی سیٹوں پر جوئیر شاف پروموٹ کر دیا گیا ہے جبکہ معاملہ کو خفیہ رکھتے ہوئے متعلق متاثرہ اہلکاران کو اندھیرے میں رکھ کر ان کی حق تلفی کی گئی۔ جن کی تفصیل درج ذیل ہے: 1۔ محمد کامران ولد رستم خان بطور ریگولیشن بیلڈار آرڈر نمبر 829/5-E مورخہ 29-04-2015 بھرتی ہوا جبکہ آرڈر نمبر 1586/D.I.C/4E مورخہ 20-08-2015 کے تحت بطور گج ریڈر پروموٹ ہو گیا۔

2۔ وقار انجم ولد خدابخش بطور "میٹ" آرڈر نمبر 5-E/2167 مورخہ 03-09-2014 بھرتی ہوا اور بطور درک منشی آرڈر نمبر 1586/D.I.C No. 4E مورخہ 20-08-2015 ترقی دے دی گئی۔

3۔ زاہد محمود ذوی ولد صادق جتوئی "میٹ" آرڈر نمبر 2160/5-E مورخہ 03-09-2014 کے تحت بھرتی ہوا جبکہ آرڈر نمبر 1532/D.I.C/4-E کے تحت بطور "گج ریڈر" پروموٹ ہو گیا۔

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۴۔ زیر نواز ولد عاشق محمد بطور "بیلدار" آرڈر نمبر E-44/5-30141 مورخہ 21-11-2011 کے تحت بھرتی ہوا جبکہ آرڈر نمبر 4254/D.I.C/4-E مورخہ 22-12-2014 کے تحت بطور "گینچ ریڈر" پروموٹ ہو گیا جو حال میں بحیثیت سب انسپیکٹر O.P.S کام کر رہا ہے۔

۵۔ محمد رضوان ولد بطور "بیلدار" آرڈر نمبر E-2171-5 مورخہ 03-09-2014 کے تحت بھرتی ہوا جبکہ آرڈر نمبر 1652-D.I.C/4E مورخہ 28-08-2015 کے تحت بطور "گینچ ریڈر" پروموٹ ہو گیا۔

۶۔ محمد مہران ولد رستم خان بطور "بیلدار" ایک سال کے اندر بطور "درک نشی" پروموٹ ہو گیا۔

لہذا استدعا ہے کہ مندرجہ بالا حالات الاکشافات و گزارشات کو ملحوظ خاطر رکھتے ہوئے پہلے پہل متذکرہ بالا محکمہ کے حکام بالا سے نچلے طبقے تک Individual inquiry شروع کی جائے اور ماضی میں محکمہ کے اندر ہونے والی ناجائز وغیر قانونی بھرتیوں اور پروموشنز کے خلاف سخت ایکشن لیا جائے اور بعد ازاں ملوث پائے گئے افسران / حکام کو قانون کی گرفت میں لیتے ہوئے انی کنٹریبل Immediate Zcourt Triail چلاتے ہوئے اور انہیں Back Boar کر کے فی الفور اپنے عہدے سے برطرف کیا جائے تاکہ یہ معاشرے کے نامور آئندہ ایسے اقدامات نہ کر سکیں اور معاشرے کو ہر قسم کی غلاطت سے نجات مل سکے۔

مدعی کی درخواست پر بحوالہ لیٹر نمبر 71 مورخہ 05-09-2017 اور این اے کوآرڈری کی استدعا کی گئی جس پر جناب DACE صاحب نے بحوالہ لیٹر نمبر 15239 مورخہ 09-10-2017 اور این اے کوآرڈری نمبر Irrigation-24/2017 شروع کرنے کی اجازت عنایت فرمائی۔
بسلطہ ادین انکوآرڈری کی کی گئی کارروائی کی تفصیل ذیل ہے:

تفصیل کارروائی:

- 1۔ مدعی درخواست کنندہ کو تھانہ ACE ذریعہ اسماعیل خان طلب کیا گیا جس نے اپنی تحریری درخواست OWN کر کے اس پر قانونی کارروائی کی خواہش ظاہر کی۔
- 2۔ محمد عقیل اظہر ایکس این ریگنیشن پہاڑ پور ڈویژن ذریعہ اسماعیل خان نے اپنے تحریری بیان میں کہا ہے کہ درخواست کنندہ ظلیل الرحمن قریشی ولد سعید احمد قریشی محکمہ آب پاشی میں بطور بیلدار کنٹریکٹ پر مورخہ 08-09-1996 کو بھرتی ہوا عرصہ 17 سال گزرنے کے باوجود تمام ملازمین بشمول Complainant گورنمنٹ پالیسی کے مطابق کنٹریکٹ پر رہے اور گورنمنٹ رولز کے مطابق کنٹریکٹ ملازمین کی کوئی سنیاریٹی وغیرہ نہیں ہوتی لہذا عرصہ کنٹریکٹ ان کی پروموشن وغیرہ میں شامل نہیں ہو سکتا مورخہ 31-10-2013 کو گورنمنٹ کی Regularization پالیسی کے تحت محکمہ آب پاشی سر آر پی سی ڈویژن نے 83 عدد کنٹریکٹ ملازمین کی Regularization کے آرڈر کیے جن میں درخواست کنندہ بھی موجود ہے لہذا اسے تاریخ سے پہلے کی ملازمت کو اس کی سنیاریٹی میں شامل نہیں کیا جاسکتا۔ نیز ملازم ہذا کی کوئی بھی Qualification نہیں ہے (سرورس بک کی کاپی لف ہے) اس لیے اس کو حکمانہ ترقی میں اس Arrogant Conduct اور مجوزہ قابلیت نہ ہونے کی وجہ سے Concider نہیں کیا گیا۔ کیونکہ حکمانہ ترقی کیلئے قانون کے مطابق Seniority cum Fitness کو مد نظر رکھنا ضروری ہے جس کیلئے ملازم ہذا بالکل فٹ نہیں پایا گیا۔ لہذا حکمانہ ترقی کہیں نے اس کو شامل ترقی نہیں کیا۔ لہذا اس کا کوئی حق نہیں ہے کہ یہ محکمہ کے افسران بالا کے خلاف اس قسم کی بے بنیاد درخواستیں دے کیونکہ Esta Code کے مطابق وہی بھی سرکاری ملازم اپنے محکمہ کے افسران کے خلاف کسی بھی ادارے کو درخواست نہیں دے سکتا۔ ایسا کرنے پر اس کے خلاف حکمانہ کارروائی کی جانی ضروری ہے۔ جواب شروع کر دی جائے گی جس کیلئے ابتدائی انکوآرڈری کرادی گئی ہے اور درخواست کنندہ کو Warning جاری کی ہے۔
- جن ملازمین کی ترقی پر موضوع نے اعتراض کیا ہے ان کی ترقی قانون کے مطابق ان کی تعلیمی استعداد اور Seniority cum Fitness کو مد نظر رکھا کر جناب Superintending Engineer ایڈمنسٹریشن ڈی۔ آئی۔ خان سرکل ذریعہ اسماعیل خان کے افسران نے حکمانہ ترقی کی گئی ہے۔

Wanted to be true
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چئ مین محمد رفیق خان وزیر (حال Superintending Engineer ایڑیکیشن سرکل مردان) کی منظوری کے بعد آرڈر جاری کئے۔ جبکہ سی آر بی 15-16 ڈویژن پر الزام غلط ہے کہ انہوں نے پرموشن کی ہے کیونکہ ایکس سی آر بی سی ان ترقیوں کیلئے مجاز تھا لی نہیں ہے۔ علاوہ ازیں مندرجہ ذیل ملازمین کا ذکر درخواست میں موجود ہے ان کی Statements لف ہیں۔

- 1- محمد کامران ولد رستم خان۔ گچ ریڈر
- 2- وقار انجم ولد خدا بخش۔ درک نشی
- 3- زاہد محمود جوئی ولد صادق۔ گچ ریڈر
- 4- زبیر نواز ولد عاشق محمد۔ گچ ریڈر
- 5- محمد رضوان۔ گچ ریڈر
- 6- محمد مہران ولد رستم خان۔ درک نشی

حکمہ آبپاشی سی آر بی سی ڈویژن میں 15-2014 میں خالی آسامیوں پر 42 کلاس IV بھرتیاں کی ہیں۔ جن کی بھرتی کے آہ ڈرر صدقہ کا پیاں ہمراہ لف ہیں۔ دفتر بذمہ میٹ پرموشن کی سیٹ خالی نہیں تھی۔ نیز میٹ سے درک نشی / گچ ریڈر کیلئے برطابق رولز Eligibility کیلئے میٹرک تعلیم اور تجربہ وغیرہ مذکور کا نہیں تھا۔ (Copy of rules attached) لہذا درخواست کنندہ کو اس لیے Consider نہیں کیا جاسکتا۔ درخواست کنندہ چونکہ خود سرکاری ملازم ہے لیکن اسکو اپنے فرائض اور قانون کا پتہ نہیں ہے۔ اس لیے یہ حکمانہ افسران کو اپنی لاعلمی کے باعث پرموشن میں لانا چاہتا ہے۔ لیکن اس کو قانون کے مطابق حکمانہ سزا دی جاسکتی ہے جو کہ نوکر یہ سے درخواستگی پر منتج ہو سکتی ہے نیز اپنی جائز ترقی کیلئے اس کو سروس ٹریبونل عدالت سے رجوع کرنا چاہیے نہ کہ افسران کے خلاف تمام اداروں کو برسر پیکار رکھے۔ لہذا اوپر بتائے گئے حقائق کی روشنی میں یہ استدعا ہے کہ حکمانہ آبپاشی کے افسران کو اس بے بنیاد الزام سے برہا کیا جائے۔ اور درخواست کنندہ کو راہ راست کی تنبیہ کی جائے۔

تحریری بیان عقیل انہر ایکسن پراڈ پور سب ڈویژن معہ پیش کردہ متعلقہ ریکارڈ مارک "A" پرف قابل ملاحظہ ہے۔ محمد کامران ولد رستم خان، گچ ریڈر نے اپنے تحریری بیان میں کہا ہے کہ ہمارے دفتر کے سرکاری بیلڈار ظلیل قریشی نے جو اپنے حکمہ کے خلاف درخواست دی ہے اور اس میں مجھے اور دیگر سٹاف کی حکمانہ ترقی پر اعتراض کیا ہے وہ سراسر جھوٹ اور نا انسانی پر مبنی ہے میری اور جملہ سٹاف کی حکمانہ ترقی ہماری تعلیمی قابلیت، غیر معمولی کارکردگی اور فتنس کی بنیاد پر حکمانہ کیٹی کی باقاعدہ منظوری Superintending Engineer سرکل آفس حکمہ آبپاشی ڈیرہ اسماعیل خان نے کی ہے جو کہ اس سلسلہ مجاز تھا رہی ہے۔ اور میں اپنی موجودہ پوسٹ پر اپنے افسران کے اطمینان کے ساتھ اپنی ڈیوٹی سر انجام دے رہا ہوں۔ اور میرے اور حکمہ پر لگائے گئے الزامات بے بنیاد ہیں۔

تحریری بیان محمد کامران ولد رستم خان، گچ ریڈر مارک "B" پرف قابل ملاحظہ ہے۔ وقار انجم ولد خدا بخش، درک نشی نے اپنے تحریری بیان میں کہا ہے کہ ہمارے دفتر کے سرکاری بیلڈار ظلیل قریشی نے جو اپنے حکمہ کے خلاف درخواست دی ہے اور اس میں مجھے اور دیگر سٹاف کی حکمانہ ترقی پر اعتراض کیا ہے وہ سراسر جھوٹ اور نا انسانی پر مبنی ہے میری اور جملہ سٹاف کی حکمانہ ترقی ہماری تعلیمی قابلیت، غیر معمولی کارکردگی اور فتنس کی بنیاد پر حکمانہ کیٹی کی باقاعدہ منظوری Superintending Engineer سرکل آفس حکمہ آبپاشی ڈیرہ اسماعیل خان نے کی ہے جو کہ اس سلسلہ مجاز تھا رہی ہے۔ اور میں اپنی موجودہ پوسٹ پر اپنے افسران کے اطمینان کے ساتھ اپنی ڈیوٹی سر انجام دے رہا ہوں۔ اور میرے اور حکمہ پر لگائے گئے الزامات بے بنیاد ہیں۔

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تحریری بیان وقارا انجم وقارا انجم ولد خدا بخش، درک فشی مارک "C" پرف قابل ملاحظہ ہے۔

5- زاہد جتوئی ولد صادق، گج ریڈر نے اپنے تحریری بیان میں کہا ہے کہ ہمارے دفتر کے سرکاری بیلدار خلیل قریشی نے جو اپنے محکمہ کے خلاف درخواست دی ہے اور اس میں مجھے اور دیگر سٹاف کی حکمانہ ترقی پر اعتراض کیا ہے وہ سراسر جھوٹ اور نا انسانی پرہنی ہے۔ میری اور جملہ سٹاف کی حکمانہ ترقی ہماری تعلیمی قابلیت، غیر معمولی کارکردگی اور فتنس کی بنیاد پر حکمانہ کمیٹی کی باقاعدہ منظوری Superintending Engineer سرکل آفس محکمہ آبپاشی ڈیرہ اسماعیل خان نے کی ہے جو کہ اس سلسلی مجاز تھا۔ اور میں اپنی موجودہ پوسٹ پر اپنے افسران کے اطمینان کے ساتھ اپنی ڈیوٹی سرانجام دے رہا ہوں۔ اور میرے اور محکمہ پر لگائے گئے الزامات بے بنیاد ہیں۔

تحریری بیان زاہد جتوئی ولد صادق، گج ریڈر مارک "D" پرف قابل ملاحظہ ہے۔

6- زبیر نواز ولد عاشق محمد، گج ریڈر نے اپنے تحریری بیان میں کہا ہے کہ ہمارے دفتر کے سرکاری بیلدار خلیل قریشی نے جو اپنے محکمہ کے خلاف درخواست دی ہے اور اس میں مجھے اور دیگر سٹاف کی حکمانہ ترقی پر اعتراض کیا ہے وہ سراسر جھوٹ اور نا انسانی پرہنی ہے۔ میری اور جملہ سٹاف کی حکمانہ ترقی ہماری تعلیمی قابلیت، غیر معمولی کارکردگی اور فتنس کی بنیاد پر حکمانہ کمیٹی کی باقاعدہ منظوری Superintending Engineer سرکل آفس محکمہ آبپاشی ڈیرہ اسماعیل خان نے کی ہے جو کہ اس سلسلی مجاز تھا۔ اور میں اپنی موجودہ پوسٹ پر اپنے افسران کے اطمینان کے ساتھ اپنی ڈیوٹی سرانجام دے رہا ہوں۔ اور میرے اور محکمہ پر لگائے گئے الزامات بے بنیاد ہیں۔

تحریری بیان زبیر نواز ولد عاشق محمد، گج ریڈر مارک "E" پرف قابل ملاحظہ ہے۔

7- محمد رضوان، گج ریڈر نے اپنے تحریری بیان میں کہا ہے کہ ہمارے دفتر کے سرکاری بیلدار خلیل قریشی نے جو اپنے محکمہ کے خلاف درخواست دی ہے اور اس میں مجھے اور دیگر سٹاف کی حکمانہ ترقی پر اعتراض کیا ہے وہ سراسر جھوٹ اور نا انسانی پرہنی ہے میری اور جملہ سٹاف کی حکمانہ ترقی ہماری تعلیمی قابلیت، غیر معمولی کارکردگی اور فتنس کی بنیاد پر حکمانہ کمیٹی کی باقاعدہ منظوری Superintending Engineer سرکل آفس محکمہ آبپاشی ڈیرہ اسماعیل خان نے کی ہے جو کہ اس سلسلی مجاز تھا۔ اور میں اپنی موجودہ پوسٹ پر اپنے افسران کے اطمینان کے ساتھ اپنی ڈیوٹی سرانجام دے رہا ہوں۔ اور میرے اور محکمہ پر لگائے گئے الزامات بے بنیاد ہیں۔

تحریری بیان محمد رضوان خان مارک "F" پرف قابل ملاحظہ ہے۔

8- محمد مہران ولد رستم خان، درک فشی نے اپنے تحریری بیان میں کہا ہے کہ ہمارے دفتر کے سرکاری بیلدار خلیل قریشی نے جو اپنے محکمہ کے خلاف درخواست دی ہے اور اس میں مجھے اور دیگر سٹاف کی حکمانہ ترقی پر اعتراض کیا ہے وہ سراسر جھوٹ اور نا انسانی پرہنی ہے۔ میری اور جملہ سٹاف کی حکمانہ ترقی ہماری تعلیمی قابلیت، غیر معمولی کارکردگی اور فتنس کی بنیاد پر حکمانہ کمیٹی کی باقاعدہ منظوری Superintending Engineer سرکل آفس محکمہ آبپاشی ڈیرہ اسماعیل خان نے کی ہے جو کہ اس سلسلی مجاز تھا۔ اور میں اپنی موجودہ پوسٹ پر اپنے افسران کے اطمینان کے ساتھ اپنی ڈیوٹی سرانجام دے رہا ہوں۔ اور میرے اور محکمہ پر لگائے گئے الزامات بے بنیاد ہیں۔

تحریری بیان محمد مہران ولد رستم خان، درک فشی مارک "G" پرف قابل ملاحظہ ہے۔

9- ایگزیکٹو انجینئر ICRBC ریکیشن ڈویژن ڈیرہ اسماعیل خان بحوالہ لیٹر نمبر 96 مورخہ 2/11/2017 بابت ریکارڈ تحریر کیا گیا جس بحوالہ لیٹر 2057/25-M مورخہ 10/11/2017 میں تحریر کیا ہے۔

As desired the attested copy of the documents required by your goodself are submitted herewith for further necessary action.

