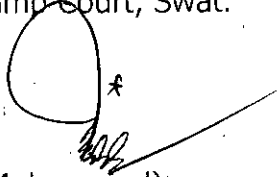


SCANNED
KPST
Peshawar

09.09.2022

Appellant alongwith his counsel present. Mr. Muhammad Riaz Khan, Paindakhel, Assistant Advocate General alongwith Dr. Sohail Khan, Research Officer on behalf of official respondents No. 1 to 3 & 8. None present on behalf of private respondents No. 4 to 7.

Reply/comments on behalf of official respondents No. 1 to 3 & 8 have already been submitted. Reply/comments on behalf private respondents No. 4 to 7 are still awaited. Previous date was changed on the strength of Reader's Note, therefore, notice be issued to private respondents No. 4 to 7 for submission of reply/comments. Last opportunity is granted. To come up for reply/comments of private respondents No. 4 to 7 on 07.10.2022 before S.B at Camp Court, Swat.



(Mian Muhammad)
Member (E)
Camp Court Swat

07.10.2022

Appellant present through counsel.

Muhammad Jan, learned District Attorney alongwith Dr. Sohail Litigation Officer for official respondents No.1 to 3 & 8 present. Nemo for private respondents No.4 to 7, hence, placed ex-parte.

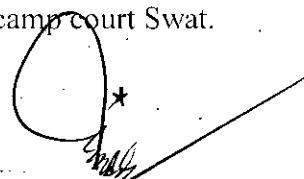
Reply on behalf of official respondents and private respondents No.4 to 7 & 8 has already been submitted. To come up for rejoinder, if any, and arguments on 05.12.2022 before D.B at Camp Court, Swat.


(Rozina Rehman)
Member (J)
Camp Court, Swat

09.06.2022

Appellant in person present. Mr. Kabirullah Khattak, Additional Advocate General for official respondents 1 to 3 & 8 present. None present on behalf of private respondents No. 4 to 7

Reply/comments on behalf of official respondents No. 1 to 3 & 8 have already been submitted. Reply/comments on behalf of private respondent No. 4 to 7 are still awaited, therefore, notice them for submission of reply/comments. Adjourned. To come up for reply/comments on 06.07.2022 before S.B at camp court Swat.



(Mian Muhammad)
Member (E)
Camp Court Swat

06.07.2022

Appellant alongwith counsel present. Mr. Noor Zaman Khattak, District Attorney alongwith Dr. Sohail for respondents No. 1 to 3 & 8 present. None present on behalf of private respondents No. 4 and 7, hence proceeded ex-parte.

Reply on behalf of official respondents No. 1 to 3 and 8 have already been submitted.

Notices were issued to private respondents No. 4 to 7, but were not served upon respondents No. 5 and 6. Therefore fresh notices be issued to respondents No. 5 and 6 for submission of written reply/comments failing which their right for submission of reply/comments shall be deemed as struck off. To come up for written reply/comments on 04.08.2022 before S.B at Camp Court, Swat.


(Fareeha Paul)
Member (E)
Camp Court, Swat

4.8.22

Due to summons vacation the case is adjourned 9-9-22 for the same.



11.05.2022

Appellant in person present. Dr. Sohail Khan, Research Officer on behalf of official respondents No. 1, 2, 3 & 8 alongwith Mr. Kabirullah Khattak, Additional Advocate General present. None present on behalf of private respondent No. 4 to 7.

Para-wise comments on behalf of respondents No. 1, 2, 3 & 8 submitted, which are placed on file and copy of the same handed over to appellant.


Vide previous order sheet, it was ordered that notices be issued to private respondents No. 4 to 7 through registered post, however on perusal of the record, it transpired that the same have not been sent to the private respondents No. 4 to 7, therefore, in this respect explanation be called from the Muharrar. Notices be issued private respondents No. 4 to 7 through registered post with the directions to submit written reply/comments on the next date positively, failing which their right for submission of written reply/comments shall be deemed as struck off. Adjourned. To come up for submission of written reply/comments on behalf of private respondents No. 4 to 7 on 08.06.2022 before the S.B at Camp Court Swat.



(Salah-Ud-Din)
Member (J)
Camp Court Swat

09.02.2022

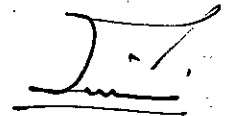
Tour is hereby canceled .Therefore, the case is adjourned to 06.04.2022 for the same as before at Camp Court Swat.



Reader

06.04.2022

Appellant in person present. Dr. Sohail Khan, Research Officer on behalf of official respondents No. 1, 2, 3 & 8 alongwith Mr. Riaz Ahmed Paindakhel, Assistant Advocate General present and sought time for submission of written reply/comments. None present on behalf of private respondents No. 4 to 7. Previous date was changed on Reader Note, therefore, notices be issued to private respondents No. 4 to 7 through registered post and to come up for submission of written reply/comments on 11.05.2022 before the S.B at Camp Court Swat.



(Salah-Ud-Din)
Member (J)
Camp Court Swat

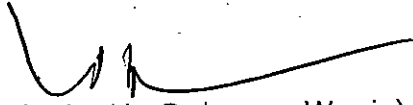
02.11.2021

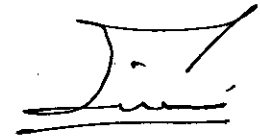
Appellant alongwith his counsel present and states that security and process fee have not been deposited due to misunderstanding and requested for extension of time to deposit the same.

Appellant Deposited
Security & Process Fee

10/11/21


The appellant is directed to deposit security and process fee within three working days from today. After the requisite deposit notices be issued to the respondents for submission of reply/comment for 04.01.2022 before the S.B at Camp Court Swat.


(Atiq-Ur-Rehman Wazir)
Member (E)
Camp Court Swat


(Salah-Ud-Din)
Member (J)
Camp Court Swat

04.01.2022

Appellant in person present. Dr. Muhammad Sohail, Research Officer alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and sought time for submission of written reply/comments. Adjourned. Last opportunity given. To come up for submission of written reply/comments on 09.02.2022 before S.B at Camp Court Swat.


(Salah-Ud-Din)
Member (J)
Camp Court Swat

24.08.2021

Nemo for the appellant. I have gone through the memorandum of appeal and documents annexed therewith.

In terms of normal procedure, the appeal appears to be barred but in view of particular legal position to be discussed herein-after, the bar of limitation for the time-being is immaterial. In wake of COVID, 19, the Government of Khyber Pakhtunkhwa for the first time declared Public Health Emergency in March, 2020 for three months which was extended from time to time for further term and presently it has been extended by the Government vide Notification No. SOG/HD/1-102/Covid-19/2020/3062, dated 30.06.2021 for the period from 01.07.2021 to 30.09.2021. The case of the appellant falls within the period of emergency. In view of Section 30 of the Khyber Pakhtunkhwa Epidemic Control and Emergency Relief Act, 2020, 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. Keeping the question of limitation relating to filing of instant appeal intact for determination during full hearing, this appeal, subject to all just and legal objections 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 02.11.2021 before the D.B at camp court, Swat.

Notice be issued to appellant to deposit security and process fee within the prescribed time.


Chairman




Camp Court, Swat.

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 1630 /2021

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1- | 26/01/2021 | <p>The appeal of Mr. Ahmad Khan presented today by Mr. Muhammad Arif 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 → 26/11/2021</p> |
| 2- | 01-04-21 | <p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>05/05/21</u></p> <p style="text-align: right;"> CHIEF JUSTICE (S)</p> |
| | 26.07.2021 | <p>To come up for preliminary hearing on 24.08.2021 before S.B at Camp Court, Swat. Notices be issued to appellant/counsel for the date fixed.</p> <p style="text-align: right;"> Chairman</p> |

**BEFORE, THE HONOURABLE KHYBAR PAKHTUNKHWA
SERVICE TRIBUNAL AT PESHAWAR**

Service appeal No. 1030 of 2021

**SCANNED
KPST
Peshawar**

Ahmad Khan: **VERSUS** Secretary Live Stock and others.

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| 3 | Memo of addresses | | 8 |
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| 5 | Copy of promotion to BPS-7 | B | 10 |
| 6 | Copy of promotion BPS-16 | C | 11 |
| 7 | Copy of tender | D | 12 |
| 8 | Copy of letter dated 25/7/2019 | E | 13 |
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APPELLANT

Through Counsel

M. Arif
25.11.2021
MUHAMMAD ARIEF ADVOCATE

High court,

Call No: 0332-9483542

BÉFORE, THE HONOURABLE KHYBAR PAKHTUNKHWA
SERVICE TRIBUNAL AT PESHAWAR

Service appeal No. _____ 2021

Ahmad Khan S/o Taj Malook Office Assistant, Poultry Research Institute (PRI) JABA, Mansehra. Permanent Address: Muhallah Yousafzai, Yakh Kohey, Mingora District Swat.