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لیٹر M-2057/25 مورخہ 10/11/2017 متذکرہ بالا مورخہ میں کردہ ریکارڈ مارک "H" پر لف قابل ملاحظہ ہے۔

10- انکوائری ہذا میں ایکس CRBC ایریکیشن سب ڈویژن ڈیرہ اسماعیل خان کو لیٹر نمبر 26 مورخہ 12/03/2018 کو پر موش ریکارڈ ازاں شفقت اللہ خان وغیرہ لیٹر تحریر کیا گیا جس پر ایکس CBRBC نے بحوالہ لیٹر نمبر M-859/25 مورخہ 10-04-2018 ذیل جواب تحریر کیا ہے

Office of the executive Engineer CRBC Irrigation Division DIKhan

Phone & Fax No. 0966-9280237 No.859/25M dated 10-04-2018, To the assistant director Anti Corruption department SIW DIKhan.

Subject: Enquiry No. 24/2017 IRR.

Reference : Your letter No. 26 dated 12-03-2018

As reported by the record keeper/Establishment clerk of this division that the requisite record involved the subject Enquiry viz. minutes of Departmental promotion committee are not found available in this office record and have taken away by the then executive Engineer CRBC irrigation division DIKhan Engineer Mr. Aqeel Azhar. As and when received by the aforesaid officer, will be produce to tour good office please.

Submitted Please.

لیٹر نمبر M-859/25 مورخہ 10-04-2018 متذکرہ بالا مارک "A" پر لف قابل ملاحظہ ہے۔

11- محمد رفیق ولد محمد یار سکنتہ بستی گھانیا نوالی نمبر 2 ڈیرہ اسماعیل خان نے اپنے تحریری بیان میں کہا ہے کہ اس کا پر موش کیسوں سے کوئی تعلق نہیں ہے۔ اور نہ ہی اسکو کوئی پتہ ہے۔ کہ پر موش کس طرح ہوئی ہے۔ اور نہ کسی سردس ایک میں انٹری اسکے ہاتھ سے ہوئی ہے۔ بحیثیت اسٹیشن مگر اسکو بھرتیوں اور ترقیوں کے معاملات سے دور رکھا گیا ہے۔ کوئی پر موش کی درخواست اسکے پاس نہیں آئی ہے۔ اور نہ ہی اس سے سینارٹی لسٹ بنائی گئی ہے۔ اور نہ ہی اس نے کسی کے پر موش فارم کو Fill کیا ہے۔ تمام اہلکار جو اگلے عہدوں پر پرموٹ ہوئے ہیں۔ انہوں نے اپنے بل خود اکاؤنٹس آفس سے پاس کرائے ہیں۔ ماسوائے زاہد جتوئی اور زبیر نواز گچ ریڈر کے۔ انکا کامل اس نے اکاؤنٹ آفس سے پاس کرایا ہے۔ باقی جتنے لوگ پرموٹ ہوئے انکے بل کس طرح پاس ہوئے ہیں۔ اور کس نے بل تیار کئے ہیں۔ اسکو کچھ پتہ نہیں ہے۔ اور نہ ہی وہ بل اس نے تیار کئے ہیں اور نہ ہی اسکی ہاتھ کی لکھائی ہے۔ پر موش کیلئے DPC کس نے تیار کیا ہے۔ اسکو کچھ معلوم نہیں ہے۔

تحریری بیان محمد رفیق ولد محمد یار سکنتہ بستی گھانیا نوالی نمبر 2 ڈیرہ اسماعیل خان مارک "J" پر لف قابل ملاحظہ ہے۔

12- بیان ازاں شفقت اللہ خان ولد محمد اللہ خان (گچ ریڈر) Bps-05 محکمہ CRBC- Irrigation DIKhan میں شفقت اللہ جان ولد محمد اللہ خان (گچ ریڈر) تحریری طور پر بیان دیتا ہوں کہ اوپن انکوائری نمبر 24/2017 بر خلاف محکمہ ایریکیشن درخواست گزار ظلیل قریشی بیلدار نے جناب DAC پشاور کو جو درخواست دی ہے اس درخواست میں مبر انام نہیں ہے جبکہ مسیماں محمد کامران گچ ریڈر وغیرہ کے خلاف درخواست کی تھی۔ اب مجھے معلوم ہوا ہے کہ آڈیٹر ایٹی مرپشن بٹاڈر نے متناقدہ ریکارڈ کی آڈٹ کر کے میری پر موش پر اعتراض کیا ہے۔ میں محکمہ ایریکیشن میں بطور ریگولیشن

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بیلہ بھرتی ہوا۔ میری تعلیمی قابلیت B.A اور D.I.T ہے میری ترقی کی وجہ سے درخواست گزار یا کسی دیگر اہلکار کی حق تلفی نہیں ہوئی۔
بیان شفقت اللہ جان ولد حمید اللہ خان مارک "K" پرف قابل ملاحظہ ہے۔

13۔ بیان ازاں عاصم نواز اعوان ولد قیوم نواز (درک فشی) Bps-05 محکمہ CRBC-Irrigation DIK میں عاصم نواز اعوان ولد قیوم نواز تحریری طور پر بیان کرتا ہوں کہ اوپن انکوائری نمبر 24/2017 برخلاف محکمہ ایریکیشن درخواست گزار خلیل قریشی بیلدار نے جناب DAC پشاور کو جو درخواست دی اس درخواست میں میرا کوئی نام نہیں ہے جبکہ مسیان محمد کامران گچ ریڈر وغیرہ کے خلاف درخواست کی تھی اب مجھے معلوم ہوا ہے کہ آڈیٹرائٹس کرپشن پشاور نے متعلقہ ریکارڈ کی آڈٹ کر کے میری پروموشن پر اعتراض کیا ہے۔ میں محکمہ ایریکیشن میں بطور میٹ بھرتی ہوا۔ میری تعلیمی قابلیت D.A.E کے ساتھ B.Tech (Honours) ہے۔ میری ترقی کی وجہ سے درخواست گزار یا دیگر کسی اہلکار کی حق تلفی نہیں ہوئی۔
بیان عاصم نواز اعوان مارک "L" پرف قابل ملاحظہ ہے۔

14۔ بیان ازاں سید مختیار ذوالنون حیدر ولد ذوالفقار حیدر (Telephone Attendent) Bps-05 محکمہ CRBC-Irrigation DIK میں سید مختیار ذوالنون حیدر ولد ذوالفقار حیدر تحریری طور پر بیان کرتا ہوں کہ اوپن انکوائری نمبر 24/2017 برخلاف محکمہ ایریکیشن درخواست گزار خلیل قریشی بیلدار نے جناب DAC پشاور کو جو درخواست دی ہے اس درخواست میں میرا نام نہیں ہے جبکہ مسیان محمد کامران گچ ریڈر وغیرہ کے خلاف درخواست کی تھی۔ اب مجھے معلوم ہوا ہے کہ آڈیٹرائٹس کرپشن پشاور نے متعلقہ ریکارڈ کی آڈٹ کر کے میری پروموشن پر اعتراض کیا ہے میں محکمہ ایریکیشن میں بطور بیلدار 26/4/2013 بھرتی ہوا تھا۔ میری ترقی مورخہ 25/8/17 کی وجہ سے درخواست گزار یا کسی دیگر اہلکار کی حق تلفی نہیں ہوئی۔
بیان سید مختیار ذوالنون حیدر ولد ذوالفقار حیدر مارک "M" پرف قابل ملاحظہ ہے۔

15۔ ایگزیکٹو انجینئر CRBC ایریکیشن ڈویژن ذوالنون حیدر نے بحوالہ لیٹر نمبر 716/25-M مورخہ 20/03/2018 تحریر کیا ہے کہ
As desired the requisite record as available in this office required vide your letter under reference is sent herewith for further disposal please.
لیٹر نمبر 716/25-M مورخہ 20/03/2018 متذکرہ بالا پیش کردہ ریکارڈ "N" پرف قابل ملاحظہ ہیں۔

16۔ انکوائری ہذا میں حقائق بت رسائی حاصل کرنے کے لیے بذریعہ سینئر آڈیٹر ACE آڈٹ کرنے کی استدعا کی گئی جس پر خادم حسین ہات سینئر آڈیٹر ACE پشاور نے متعلقہ ریکارڈ کی آڈٹ کر کے اپنی آڈٹ رپورٹ نمبر 70-7366 مورخہ 24-04-2018 ذیل CONCLUSION تحریری

Conclusion: From the above detail discussion the undersigned arrived to the conclusion that the concerned departmental selection committees violating the laid down criteria in the promotion of the above Official for which they are held responsible. Due the above illegal promotion the Govt: exchequer was put to huge loss of Rs. 348446/- by the said promotion committees on one side, while on the other side, the eligible candidate (i.e Mr. Khalil-ur-Rehman Qureshi) was deprived from his basic right of promotion in due time by the competent authorities of the CRBC division at the same time, meaning that there was involved some vested

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interests of the said promotion committees & the complainant was unable to full
the vested interests of the Departmental promotion committees for which the
said DPC are answerable to the law.

- (11) Loss work out to the govt exhequer at this stage (April 2018)= Rs. 348446/-
(12) Recommendations: IO is requested to initiate legal proceeding against the then
departmental promotion committees for not observing the laid down citreia of the
govt in promotion cases of the above official as maintained above at Para No. 04,
under the rules. It is also recommended that, the illegal promotion made of the
above candidates should be reverted to their original scale/Post & recovery on
account of excess drawal of pay & allowances in higher scale should be recovered
from them under intimation to this office.
Further more, the promotion case of the complaint may be considered under the
above started rules.

Report submitted Please

آڈٹ رپورٹ نمبر 70-366 مورخہ 24-04-2018 متذکرہ بالامارک "O" پر لف قابل ملاحظہ ہے۔
نوٹ: محمد رفیق سابقہ پرنسپل ڈسٹریکٹ انجینئر ایریکشن سرکل ڈیرہ اسماعیل خان حال ریٹائرڈ سکنہ پشاور سابقہ پرنسپل ڈسٹریکٹ انجینئر ایریکشن سرکل ڈیرہ اسماعیل
خان حال ریٹائرڈ سکنہ پشاور جس نے مسٹرز بیہ نواز، وقار انجم، محمد کامران کو پر مشون دی ہے اور رول اینڈ ریگولیشن کی خلاف ورزی کی ہے جس کو صفائی کا موقع
دیا جاتا ہے کے کردار کو واضح کر کے اسے شامل تشویش کیا جائے گا۔ مذکورہ SE ریٹائرڈ ہو چکا ہے۔ کئی بار طلبی کے باوجود حاضر نہیں آتا ہے۔

فائیلنگ!

بلسلسلہ ادپن انکواری کی مٹی کو ردائی تفصیلاً درج بالا ہوئی۔ مدعی درخواست کنندہ خلیل الرحمان ترمیشی متذکرہ بالا نے اپنی تحریری درخواست میں برخلاف
XEN ٹکمر ایریکشن CRBC سب ڈویژن ڈیرہ اسماعیل خان میں وٹاف پر غیر قانونی بھرتی اور پر مشون دینے اور اپنے اختیارات کا غلط استعمال کرتے
ہوئے سینئر اہلکاران کے بجائے مٹی بھگت سے جو نیئر کو اگلے عہدہ میں ترقی دینے اور اسکو سینئر اہلکار ہونے کے باوجود اگلے عہدہ میں ترقی نہ دینے کے اختیارات
لگائے ہیں۔ دوران انکواری ایگزیکٹو انجینئر CRBC ایریکشن ڈیرہ اسماعیل خان سے حاصل کردہ ریکارڈ اور لے گئے تحریری بیانات سے
پایا گیا۔ ایکس عقیل اظہر ایگس CRBC سب ڈویژن ٹکمر ایریکشن نے کلاس فور اہلکاروں کو اختیارات کا ناجائز استعمال کرتے ہوئے مٹی بھگت اور
دھوکہ دی تسلیم نہیں کرتا ہے اور تحریری بیان میں بھرتی اور پر مشون میرٹ پر اور بذریعہ ڈیپارٹمنٹل کمیٹی کرانا بیان کیا ہے اور درخواست کنندہ کا کوئی کوئی بیانیہ
ہونے اور میرٹ پر پر مشون کیلئے اہل نہ ہونا تحریر کیا ہے۔ 1۔ زاہد محمود چوڈی ولد محمد صدیق جتوئی گج ریڈ 2۔ محمد کامران ولد رستم خان گج ریڈ 3۔ محمد وقار انجم
ولد خدا بخش ورک نشی 4۔ شفقت اللہ جان ولد حمید اللہ گج ریڈ 5۔ عاصم نواز ولد قیوم نواز ورک نشی 6۔ زبیر نواز ولد عاشق نواز گج ریڈ 7۔ محمد
مہران خان ولد رستم خان ریگولیشن بلڈر 8۔ مختیار زوالوینین نیر ولد ذوالقرنین حیدر علی نون انڈنٹ CRBC 10۔ محمد رضوان ولد محمد بلال گج ریڈ
CRBC ایریکشن ضلع ڈیرہ اسماعیل خان BPS-05 پر مشون روڈ کی خلاف ورزی کرتے جو نیئر ریک کے اہلکاروں کو BPS-05 میں ترقی دی ہے۔

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اور کریک کے اہلکاروں کی حق تلفی کی ہے

انکواری ہڈا میں متعلقہ ریکارڈ حاصل کیا جا کر اسکی آڈٹ بذریعہ سینئر آڈیٹر ACE کرائی گئی سینئر آڈیٹر ACE نے اپنی آڈٹ رپورٹ نمبر 7366-70 مورخہ 24-04-2018 میں تحریر کیا ہے کہ

From the above detail discusion the undersigned arrived to the conclusion that the concerened deparmental selection committees violating the laid down critria in the promotion of the above Official for which they are held responsible. Due the above illegal promotion the Govt; exchequer was put to huge loss of Rs. 348446/- by the said promotion committees on one side, while on the other side, the eligible candidate (i.e Mr. Khalil-ur-Rehman Qureshi) was deprived from his basic right of promotion in due time by the competent authroties of the CRBC division at the same time, meaning that there was involved some vested intersets of the said promotion committees & the complainant was unable to fullfill those vested interests of the Departmental promotion committees for which the said DPC are answerable to the law.

Loss work out to the govt exhequer at this stage (April 2018)= Rs. 348446/-

Recommendations:

It is requested to intiate legal proceeding against the then departmental promotion committees for not observing. the laid down citreia of the govt in promotion cases of the above official

as maintioned above at Para No. 04, under the rules.

It is also recommended that, the illegal promotion made of the above candidates should be reverted to their original scale/Post & recovery on account of excess drawal of pay & allowances in higher scale should be recovered from them under intimation to this office.

Further more, the promotion case of the complainant may be considered under the above started rules.

بدوران انکواری پایا گیا کہ ۱۔ نمبر فیس سابقہ سپرینٹنڈنٹ انجینئر محکمہ ایریکیشن سرکل ڈیرہ اسماعیل خان حال ریٹائرڈ سکنہ پشاور ۲۔ ایکس عقیل انظہر ایکس CRBC سب ڈویژن محکمہ ایریکیشن اور DPC ممبران متذکرہ بالانے کلاس فور اہلکاروں کو اختیارات کا ناجائز استعمال کرتے ہوئے ملی بھگت اور دھوکہ دہی اور کریک میں کنڈیکٹ کرتے ہوئے ۱۔ زاہد محمود جنوکی ولد محمد صدیق جنوکی گج ریڈر ۲۔ محمد کامران ولد رستم خان گج ریڈر ۳۔ محمد تقار انجم ولد خدا بخش ورک فشی ۴۔ شفقت اللہ جان ولد حمید اللہ گج ریڈر ۵۔ عاصم نواز ولد قیوم نواز ورک فشی ۶۔ زبیر نواز ولد عاشق نواز گج ریڈر ۷۔ محمد مہران خان ولد رستم خان ریٹولیشن بلڈر ۸۔ مختیار زوالوین حیدر ولد ذوالقرنین حیدر علی فون اسٹڈنٹ CRBC ۱۱۔ محمد رضوان ولد محمد بلال گج ریڈر CRBC ایریکیشن منتخ ڈیرہ اسماعیل خان BPS-05 پر موشن رد کی خلاف ورزی کرتے جو نمبر کریک کے اہلکاروں کو BPS-05 میں

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ترقی کی ہے۔ اور سینئر ریک کے اہلکاروں کی حق تلفی کی ہے۔ اور متذکرہ بالا اہلکاران کو ناجائز فائدہ پہنچاتے ہوئے مبلغ 348446/- روپے نقصان گورنمنٹ کیا ہے۔ لیکن یہاں یہ امر قابل ذکر ہے کہ مبلغ 348446/- روپے کی Loss جن اہلکاران پر ڈالا گیا ہیں یہ اہلکاران ڈیپارٹمنٹل کمیشن کے ذریعے کلاس فور سے کلاس فیو میں پروموت کئے ہیں اور ان ہول نے ڈیوٹی بھی سرانجام دی ہے۔ اور انہوں نے اپنے بیانات میں یہ اظہار کیا ہے کہ ہمیں میرٹ پر ترقی دی گئی ہیں کیا ترقی کا گورنمنٹ نقصان مطابق سسر آڈیٹر رپورٹ ان اہلکاران پر عائد ہو سکتی ہے ؟

درخواست کنندہ نے عدالت عالیہ ہائی کورٹ پشاور شیخ ڈی، آئی، خان میں اندریں سلسلہ رٹ پٹیشن بھی دائر کی ہے جو مارک P پر لف ہے۔ درخواست کنندہ کا اپنے مفاد کے خاطر اپنے سے بالاتر آفسران کے خلاف ڈائریکٹ کرپشن کے الزامات اپنے کمپلینٹ میں لگا چکے ہیں اور اپنے ساتھ ظلم اور زیادتی کا ذکر کیا ہے جو سابقہ انکوائری آفیسر نے اور میں نے اتناک کوشش کے باوجود ثابت نہیں کئے ہیں۔ البتہ سسر آڈیٹر نے دوران آڈٹ محکمہ ایریلیکشن کے آفسران اور DPC ممبران پر جو نیر اہلکاران کی پر موشن اور سینئر اہلکاران کی حق تلفی Dig out کی ہے میرے دانست کے مطابق انکوائری ہڈامیں کی گئی کاروائی آفسران اور اہلکاران کے لئے نئے بیانات سے معاملہ ایریلیکشن کے آفسران اور DPC کے ممبران کے خلاف سخت ممکنہ کاروائی اگر کی جائے تو بجز انصاف نہیں ہوگا پھر بھی رائے ADL صاحب اور حکم جناب DACE صاحب افضل ہے۔

اسپیکٹر غلام فرید خان

ڈپٹی کرپشن ایس، آئی، ڈبلیو ساؤتھ ریجن بنوں

ADL certificate
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Audit report in open enquiry No.24/2017-Irrigation against the Concerned staff of CRBC, Irrigation Department District DI Khan.

Allegation:-

A report submitted by Inspector SIW, ACE, D.I.Khan dated 05.09.2017, containing allegations of corruptions, illegal promotion & mis use of official powers by the subject staff.

The available record produced by the Department for the concerned period was audited in the presence of following officers.

- 01. AD SIW ACE D.I. Khan
- 02. XEN CRBC Division D.I.Khan & his concerned staff

Record analysis and examination:

(02). As per available relevant record, (complainant) Mr. Khali UR Rahman Qureshi S/O Syed Ahmad Qureshi was appointed as Beldar BPS-01 vide Executive Engineer Irrigation Division D.I.Khan O/O No.3348-50/5-E, dated 08.09.1996. He passed his SSC examination from BISE Peshawar under Roll.No.51180 in session 1986/Annual.

(03). As per As per Notification No. SO/(E)/IRR/23-5/73 dated 20.12.06 issued by the Govt of KPK Irrigation & Power Department, regarding Appointments, Promotion & Transfer Rule 1989 (record placed on file), S.No.60, promotion to the Gauge Reader BPS-05 from the post of Mate Regulation Beldar BPS-01 should be made having 50% by Initial recruitment & 50% by promotion on the basis of seniority cum fitness from amongst the Mate Regulation Beldar having SSC qualification & 10 years service in the circle are mandatory.

(04). But in spite of the clear cut directions/rules from the Provincial Govt the same was not followed in r/o of the complainant & he deprived by the concerned Executive Engineer, while on the other side during checking of record of the concerned division, it reveals that, the following officials of the said office were appointed as well as promoted as per details below.

S.No.	Name of official	Father name	Date of appointment with designation	Date promotion with designation
01	Muhammad Kamran	Rustam khan	29.04.15 as Beldar BPS-01	20.08.15 as Gauge Reader BPS-05
02	Asim Nawaz awan	Qayum Nawaz	06.05.15 as Mate BPS-01	25.08.17 as Wd Munshi BPS-05
03	Zahid Mahmood	Muhammad	03.09.14 as Mate	19.08.15 as Gau

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	Jatol	Sadq jatol	BPS-01	Reader BPS-07
04	Muhammad Rizwan	Muhammad Bilal	03.09.14 as Beldar BPS-01	28.08.15 as Gauge Reader BPS-05
05	Shafqat ullah jan	Hamid Ullah	30.09.14 as Beldar BPS-01	25.08.17 as Gauge Reader BPS-05
06	Mukhtiar zulnoon Haider	Syed Zulfiqar Haider Shah	24.04.13 as chowkidar BPS-01	25.08.17 Telephone attendant BPS-05
07	Muhammad Mehran khan	Rustam Khan	30.11.11 as Beldar BPS-01	15.06.12 as Regulation Beldar BPS-02
Re-designated as Mate BPS-02 dated 01.10.12 & again was appointed as Gauge Reader BPS-05 dated 01.04.14 ? ?				
08	M. Waqar Anjum	Khuda Bakhsh	03.09.14 as Mate BPS-01	20.08.15 as Work Munshi BPS-05
09	Zubair Nawaz	Ashiq Muhammad	05.11.11 as Beldar BPS-01	22.12.14 as Gauge Reader BPS-05

(05). At Para No.04 above, S.No.06, it was astonishing to note here that, Mukhtiar zulnoon Haider initially was appointed as Chowkidar in BPS-01 vide O/O No.719/4-E dated 24.04.13 as per service book record & amazing to note that he has been re designated as Beldar BPS-01 vide O/O No.1598/4-E dated 31.10.14 & interesting to note that, as per XEN CRBC irrigation Division O/O No.1510/5-E dated 25.08.17 he was promoted as Telephone attendant BPS-05.

Furthermore, as per above quoted rules, no criteria for promotion of Chowkidar BPS-01 has been mentioned, but amazing to note that the Departmental promotion committee very graciously promoted, illegally S.No.06 mentioned above vide Para No.04, from the post of chowkidar BPS-01 to the post of Telephone Attendant BPS-05 for which they are held responsible.

(06). As per Notification No. SO/(E)/IRR/23-5/73 dated 20.12.06 issued by the Govt of KPK Irrigation & Power Department, regarding Appointments, Promotion & Transfer Rule 1989, at S.No.08, promotion from the post of Mate BPS-02 to another post, five years of minimum service is required on the basis of seniority cum fitness. But interesting to note that, as mentioned vide above Para No. 04, S.No.02, 03 & 08, were promoted from the post of Mate BPS-01 to the posts of Work Munshi BPS-05 (S.No.02 only after 02 & half year, while S.No.08 had been promoted after less than one year ?) & Gauge Reader BPS-05 (S.No.03 had been promoted after less than one year of appointment?). meaning that they has been promoted illegally for which the concerned Departmental promotion committee is held responsible.

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(07). Similarly as per above quoted rules mentioned at above Para No.03 S.No.60, promotion to the Gauge Reader BPS-05 from the post of Mate Regulation Beldar BPS-01 should be made having 50% by initial recruitment & 50% by promotion on the basis of seniority cum fitness from amongst the Mate Regulation Beldar having SSC qualification & 10 years service in the circle are mandatory, but in spite of the clear cut directions/rules from the competent authority, the same were not followed by the Concerned Executive Engineer in the promotion case of the said complainant, but on other side, the above persons mentioned above vide Para No.04 at S.No.01,04,05,07 & 09 were promoted illegally having a length of service less than one year by the Departmental Promotion Committee violating the mentioned laid down criteria for which they are held responsible.

(08). Totals excess drawl by the said employees due to illegal promotion by the Departmental Selection Committee are as under.

(as per Annex-A, Enclosed with Audit Report)

S.No	Name	Excess drawl Rs.
01	Zahid Mahmood Jatol	36236/-
02	Muhammad Kamran	36236/-
03	Muhammad Rizwan	36236/-
04	Muhammad Waqar Anjum	36236/-
05	Shafqat Ullah Jan	7167/-
06	Asim Nawaz	7167/-
07	Zubair Nawaz	92552/-
08	Muhammad Mehran	89153/-
09	Mukhtiar Zulnoon Haider	7453/-
	Totals	348446/-

(09). The point of non promotion of the complainant in due time was also raised in response of which the then XEN CRBC Mr. Aqeel Azhar told that, although he was entitled but due to not entering of his SSC record in service book 1st page, the office was unaware about his passing of SSC, hence he was not considered for promotion. In response, the undersigned pointed out the 1st pages of the service books of some of the above promoted employees i.e Zahid Mahmood Jatol, Muhammad Kamran, Muhammad Rizwan, Shafqat Ullah Jan, Asim Nawaz Awan in which no entries of their academic records on their service books 1st page were made (record placed on file), but promoted premature.

The undersigned also pointed out to the said XEN CRBC, a letter issued by the then XEN CRBC Division D.I.K Vide No.2937/5-E dated D.I.Khan the 12.11.2005 addressed to the Superintending Engineer D.I.Khan Irrigation Circle D.I.Khan, in which an application along with Matric certificate of Mr. Khallur Rahman Qureshi (complainant), Beldar was

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forwarded for promotion as Work Munshi BPS-05(placed on file), so the plea of the XEN is not seem genuine that the XEN & his office Establishment were unaware about his passing of (SSC) Matric.

(10). Conclusion: From the above detail discussion, the undersigned arrived to the conclusion that, the concerned Departmental Selection Committees violating the laid down criteria in the promotion of the above officials for which they are held responsible. Due the above illegal promotion the govt exchequer was put to a huge loss of Rs.348446/- by the said Promotion committees on one side, while on the other side the eligible candidate (i.e Mr. Khalil Ur-Rahman Qureshi) was deprived from his basic right of promotion in due time by the competent authorities of the CRBC Division at the same time, meaning that there were involved some vested interests of the said promotion committees & the complainant was unable to fulfill those vested interests of the Departmental Promotion Committees for which the Said DPC are answerable to the law.

(11). Losses worked out to the govt exchequer at this stage (April 2018) = Rs348446/-

(12). Recommendations: IO is requested to initiate legal proceedings against the then Departmental Promotion Committees for not observing the laid down criteria of the govt in the promotion cases of the above officials as mentioned above at Para No.04 under the rules.

It is also recommended that, the illegal promotion made of the above candidates should be reverted to their original scales/post & recovery on account of excess drawl of pay & allowances in higher scale should be recovered from them under intimation to this office.

Further more, the promotion case of the complainant may be considered under the above stated rules.

Report submitted please

(Signature)
(Khadim Hussain Himayat),
Senior Auditor, ACE, Peshawar.

No. 2437/2018 Dated 27/11/18

Copy forwarded to:-

- 1. Director, Anti Corruption Establishment, Khyber Pakhtunkhwa, Peshawar.
- 2. Asstt: Director Adman Wing ACE Peshawar
- 3. Asstt: Director SIW ACE D.I.K.
- 4. CO SIW ACE District D.I.K (original enquiry file + all relevant record enclosed)
- 5. Senior Auditor ACE Peshawar

Attested to be true

(Signature)

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Ammeed (H)



OFFICE OF THE EXECUTIVE ENGINEER
CRBC IRRIGATION DIVISION DIKhan
Phone # 0966-9280237

No. 1510/5-8
Dated DIKhan the 25/5/2017

OFFICE ORDER

Consequent upon the recommendation of Departmental Selection and Promotion Committee, the following officials are hereby promoted against the vacant posts in the CRBC Irrigation Division, DIKhan.

Rules for the promotion of Divisional Cadre posts of non-gazetted Technical Establishment, the Divisional Promotion Committee was constituted for the promotion of suitable officials from the existing strength of field staff of CRBC Irrigation Division DIKhan, on the basis of seniority cum fitness, qualifications and working field experience, against which suitable candidates were recommended to be promoted in merit.

Therefore the Committee has interviewed and selected the following officials in the promotion to fill the deficiency of Technical staff in this Division for the best interest of public work.