.....(Appellant)

VERSUS

- ~~Agri~~
- 1) Secretary Live Stock and Fisheries at Peshawar Secretariat Peshawar.
 - 2) Director General (Research) Live Stock and Dairy Development at Bacha Khan Chowk Peshawar.
 - 3) Director Poultry Research Institute (PRI) JABA Mansehra.
 - 4) Doctor Sajid Ali S.R.O. Inquiry Officer, Veterinary Disease and investigation, Mezail Chawk Mandia, Abbottabad.
 - 5) Doctor Anwar Mehmood, Director General Office / L.D.D (Research) Bacha Khan Chowk Peshawar.
 - 6) Doctor Hamid Ullah PRO /Inquiry Officer , Veterinary Disease and investigation, Mezail Chawk Mandia, Abbottabad.
 - 7) Mr. Shahid Hussain Office Assistant, Inquiry Officer, Veterinary Disease and investigation, Mezail Chawk Mandia, Abbottabad.
 - 8) Farm Manager, PRI (Poultry Research Institute) JABA Mansehra.
-(Respondents)

Appeal U/s 4 of the Service Tribunal Act 1974, against the Impugned order of respondent No.1 dated 09/11/2020, received by appellant on 28/12/2020, uphold the decision of respondent No.2 dated 17/08/2020, by awarding double minor punishment i.e stop promotion and annual increment for two years.

PRAYER:

On acceptance of instant appeal the impugned orders of respondent No.1,2 dated 09/11/2020 and dated 17/8/2020, respectively, may kindly be declare null and void and the appellant may kindly be granted his due promotion with back benefits.

Respectfully Sheweth:

1. That the appellant was initially appointed in Live Stock Research Center at Balogram Swat in BPS-5 as Junior Clerk vide appointment order No.7616-22/DVRI/ESTB:II(13q)88 dated 25/10/1989, while promoted to Senior Clerk Post in BPS-7 2001 and promoted as office Assistant in BPS 16 at 2013. (Copies of First Appointment as annexure A, promotion to BPS-7 as annexure B and promotion to BPS-16 as annexure C).
2. That the appellant was transferred to Mansehra poultry research Institute at march 2019, it is pertinent to noted that feed tender was issue by respondent No.3 for the year of 2018 & 2019, it is to be noted that Farm Manager / respondent No.1 issue a letter dated 25/7/2019 for due / pending feeds on the part of contractor / Sarhad Trader to respondent No.3, on continuation of the above latter dated 25/7/2019, the respondent No.3 issue a letter to SARHAD Trader for out standing 36 feed Bages on dated 29/7/2019. (Copy of tender annexure D, copy of letter dated 25/7/2019 is annexure E, and dated 29/7/2019 is annexure F).
3. That on 28 June 2019 once again for the feed supply of 4800 KG order were issue to SARHAD Trader through Cheque payment. It is pertinent to be noted that the bills were already verified by respondent No.8 and the storekeeper had enter in stock register, and after all coddle formalities the payment was made as D.D.O (Drawing dispersing Officer), issued to M.S, Sarhad Traders. However, the SARHAD Trader deny from the supply of feed bages and return the paid money 2,80,000/- in cash to the storekeeper Arshad Iqbal, instead of Rs. 301937. The appellant due security and short payment of feed bages deposited the return / less amount to his own bank account. (Copy of Sarhad Trader is annexure G).

14.

That on the basis of above mention letter the fact finding inquiry was conducted by respondents No.4,5, the respondent No.4 not heard the appellant nor visit the spot. In the whole inquiry the appellant remain condemned unheard, and the inquiry was based on their own whims, therefore, needed to be set aside to the extent of appellant. The competent officer / respondent did not issue charge sheet to appellant prior to an inquiry. The respondent No.4,5 submitted its inquiry report to respondent No.2 on 01/10/2019. In the conclusion of inquiry submitted to make recovery of 10.75 bags of poultry feed from appellant. (Copy of inquiry report is annexure H).

5.

That as it was revealed in inquiry dated 01/10/2019, about the cash amount Rs. 280000/- was received by clerk Mr. Arshad Iqbal, so therefore, the charge sheet was issued by respondent No.2 to appellate on 5/11/2019, and the respondents No.6,7 were appointed as Inquiry Officer, the appellant submitted reply to the above charge sheet and explain the whole charges through documentary evidence, the document which is self explanatory. (Copy of charge sheet as annexure I and reply along with documents as annexure J).

6.

That the respondent No.6 issue the letter to appellant dated 20/11/2019, for providing bank statement / money trial of the amount mention in the above letter. The appellant provide money trial of the amount mentioned in the above letter on 25/11/2019. (Copy of letter is annexure K and reply of money trial is L).

7.

That the appellant had not provided any document of informal inquiry it is strange enough that even inquiry officer respondents No.6,7 issue show cause notice to the appellant on 12/12/2019 the show cause notice was illegal, therefore, the appellant did not reply to the above show cause notice. (Copy of show cause notice is annexure M).

4
8.

That after informal inquiry respondent No.2 ordered for formal inquiry against the appellant, while during the formal inquiry officer / respondent No.6&7, issue questionnaire para to the appellant on 2/3/2020 the appellant submitted reply to questionnaire para on 3/3/2020 and explain the whole matter to the formal inquiry committee / respondent No.6,7. (Copy of questionnaire para as annexure N and reply is annexure O).

9.

That the formal inquiry committee / inquiry officer submit detail report to the respondent No.2, with the remark that appellant has committed irregularities and not illegalities. The report also narrated that appellant is not only responsible but the respondent No.3 is also responsible for the malpractice. (Copy of inquiry is annexure P).

10.

That the respondent No.2 issue show cause notice to the appellant on 2/6/2020, the appellant reply to the mentioned show cause notice with the documentary proof and also request for personal hearing. (Copy of show cause notice as annexure Q and reply along with documents as annexure R).

11.

That the respondent No.2 only awarded double minor penalties to the appellant on 17/8/2020, the appellant being aggrieved from the mentioned order, prefer departmental appeal through proper channel to the respondent No.1 on 14/9/2020. The appellant also submitted documentary proof along with appeal. (Copy of order awarding penalties is annexure S and departmental appeal is as T).

12.

That the respondent No.1, dismissed the departmental appeal on 9/11/2020, and maintained the order of respondent No.2 dated 17/8/2020 the copy of impugned order dated 09/11/2020 was received by appellant on 28/12/2020. (Copy of impugned order dated 09/11/2020 is annexure U).

GROUND OF APPEAL:

1. That the impugned order of respondent No.1 dated 9/11/2020 is against the fundamental law and services laws of land, hence liable to be set aside.
2. That inquiry proved to the extent of irregularities against the appellant. The inquiry has not proved misconduct or corruption against the appellant.
3. That the respondents have some personal clashes with the appellant, therefore, conducted two inquiry i.e informal inquiry and formal inquiry, both inquiries are against the services laws.
4. That the impugned orders dated 09/11/2020 and dated 17/08/2020 are illegal, unlawful, unconstitutional and without lawful authority, hence liable to be set aside.
5. That the appellant try his best to protect interest of Govt. and institute, to make the stock (Feed) available in time for the live Birds. The appellant have no personal benefit and no ambition to harm the Govt. assets, therefore, the formal inquiry report is against the law and facts.
6. That the respondents had not given any document in respect of informal inquiry.
7. That the impugned order of respondent No.2 is discriminatory because it only award double minor punishment to the appellant and turn deep to irregularities of respondent No.3.
8. That some other grounds will be taken at the time of arguments with the prior permission of this Honourable Tribunal.

It is therefore, humbly prayed that on acceptance this instant service appeal the impugned order of respondents No.1&2 dated 09/11/2020 and dated 17/08/2020 respectively, may kindly be declared null and void and the appellant may kindly be granted his due promotion with back benefits.

Any other appropriate remedy which this Honourable Tribunal deems appropriate in the circumstance of the case may also be granted to the appellant.

APPELLANT

Through Counsel

MUHAMMAD ARIF ADVOCATE

High court, 25.1.2021

CERTIFICATE:

It is, certified that all the contents of this appeal are true and correct to best of my knowledge and belief.

APPELLANT

Through Counsel

MUHAMMAD ARIF ADVOCATE

High court, 25.1.2021

T

BEFORE, THE HONOURABLE KHYBAR PAKHTUNKHWA
SERVICE TRIBUNAL AT PESHAWAR

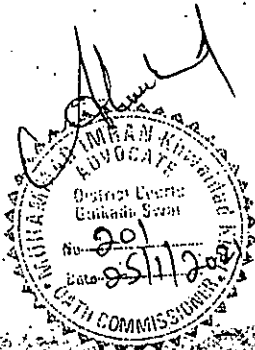
Service appeal No. _____ of 2021

Ahmad Khan. **VERSUS** Secretary Live Stock and others.