No.	Name of Official	Present Designation/Scale	Promoted/ appointed as:	Scale	Remarks
1.	Mr. Shauqatullah Jan S/O Hameed ulah	Ishtar (SPS-03)	Grade Raiser	SPS-04	The P.W. of the candidate has Diploma of Irrigation Engineering from the University of Peshawar.
2.	Mr. Asim Nawaz Awan S/O Qayyum Nawaz	Ishtar (SPS-03)	Grade Raiser	SPS-04	The candidate has a diploma in Irrigation Engineering from the University of Peshawar.
3.	Mr. Muhtiar Zameer Haider S/O Syed Zubair Haider Shah	Ishtar (SPS-03)	Telephone Attendant	SPS-05	The candidate has a diploma in Irrigation Engineering from the University of Peshawar.

[Signature]
Executive Engineer
CRBC Irrigation Division DIKhan

Copy forwarded to:

1. The Superintending Engineer, DIKhan Irrigation Circle DIKhan for information please.
2. The Section Officer (Estt), Office of the Secretary to Govt of Khyber Pakhtunkhwa, Irrigation Deptt. Peshawar for information please.
3. The Administrative Officer, office of the Chief Engineer (South), Irrigation Department Khyber Pakhtunkhwa Peshawar for information please.
4. The Sub-Divisional Officers, CRBC Irrigation Sub Divisions No. I & II for information and necessary action.
5. D.A.O (Local)/ Head Clerk.
6. Officials Concerned.

[Signature]
Executive Engineer
CRBC Irrigation Division DIKhan

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[Signature]

40

OFFICE OF THE EXECUTIVE ENGINEER
CRBC IRRIGATION DIVISION D.I.KHAN
Phone # 0966-9280237

MINUTES OF THE DEPARTMENTAL PROMOTION/ SELECTION COMMITTEE MEETING

A meeting of the Departmental Promotion/ Selection Committee was held on 21/04/2017 under the Chairmanship of Executive Engineer, CRBC Irrigation Division D.I.Khan.
The following participated in the meeting.

1- Engr: Muhammad Aqeel Azhar Executive Engineer CRBC Irrigation Division D.I.Khan.	Chairman
2- Mr. Syed Hassan Zulqarnain Haider Sub Divisional Officer, CRBC Irrigation Sub Division # 1 D.I.Khan	Member
3- Mr. Midoayat ullah Sub Divisional Officer, CRBC Irrigation Sub Division # 2 D.I.Khan	Member
4- Mr. Fazal-E-Elahi Section Officer (Estt) office of the Secretary to Govt. of Khyber Pakhtunkhwa, Irrigation Deptt. Peshawar	Member
5- Mr. Khitab Gul, Administrative Officer O/O the Chief Engineer (South), Irrigation Department Khyber Pakhtunkhwa Peshawar	Member
6- Mr. Muhammad Rafiq Establishment Clerk, CRBC Irrigation Division D.I.Khan.	Secretary

The chair welcomed the participants. After recitation of verses from the Holy Quran, the Secretary described in his opening remarks that One post of Gauge Reader (BPS-05) & one post of Work Munshi (BPS-05) were lying vacant in CRBC Irrigation Division D.I.Khan due to Departmental promotion of these cadre post officials to the post of Sub Engineer and one post of Telephone Attendant (BPS-05) became vacant due to the demise of Mr. Akbar Khan Telephone Attendant of CRBC Irrigation Division D.I.Khan. To overcome the shortage of field staff, it became essential to fill these posts at the earliest, for smooth functioning of the canal system.

Therefore, to fill these Divisional cadre posts, the officials for the promotion out of existing strength of field technical staff was short listed on the basis of their academic qualification and experience in light of prevailing Government rules for promotion of such categories @ 50% Departmental promotion quota on the basis of seniority cum fitness from amongst the existing eligible staff.

During scrutiny of the academic qualifications and on job technical experience cum fitness of the officials already working in this office, the committee judged the eligibility of following officials and considered them fit and appropriate for the promotion as Gauge Reader & Work Munshi accordingly.

For the post of Telephone Attendant, the short listed officials having sufficient qualifications and experience were considered and pursuant to the prevailing policy of appointment by promotion, the following official was considered by the committee fit for filling the existing vacancy. The vacancy of Mate (BPS-03) was also discussed due to promotion of an existing Mate and subsequently an official was found eligible/ suitable due to his qualification. Therefore, considered by the committee for promotion as Mate (BPS-03).

After detailed deliberation by the members, the Committee has recommended following officials for the promotion as Work Munshi (BPS-05), Gauge Reader (BPS-05) and appointment by promotion as Telephone Attendant (BPS-05).

Sl. No.	Name of Official	Present Designation/Scale	Promoted/ appointed as:	Scale	Remarks
1.	Mr. Shataqat ullah Jan S/O Hamood ullah	Beldar (BPS-03)	Gauge Reader	BPS-05	The official is qualified in Diploma of Information Technology with B.A.
2.	Mr. Asim Nawaz Awari S/O Qayyum Nawaz	Mate (BPS-03)	Work Munshi	BPS-05	The official is qualified in Diploma of Associate Engineering (Mech) with B-Tech (Elect)
3.	Mr. Mukhtar Zulnoon Haider S/O Syed Zulfiqar Haider Shah	Beldar (BPS-03)	Telephone Attendant	BPS-05	The official is qualified in Diploma of Associate Engineering (Civil) with L.L.D. & M.A. (Mech)
4.	Mr. Niaz Hussain S/O Hussain	Beldar (BPS-03)	Mate	BPS-03	The official is qualified in Diploma of Associate Engineering (Civil)


Attached to be true copy

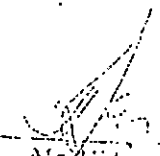
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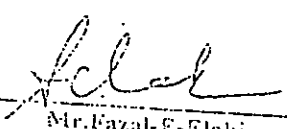
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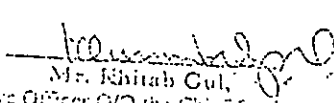
Hence the committee unanimously recommended the above noted candidates for promotion in the existing vacant posts in CRBC Irrigation Division D.I.Khan.

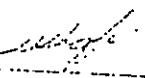
The meeting ended with vote of thanks to and from the chair.

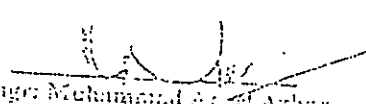

Mr. Syed Hassam Zulfarnain Haider
Sub Divisional Officer,
CRBC Irrigation Sub Division # 1 D.I.Khan
(Member)


Mr. Hidayatullah
Sub Divisional Officer,
CRBC Irrigation Sub Division # 2 D.I.Khan
(Member)


Mr. Fazal-E-Elahi
Section Officer (List) office of the Secretary to Govt. of
Khyber Pakhtunkhwa, Irrigation Deptt. Peshawar
(Member)


Mr. Khitab Gul,
Administrative Officer O/O the Chief Engineer (South),
Irrigation Department Khyber
Pakhtunkhwa Peshawar
(Member)


Mr. Muhammad Rafiq
Establishment Clerk, CRBC Irrigation Division
D.I.Khan.
(Secretary)


Engr. Muhammad Asad Anwar
Executive Engineer
CRBC Irrigation Division D.I.Khan
(Chairman)

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true copy
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OFFICE OF THE SUPERINTENDING ENGINEER
D.I.KHAN IRRIGATION CIRCLE D.I.KHAN
Phone & Fax # 0966-9280238

No. 1652 /DICA-E.
Dated D.I.Khan the 28 /08/2015

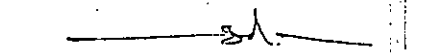
OFFICE ORDER.

Consequent upon on the recommendations of the Departmental Promotion Committee, Mr. Mohammad Rizwan Regulation Beldar attached to CRBC Irrigation Division D.I.Khan is hereby promoted as Gauge Reader (BPS-5) against the vacant post lying in Paharpur Irrigation Division D.I.Khan.


SUPERINTENDING ENGINEER

Copy to the:-

- 1- Section Officer, (Establishment) office of the Secretary to Government of Khyber PakhtunKhwa Irrigation Department Peshawar.
- 2- Administrative Officer Office of the Chief Engineer (South) Irrigation Department Peshawar.
- 3- Executive Engineer CRBC/Paharpur Irrigation Division D.I.Khan.
- 3- District Accounts Officer D.I.Khan.
- 4- Superintendent (Local).
- 5- Official Concerned.


SUPERINTENDING ENGINEER

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43



OFFICE OF THE SUPERINTENDING ENGINEER
DIKHAN IRRIGATION CIRCLE DIKHAN
Phone & Fax // 0966-9280238

No. 1582/DIc/14-E
Dated DIKhan the 19/08 2015.

OFFICE ORDER:

Consequent upon the recommendation of Departmental Promotion Committee during a meeting held in office of the undersigned on 17-08-2015 the following official of this Circle is hereby promoted against the vacant posts and will perform the duty in CRBC Irrigation Division DIKhan in best of the public interest with immediate effect.

S.No	Name of official/ Designation	Promoted as
1.	Mr. Zahid Mehmood Janoi Mate (BPS-01)	Gauge Reader (BPS-05)

SUPERINTENDING ENGINEER
DIKhan Irrigation Circle DIKhan

Copy forwarded to the:-

1. Section Officer, (Estab.) O.O the Secretary to Govt of K.P.K. Irrigation Department Peshawar.
2. Administrative Officer, O.O the Chief Engineer (South) Irrigation Dept. Khyber Pakhtunkhwa Peshawar.
3. Executive Engineer CRBC Irrigation Division DIKhan
4. District Accounts officer DIKhan.
5. Master File.

SUPERINTENDING ENGINEER

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(44)

OFFICE OF THE SUPERINTENDING ENGINEER
DIKHAN IRRIGATION CIRCLE DIKHAN
Phone & Fax # 0966-9280238

No. 1586/Dic/4-E

Dated DIKhan the 20/08/2015.

OFFICE ORDER:


Consequent upon the recommendation of Departmental Promotion Committee during a meeting held in office of the undersigned on 17-08-2015, the following officials of this Circle are hereby promoted/ re-designated against the vacant posts and will perform their duties in CRBC Irrigation Division DIKhan in best of the public interest with immediate effect.

S.No.	Name of official/ Designation	Promoted/ Re-designated
1.	Mr. Akhtar Zaman, Gauge Reader (BPS-05)	Work Munshi (BPS-05)
2.	Mr. Waqar Anjum, Mate (BPS-01)	Work Munshi (BPS-05)
3.	Mr. Mohmmad Kamran, Regulation Beldar (BPS-01)	Gauge Reader (BPS-05)

— Sd —
SUPERINTENDING ENGINEER
DIKhan Irrigation Circle DIKhan

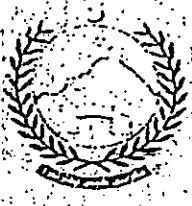
Copy forwarded to the:-

1. Section Officer, (Estab:) O/O the Secretary to Govt. of K.P.K. Irrigation department Peshawar.
2. Administrative Officer, O/O the Chief Engineer (South) Irrigation Dept. Khyber Pakhtunkhwa-Peshawar.
3. Executive Engineer CRBC Irrigation Division DIKhan.
4. Manager Employment Exchange DIKhan.
5. District Accounts officer DIKhan.
6. Master File.


SUPERINTENDING ENGINEER

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OFFICE OF THE SUPERINTENDING ENGINEER
DIKHAN IRRIGATION CIRCLE DIKHAN
Phone & Fax # 0966-9280238

No. 1586/DIC/4-E

Dated DIKhan the 20/08/2015

OFFICE ORDER:

Consequent upon the recommendation of Departmental Promotion Committee during a meeting held in office of the undersigned on 17-08-2015, the following officials of this Circle are hereby promoted/ re-designated against the vacant posts and will perform their duties in CRBC Irrigation Division DIKhan in best of the public interest with immediate effect.

S.No	Name of official/ Designation	Promoted/ Re-designated
1.	Mr. Akhtar Zaman, Gauge Reader (BPS-05)	Work Munshi (BPS-05)
2.	Mr. Waqar Anjum, Mate (BPS-01)	Work Munshi (BPS-05)
3.	Mr. Mohammad Kamran, Regulation Beldar (BPS-01)	Gauge Reader (BPS-05)

Sl-

SUPERINTENDING ENGINEER
DIKHAN Irrigation Circle DIKHAN

Copy forwarded to the:-

1. Section Officer, (Estab.) O/O the Secretary to Govt. of K.P.K. Irrigation department Peshawar.
2. Administrative Officer, O/O the Chief Engineer (South) Irrigation Dept. Khyber Pakhtankhwa-Peshawar.
3. Executive Engineer CRBC Irrigation Division DIKhan.
4. Manager Employment Exchange DIKhan.
5. District Accounts officer DIKhan.
6. Master File.

SUPERINTENDING ENGINEER

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-20-

**OFFICE OF THE SUPERINTENDING ENGINEER
DIKHAN IRRIGATION CIRCLE DIKHAN**
Phone & Fax # 0966-9280238

MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION/SELECTION COMMITTEE

A meeting of the Departmental promotion/selection Committee was held on 17-08-2015 under the Chairmanship of Superintending Engineer DIKhan Irrigation Circle DIKhan.

The following participated in the meeting.

- | | |
|--|-----------|
| 1. Engr. Mohammad Rafiq Khan,
Superintending Engineer, DIKhan Irrigation Circle DIKhan. | Chairman |
| 2. Engr. Muhammad Aqeel Azhar,
Executive Engineer CRBC Irrigation Division DIKhan. | Member |
| 3. Mr. Misal Khan, Section Officer (Estt),
office of the Secretary to Govt. of Khyber Pakhtunkhwa, Irrigation
Department Peshawar. | Member |
| 4. Mr. Javed Ali, Administrative Officer,
Office of the Chief Engineer (S), Irrigation Deptt. Khyber Pakhtunkhwa
Peshawar. | Member |
| 4. Mr. Latif Rehman, Office Superintendent,
DIKhan Irrigation Circle DIKhan. | Secretary |

Agenda of the meeting was as under:-

- PROMOTION RE-DESIGNATION OF 02 No. SUITABLE OFFICIALS TO THE POSTS OF WORK MUNSHI (BPS-05).
- APPOINTMENT AGAINST 02 No. VACANT POSTS OF CLASS-IV.

The Secretary of committee described in this opening remarks that 03 No posts of work Munshi (BPS-05) has been newly created during 2014-15 in DIKhan Irrigation Circle DIKhan (CRBC Irrigation Division DIKhan) and are lying vacant and needed to be filled urgently. Pursuant to the promotion and appointment rules of the Government, 02 posts of Work Munshis (BPS-05) can be filled through the promotion/re-designation among the existing strength of Class-IV in CRBC Irrigation Division DIKhan on the basis of experience and additional technical qualifications of suitable officials of this Circle. The posts of Class-IV, which will become vacant due to this promotion are also required to be filled urgently due to shortage of field staff. The Employment Exchange Office DIKhan has been approached vide Executive Engineer, CRBC Irrigation Division DIKhan office No.2302/5-E, dated. 13/03/2015 and a list of registered candidates have been furnished by the said office accordingly.