APPEAL

Affidavit

I, Ahmad Khan S/o Taj Malook Office Assistant, Poultry Research Institute (PRI) JABA, Mansehra. Permanent Address: Muhallah Yousafzai, Yakh Kohay, Mingora District Swat, do hereby stated on oath that no such like appeal has earlier been filed before this Honourable Tribunal or any other competent court.



DEPONENT

Ahmad Khan S/o Taj Malook

25.1.2021

BEFORE THE HONOURABLE KHYBAR PAKHTUNKHWA
SERVICE TRIBUNAL AT PESHAWAR

Service appeal No. _____ of 2021

Ahmad Khan. VERSUS Secretary Live Stock and others.

MEMO OF ADDRESSES

ADDRESS OF THE APPELLANT:

Ahmad Khan S/o Taj Malook Office Assistant, Poultry Research Institute (PRI) JABA, Mansehra. Permanent Address: Muhallah Yousafzai, Yakh Kohey, Mingora District Swat.

CNIC No. 15602-8690616-9

Cell No. 03018048005

ADDRESSE OF THE RESPONDENTS:

- 1) Secretary Live Stock and Fisheries at Peshawar Secretariat Peshawar.
- 2) Director General (Research) Live Stock and Dairy Development at Bacha Khan Chowk Peshawar.
- 3) Director Poultry Research Institute (PRI) JABA Mansehra.
- 4) Doctor Sajid Ali S.R.O. Inquiry Officer, Veterinary Disease and investigation, Mezail Chawok Mandia, Abbottabad.
- 5) Doctor Anwar Mehmood, Director General Office / L.D.D (Research) Bacha Khan Chowk Peshawar.
- 6) Doctor Hamid Ullah PRO /Inquiry Officer , Veterinary Disease and investigation, Mezail Chawok Mandia, Abbottabad.
- 7) Mr. Shahid Hussain Office Assistant, Inquiry Officer, Veterinary Disease and investigation, Mezail Chawok Mandia, Abbottabad.
- 8) Farm Manager, PRI (Poultry Research Institute) JABA Mansehra.

APPELLANT

Through Counsel.

MUHAMMAD ARIF ADVOCATE

High court, 25.1.2021

(A) (9) 29/6/13 (2) (1)

DIRECTORATE OF
RESEARCH INSTITUTE, NWFP,
PESHAWAR

With immediate effect Mr. Ahmad Khan S/O Mr. Tajmaleek is hereby appointed against the vacant post of Junior Clerk (BPS-5) viz Rs. 700-25-1200 plus usual allowances admissible under the rules at Veterinary Research Institute and Diagnostic Laboratory, Swat.

His appointment in the Laboratory is purely temporary and his services can be terminated at any time without assigning any reason and serving any previous notice therefor. He has to join duty at his own expenses.

His appointment will be provisionally pending for verification of his character and conducts from the Police Deptt:

The appointment is purely on temporary basis and it will not confer upon him any title or respect of confirmation.

He will be on probation for a period of two years and if his services/work and conduct during the probationary period is not found to be satisfactory, he will be removed from service.

In case he wishes to resign at any time, 15 days notice will be necessary or in lieu thereof 15 days pay shall be forfeited.

He will have to produce a Medical certificate of fitness if his service continue beyond six months.

He will be liable to transfer anywhere in the Province of N.W.F.P.

If he accepts the offer on the above terms and conditions he should report for duty to the undersigned immediately.

(DR. M. BASHIR QURESHI)
DIRECTOR

No. 7616-22/DVRI/Estab:III(139)/88 dated Pesh: the 25/10/1989

Copy of the above is forwarded for information and necessary action to:-

1. Mr. Ahmad Khan S/O Mr. Tajmaleek Rahim Abad Teh: Babozai Distt: Swat.
2. The Veterinary Officer (Research) Incharge, Veterinary Research and Diagnostic Laboratory, Balogram, Swat.
3. The Distt: Accounts Officer Saidu Sharif, Swat.
4. The Accountant General, N.W.F.P., Peshawar.
5. The The Superintendent (Budget & Accounts) VRI, NWFP, Peshawar.
6. The Personal file of the official concerned.
7. The office order file.

(DR. M. BASHIR QURESHI)
DIRECTOR

C. T. M. Arif Advocate

DIRECTORATE OF
VETERINARY RESEARCH INSTITUTE, NWFP,
PESHAWAR

O R D E R

10
Amir B

SS
25/12/2001

On the recommendation of Departmental Promotion Committee Veterinary Research Institute, NWFP, Peshawar, the following officials Veterinary Research Institute, NWFP, Peshawar and Livestock Research & Development, NWFP, Peshawar are hereby promoted with immediate effect in the best interest of Government and Public Service.

1. Mr. Nizam-ud-Din, Senior Clerk, Veterinary Research & Diagnostic Laboratory, Kohat promoted to the post of Assistant (BPS-11) at VR&DL, Kohat.
2. Mr. Ahmad Khan, Junior Clerk, Veterinary Research & Diagnostic Laboratory, Swat promoted to the post of Senior Clerk (BPS-7) at VR&DL, Swat.
3. Mr. Said Kamal, Gawala, Livestock Res: & Dev: NWFP, Peshawar promoted to the post of Junior Clerk (BPS-5) at Veterinary Research Institute, NWFP, Peshawar.
4. Mr. Khan Mohammad, Lab: Assistant, VRI, Peshawar promoted to the post of Lab: Technician (BPS-10) at Veterinary Research & Diagnostic Lab: Kohat.
5. Mr. Mohammad Ali, Lab: Attendant, VRI, Peshawar promoted to the post of Lab: Assistant (B-6) at VR&DL, Kohat.

5/12/2001
Amir B
9/10/2001

(S. NASIR HUSSAIN SHAH Ph.D)
DIRECTOR

No. VRI/Est. II (90)/7-2000/V, II/188795 Dated Peshawar the 8/12/2001.

Copy of the above is forwarded for information and necessary action to:-

1. The Accountant General, N.W.F.P., Peshawar.
2. The Director, L/Stock Res: Development, NWFP, Peshawar.
3. The Estate Manager (B&A), VRI, Peshawar.
- 4-5. The Senior Research Officers, VR&DL, Swat & Kohat.
- 6-7. The District Accounts Officers, Swat & Kohat.
8. The officials concerned.
9. Personal files of the officials concerned for record.

C.T.C
M. Arif Advocate
1951-1021

(S. NASIR HUSSAIN SHAH Ph.D)
DIRECTOR
7/12/2001



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

Dated Peshawar the ___/09/2013.

ORDER.

No. DG(R) L&DD/Est.II (190)/V.IV/2010/ On the recommendations of the Departmental Promotion Committee (DPC) held on 16.09.2013 the following Senior Clerks (BPS-09) of the Directorate General (Research) Livestock & Dairy Development Department, Khyber Pakhtunkhwa, Peshawar are hereby promoted to the post of Assistant (BPS-14) on regular basis with immediate effect.

| S. No. | Name of Official | On regular basis |
|--------|--|------------------|
| 1. | Mr. Maula Dad Khan, Assistant (BPS-14) | -do- |
| 2. | Mr. Ahmad Khan, Assistant (BPS-14) | -do- |

Consequent upon their promotion, they are adjusted / posted in the station noted against each below.

| S. No. | Name of Official | Placement |
|--------|--|--|
| 1. | Mr. Maula Dad Khan, Assistant (BPS-14) | Veterinary Research & Disease Investigation Center, D.I.Khan. |
| 2. | Mr. Ahmad Khan, Assistant (BPS-14) | Veterinary Research & Disease Investigation Center, Balogram Swat. |

Note: - They are on probation for a period of one year which may be extended for another one year.

(GHUFRAN ULLAH, Ph.D.)
Director General (Research)

No. DG (R) L&DD/Est. II (190)/V.IV/2010/12043-52 Dated Peshawar the 8/09/2013

Copy of the above is forwarded for information and necessary action to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, Livestock Research & Development, Khyber Pakhtunkhwa, Peshawar.
3. The Principal Research Officer/Regional Director, Veterinary Research & Disease Investigation Centre, D.I.Khan.
4. The Principal Research Officer/Regional Director, Veterinary Research & Disease Investigation Centre, Balogram Swat.
5. The District Accounts Officer, D.I.Khan.
6. The District Accounts Officer, Swat.
7. Mr. Maula Dad Khan, Assistant, through PRO/Regional Director, Veterinary Research & Disease Investigation Center, D.I.Khan.
8. Mr. Ahmad Khan, Assistant through PRO/Regional Director, Veterinary Research & Disease Investigation Center, Balogram Swat.
9. Personal Files Of the officials concerned.
10. Office Order file.

(GHUFRAN ULLAH, Ph.D.)
Director General (Research)

18/9/13

M. Adria Advocate

12

Answer D

INSTITUTE OF
LIVESTOCK RESEARCH AND DEVELOPMENT
- KHYBER PAKHTUNKHWA, PESHAWAR

COMPARATIVE STATEMENT FOR THE TENDER OPENED ON 30/07/2018 IN LIGHT OF
TECHNICAL (FINANCIAL) EVALUATION COMMITTEE FOR THE YEAR 2018-19 FOR POULTRY FEED
FOR KHYBER PAKHTUNKHWA.

| S.No | Particulars | Specifications | M/S Hanifullah Awan & Brothers Rs/Kg | M/S Syed Bothers Rs/Kg | M/S Gul Traders Rs/Kg | M/S Sarhad Traders Rs/Kg | M/S Muzamil & Brothers Rs/Kg |
|------|---|---|--|------------------------------|-----------------------------|--------------------------------|------------------------------------|
| 1 | Starter for Broiler | As per set standards with minimum CP level of 19-20 | 53 | 52.4 | 57.36 | 46.82 | 59 |
| | Grower for Broiler | As per set standards with minimum CP level of 13-19 | 53 | 52.4 | 57.36 | 46.5 | 59 |
| | Finisher for Broiler | As per set standards with minimum CP level of 13-19 | 53 | 52.4 | 57.36 | NQ | 59 |
| 2 | Starter, Grower, Pre Layer & Layer Feed for Layer Birds | As per set standards with minimum CP level of 16-17% | 53 | 51.2 | 57.36 | 45.78 | 59 |
| | | As per set standards with minimum CP level of 19-20, 16-17, 15-16 & 17-18% respectively | 53 | 52 | 57.36 | 44.94 43.88 | 59 |
| 3 | Starter, Grower, Pre Layer & Layer Feed for Breeder Flock | As per set standards with minimum CP level of 19-20% | 53 | 52 | 57.36 | 47.24 46.5 | 59 |

S. T. C
M. Arif Advocate

Remarks:

M/S Sarhad Traders quoted lowest rate for items at S.No. (01 starter and grower only), 02 & 03 and approved.

(Handwritten signatures and initials)

13

Amman E



GOVERNMENT OF KHYBER PAKHUNTKHAWA
POULTRY RESEARCH INSTITUTE JABA, MANSEHRA

Ph:0997-410028-29:pri.mansehra@gmail.com

Dated:25/07/2019

No:PRI/RO/FM/19-20/01

Diary No: 74
Date: 26-7-2019
Poultry Research Institute
Jaba Mansehra

To
The Director,
PRI, Jaaba Mansehra.
Through: Proper Channel

Subject: PROVISION OF PENDING FEED

Respected Sir,

With reference to the subject cited above it is stated that the feed is direly need for farm section .The bill for the year 2018-19 already verified by the undersigned and the feed i pending on the part of contractor. In this connection it is requested to approach the quarter concern for the provision of pending feed on urgent basis please. Report is submitted for further necessary action please.

Dr. MALIK MOHSIN ALI
Research Officer
RO/ Farm Manager
Jaaba Mansehra

skd
referred to the Director
Advocate
Director
Re. report on the contractor please
1/c. S. Khan
25/7/19
26/7/19

Thirty six bags layer feed is pending from contractor side
26-7-19
Dr. MALIK MOHSIN ALI
Research Officer
Poultry Research Institute
Jaaba Mansehra



POULTRY RESEARCH INSTITUTE
Directorate of Livestock Research and Development
Khyber Pakhtunkhwa

14

F



Dated: 29/7/2019

No. PRI/M F-65/ 2018-19/ 85-86

To

M/S Sarhad Trader,
25-Ground Floor, Malik Tower Pajagi Road,
Peshawar.

Subject: OUTSTANDING 36 BAGS OF POULTRY FEED

As the fiscal year 2018-19 is being closed, it has been brought to the knowledge of this office that 36 bags of layers feed is yet to be supplied by you to this institute (statement of Farm Manager attached). In order to close down the feed account with your firm, you are desired to supply us the 36 bags of layer feed on urgent basis, so as to avoid any production loss at the poultry farm of the institute. The supply must be insured within three days of the issuance of this demand, failing which disciplinary action may be initiated against your firm.

4. 1. 2411
(DR. MUHAMMAD AYAZ)
DIRECTOR

Copy of the letter is forwarded to the Director, Livestock Research & Development, Khyber Pakhtunkhwa Peshawar with the request to facilitate this office in the process of clearance with M/S Sarhad Trader, 25-Ground Floor, Malik Tower Pajagi Road, Peshawar.

(DR. MUHAMMAD AYAZ)
DIRECTOR

T.C
Avif Advocate
25-7-2019

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Annex
G



SARHAD TRADERS

Deals in Medicine, Equipment, Seeds, Fertilizer, Pesticide & General Order Supplier

Date: 17.11.2019.....

Sr. No:

Total Payment Received From PRI Manshera Rs = 301,937/-

Cash paid to store keeper PRI Manshera Rs = 280,000/-

Cheque clearing Bank charges of Sarhad Traders Bank Account -937

Net Balance

Rs = 21000/-

Cash Paid to Mr. Ahmad Khan DDO PRI Manshera Rs = 21000/-

Balance Nil

SARHAD TRADERS
25, 26/A, GROUND FLOOR,
MALIK TOWER, PAJAGI ROAD, PESHAWAR.
TEL: 091-5243742

Arif
C.T. 12/11/19
Indi
M. Arif Advocate 25-11-2019

Received 21000/- only
on 12/11/2019.
Manshera

Stamp: 13/11/19



VETERINARY RESEARCH & DISEASE INVESTIGATION CENTER
MANDIAN ABBOTTABAD

Website: www.vrdic.gov.pk
E-MAIL: vrdic@vrdic.gov.pk
PHONE NO: 0992-412110

Date: 01-10-2019

No. VVDIC/SRO/FC/58

To: The Director General (Research)
Livestock & Dairy Development Department
Hyder Pakhtunkhwa, Peshawar

Subject: **NOTIFICATION**

Kindly refer to your good office Notification vide No. DD(K)/Acct(26)/2017/7208-13 dated 27-08-2019.

Enclosed the fact finding inquiry report on a complaint lodged by Director, Poultry Research Institute, Jaba Manshra against M/S Sarhad Traders, 25 Ground Floor, Malik Tower Fajgi Road, Peshawar being lowest quote regarding non-provision of 36 Bags of Poultry Layer Feed No.13 during FY 2018-19 as desired, please.

Encd: As detailed above

(Signature)
(Dr. Muhammad Sajid)
SRO/Inquiry Officer

(Signature)
02/10/19

ADVOCATE

EXHIBIT A

MA
FILE

Director (Research)
Livestock Development Dept.
Peshawar

Notification

on a complaint
against M/S
Sarhad Traders
No. 13

17

CONFIDENTIAL

Fact Finding Inquiry Report on a complaint lodged by Director, Poultry Research Institute, Jaba Manshra against M/S Sarhad Traders, 25-Ground Floor, Malik Tower Pajagi Road, Peshawar being lowest quoter regarding non-provision of 36 bags of Poultry Layer Feed No.13 during the FY 2018-19.

I. PREAMBLE

- I. A contract agreement to supply the Poultry Feed during FY 2018-19 to Poultry Research Institute (PRI) Jaba Manshra on 03-10-2019 as and when required basis was signed between Director PRI Jaba Manshra "Party-A" and M/S Sarhad Traders 25-Ground Floor, Malik Tower Pajagi Road, Peshawar "Party-B" being the lowest quoter of Feed Tender for the year 2018-19 (Annex-A).
- II. Apparently Party-B had fulfilled the contractual obligation and made proper supply up to 31-05-2019 without any complaint.
- III. In the month of June, 2019 two orders dated 14-06-2019 and 17-06-2019 for supply of Poultry Feed No.13 quantity 4800Kg and Feed No.14 quantity 1557Kg amounting to Rs. 296,099/- were placed but Party-B failed to supply the requisite feed till 30-06-2019 and made cash payment of worth Rs. 280,000/- against cheque amount Rs. 279,814/- (after necessary deduction by account office Manshra) in the month of July, 2019.
- IV. As a result of complaint, lodged by Director, PRI Jaba Manshra, committee was constituted vide Director General (Research) Livestock & Dairy Development Department, Khyber Pakhtunkhwa, Peshawar Notification No. DG(R)/Accia/26/2017/7208-13 dated 27-08-2019 (Annex-B) specifying the following three (03) areas in the TORs to be investigated:
 - 1. To ascertain the factual position/cause of non-provision of 36 bags of Poultry Layer Feed No.13 to PRI Jaba Manshra.

C.T.C
M. Arif Advocate
25-7-2021

2. To ascertain the late delivery, if any, to the Department and consequent thereof.

3. To work out the losses occurred due to non supply or late supply to the Department.

V. In pursuance of the instruction contained in the aforesaid notification the committee properly started its proceedings and report to this effect is appended below.

2. PROCEDURE

I. In order to have an in-depth reviews of the entire matter, it was inevitable to check the record of all the stake holders, hence, the committee proceeded to PRI Jaba Manshra on 17-09-2019 and information regarding issuance of purchase orders and its delivery collected there from are contained in Annex-C.