- During scrutiny of the academic qualifications and experience of the officials in this office on 17-08-2015, the committee judged the eligibility of Mr. Akhtar Zaman Gauge Reader (BPS-05), who is presently working as work Munshi (OPS) since 10/01/2011 in C.R.B.C Irrigation Division DIKhan quite efficiently and applied for promotion on the same post. Since the official has been appointed as Gauge Reader (BPS-05) and the scale of Work Munshi is also (BPS-05), therefore the committee considered him for the re-designation of his services as Work Munshi BPS-05, on the basis of prescribed qualification and sufficient working experience and excellent performance.
- Also, the committee judged the eligibility of Mr. Waqar Arjum, Mate (BPS-01) who is presently working in C.R.B.C Irrigation Division DIKhan quite efficiently, a qualified and experienced D.A.E (Civil), who applied for promotion as work Munshi (BPS-05). Therefore the committee considered him fit for the promotion as

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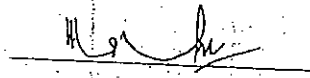
- Work Munshi (BPS-05) on the basis of prescribed qualification, sufficient working experience and performance.
- The post of Gauge Reader (BPS-05) will become vacant due to above adjustment, therefore one Mr. Muhammad Kamran S/O Rustain Khan, presently working as Regulation Beldar (BPS-01) being a qualified official has been recommended for promotion as Gauge Reader (BPS-05) by the committee.
 - Due to above noted adjustments, Two (02) posts of Class-IV i.e. Mate (BPS-01) & Regulation Beldar (BPS-01) will become vacant for which the Employment Exchange Office Dikhan has already been approached to provide the list of suitable candidates for filling the vacant slots. Subsequently the said office produced the list and has been considered during the meeting by the committee. The following 02 No. candidates has been found suitable/eligible and recommended for appointment as noted against each.

S.No	Name & Father's Name	Post for which recommended for appointment
1.	Mr. Asmat ullah S/O Rehamat ullah R/O. Sikandria Janabi, Tehsil Proa Distt. Dikhan	Regulation Beldar (BPS-01)
2.	Mr. Shahid Nawaz S/O Syed Haq Nawaz R/O. Mohallah Saeed Abad near Mahmood Eye Hospital, Dikhan	Mate (BPS-01)

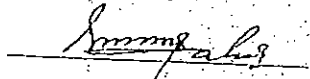
Hence the committee unanimously recommended the above noted promotions, re-designation and appointments of Class-IV, to be executed by the competent authorities respectively.

The meeting ended with vote of thanks to and from the chair.

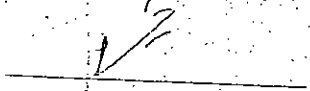
(Engr. Muhammad Aqeel Azhar)
Executive Engineer
CRBC Irrigation Division Dikhan
(Member)



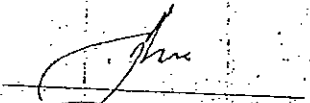
(Mr. Aisat Khan)
Section Officer Establishment
w/o Secretary Irrigation K.P.K
(Member)



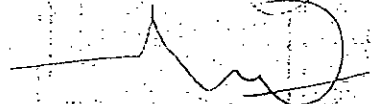
(Mr. Javed Ali)
Administrative Officer
Office of the Chief Engineer (South)
(Observer)



(Mr. Luad Rehman)
Office Superintendent
D.I.Khan Irrigation Circle D.I.Khan
(Secretary)




(Engr. Mohammad Ruffiq Khan)
Superintending Engineer
Dikhan Irrigation Circle D.I.Khan
(Chairman)



No 1572/10197/2015 Dated: Dikhan the 18/08/2015.

Copy forwarded to the:-

- Section Officer, (Estrat) O/O the Secretary to Govt. of K.P.K, Irrigation department Peshawar.
- Administrative Officer, O/O the Chief Engineer (South) Irrigation Dept. Khyber Pakhtunkhwa Peshawar.
- Executive Engineer CRBC Irrigation Division Dikhan.
- Manager Employment Exchange Dikhan.
- District Accounts Officer Dikhan.
- Master File.



SUPERINTENDING ENGINEER,
DI KHSAN IRR. CIRCLE DIKHAN.

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BEFORE PESHAWAR HIGH COURT BENCH D.I.KHAN.

Writ No.....of 2017

Khalil-ur-Rehamn qurashi S/O Saeed-ur-Rehman Qureshi
 Beldar Chashma Right bank canal irrigation D.I.Khan.

**VERSUS**

1. Government of Khyber Pakhtunkhwa through secretary Irrigation Peshawar.
2. Chief Engineer Irrigation department Peshawar.
3. Superintending Engineer irrigation department D.I.Khan.
4. XEN CRBC Irrigation division D.I.Khan
5. XEN Gomal Zam Division D.I.Khan

**PETITION UNDER ARTICLE 199 OF CONSTITUTION
 OF THE ISLAMIC REPUBLIC OF PAKISTAN 1973,**

Respectfully Sheweth;

1. That the petitioner being matriculate was appointed as Beldar vide order dated: 08.09.1996. Copies of Matric Certificate and Appointment Order are Annexure A & B.
2. That according to policy of government regarding promotion for the post of Work Munshi OR Gauge Reader, 50% would be made from initial recruitment while 50% by promotion amongst the Beldar having 5 year experience in respective sub divisions. Copy of Polices is Annexure C.
3. That according to policy, the petitioner become entitled for the post

ATTESTEL

of Work Munshi/ Gauge Reader since 2001 but was not promoted till yet however some of employees who were appointed in 2014 & 2015 were promoted as Gauge Reader which is clear violation of rules. Copy of Applications are Annexure D.

- 4. That Respondents once again ignoring the right of petitioner, bypass the policy, advertise the post of Work Munshi/ Gauge Reader through initial appointment vide advertisement dated 5th August, 2017. Copy of Advertisement is Annexure E..
- 5. That feeling aggrieved, the petitioner has left with no other remedy but to knock the doors of this Honorable Court inter alia on the following grounds:

GROUNDS:

- 1. That the advertisement for the post of Work Munshi etc. is against the law rules, ultra virus & against lawful authority.
- 2. That according to policy petitioner is entitled for promotion since 2001 but respondent discriminating the petitioner and promoted others who joined the department in 2014 & 2015.
- 3. That petitioner is entitled for promotion while advertisement issued by respondent is totally against the policy laid down by the government.

ATTESTED
 EXAMINOR
 Dera Ismail Khan

20/11

(51)

BEFORE HONOURABLE PESHAWAR HIGH COURT
BENCH D.I.KHAN

W.P No. 1162-D/2017

Khalil ur Rahman Qureshi Versus Govt. of KPK and others

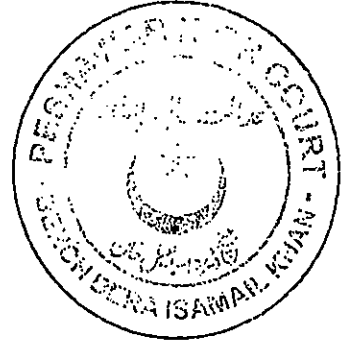
COMMENTS FROM RESPONDENT NO. 3

Respectfully Shewith:

Respondent No. 3 humbly submits as under,

PRELIMINARY OBJECTION:-

1. That the petitioner has no cause of action and locus standi against the replying respondent.
2. That petitioner has not come to this Honourable Court with clean hands.
3. That the writ petition is not maintainable in its present form, hence liable to be dismissed.
4. That the instant writ petition of the petitioner is based on malafide having no legal footings, hence liable to be dismissed.
5. That the matter agitated in the writ petition is purely of fictional in nature and cannot be resolved through instant writ petition.
6. That petitioner has not come to this court with clean hands and material facts are concealed from this honorable court.
7. That petitioner agitated the matter which is purely a service matter and this honourable court has no jurisdiction over the matter under article 212 of the Constitution of Islamic Republic of Pakistan, 1973.
8. That it is pertinent to mention here that the petitioner has also approached to the Anti Corruption Establishment Dera Ismail Khan with the same baseless grievances against the official respondents which shows the mala fide on the part of petitioner.



ATTESTED
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

28/11/21

It is, therefore, humbly prayed that on acceptance of this writ petition the petitioner may kindly declare the advertisement dated: 05.08.2017 against the rules and law and may kindly direct the Respondent to promote the petitioner according to policy i.e. by promotion upon the basis of seniority cum fitness, w.e.f 2001. It is further requested that the petitioner may kindly be allowed any other appropriate relief in the circumstances as honorable court think fit.

INTERM RELIEF

It is further prayed that the operation of Advertisement dated: 05.08.2017 may kindly be suspended.

Your humble Petitioner

Khalil-ur-Rehman
Through Counsel

Muhammad Anwar Awan
Advocate Supreme Court

Dated: 19.12.2017

CERTIFICATE

Certified that no other writ petition on the subject has earlier been filled by petitioner in this honorable court.

ATTESTED
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

Petitioner

28/11

(52)

OBJECTION ON FACTS:-

1. That para No. 1 of petition of the petitioner is related with the petitioner's personal and service record. Hence, no reply.
2. That para no. 2 of petition of the petitioner is incorrect and misconceived. The policy of the Govt. regarding promotion for the post of Work Munshi or Gauge Reader at 50% by promotion is not correct. Hence denied. The petitioner concealed the real facts and rules of promotion from this honourable court and has not come to this honourable court with clean hands.
3. That para No. 3 is incorrect and misconceived. The petitioner is not competent and skillful person for the posts mentioned in his writ petition, hence, not considered according to law. Moreover, the petitioner never ever applied to the concerned competent authorities for his promotion. The petitioner is not entitled for promotion to the posts of Work Munshi and no any Baildar has been promoted as Work Munshi but amongst the mate and regulation Baidars promoted as Work Munshi and Gauge Reader hence, the story narrated by the petitioner is baseless.
4. That para No. 4 of petition of the petitioner is incorrect and misconceived. Moreover, the advertisement is purely made for the newly created posts in Gomal Zam Irrigation Division Dera Ismail Khan but this fact is concealed by the petitioner which shows the mala fide on the part of petitioners.
5. That para No. 5 is incorrect and misconceived. The petitioner has not come to this court with clean hands because the matter agitated is purely of service matter and barred under the law.

REPLY ON GROUNDS:-

- a) That ground 1 is incorrect, hence denied. Petitioner has not come to the court with clean hands and brought service matter with malafide intention. Detail reply is given above.
- b) That ground 2 of the writ petition of the petitioner is incorrect and misconceived.

ATTESTED
EXAMINER
Westwar High Court Bench,
Dera Ismail Khan

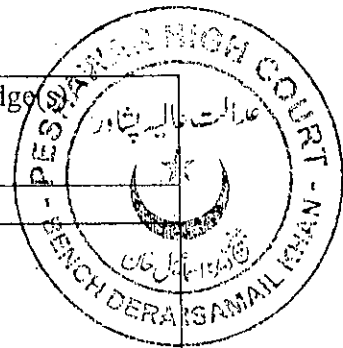
20/11/21

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PESHAWAR HIGH COURT, D.I.KHAN BENCH

FORM OF ORDER SHEET

Date of Order or proceedings	Order or other proceedings with signature of Judge
(1)	(2)
12.01.2021	<p><u>W.P.No.1162-D/2017 with Interim Relief and C.M.No.644-D/2018.</u></p> <p><u>Present:</u> M/S Muhammad Anwar Awan and Abdullah Baloch, Advocates for petitioner.</p> <p>Mr. Kamran Hayat Miankhel, Addl: A.G. for respondents.</p> <p>Muhammad Waqar Alam, Advocate applicants in C.M.No.644-D/2018.</p> <p>***</p> <p><u>SAHIBZADA ASADULLAH, J.-</u> Through the instant petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner has prayed for the following relief:-</p> <p>“It is, therefore, humbly prayed that on acceptance of this writ petition, may kindly declare the advertisement dated 05.8.2017 as against the rules and law and direct the respondents to promote the petitioner according to policy i.e. by promotion upon the basis of seniority-cum-fitness w.e.f. 2011.”</p> <p>2. At the very outset, the latter produced copy of office order bearing No.1965/S.E. dated 09.11.2020, according to which the present petitioner has been promoted from Beldar (BPS-4) to Gauge Reader (BPS-5). When learned counsel for the</p>



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ATTESTED

EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

20/1/21

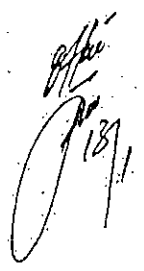
petitioner was confronted with the said office order, he requested for withdrawal of the instant writ petition.

3. In view of above, the instant writ petition stands dismissed as withdrawn.


Announced.
Dt: 12.01.2021.


JUDGE


JUDGE



ATTESTED


EXAMINOR

Weshawar High Court Bench,
Dera Ismail Khan

20/1/21

Imran/*

(D.B)

Hon'ble Mr. Justice Abdul Shakoor
Hon'ble Mr. Justice Sahibzada Asadullah



OFFICE OF THE EXECUTIVE ENGINEER
CRBC IRRIGATION DIVISION DIKHAN.
Phone & Fax No. 0966-9280237 Email: xencrbclrri@gmail.com

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Annex - (J)

No. 1965 / 5-E,
Dated DIKhan the 09/11/2020.

OFFICE ORDER.

Consequent upon the recommendation of Department Selection and Promotion Committee, the following officials are hereby promoted against the vacant posts in the CRBC Irrigation Division DIKhan.

Rules for the promotion of Divisional Cadre posts of non-gazetted Technical Establishment, the Divisional Promotion Committee was constituted for the promotion of suitable officials from the existing strength of field staff of CRBC Irrigation Division DIKhan, on the basis of seniority cum fitness, qualification and working field experience, against which suitable candidates were recommended to promoted immediately.

Therefore the Committee has interviewed and selected the following officials fit for promotion to fulfill the deficiency of staff in this Division for the best interest of public work.

Sl.No.	Name of Official	Present Designation/Scale	Promoted/appointed as	Scale
1.	Mr. Khalil Ur Rehman S/O Saeed Ahmad Qureshi	Beldar (BPS)-04	Guage Reader	BPS-05
2.	Muhammiad Khalid S/O Malik Sona	Beldar (BPS)-04	Mate	BPS-04

EXECUTIVE ENGINEER
CRBC Irrigation Division DIKhan.

Copy forward to the:-

1. Section Officer (E) Office of the Secretary to Govt: of Khyber Pakhtunkhwa, Irrigation Department Peshawar.
2. District Accounts Officer, DIKhan.
3. Sub Divisional Officer CRBC Irrigation Sub Division No.1 DIKhan.
4. D.A.O (Local) / H.C
- ✓ 5. Official concerned.

EXECUTIVE ENGINEER
CRBC Irrigation Division DIKhan.

Attested to be
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Received Annex- (K)
20/01/2024

To

The Superintending Engineer,
Irrigation Department Dera Ismail Khan.

Through Proper Channel:

Through XEN CRBR Irrigation Division DIKhan.

SUBJECT: DEPARTMENTAL REPRESENTATION/APPEAL AGAINST THE
IMPUGNED OFFICER ORDER NO. 1965/S.E DATED 19/11/2020 TO THE
EXTENT OF ITS EFFECT (PROMOTED IMMEDIATELY)

Respected Sir;

The appellatant humbly submits as under;

1. That the appellatant was appointed as Beldar (BPS-1) in the CRBC Irrigation Department vide officer order No. 3171 dated 28/08/1996. Copy of the order is annexed. Later the post was upgraded as BPS-4.
2. That according to the notification, policy, rules issued by the Government of KPK irrigation and power department method for the recruitment and promotion for various posts in irrigation department for the post of work munshi/gauge reader (BPS-5) the criteria is as follows;
 - i. 50% by initial recruitment.
 - ii. 50% by promotion on the basis of seniority cum fitness from amongst the mate, regulation beldar and beldar having SSC qualification and 10 years service in the circle

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The appellant submitted application along with requisite certificates for the promotion which was duly forwarded word letter number 2937/SE dated 12/11/2005. Copies annexed.