II. The committee also paid visit to M/S Sarhad Traders 25-Ground Floor, Malik Tower Pajagi Road, Peshawar on 19-09-2019 and during detailed discussion it was revealed that almost all supplies were made properly up to 31-05-2019 as agreed by Store Keeper of PRI Jaba Manshra while the cost of Feed demanded in June, 2019 was paid in cash to purchase the store from open/local market.

III. Similarly, the committee visited Store Section of Veterinary Research Institute, Peshawar and Directorate of Livestock Research & Development Peshawar to confirm the timely delivery or otherwise of the feed and information collected are annexed as Annex-D & E respectively.

3. FINDINGS

Ia. It is evident from record provided by PRI Jaba Manshra (Annex-C) that feed was properly supplied by the contractor up to 31-05-2019 but failed to meet the orders dated 14-06-2019 & 17-06-2019 for supply of Poultry Layer Feed No. 13 quantity 4800Kg and Feed No. 14 quantity

10/11/2019

C.T.R.
M. Arif Advocate
25-11-2021

Page 3 of 5



1557 Kg. However, the claim of Director, PRI Jaba Manshra regarding non delivery receipt of 36 Bags of Poultry Layer Feed No. 13 was totally negated by the contractor (Party-B) stating that cost of entire store viz Rs. 280,000/- was paid in cash to the representative of Director, PRI Jaba Manshra to purchase the feed from open/local market and photocopy of Register containing entry of the said payment was also provided in support of his verbal statement (Annex-F).

b. Keeping in view the situation aroused due to cash payment and to confirm the receipt/further disposal the committee revisited PRI Jaba Manshra on 26-09-2019 and it was revealed that cash payment of worth Rs. 280,000/- was received by Mr. Arshad Iqbal (Store Keeper of PRI Jaba Manshra) as confirmed through his written statement (Annex-G) and was deposited into the personal account viz Account No. HABB 00-02240093382003 HBL B/S Main Bazar Mingora Swat of Mr. Ahmad Khan as evident from pay-in-slip (Annex-H) which seems to be an irregular process. On further investigation, it was revealed that Mr. Ahmad Khan had paid back worth Rs. 255,000/- instead of Rs. 280,000/- to Dr. Malik Mohsin Ali, Farm Manager PRI Jaba Manshra as evident from his written statement (Annex-I) for purchase of feed which gives a smell of embezzlement of Rs. 25,000/- on the part of Mr. Ahmad Khan the then DDO of PRI Jaba Manshra.

c. In this connection, when inquired, Mr. Ahmad Khan has admitted the receipt of Rs. 280,000/- from contractor through Arshad Iqbal, Junior Clerk of PRI Jaba Manshra and submitted the detail of expenditure (Annex-J) which seems to be doubtful e.g.

A/S
21/10/19

- i. Bill in respect of M/S Farhan Poultry (Annex-J-II) on simple plain paper for Rs. 5700/- has been amended as Rs. 5700/- instead of Rs. 57000/- hence declared doubtful.
- ii. Bill in respect of M/S Kissan Poultry (Annex-J-III) has also been amended to bring the amount and description of feed just to justify the payment.

C.T.S

M. Arif Advocate
25-1-2021

Similarly, receipt provided (Annex-I) paper showing payment of Rs. 25000/- to SB is unjustified and is not supposed to be admitted in audit.

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The matter was further investigated in the context of complaint of non/less-receipt of 36 Bags of Poultry Layer Feed No.13 as well as cash payment made by contractor (Party-B) and it was revealed that the contractor had made payment @ Rs. 46.51/- per Kg of Feed No.13 and Rs. 46.82/- per Kg of Feed No.14 (Contract/Quoted Price) while due to upward inflation (Price Hike) the cost of feed was Rs. 56.04/- per Kg. As such 4550Kg (91 Bags) of feed for amounting to Rs. 255,000/- was purchased from open/local market and 1807Kg (36.14 Bags) of feed stands pending (Annex-I) i.e. 1269.4Kg (25.39 Bags) of feed price hike against the contractor and 537.6Kg (10.75 Bags) of feed (Annex-K) due to difference in payment of Rs. 25000/- against Mr. Ahmad Khan the then DDO of PRI Jaba Mansehra.

As regard overall performance of the contractor the purchased order placed by Director, Livestock Research & Development, Peshawar on 27-05-2019 (Annex-E) was due to be delivered by 11-06-2019 but he failed to do so despite two reminders (Annex-L & M) and elapsed of FY 2018-19 which shows his carelessness and ignorance probably due to small order in violation of agreed terms and conditions of the contract.

On the other hand, Store Keeper of Veterinary Research Institute, Peshawar has confirmed the satisfactory performance of contractor regarding timely supply of feed (Annex-D).

CONCLUSION

Notwithstanding anything contained in the preceding para. the committed was reached at the conclusion that cost of 1269.4Kg (25.39 Bags) of Poultry Layer Feed No.13 is required to be recovered from contractor as he was bound to supply the same in full quantity irrespective of price hike of feed while, beside Departmental Action/Inquiry, Mr.

C.T.R.
M. Arif Advocate
25-1-2021

Ahmed Khan the then DDO of P.R.I. Jaha Manshra is responsible to make good the deficiency of 937.6Kg (10.73 Bags) of Poultry Layer Feed No. 13 (if otherwise deemed necessary).

So far as overall performance of the contractor, M/S Farhad Traders, 25-Ground Floor, Malik Tower Pajagl Road, Peshawar is concerned. Firstly, he failed to supply Poultry Layer Feed No.13 quantity 4800Kg and Feed No.14 quantity 1557Kg (Total 127.14 Bags) in stipulated period of time, i.e. 30-06-2019. Secondly, he did not pay heed to the supply order of 24 Bags of Broiler Starter Feed placed by Director, Livestock Research & Development Khyber Pakhtunkhwa Peshawar on 27-05-2019, hence rendered himself liable to be proceeded against under Rule 44(B) of Khyber Pakhtunkhwa Public Procurement of Goods, Works and Services Rules, 2014.

(Dr. Anwar Mehmood) 01/10/2019
Member Inquiry Officer

(Dr. Muhammad Sadiq)
SRD/Inquiry Officer
Advocate

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Annex 1

478

Q.12.26 (P.R.I. Jabbal)



DIRECTORATE GENERAL (RESEARCH)
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR
Ph#091-9210248, 9210218-19, Fax# 091-9210220
Website: (www.ldr.kpdata.gov.pk) Email: dg.ldr@kp.gov.pk
www.facebook.com/livestockresearchkp/https://twitter.com/livestockreskp



1937
9210248/1891

No. DGR/L&DD/Acctt (26)/17/Vol-II/ 89.54
Dated Peshawar the 5/11/2019

To

The Director,
Livestock Research & Development,
Khyber Pakhtunkhwa, Peshawar

Subject:

CHARGE SHEET

Reference to the subject cited above.

As per findings of the preliminary inquiry Mr. Ahmad Khan, Assistant and Mr. Arshad Iqbal, Junior Clerk / Store Keeper of Strengthening of Poultry Section in Khyber Pakhtunkhwa Jaba Mansehra, has been found involved in the irregularities in the procurement of feed in June, 2019. The charge sheet and statement of allegation is enclosed which may be served upon the accused officials with intimation to this office.

[Signature]
DIRECTOR GENERAL
(RESEARCH)

No. DGR/L&DD/Acctt (26)/17/Vol-II/ 89.56

Dated Peshawar the 5/11/2019

Copy of the above is forwarded to:-

- 01 Dr.Hameed Ullah, Principal Research Officer/Regional Director/ Chairman Inquiry Committee, Veterinary Research & Diseases Investigation Center, Abbottabad.
- 02 Mr. Shahid Hussain, Assistant, Veterinary Research & Diseases Investigation Center Abbottabad.

With the instruction to complete the formal inquiry within given time and submit report with clear findings & recommendations.

C.T.C
M. Arif Advocate
25-11-2019

[Signature]
DIRECTOR GENERAL
(RESEARCH)

23

CHARGE SHEET

I, I, Dr. Mirza Ali Khan, Director General (Research) Livestock & Dairy Development Department, Khyber Pakhtunkhwa, as Competent Authority, hereby charge you, **Mr. Ahmad Khan**, Assistant (BPS-16), Poultry Research Institute (PRI), Jaba Mansehra, Livestock & Dairy Development Department (Research Wing) as follows:

That you while posted as Assistant and working as Drawing & Disbursing Officer (DDO) Poultry Research Institute (PRI), Jaba Mansehra, committed the following irregularities:

- I. You paid a cheque amounting to Rs. 296,099 to M/S Sarhad Traders on account of purchase of 6357 Kg of poultry feed (4800 Kg Feed # 13 and 1557 Kg Feed # 14) to PRI Jaba in June 2019, despite the fact that the feed was neither supplied nor received by the end user at the farm. Instead, the supplier paid Rs. 280,000 in cash, which was then online transferred on 04.07.2019 to your personal bank account at HBL Mingora Swat.
- II. You misappropriated Rs. 255,000/- by producing fake, forged and tempered documents before the inquiry committee for the expenditure incurred on various items including feed against the online transferred funds of Rs. 280,000/-.
- III. You embezzled public money amounting to Rs. 25,000/- (280,000 - 255,000) brazenly and failed to perform your assigned duties honestly.

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

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

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

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

statement of allegation is enclosed.

C.T.C.
M. Arif Advocate

DIRECTOR GENERAL
L&DD (Research) Khyber Pakhtunkhwa

(24)

[Handwritten mark]

DISCIPLINARY ACTION

I, Dr. Mirza Ali Khan, Director General (Research) Livestock & Dairy Development Department, Khyber Pakhtunkhwa, as Competent Authority, am of the opinion that **Mr. Ahmad Khan**, Assistant, the then DDO, Poultry Research Institute (PRI), Jaba Mansehra, Livestock & Dairy Development Department (Research Wing) has rendered himself liable to be proceeded against, as he committed the following acts / omissions, within the meaning of Rule-3 of Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline Rules-2011.

STATEMENT OF ALLEGATION

- I. He paid a cheque amounting to Rs. 296,099 to M/S Sarhad Traders on account of purchase of 6357 Kg of poultry feed (4800 Kg Feed # 13 and 1557 Kg Feed # 14) to PRI Jaba in June 2019. But the feed was neither supplied nor received by the end user. Instead, the supplier paid Rs. 280,000 in cash, which was then online transferred to the personal bank account of Mr. Ahmad Khan.
- II. He misappropriated Rs. 255,000/- by producing fake, forged and tempered documents before the inquiry committee for the expenditure incurred on various items including feed against the online transferred funds of Rs. 280,000/-.
- III. He embezzled public money amounting to Rs. 25,000/- (280,000 - 255,000) brazenly and failed to perform his assigned duties honestly.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer / inquiry committee, consisting of the following, is constituted

under Rule-10(1) (a) of the ibid rules.

S.T. [Handwritten]
M. Avif Advocate [Handwritten]
Dr. Hamidullah

Principal Research Officer/Regional Director, VR&DIC Abbottabad

ii. Mr. Shahid Hussain

Assistant, Veterinary Research & Disease Investigation Centre, Abbottabad

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

4. The accused and a well conversant representative of the Directorate shall join the proceedings on the date, time and place fixed by the inquiry officer / inquiry committee.

[Handwritten signature]
DIRECTOR GENERAL

25 Annamary



POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA

Ph/Fax: 0997-410028



No. PRI/Estt. Inquiry/2019/ 358-59
To

Dated Jaaba the 12 /11/2019

1. Dr. Hamid Ullah PRO/Regional Director
VR&DIC Abbottabad.
2. Mr. Shahid Hussian
Office Assistant VR&DIC Abbottabad.

Through Director PRI Jaaba Mansehra.

Subject : REPLY OF CHARGE SHEET.
Respect Sir.

It is with the reference of the charge sheet received from the Director General (Research) Livestock & Dairy Development Peshawar vide letter No. DG/L&DD/Acctt(26)/17/Vol-II/8954 Dated 05-11-2019. In this connection the annotation reply is being given below:

It is being stated that inquiry committee did not hear me in person.

| S. No | Charge Sheet | Reply of Charge Sheet |
|-------|---|---|
| 1 | You paid a cheque amounting to Rs. 296099/- to M/S Sarhad Traders on account of purchase of 6357 Kg of Poultry feed (4800Kg Feed #13 and 1557 Kg Feed #14) to PRI Jaaba in June, 2019 despite the fact that the feed was neither supplied nor received by the end user at the farm. Instead, the supplier Paid Rs. 280,000/- in cash, which was the online transferred on 04-07-2019 to your personal bank account at HBL Mingora Swat. | In response of the demand of Farm Manager, the undersigned processed the bill of feed for M/S Sarhad Traders Peshawar Amounting to Rs. 301937/-. The case was checked in detail and found correct, hence submitted to District Account Officer Mansehra for further processing. Cheque No. 1771646 Amount to Rs. 22123/- and Cheque No. 1772147 Amount Rs. 279814/- (Annex-A) received by undersigned and handed over to Concerned Firm on 28/06/2019 through Proper Receipt 1009 & 1012-14. (Copy enclosed as Annex-B) On 03 July 2019 the Farm Manager told me verbally that the feed is not supplied by Firm and bill as signed just to prevent the laps of budget. I discussed the issue with Director PRI Jaaba he directed me to call Sarhad traders Peshawar and collect feed after the consulting with firm the Sarhad Trader Peshawar reply with the remarks that due to fluctuation in rate and strike of transportation, we are not able to supply your feed. The Director PRI directed to undersigned to collect money from Sarhad Traders Peshawar (verified by the Director PRI Jaaba) and I advised to Junior Clerk for collection of feed money (On that day he was on approved tour to Peshawar). The Amount of Rs. 280000/- received |


2411
13/11/19

CT.S
Shahid Hussian
25-11-2019
M. Arif Advocate

| | |
|---|--|
| <p>You misappropriated Rs. 255,000/- by producing fake, forged and tempered documents before the inquiry Committee for the expenditure incurred on various items including feed against the online transferred funds of Rs. 280,000/-</p> | <p>by Junior Clerk / Store Keeper. The Farm Manager PRI required feed on urgent basis therefore I called to Junior Clerk for deposit this amount to my salary Bank Account in HBL (for safety purpose of money in the best interest of institute).</p> <p>Please detail of Rs.301937/- instead of Rs.280,000/- detail is below:</p> <ul style="list-style-type: none"> i. RS. 136500/- Paid to Farm Manager for purchased of feed (Detail Receipt attached). As Annex-C ii. RS. 15000/- Paid to Farm Manager for purchased of feed Through Muhammad Ayaz Naib Qasid PRI (certificate attached). As Annex-D iii. RS. 120450/- Paid to Farm Manager for purchased of feed (Receipt of bags attached). As Annex-E iv. Rs.426/- Bank online charges v. Balance amount to Rs.7624/- deposited with cashier of PRI (Receipt is attached) Annex-F <p>Paid amount to Sarhad Trader Peshawar Total Rs. 301937/- and (-Rs.937 bank online charges deducted from Sarhad Traders Peshawar.) And the remaining amount Rs. 21000/- was retained by supplier as his profit, on the departmental inquiry, the supplier handed over this remaining amount (Rs.21000/-) to undersigned on 12/11/2019 (As Annex-G), this is also deposited with the cashier of PRI (proof statement photo copy of M/S Sarhad Traders attached herewith for ready reference and receipt of cashier) As Annex-H.</p> |
| <p>3 You embezzled public money amounting to Rs. 25000/-(280,000-255,000) brazenly and failed to perform your assigned duties honestly.</p> | <p>The undersigned not done any embezzlement/corruption the detail is already provided in reply to query No.02 please.</p> |

Also requested for personal hearing please

2411
13/11/19



Ahmad Khan
12/11/19
AHMADK KHAN
Office Assistant

S.T.C
M. Arif
2021-2021
M. Arif Advocate

27

~~Arif~~

2019

1771646

21.06.2019

GOVERNMENT OF KHYBER PAKHTUNKHWA



0060001771646
Cheque No: 004723

NON FOOD A/C (KANS) Pre-Audit Cheque

Date

Department

Office of ~~Director of Poverty sector~~ ~~to EPP~~

On the State Bank of Pakistan
SARHAD TRADERS

National Bank of Pakistan

Not Payable
After 30-06-2019

Ks.

Rupees _____ TWENTY-TWO THOUSAND ONE HUNDRED TWENTY-THREE ONLY

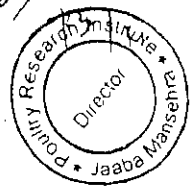
District Accounts Officer
Manshera

and charge the same against the account of the Government of Khyber Pakhtunkhwa
N.B. This cheque is current for three months only after the month of issue.

1000000 Ks 201231

AO 3201

MW



C.T.C
M. Arif Advocate
25-7-2021

28

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GOVERNMENT OF KHYBER PAKHTUNKHWA

Cheque No. 1772147

26.06.2019

0000001772147

Token No: 004948

NON FOOD A/C MAHS

Pre-Audit Cheque

Dated

A/C No.

A/C Type

Not Payable

After 30-06-2019

Amex SA

Department

Strengthening of Poultry sector in KPP

Office of the State Bank of Pakistan

National Bank of Pakistan

Pay to

Rs. 279,814/-

Rupees

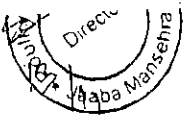
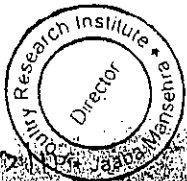
TWO HUNDRED SEVENTY-NINE THOUSAND EIGHT HUNDRED FOURTEEN ONLY

District Accounts Assistant Accounts

and charge the same against the account of the Government of Khyber Pakhtunkhwa
N.B. This cheque is current for three months only after the month of issue.