3. That the colleague of appellant namely Tahir Abbas was also appointed with appellant as beldar vide office order number 3171 dated 28/08/1996 and he was promoted as gauge reader(BPS-5) vide officer order No. 6794-95 dated 22/11/2010 but the appellant have been deprived from the promotion. Order dated 22/11/2010 is annexed.
4. That the appellant moved several applications to the high-ups but the officer of the department on personal disliking and liking and on nepotism, has been discriminating the appellant. One Mr. Kamran son of Rustam Khan was appointed as beldar on 29/04/2015 and was promoted as gauge reader (BPS-5) on 20/08/2015 (after 4 months). The one Mr Asim Nawaz Awan son of Qayyoun Nawaz was appointed as mate BPS-1 on 06/05/2015 and was promoted as work munshi(BPS-5) on 25/08/2017 (just after 2 years). Similarly Zahid Mehmood Jatoi mate was promoted on 19/08/2015 (after 11 months of appointment). Similarly Zulnoon Haider was appointed on 24/04/2013 but in violation of the rules, was promoted as telephone attendant (BPS-5) on 25/08/2017. One Mr. Waqar Anjum was promoted as work Munshi on 20/08/2015 (after 11 months from the initial appointment) and there are so many other persons, most Juniors to the appellant were promoted. Pertinent to mention here that, an open inquiry No. 24/2017-Irrigation has been initiated by ACE DIKhan, which is still pending but during the inquiry vide audit report of ACE all these promotions were declared as illegal.

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5. That an advertisement was published for the recruitment for the post of work Munshi/gauge reader vide advertisement dated 05/08/2017. Feeling aggrieved the appellant filed writ petition No. 1162-D/2017 before Honourable Peshawar High Court Dera Ismail Khan bench. That an impugned promotion order No. 1965 dated 09/11/2020 had been issued but was not communicated to the appellant.
6. That the writ petition No. 1162-D/2017 of the appellant was fixed before The Honorable Peshawar High Court Dera Ismail Khan bench on 12/01/2021. The respondents submitted before the Worthy Court, copy of office order No. 1965 /SE dated 09/11/2020, whereby the appellant was informed that this order pertains his promotion from beldar (BPS-4) to gauge reader (BPS-5) and consequently, as the matter of effectiveness of the promotion, being terms and condition of service, the writ was withdrawn. Attested copy of the order of Honourable Peshawar High Court Dera Ismail Khan bench was received on 15/01/2021, hence the instant appeal/representation is well within time.
7. That it is the matter of admitted fact and record that appellant has been entitled for his promotion in August 2007 with his colleague, but the appellant has been promoted vide impugned order with immediate effect which is against the law, rules, policy, notification and against the judgments of the apex court of the country.

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It is therefore requested that appellant may kindly be promoted from date of his entitlement i.e August 2007 and impugned promotion office order No. 1965/SE, may kindly be

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modified qua "effectiveness of promotion". Consequently departmental Appeal of the appellant may kindly be accepted and he may be promoted retrospectively with all arrears and back benefits.

20/01/2021

Your humble appellant,



Khalil Ur Rehman Qureshi
Gauge Reader (BPS-05)
CRBC Irrigation Department
Dera Ismail Khan
Mob# 0346-9490608
Cnic# 12101-0921673-9

Attached to be free
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BEFORE PESHAWAR HIGH COURT BENCH D.I.KHAN.

61

Writ No.....of 2017

Khalil-ur-Rehamn qurashi S/O Saeed-ur-Rehman Qureshi
Beldar Chashma Right bank canal irrigation D.I.Khan



VERSUS

1. Government of Khyber Pakhtunkhwa through secretary Irrigation Peshawar.
2. Chief Engineer Irrigation department Peshawar.
3. Superintending Engineer irrigation department D.I.Khan.
4. XEN CRBC Irrigation division D.I.Khan
5. XEN Gomal Zam Division D.I.Khan

**PETITION UNDER ARTICLE 199 OF CONSTITUTION
OF THE ISLAMIC REPUBLIC OF PAKISTAN 1973,**

Respectfully sheweth;

1. That the petitioner being matriculate was appointed as Beldar vide order dated: 08.09.1996. Copies of Matric Certificate and Appointment Order are Annexure A & B.
2. That according to policy of government regarding promotion for the post of Work Munshi OR Gauge Reader, 50% would be made from initial recruitment while 50% by promotion amongst the Beldar having 5 year experience in respective sub divisions. Copy of Polices is Annexure C.
3. That according to policy, the petitioner become entitled for the post

ATTESTED

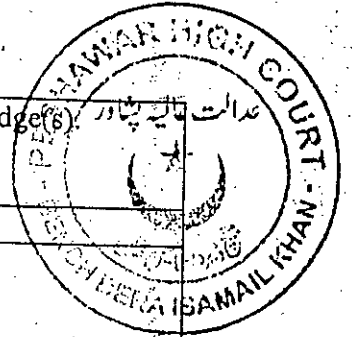
[Signature]
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

(62)


PESHAWAR HIGH COURT, D.I.KHAN BENCH

FORM OF ORDER SHEET

Date of Order or proceedings (1)	Order or other proceedings with signature of Judge(s) (2)
12.01.2021	<p style="text-align: center;"><i>W.P.No.1162-D/2017 with Interim Relief and C.M.No.644-D/2018.</i></p> <p><u>Present:</u> M/S Muhammad Anwar Awan and Abdullah Baloch, Advocates for petitioner.</p> <p>Mr. Kamran Hayat Miankhel, Addl: A.G. for respondents.</p> <p>Muhammad Waqar Alam, Advocate applicants in C.M.No.644-D/2018. ***</p> <p><u>SAHIBZADA ASADULLAH, J.-</u> Through the instant petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner has prayed for the following relief:-</p> <p>“It is, therefore, humbly prayed that on acceptance of this writ petition, may kindly declare the advertisement dated 05.8.2017 as against the rules and law and direct the respondents to promote the petitioner according to policy i.e. by promotion upon the basis of seniority-cum-fitness w.e.f. 2011.”</p> <p>2. At the very outset, the latter produced copy of office order bearing No.1965/S.E. dated 09.11.2020, according to which the present petitioner has been promoted from Beldar (BPS-4) to Guage Reader (BPS-5). When learned counsel for the</p>



ATTESTED


EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

(63)

petitioner was confronted with the said office order, he requested for withdrawal of the instant writ petition.

3. In view of above, the instant writ petition stands dismissed as withdrawn:

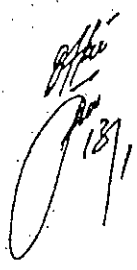
Announced.
Di: 12.01.2021.

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G.P. No. _____

Application received on 13-01-21

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Certifying fee 04

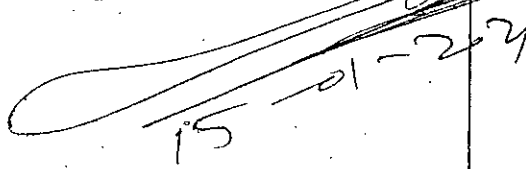
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Total Fee 12


Copy ready for delivery 15-01-21

Copy delivered on 15-01-21

Signature of Examiner _____



Certified to be true Copy



15-01-21 EXAMINOR

Peshawar High Court Bench D-1 Khan

Authorized Under Section 47

Qanoon-e-Shahadaat

Imran/

(D.B)

Hon'ble Mr. Justice Abdul Shakoor
Hon'ble Mr. Justice Sahibzada Asadullah

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OFFICE OF THE EXECUTIVE ENGINEER
CRBC IRRIGATION DIVISION D.I.KHAN
Phone # 0966-9280237

MINUTES OF THE DEPARTMENTAL PROMOTION/SELECTION COMMITTEE MEETING

A meeting of the Departmental Promotion/ Selection Committee was held on 21/04/2017 under the Chairmanship of Executive Engineer, CRBC Irrigation Division D.I.Khan. The following participated in the meeting.

1- Engr. Muhammad Aqeel Azhar Executive Engineer CRBC Irrigation Division D.I.Khan.	Chairman
2- Mr. Syed Hassan Zulqarnain Haider Sub Divisional Officer, CRBC Irrigation Sub Division # 1 D.I.Khan.	Member
3- Mr. Hidayatullah Sub Divisional Officer, CRBC Irrigation Sub Division # 2 D.I.Khan.	Member
4- Mr. Fazal-E-Khalid Section Officer (Estt) office of the Secretary to Govt. of Khyber Pakhtunkhwa, Irrigation Deptt. Peshawar	Member
5- Mr. Khitab Gul Administrative Officer (AO) the Chief Engineer (South), Irrigation Department Khyber Pakhtunkhwa Peshawar	Member
6- Mr. Muhammad Rafiq Establishment Clerk, CRBC Irrigation Division D.I.Khan.	Secretary

The chair welcomed the participants. After recitation of verses from the Holy Quran, the Secretary described in his opening remarks that one post of Gauge Reader (BPS-05) & one post of Work Munshi (BPS-03) are being vacant in CRBC Irrigation Division D.I.Khan due to Departmental promotion of these cadre post officials to the post of Sub Engineer and one post of Telephone Attendant. After Govt. (BPS-05) became vacant due to the demise of Mr. Akbar Khan Telephone Attendant of CRBC Irrigation Division D.I.Khan. To overcome the shortage of field staff, it became essential to fill these posts at the earliest for smooth functioning of the canal system.

Therefore, to fill these Divisional cadre posts, the officials for the promotion out of existing strength of field Technical staff was short listed on the basis of their academic qualification and experience in light of prevailing Government rules for promotion of such categories for 50% Departmental promotion quota on the basis of seniority cum fitness from amongst the existing eligible staff.

During scrutiny of the academic qualifications and on job technical experience cum fitness of the officials already working in this office, the committee judged the eligibility of following officials and considered them fit and appropriate for the promotion as Gauge Reader & Work Munshi accordingly.

For the post of Telephone Attendant, the short listed officials having sufficient qualifications and experience were considered and pursuant to the prevailing policy of appointment by promotion, the following official was considered by the committee fit for filling the existing vacancy. The vacancy of Mate (BPS-03) was also discussed due to promotion of an existing Mate and subsequently an official was found eligible suitable due to his qualification. Therefore, considered by the committee for promotion as Mate (BPS-03).

After detailed deliberation by the members, the Committee has recommended following officials for the promotion as Work Munshi (BPS-05), Gauge Reader (BPS-05) and appointment by promotion as Telephone Attendant (BPS-03).

Sl. No.	Name of Official	Present Designation/Scale	Promoted/ appointed as	Scale	Remarks
1.	Mr. Shafiqat ulah Jan Jilani Hussain	Beldar (BPS-01)	Gauge Reader	BPS-05	The official is qualified in Diploma of Information Technology with B.A.
2.	Mr. Asim Nawaz Awan SO Gajnum Nawaz	Mate (BPS-03)	Work Munshi	BPS-05	The official is qualified in Diploma of Associate Engineering (Mech) with B.Tech (Hons).
3.	Mr. Akhtar Zulqarnain Haider SO Syed Zulqarnain Haider Shah	Beldar (BPS-01)	Telephone Attendant	BPS-03	The official is qualified in Diploma of Associate Engineering (Civil) with L.L.B. & M.A. (English)
4.	Mr. Niaz Hussain SO Hussain	Beldar (BPS-03)	Mate	BPS-03	The official is qualified in Diploma of Associate Engineering (Civil)

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Hence the committee unanimously recommended the above noted candidates for promotion on the vacant posts in CRBC Irrigation Division D.I.Khan.

The meeting ended with vote of thanks to and from the chair.

[Signature]
Mr. Syed Haseeb Zulfarnain Haider
Sub Divisional Officer
CRBC Irrigation Sub Division # 1 D.I.Khan
(Member)

[Signature]
Mr. Hidayatullah
Sub Divisional Officer
CRBC Irrigation Sub Division # 2 D.I.Khan
(Member)

[Signature]
Mr. Fayal-E-Elahi
Section Officer (East) Office of the Secretary to Govt. of
Khyber Pakhtunkhwa, Irrigation Deptt. Peshawar
(Member)

[Signature]
Mr. Khitab Gul
Administrative Officer O/O the Chief Engineer (South),
Irrigation Department Khyber
Pakhtunkhwa Peshawar
(Member)

[Signature]
Mr. Muhammad Rafiq
Establishment Clerk, CRBC Irrigation Division
D.I.Khan
(Secretary)

[Signature]
Engr. Muhammad Asad Azhar
Executive Engineer
CRBC Irrigation Division D.I.Khan
(Chairman)

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OFFICE OF THE EXECUTIVE ENGINEER, CRBC IRRIGATION DIVISION DIKHAN

Phone # 0966-9280237

MINUTES OF THE DEPARTMENTAL PROMOTION/SELECTION COMMITTEE MEETING

A meeting of the Departmental Promotion/Selection Committee was held on 21/04/2017 under the chairmanship of Executive Engineer, CRBC Irrigation Division D.I.Khan. The following participated in the meeting

1. Engr: Muhammad Aqeel Azhar Executive Engineer, CRBC Irrigation Division D.I.Khan	Chairman
2. Mr. Syed Hassan zulqarnain haider Sub Divisional Officer, CRBC Irrigation Division #1 D.I.Khan	Member
3. Mr. Hidayat Ullah Sub Divisional Officer, CRBC Irrigation Division #2 D.I.Khan	Member
4. Mr. Fazal-E-Elahi Section: Officer(Estt) office of the Secretary to Govt of Khyber Pakhtunkhwa, Irrigation Deptt, Peshawar	Member
5. Mr. Khitab Gul Administrative Officer O/O the Chief Engineer, South Irrigation Department Khyber Pakhtunkhwa, Peshawar	Member
6. Mr. Muhammad Rafiq Establishment Clerk, CRBC Irrigation Division DIKhan	Member

The chair welcomed the participants. After recitation of verses from the Holy Quran, the Secretary described in his opening remarks that one post of Gauge Reader (BPS-05) & one post of Work Munshi (BPS-05) are laying vacant in CRBC Irrigation Division DIKhan due to Department promotion of these cadre post officials to the post of Sub Engineer and one post of Telephone Attendent (BPS-05) became vacant due to the demise of Mr. Alam Telephone Attendent OF CRBC Irrigation Division DIKhan. To overcome the shortage of field staff, it became essential to fill these posts at the earliest for smooth functioning of the canal system.

Therefore, to fill these Divisional cadre posts, the officials for the promotion out of the existing strength of field Technical Staff was short listed on the basis of their academic qualification and experience in light of prevailing Government rules for promotion of such categories @ 50% Departmental promotion quota on the basis of seniority cum fitness from amongst the existing eligible staff.

During scrutiny of the academic qualification and on job technical experience cum fitness of the officials already working in this office, the committee judged the eligibility of following official and considered them fit and appropriate for the promotion as Gauge Reader & Work Munshi accordingly.

For the post of Telephone Attendant, the short listed officials having sufficient qualification and experience were considered and pursuant to the prevailing policy of appointment by promotion, the following official was considered by the committee for filling the existing vacancy. The vacancy of Mate (BPS-03) was also discussed due to promotion of an existing Mate and subsequently an official was found eligible suitable due to the qualification. Therefore, considered by the committee for promotion as Mate (BPS-03).

After detailed deliberation by the members the committee has recommended following officials for the promotion as Work Munshi (BPS-05), Gauge Reader (BPS-05) and appointment by promotion as Telephone Attendant (BPS-05).