DO NOT WRITE BELOW THIS LINE

EVC # 24



Receiver Signature

Head Office: 25-26/A Ground Floor, Mall Tower Pajagi Road Peshawar

C.T.C

M. Arif Advocate

(29)

SARHAD TRADER PESHAAR

~~Account - B~~

(2)

Date: 28-06-2019

Receipt

S.no: 1009

Received with thanks a sum of Rs: 22123

From: Director Poultry Res) Institute Jaba Mansehra

Through (Cheque/Cash/DD) No. 1771646

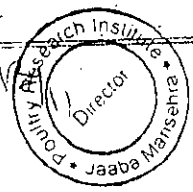
Dated on: 21-6-2019

On Account of Bill No.: Poultry Feed

RECEIVED
DIRECTOR
PULTRY RESEARCH INSTITUTE
JABA MANSEHRA

Receiver signature

Head Office: 25-26/A Ground Floor Mallh Tower Pajagi Road Peshawar



C.T.C.

M. Arif Advocate
25-1-2021

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~~Annex~~

(KTE)

SARHAD TRADER PESHAWAR

Date: 28-06-2019

Receipt

S.no: 1012-14

Received with thanks a sum of RS: 279814

From: Director Poultry Res) Institute Jaba Mansehra

Through (Cheque/Cash/DD) No. 1772147

Dated on: 26-6-19

On Account of Bill No.: Poultry Feed



SARHAD TRADERS
25, JABA GROUND FLOOR,
MALIK TOWER PESHAWAR ROAD, PESHAWAR
7243747
Receiver Signature

Head Office: 25-26/A Ground Floor Malik Tower Pajagi Road Peshawar

C.T.S
M. Arif Advocate
25-1-2021

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POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA
Ph/Fax: 0997-410028



RECEIPT

Certified that I have received Rs: 136500/- (One Lac Thirty Six Thousand Five Hundred only) from Mr. Ahmad Khan Office Assistant for purchase of Poultry Feed. on 22/7/2019.

As Admitted by Dr. Mohsin
13/11

13-11-2019
DR. MALIK MOHSIN ALI
R.o/Farm-Manager

C.T.C

M. Arif Advocate
25-1-2021

6

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POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA
Ph/Fax: 0997-416028



CERTIFICATE

I hereby certified that I handed over Rs. 15000/- (Rupees Fifteen Thousand Only) to Dr. Malik Mohsin Ali RO-FM of this institute on behalf of Mr. Ahmad Khan Office Assistant.

Attested
As admitted by Mr. Ayaz NA
4 + 2 cells

M
13/1/19

MUHAMMAD AYAZ
Naib Qasid

C.T.S

M. Arif
25-1-2021
Advocate

33



POULTRY RESEARCH INSTITUTE
DISTRICT MANSEHRA
Ph/Fax: 0997-410028

TE JABA



RECEIPT

Certified that I have received 36/ Bags Feed No #14 and 9 Bags Feed No 13 from Mr. Alimad Khan Office Assistant. *during the month of July 2019.*

*Attested
AS Admin. Staff by Dr. Mohsin
11/11/19*

13-11-2019
DR. MALIK MOHSIN ALI
R.o/Farm Manager

(10/11)

S.T.C.
M. Arif Advocate
25-1-2021

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POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA

Ph/Fax: 0997-110028



RECEIPT

Certified that I have received Rs: 7624/- (Seven Thousand Six Hundred and Twenty four only) from Mr. Ahmad Khan Office Assistant for purchase of Poultry Feed.

Ahmad Khan

4 A - 2 (11)

M. Arif
13/6/21

MR. ABDUL KHABER
C.o/Cashier

C.T.C

M. Arif Advocate
25-1-2021



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SARHAD TRADERS

Deals in Medicine, Equipment, Seeds, Fertilizer, Pesticide & General Order Supplier

Date: 17/11/2019

Sr. No:

Total Payment Received From PRI Manshera Rs = 301,937/-

Cash paid to store keeper PRI Manshera Rs = 280,000/-

cheque clearing Bank charges of
Sarhad Traders Bank Account -937

Net Balance Rs = 210,937/-

Cash paid to Mr. Ahmad Khan DDO PRI Manshera Rs = 210,000/-

Balance Nil

SARHAD TRADERS
25-26/A GROUND FLOOR,
MALIK TOWER, PAJAGI ROAD, PESHAWAR.
TEL: 091-5243741

C.T.C. *[Signature]*
12/11/19
[Signature]
M. Arif Advocate 1357-2021

[Signature]

Received 210000/-
on 12/11/2019.
[Signature]

13/11/19

H

36



POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA
Ph/Fax: 0997-410028



RECEIPT

Certified that I have received Rs: 21,000/- (Twenty One Thousand only) from Mr. Ahmad Khan Office Assistant for purchase of Poultry Feed.

Ahmad Khan

2/11/21

13/11/21

MR. ABDUL KHABER
C.O/Cashier

C.T.C

M. Arif Advocate
25-11-2021

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Annex L

POULTRY RESEARCH INSTITUTE JAABA DISTRICT MANSEHRA

PHONE NO.0997-4100

Dated Jaaba the 25/11/2019

No.PRI/EST/2018-19/INQUIRY/

To
The Regional Director
VR&DIC Abbotabad

Subject: **PROVISION OF RECORD**

Reference your letter No.RD/VR&DIC(100)/2015-16/536 dated 20/11/2019 on the subject cited above.

The detail of money trail of Account No.02210093382003 is below as required.

| S.No | Dated | Amount | Reply | Remarks of HBL Bank |
|------|------------|--------------------------|---|---------------------|
| 1 | 03-04-2019 | Rs.100,000/- | Online From KDA Market Branch Karachi | verified |
| 2 | 02-05-2019 | Rs.100,000/- | Through Bank Al Habib ATM Online | " |
| 3 | 02-05-2019 | Rs.34,800/- | Through Bank Islamia ATM Online | " |
| 4 | 03-06-2019 | Rs.15,000/- | Through Anwer Said Bunner Online | " |
| 5 | 22-07-2019 | Rs.49,630/- | Through Naveed Iqbal Timergara Dir Online | " |
| 6 | 01-08-2019 | Rs.34,000/- ^s | Online from Mansehra (TA Bills) | " |
| 7 | 04-11-2019 | Rs.22,000/- | Online from Mansehra (TA Bill) | " |

C.T.C.
M. Arif Advocate
25/11/2019

ANMAD KHAN
OFFICE ASSISTANT
Dated Jaaba the 25/11/2019

No.PRI/EST/2018-19/INQUIRY/
Forwarded to the Regional Director VR&DIC Abbotabad with reference his quoted above letter please.

DR.MUHAMMAD AYAZ
DIRECTOR

verified
Muhammad Nasir
Operation Manager Mingora
PA # 14578

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Amara M

352
17/12/19



NATIONAL VETERINARY RESEARCH & DISEASE INVESTIGATION CENTER
MANDIAN ABBOTTABAD

PHONE NO: 0992-112110

Dated: 13/12/2019

NO. 17/12/19 (100) 2019-16/575

Mr. Amjad Khan
Office Assistant/Ex. DDO
Poultry Research Institute
Jinnah University


Through: Station Director, P.R.I. Mandian Abbottabad

Subject: SHOW CAUSE NOTICE

Reference to Director General (Research) show cause notice vide No. DC/PR/IC/DD/AC/1(28)/17/50/11/5037 Dated 04-11-2019.

Your reply submitted vide No. Nil dated 13-11-2019 was thoroughly examined and found **NOT SATISFACTORY**.

Therefore you are hereby directed to appear in person before the inquiry committee for personal hearing on 26/12/2019 at 10am in the office of undersigned.

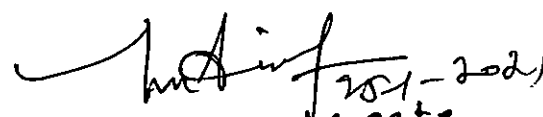

(DR. HAMIDULLAH)
PRO/Inquiry Committee

No. 1 dated 13/12/19

Copy of the above is forwarded to The Director General (Research) P.R.I. and Dairy Development Department, Khyber Pakhtunkhwa, Peshawar with the request for nomination of two conversant representatives of the staff for purpose of hearing under Efficiency & Discipline Rules 2015.

(DR. HAMIDULLAH)

in for O/A on Tel. Director
OK 17/12
11/12/19

C.T.C

M. Arif Advocate

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Annex N

QUESTIONARE REGARDING FORMAL INQUIRY AGAINST MR. AHMAD KHAN
OFFICE ASSISTANT (BS-16) POULTRY RESEARCH INSTITUTE JAABA
MANSEHRA (Mr. Ahmad Khan, O/A).