S.No	Name of official	Present designation/scale	Promotion/ap pointed as	Scale	Remarks
1	Mr Shafqat Ullah Jan S/O Hameed Ullah	Beldar (BPS-03)	Gauge Reader	BPS-05	The official is qualified in diploma of information

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2	Mr. Asim Nawaz Awan S/O Qayyoun Nawaz	Mate (BPS-03)	Work Munshi	BPS-05	technology with B.A The official is qualified in diploma of Associate Engineer (Mech) with B.Tech (Hons)
3	Mr Mukhtiar Zulnoon Haider S/O Syed Zulfiqar Haider Shah	Beldar (BPS-03)	Telephone Attendant	BPS-05	The official is qualified in diploma of Associate Engineer (Civil) with LLB & MA (English)
4	Mr Niaz Hussain S/O Kazim Hussain	Beldar (BPS-03)	Mate	BPS-03	The official is qualified in diploma of Associate Engineer (Civil)

Hence, the committee unanimously recommended the above noted candidates for promotion on existing posts in CRBC Irrigation Division DIKhan

The meeting ended with vote of thanks to amd from the chair.

Mr. Syed Hassan Zulqarnain Haider
Sub Divisional Officer,
Division #1 D.I.Khan
(Member)

Mr. Hidayat Ullah
Sub Divisional Officer, CRBC Irrigation
CRBC Irrigation Division #2 D.I.Khan
(Member)

Mr. Fazal-E-Elahi
Section: Officer(Estt) office of the Secretary
Govt of Khyber Pakhtunkhwa
Irrigation Deptt, Peshawar

(Member)

Mr. Khitab Gul
Administrative Officer O/O the to
Chief Engineer South Irrigation
Department Khyber Pakhtunkhwa
Peshawar

(Member)

Mr. Muhammad Rafiq
Establishment Clerk, CRBC
Irrigation Division DIKhan
(Member)

Engr: Muhammad Aqeel Azhar
Executive Engineer, CRBC
Irrigation Division D.I.Khan
(Chairman)

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Annex-M

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OFFICE OF THE SUPERINTENDING ENGINEER
DIKHAN IRRIGATION CIRCLE DIKHAN
Phone & Fax # 0966-9280238

MINUTES OF THE MEETING OF DEPARTMENTAL PROMOTION/SELECTION COMMITTEE

A meeting of the Departmental promotion/selection Committee was held on 17-08-2015 under the Chairmanship of Superintending Engineer DIKHAN Irrigation Circle DIKHAN.

The following participated in the meeting.

- 1- Engr: Mohammad Rafiq Khan, Superintending Engineer, DIKHAN Irrigation Circle DIKHAN. Chairman
- 2- Engr: Mohammad Aqeel Azhar, Executive Engineer CRBC Irrigation Division DIKHAN. Member
- 3- Mr. Misal Khan, Section Officer (Estt); Office of the Secretary to Govt. of Khyber Pakhtunkhwa, Irrigation Department Peshawar. Member
- 4- Mr. Javed Ali, Administrative Officer, Office of the Chief Engineer (S), Irrigation Deptt: Khyber Pakhtunkhwa, Peshawar. Member
- 4- Mr. Laal Rehman, Office Superintendent, DIKHAN Irrigation Circle DIKHAN. Secretary

Agenda of the meeting was as under:-

- 1. PROMOTION/RE-DESIGNATION OF 02 No. SUITABLE OFFICIALS TO THE POSTS OF WORK MUNSHI (BPS-05).
- 2. APPOINTMENT AGAINST 02 No. VACANT POSTS OF CLASS-IV.

The Secretary of committee described in this opening remarks that 03 No posts of work Munshi (BPS-05) has been newly created during 2014-15 in DIKHAN Irrigation Circle DIKHAN (CRBC Irrigation Division DIKHAN) and are lying vacant and needed to be filled urgently. Pursuant to the promotion and quota of the existing Class-IV strength @ 50%, as prescribed in the prevailing appointment and promotion rules of the Government, 02 posts of Work Munshis (BPS-05) can be filled through the promotion/ re- designation among the existing strength of Class-IV in CRBC Irrigation Division DIKHAN on the basis of experience and additional technical qualifications of suitable officials of this Circle. The posts of Class-IV, which will become vacant due to this promotion are also required to be filled urgently due to shortage of field staff. The Employment Exchange Office DIKHAN has been approached vide Executive Engineer, CRBC Irrigation Division DIKHAN office No.2302/S-E, dated 13/08/2015 and a list of registered candidates have been furnished by the said office accordingly:

- 1. During scrutiny of the academic qualifications and experience of the officials in this office on 18-08-2015, the committee judged the eligibility of Mr. Akhtar Zaman Gauge Reader (BPS-05), who is presently working as work Munshi (OPS) since 10/01/2011 in C.R.B.C Irrigation Division DIKHAN quite efficiently and applied for promotion on the same post. Since the official has been appointed as Gauge Reader (BPS-05) and the scale of Work Munshi is also (BPS-05), therefore the committee considered him for the re-designation of his services as Work Munshi BPS-05, on the basis of prescribed qualification and sufficient working experience and excellent performance.
- 2. Also, the committee judged the eligibility of Mr. Waqar Anjum, Mate (BPS-01) who is presently working in C.R.B.C Irrigation Division DIKHAN quite efficiently, a qualified and experienced D.A.E (Civil), who applied for promotion as work Munshi (BPS-05). Therefore the committee considered him fit for the promotion as

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Work Munshi (BPS-05) on the basis of prescribed qualification, sufficient working experience and performance.

- The post of Gauge Reader (BPS-05) will become vacant due to above adjustment, therefore one Mr. Muhammad Kamran S/O Rustom Khan, presently working as Regulation Beldar (BPS-01) being a qualified official has been recommended for promotion as Gauge Reader (BPS-05) by the committee.
- Due to above noted adjustments, Two (02) posts of Class-IV i.e. Mate (BPS-01) & Regulation Beldar (BPS-01) will become vacant for which the Employment Exchange Office DIKhan has already been approached to provide the list of suitable candidates for filling the vacant slots. Subsequently the said office produced the list and has been considered during the meeting by the committee. The following 02 No. candidates has been found suitable/ eligible and recommended for appointment as noted against each.

S.No	Name & Father's Name	Post for which recommended for appointment
1.	Mr. Asmat ullah S/O Rehmat ullah R/O. Sikandar Janobi, Tehsil Pron Distt. DIKhan	Regulation Beldar (BPS-01)
2.	Mr. Shahid Nawaz S/O Syed-Haqnawaz R/O. Mohallah Saeed Abad near Mahmood Eye Hospital, DIKhan	Mate (BPS-01)

Hence the committee unanimously recommended the above noted promotions, re-designation and appointments of Class-IV, to be executed by the competent authorities respectively.

The meeting ended with vote of thanks to and from the chair.

(Engr. Muhammad Aqeel Azhar)
Executive Engineer
CRBC Irrigation Division DIKhan
(Member)

(Mr. Misal Khan)
Section Officer Establishment
O/O Secretary Irrigation K.P.K
(Member)

(Mr. Javed Ali)
Administrative Officer
Office of the Chief Engineer (South)
(Observer)

(Mr. Luat Rehman)
Office Superintendent
D.I.Khan Irrigation Circle DIKhan
(Secretary)

(Engr. Mohammad Rafiq Khan)
Superintending Engineer
DIKhan Irrigation Circle D.I.Khan
(Chairman)

No. 1572-101677-4 Dated DIKhan the 15/08/2015.

Copy forwarded to the:-

- Section Officer, (Estab) O/O the Secretary to Govt. of K.P.K; Irrigation department Peshawar.
- Administrative Officer, O/O the Chief Engineer (South) Irrigation Dept. Khyber Pakhtunkhwa Peshawar.
- Executive Engineer CRBC Irrigation Division DIKhan.
- Manager Employment Exchange DIKhan.
- District Accounts officer DIKhan.
- Master File.

SUPERINTENDING ENGINEER,
DI KHAN IRR. CIRCLE DIKHAN

Attested to be true copy

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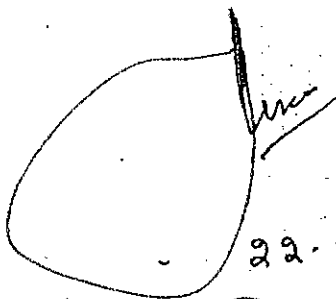
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سرکل آفسیر انٹ کرپشن ضلع ڈیرہ اسماعیل خان
سرکل آفسیر انٹ کرپشن ضلع ننو

خواجہ ادریس انوار ٹریڈ 24/2017 کلمہ
ایرگیشن ڈیرہ اسماعیل خان

STATEMENT

DP No. 1592/D.I.C/9M dated - 18-8-2015
حکومت سپرنٹنڈنٹ ڈی. ای. خان ایرگیشن سرکل
ڈی. ای. خان بہار علم میں ہیں۔ اور
نہی میں دستخط کیا ہے۔



22-4-2021

Lal Rehman

Exco Supdt, D.I.Khan

Govt circle D.I.Khan

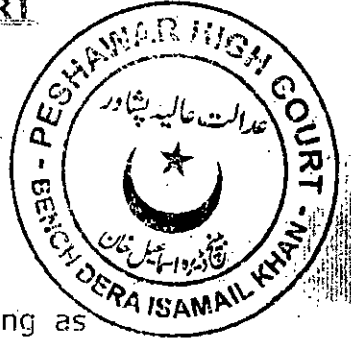
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Amma-N

BEFORE THE HONOURABLE PESHAWAR HIGH COURT
DERA ISMAIL KHAN BENCH



Writ Petition No. _____ / 2018

1. **Waqar Anjum** son of Khuda Bakhsh presently working as Work Munshi, Irrigation Department Dera Ismail Khan.
2. **Mr. Asim Nawaz** son of Qayyum Nawaz presently working as Work Munshi, CRBC, Irrigation Division Dera Ismail Khan.

(PETITIONERS)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Home and Tribal Affairs Department, Peshawar.
2. Director General Anti Corruption Establishment, Khyber Pakhtunkhwa Peshawar.
3. Additional Director Anti Corruption Establishment, Dera Ismail Khan.
4. Director Legal and Prosecution Anti Corruption Establishment, Khyber Pakhtunkhwa Peshawar.
5. Circle Officer Anti Corruption Establishment (SIW Wing), Dera Ismail Khan.
6. Khalil ur Rahman Qureshi son of Said Ahmad Qureshi Baildar, Irrigation Office Dera Ismail Khan.

(RESPONDENTS)

7. Chief Engineer, Irrigation Department Peshawar.
8. Superintending Engineer, Irrigation Department Peshawar.
9. Executive Engineer, CRBC Division Dera Ismail Khan.
10. SDO, Irrigation Division Dera Ismail Khan.

Proprietary Defendants.

ATTESTER

[Signature]
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

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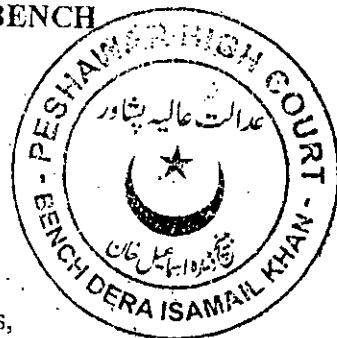
JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, D.I.KHAN BENCH
(Judicial Department)

Writ Petition No.934-D of 2018 with
C.M.Nos.1067 & 1076-D of 2018

Waqar Anjum and another

Versus

Govt. of KPK through Secretary Home & Tribal Affairs,
Peshawar and others



JUDGMENT

For petitioners: Muhammad Waqar Alam, Advocate.
For respondents: Mr. Kamran Hayat Miankhel, Addl: A.G,
Muhammad Anwar Awan and Muhammad
Abdullah Baloch, Advocates.
Date of hearing 12.01.2021

ABDUL SHAKOOR, J.- Through the instant petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioners Waqar Anjum and another have prayed that:-

"In wake of submission made above, it is humbly prayed that on acceptance of the instant writ petition the respondents may please be directed to stop forthwith an alleged open inquiry No.24/2017 initiated/launched against the petitioners without lawful authority, without legal justification and without jurisdiction."

2. The brief facts as mentioned in the writ petition are that the petitioners are permanent employees of Irrigation Department, D.I.Khan. Khalil ur Rehman Qureshi, Baildar Irrigation Office, D.I.Khan (respondent No.6) moved an application to the Anti-Corruption Establishment against the promotion of petitioners upon which an inquiry has been initiated

ATTESTED

15 EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

and now the respondents have issued notices dated 01.10.2018 to the petitioners to attend/face inquiry, hence the instant petition.

3. We have heard the arguments of learned counsel for the parties and have gone through the record.

4. In para-4 of their comments, respondents have mentioned that the petitioners were illegally promoted without fulfilling legal formalities as per audit report in the open inquiry and the action of the respondents is just and legal under the law on the recommendation of audit report. The respondents have annexed audit report dated 24.4.2018 with their comments given by Senior Auditor, ACE, Peshawar. Although the report was submitted on 24.4.2018 but the petitioners remained mum and filed the instant petition on 18.10.2018 when notices dated 01.10.2018 were issued to them to face inquiry. Today, we have been provided copy of final report No.2 dated 19.10.2018 whereby registration of case has been recommended against the petitioner on the basis of audit report dated 24.4.2018. Even otherwise, this Court while sitting in constitutional jurisdiction, cannot pre-empt the powers of respondents given to them under the law. It is their prerogative to make an inquiry into the allegations. The respondents have not exceeded their powers given to them under the law so as to be called in question before this Court in constitutional jurisdiction. The petitioners have not been able to make out a case for interference by this Court in exercise of its constitutional jurisdiction.

ATTESTED

15 EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

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5. For the reasons mentioned above, the instant petition being without force and substance is hereby dismissed.

Announced.
Dt: 12.01.2021.
Habib/*

(AD)
J
JUDGE

[Signature]
JUDGE

(DB)
Hon'ble Mr. Justice Abdul Shakoor,
Hon'ble Mr. Justice Sahibzada Asadullah

[Handwritten mark]
13/1

149
G.R.No. _____
Application Received on 13-01-22
Copying Fee Deposited Rs _____
No of Papers 04 Page
Copying Fee 04
Urgent Fee _____
Total Fee 161
Copy ready for delivery 15-01-22
Copy delivered on 15-01-22
Signature of Examiner [Signature]
15-01-22

Certified to be true Cop.
[Signature]
15 EXAMINOR
Punjab High Court Bench D I Khan
Authorized Under Section 97 of
Qanun-e-Shahadat Act

75

OFFICE OF THE EXECUTIVE ENGINEER
CRBC IRRIGATION DIVISION DIKhan

PHONE & FAX NO. 0966-9280237

No. 8879, 25-M.
Dated DIKhan the 10/09/2018

To

The Assistant Director,
Anticorruption Department (S.W.)
DIKhan.

Subject:- ENQUIRY NO.24 / 2017-TRR.
Reference:- Your letter No.26 dated, 12/03/2018.

As reported by the Record Keeper / Establishment Clerk of this Division that the requisite record involved in the subject enquiry viz; Minutes of Departmental Promotion Committee are not found available in this office record; and have taken away by the then Executive Engineer CRBC Irrigation Division DIKhan Engr. Mr. Aqeel Azhar. As and when received by the aforesaid officer, will be produce to your good office please.

Submitted please.


EXECUTIVE ENGINEER
CRBC Irrigation Division DIKhan

*Checked to be true
copy*

CR

355 صفحہ سے آرکی سٹی ڈوئیزن کم از کم اسماعیل

محمدت جاب

Amx P

فار عالی

گزارش ہے کہ ایک لیسٹ نمبر 2.E-177 تاریخ 29/19 کو

موجول ہوئے۔ جس کا بنیاد پر بندہ کے پاس موجود

دستاویزات آپ جاب کے خدمت میں اس درخواست

میں پیش کر رہا ہے۔

بندہ کو صرف پریشن لیسٹ ملا تھا۔ باقی تمام دستاویزات

ہذا لیسٹ میں موجود ہیں وہ تمام دستاویزات انہیں

دیکھا جا چکا ہے۔ اور وہ تمام دستاویزات بندہ کے

پاس موجود نہیں ہیں۔ بندہ ان تمام دستاویزات سے

راہ علم ہے۔ (پریشن آرڈر کی کاپی اس درخواست کے ساتھ

رف ہے)

تاریخ 01/19

الغافل

Attested to be محمد وقار انجم ولد خدا بخش 01/19

True copy درک شستی نیپار لوہر سب ڈوئیزن

ڈیپو اسماعیل خان



77

وکالت نامہ



ایک روپیہ قیمت

BC# 09-0944

کورٹ فیس

Before the Honourable Service Tribunal, KPK, Peshawar Camp at D.I.K
Khalil Ur Rehman Qureshi vs. Govt. of KPK etc.
(Appellant)

دعویٰ یا جرم
تفصیل دعویٰ یا جرم
Service Appeal

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ مقام D.I. Khan
Muhammad Abdullah Baloch AHC

کوحسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں ہر پیشی پر خود بذریعہ اختیار خاص رو برو عدالت حاضر ہوتا ہوں گا۔ اور ہر وقت پکارے جانے مقدمہ وکیل صاحب
موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر منظر حاضر نہ ہوں اور مقدمہ منبری غیر حاضر کی وجہ سے کسی طور پر میرے برخلاف ہو گیا۔ تو صاحب موصوف
اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا چھپے یا بروز تعطیل پیروی کرنے کے
ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا چھپے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ
ہوں گے۔ اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے چھپے پیش ہونے پر منظر کو کوئی نقصان پہنچنے تو اس کے ذمہ
دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا عتقانہ واپس کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پر داخل صاحب موصوف مش کردہ
ذات خود منظور و قبول ہوگا۔ اور صاحب موصوف کو مرضی دعویٰ، یا جواب دعویٰ یا درخواست اجراء کے ذمہ نظر ثانی اہل و عمرانی و ہر قسم درخواست پر دخل و تصدیق کرنے کا
بھی اختیار ہوگا۔ اور کسی حکم یا ذمہ داری کے ادا کرنے اور ہر قسم کارروائی وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر حاشی یا راضی نامہ دینے پر
حلف کرنے، اقبال دعویٰ کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مذکورہ ہر دن از پکھری صدر پیروی مقدمہ مذکورہ نظر ثانی و اہل و عمرانی و برآمدگی
مقدمہ یا استوفی ذمہ داری یا طرف یا درخواست حکم انتہائی یا ترقی یا گرفتاری اہل از فیصلہ اجراء کے ذمہ بھی صاحب موصوف کو بشرط ادا تکلیف عینہ معائنہ پیروی کا اختیار ہوگا
اور تمام ساختہ پر داخل صاحب موصوف مش کردہ ذات خود منظور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکورہ یا اسکے کسی جز
کی کارروائی یا بصورت درخواست نظر ثانی اہل و عمرانی یا دیگر معاملہ مقدمہ مذکورہ کی دوسرے وکیل یا ایجنٹ کو اپنے بجائے یا اپنے ہمراہ مقرر کریں۔ اور ایسے شیرتالون کو
بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں، اور دوران مقدمہ میں جو کچھ ہر جائزہ التواہ پڑیگا، وہ صاحب
موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی
صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورثہ 26 April 2021

مضمون وکالت نامہ سن لیا ہے۔ اور اچھی طرح سمجھ لیا ہے اور منظور ہے
محمد عبداللہ بالوچ
Muhammad Abdullah Baloch AHC

Khalil Ur Rehman

Appellant

03146832557
D. I. Khan

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal NO. 4970/2021

Petitioner

Khalil-Ur-Rehman Qureshi

Versus

1. Secretary to Government of
Khyber Pakhtunkhwa Irrigation Deptt: Peshawar.
2. Chief Engineer (South)
Khyber Pakhtunkhwa Irrigation Department Peshawar.
3. Superintending Engineer DI Khan Irrigation Circle DI Khan.
4. Executive Engineer CRBC Irrigation Division DI Khan.

Respondents

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal NO. 4970/2021

Petitioner

Khalil-Ur-Rehman Qureshi

Versus

1. Secretary to Government of Khyber Pakhtunkhwa Irrigation Deptt: Peshawar. Respondents
2. Chief Engineer (South) Khyber Pakhtunkhwa Irrigation Department Peshawar.
3. Superintending Engineer DI Khan Irrigation Circle DI Khan.
4. Executive Engineer CRBC Irrigation Division DI Khan.

Respectfully sheweth.

Preliminary Objections.

1. That the appellant has no cause of action.
2. That the appellant has not come to the Tribunal with clean hand.
3. That the appeal is bad for miss joinder and non-joinder of necessary parties.
4. That the appellant has no locus standi.
5. That the appeal is time barred.
6. The appellant was appointed as Beldar (BPS-01) on contract basis on 08/09/1996 and regularize on 31/10/2012.
7. The appeal of appellant is hit by rule: 23 of the Service Tribunal rules 1974.

PARAWISE COMMENTS OF RESPONDENTS NO.1 TO 4 TO THE SERVICE APPEAL

FACTS:-

1. Appellant related information's. The appellant was appointed as Beldar (BPS-01) on contract basis on 08/09/1996 and regularize on 31/10/2012.
2. Correct.
3. The said application and letter not found on the office record.
4. In correct. As already mentioned in the promotion policy that 50% has to be promoted on basis of **Seniority Cum Fitness**. The promotion committee has examined all the officials and promoted the official namely Tahir Abbas on basis of seniority / fitness, as it is not only the seniority but the fitness has also be taken into consideration according to which Tahir Abbas was considered suitable and fit for promotion.
5. In correct. The appellant was appointed on contract basis during 1996 and was regularized during 2012 under the Government policy. Therefore the Contract Period of the Service cannot be considered in the Seniority. He was not considered by the department for promotion under the rule of Seniority Cum-Fitness, therefore the department did not considered him fit for promotion to higher scale. The other senior staff has been recommended by the committee and promoted on the basis of seniority cum-fitness, higher qualification and satisfactory performance. The inquiry is not yet concluded.


Tamm

6. As per rules of recruitment to the post of Gauge Reader/work munshi as 50% by promotion and 50% by advertisement, wherein the publication of advertisement is needed for fresh appointment while in this case promotion has been done from the 50% promotion quota. Hence, no hindrance of opportunity for promotion to the appellant is made in this case neither affected the right of the appellant, whereas the promotion order was properly communicated to the appellant is clear from his service book, his receiving of pay according to the new / promoted scale with effect from 09/11/2020.

7. The applicant has given his due right because as per rules, 50% recruitment is to be made under Direct / Initial Recruitment & 50% on basis of seniority cum fitness. As the appellant filed a Writ Petition NO. 1162-D/2017 before the Honorable Peshawar High Court DI-Khan against the department. Subsequently, the appellant was promoted as Gauge Reader (BPS-05) in light of the seniority list of the department on his own turn and order issued vide No. 1965, dated. 09/11/2020. The appellant was informed accordingly to collect the promotion orders from office but he did not collect it and blamed the office as usual, stating that, he came to know about his promotion during Court hearing. After regular promotion of the appellant by the department, the Peshawar High Court Bench DI-Khan, on the basis of effectiveness of the promotion, being Terms & Conditions of Service, the Writ Petition was dismissed as withdrawn on 12/01/2021, As relief was granted to the applicant.

As per standing rules and policy there are no such rules that the appellant could get back-benefits as per his desired and wishes rather it is to provide from the date of actual promotion by the competent forum / authority which he is getting.

GROUNDS

- I. The Order No.965/S-E, dated 09-11-2020 by Executive Engineer is according to Rules of Promotion in which the applicant has been promoted to post of Gauge Reader BPS -05 on his turn as and when recommended by Promotion Committee.
- II. Incorrect. Not related to the case.
- III. The appellant was appointed on contract basis on 08/09/1996 and was regularized on 31/10/2012 under the Government policy. Therefore, the Contract Period of the Service cannot be considered in the Seniority. He was not considered by the department for promotion under the rule of Seniority Cum-Fitness, therefore the department did not considered him fit for promotion to higher scale. The other staff fit, obedient and efficient as examined by the promotion committee were accordingly promoted on the basis of higher qualifications and satisfactory performance. Other allegation of the appellant are baseless & incorrect.
- IV. As per available record the mentioned official was Superintendent / Secretary of the said promotion committee and his signature is also available / present on the said document.
- V. Two of the promoted officials utilized their legal right and submitted writ petition against the proceedings of ACE DI Khan in their personal capacity.
- VI. Not Correct. Copy of available record has been provided to the applicant much time, when he asked for it. As the alleged juniors and private respondents not made the party, on this ground the appeal is liable to be dismissed.
- VII. The appellant was appointed on contract basis on 08/09/1996 and was regularized on 31/10/2012 under the Government policy. Therefore, the Contract Period of the Service cannot be considered in the Seniority. He was not



considered by the department for promotion under the rule of Seniority Cum-Fitness, therefore the department did not considered him fit for promotion to higher scale. The other staff fit, obedient and efficient as examined by the promotion committee were accordingly promoted on the basis of Seniority Cum-fitness, higher qualifications and satisfactory performance.

VIII. No comments legal.

It is therefore humbly requested that the applicant has given his due right because as per rules, 50% recruitment are to be made under Direct / Initial Recruitment & 50% on basis of seniority cum fitness. As the appellant filed a Writ Petition NO. 1162-D/2017 before the Honorable Peshawar High Court DI Khan against the department. Subsequently, the appellant was promoted as Gauge Reader (BPS-05) in light of the seniority list of the department on his own turn and order issued vide No. 1965, dated. 09/11/2020. The appellant was informed accordingly to collect the promotion orders from office but he did not collect it and blamed the office as usual, stating that, he came to know about his promotion during Court hearing. After regular promotion of the appellant by the department, the Peshawar High Court Bench DI Khan, on the basis of effectiveness of the promotion, being Terms & Conditions of Service, The Writ Petition was dismissed as withdrawn on 12/01/2021. As relief was granted to the applicant. As per standing rules and policy there are no such rules that the appellant could get back-benefits as per his desired and wishes rather it is to provide from the date of actual promotion by the competent forum / authority which he is getting.

So, it is very humbly prayed that the appeal may kindly be dismissed.



Secretary to Government of KPK
Irrigation Department
(Respondent No.1)

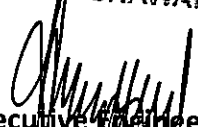


Secretary to
Govt of Khyber Pakhtunkhwa
Irrigation Department

Superintending Engineer
DI Khan Irrigation Circle DIKhan
(Respondent No.3)
Superintending Engineer
D.I.Khan Irrigation Circle
D.I.Khan




Chief Engineer (South)
Irrigation Department
(Respondent No.2)
CHIEF ENGINEER (SOUTH)
IRRIGATION DEPARTMENT
KHYBER PAKHTUNKHWA
PESHAWAR



Executive Engineer
CRCB Irrigation Division DI Khan
(Respondent No.4)
EXECUTIVE ENGINEER
C.R.B.C Irrigation Division
D.I.Khan

Vetted subject to
annex all relevant documents
and records.

Assistant Advocate General
Khyber Pakhtunkhwa
Services Tribunal Peshawar



8/12/2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal NO. 4970/2021

Khalil-Ur-Rehman Qureshi

Petitioner

Versus

1. Secretary to Government of
Khyber Pakhtunkhwa Irrigation Deptt: Peshawar. **Respondents**
2. Chief Engineer (South) Khyber Pakhtunkhwa Irrigation Department
Peshawar.
3. Superintending Engineer DI Khan Irrigation Circle DI Khan.
4. Executive Engineer CRBC Irrigation Division DI Khan.

COUNTER AFFIDAVIT.

We do hereby solemnly affirm and declare that contents of the Parawise comments in Service Appeal No.4970/2021 filed by Executive Engineer CRBC Irrigation Division DI Khan are correct to the best of our knowledge and nothing has been concealed from August Service Tribunal.

**Secretary to Government of KPK
Irrigation Department
(Respondent No.1)**

**Chief Engineer (South)
Irrigation Department
(Respondent No.2)**

**Superintending Engineer
DI Khan Irrigation Circle DI Khan
(Respondent No.3)**

**Superintending Engineer
D.I.Khan Irrigation Circle
D.I.Khan**

**CHIEF ENGINEER (SOUTH)
IRRIGATION DEPARTMENT
KHYBER PAKHTUNKHWA
PESHAWAR**

**Executive Engineer
CRCB Irrigation Division DI Khan
(Respondent No.4)
EXECUTIVE ENGINEER
C.R.B.C Irrigation Division
D.I.Khan**

"A"

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

No.

4970

APPEAL No..... of 20

Khalil ur Rehman

Appellant/Petitioner

Versus

Govt. of KPK - through Secy Irrigation Pesh.

RESPONDENT(S)

Khalil ur Rehman son of Saeed

Notice to Appellant/Petitioner

Ahmad Qureshi Caste Qureshi gauge reader (BPS-?) Chashmc

Right bank Canal Irrigation Dera Ismail Khan R/o Ziyarat Sheikh

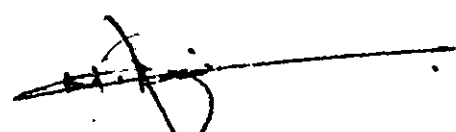
Yousaf Dera Ismail Khan

0346-9490608

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on..... at.....

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

(at Peshawar)


Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

SB

No.

APPEAL No. 4970 of 20 21

K. halil ur Rehman

Appellant/Petitioner

Versus

Govt, of KP Through Secy Irrigation Pesh.

RESPONDENT(S)

(Counsel)

Notice to Appellant/Petitioner

Muhammad Abdullah Balochi

Advocate High Court

D.I Khan

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 29/7/2021 at 9:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at Peshawar.

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"B"

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

No.

Appeal No. 4970 of 20 21

TB

Khalid ur Rehman Appellant/Petitioner

Versus

Through Secy: Irrigation KPK Pesh. Respondent

Respondent No.

Superintendent Engineer Irrigation Deptt.

Notice to: —

Dora Ismail Khan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 26/10/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 27th

Day of August 20 21

at Camp Court D.I. Khan

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

“B”

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

No.

TB

Appeal No. 4970 of 20²¹

Khalid ur Rehman

Appellant/Petitioner

Through Secy. Irrigation

Versus

U.P. Pesh.

Respondent

Respondent No.

Notice to:

XEN. CRBC, Irrigation Division D.I. Khan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 28/10/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 27/10

Day of August 2021

at Camp Court D.I. Khan

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

"B"

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

TB

No.

Appeal No. 4970 of 2021

Khalid ur Rehman Appellant/Petitioner

Versus

Through Secy. Irrigation Dept. Pesh. Respondent

Respondent No. 2

Notice to: —

Chief Engineer Irrigation Dept. South
Region War Sak Road Kabakyan (P) Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal ^{26/10/2021} on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 27th.....

Day of August 2021

at Camp Court D.I. Khan

20/10/2021

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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