Refer to your reply to the charge sheet, the inquiry committee needs further clarification of the following:

1. What's your statement about the ambiguous expenditure worth Rs: 663,331/-

Please justify the below amount.....

DPL Rs : 421000/-

Hot & Cold Rs : 123750/-

POL Rs : 32582/-

Drug & Medicine Rs : 26000/-

Repair Office Building Rs : 59999/-
=Rs: 663331/-

2. Please verify the 36 feed bags not provided to the concerned officer?

3. Please provide the money trail of Rs: 299430/- in detail?

4. Why the DPL'S were paid in cash instead of cross cheque?

5. According to the preliminary inquiry, under different codes payment made without obtaining receipts from concerned firms, bills not verified by DDO & concerned officer/official. Clarify please?

6. Being a DDO, why the cash book is not being properly maintained?

C T C
M. Arif
Advocate
25/1-2021

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Annex O



POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA

Ph/Fax: 0997-410028



Dated Jaaba the 03 /03/2020.

No. PRI/Estt. Inquiry/2019/

Reference your questionnaire regarding formal inquiry Dated 02-03-2020.

The reply is being given below:

| S. No | Questionnaire Para | Reply |
|-------|---|---|
| 1 | <p>Whats your statement about the ambiguous expenditure worth Rs.663,331/-</p> <p>i. DPL Rs.421000/-</p> <p>ii. Hot & Cold Rs.123750/-</p> <p>iii. POL Rs.32582/-</p> <p>iv. Drug & Medicine Rs.26000/-</p> <p>v. Repair office Building Rs.59999/-</p> | <p>i. The undersigned has paid total amount/salary to all DPL, in cash and receiving has been taken with signature and thumb impressions. Furthermore written statements of the DPL have also has been taken proving no pending amount/salary on behalf of the undersigned. Annex-A</p> <p>ii. Hot and Cold bill passed of Rs.123750/- total bills passed for Rs.400000/- (80 Monds @Rs.1350/-P.M+640 Mond Firewood) and the charcoal +Firewood issued vide store Slip No detail below:</p> <p>CHARCOAL</p> <p>i. 082 dated 02/01/2019 40 mond</p> <p>ii. 048 dated 02/01/2019 514 Kgs</p> <p>iii. 049 dated 02/01/2019 486 Kgs</p> <p>iv. 004 dated 18/01/2019 15 mond</p> <p>FIREWOOD</p> <p>i. 054 dated 6/11/2018 90 mond</p> <p>ii. 062 dated 15/12/18 100 Mond</p> <p>iii. 056 dated 16/11/18 100 Mond</p> <p>iv. 087 dated 15/04/19 150 Mond</p> <p>v. 089 dated 20/11/18 200 Mond</p> <p>Furthermore written statements of the officials of this office have also has been taken proving no pending amount on behalf of the undersigned. Annex-B & C</p> <p>iii. POL Rs.32582/- Purchased 190 liters diesel for farm Generator + 158.5 liters petrol for Admn Generator and issued to farm manager vide store slip No.056 dated 09/05/2019 and log book page No.156 of admn generator. Annex-D</p> <p>iv. Drug Medicine bill Rs.26772/- instead of Rs.26000/- passed and the all medicine issued to Farm Manager vide his Store Slip No.03 dated 31/05/2019 Annex-E</p> <p>v. Repair Office Building bill passed for Rs.82500/- instead of Rs.59,999/- The Repair of Building collected PCI from C&W Department Mansehra and Process all formalities and do the progress of repair work by M/S Aurang Zeb and Sons Building material General order supplier Mansehra. Certificate of work done was obtained from committee members Annex-F.</p> |

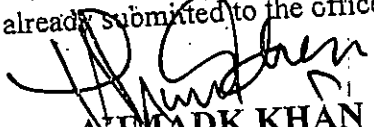
C.T.C

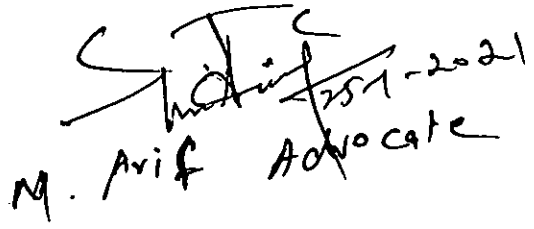
[Handwritten signature]
3-5-1-2020

M. Arif Advocate

| | | |
|---|---|---|
| 2 | Please verify the 36 feed bags not provided to the concerned officer. | 36 feed bags was received by Farm Manager vide store slip No.23 dated 05/12/2019 Annex-G. Also no pending feed bags against undersigned and already issued certificate of no pendency exists now against M/S Sarhad Traders Peshawar on 06/12/2019 Annex-G. |
| 3 | Please provide the money trail of Rs.299430/- in detail. | <ul style="list-style-type: none"> i. Rs.100,000/- on line from HBL KDA Market Branch Karachi (Received from Mr.Abdul Hadi of my cousin living in Malaysia and money the purpose of supporting his family contact Number +60173595213) ii. Rs.100,000/- from Bank Al Habib ATM on line (Received from Mr.Rehman Bangish of my friend living in Saudi Arab for purpose of his work in islamabad). iii. Rs.34,800/- from Bank Islamia ATM on line (Received from Mr. Alamgir Bacha of my cousin living in Malaysia and money the purpose of supporting his family contact Number +60162436510) iv. Rs.15,000/- on line Through Anwer Said Bunner (Received from Mr.Abdul Hadi of my cousin living in Malaysia and money the purpose of supporting his family contact Number +60173595213)) v. Rs.49,630/- on line from through Naveed Iqbal Timergara Lower Dir (Received from Mr.Sherin Zada Brother in law). Annex-H |
| 4 | Why the DPL's were paid in cash instead of cross cheque | The cheque was issued in the name of DDO therefore the undersigned has paid total amount/salary to all DPL in cash and receiving has been taken with signature and thumb impressions. Annex-I Furthermore written statements of the DPL have also been taken proving no pending amount/salary on behalf of the undersigned. Already provide in Annex-A |
| 5 | According to the preliminary inquiry, under different codes payment made without obtaining receipts from concerned firms, bills not verified by DDO and Concerned Officer/official. Clarify please. | All payment made through firm receipts and all bills verified by concerned officers/officers along with DDO and already checked by Internal Audit party and no para taken against payment made without obtaining receipts from concerned firm and bill not verified by DDO and concerned officer/officials. |
| 6 | Being a DDO why the cash book is not being properly maintained. | The Cash book properly maintained and already checked by Internal Audit party and no para taken about cash book. |

My present reply to the questionnaire served by the inquiry committee may be considered my to the charge sheet and my previous reply to the charge sheet already submitted to the office of DG(R) L&DD may not be consider please.


AHMADK KHAN
 Office Assistant/ex DDO


 M. Arif Advocate

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Annex P

FORMAL INQUIRY AGAINST MR. AHMAD KHAN OFFICE ASSISTANT (BS-16)
POULTRY RESEARCH INSTITUTE JAABA MANSEHRA

BACKGROUND:

In pursuance to the complaint lodged by Director Poultry Research Institute Jaaba Mansehra and fact finding inquiry report against Ahmad Khan Office Assistant (BPS-16) the competent authority constituted a formal inquiry committee vide Notification No.DG (R)/L&DD/E-II (169)/2018/Vol-IV/4136-4 dated 14/05/2019 (*Annex-I*) in order to probe in to the allegations levelled against the accused.

PROCEEDINGS:

The Inquiry Committee visited PRI Jaaba Mansehra on 03.032020 in order to probe in to the allegations levelled against Mr. Ahmed Khan Office Assistant PRI, Jaaba Mansehra, wherein Director PRI nominated Dr. Naqash Khalid Research Officer/DDO Departmental Representative to assist inquiry committee vide office order No. PRI/Order F-47/2019-20/522-25 dated: 21-01-2020 (*Annex-II*). Thereafter Questioners were served to the following officers/ officials i.e Director PRI, DDO PRI, Farm Manager PRI and accused Mr. Ahmad Khan Office Assistant, most of the officers/ officials submit their replies along with necessary enclosures (*Copy Annexed*) as mentioned below against each to the inquiry committee on the same day. However, Director PRI submitted his reply late due to his health problem. The inquiry committee requested the DG(R) L&DD for provision of Personal file of Mr. Ahmad Khan Office Assistant and Fact finding Inquiry (*Annex-III*) which were provided by the Office superintendent establishment section along with fact finding inquiry report which was examined in detail in light of the charge sheet and statement of allegations.

| S# | Name of Officers/ Officials | Questioner | Reply |
|------|--|------------|------------|
| 01 | Dr. Muhammad Ayaz Khan Director PRI | Annex-V | Annex-VI |
| 02 | Dr. Yasir Amin SRO (BS-18) | Annex-VII | Annex-VIII |
| 03 | Dr. Zubair Ali SRO(BS-18) | Annex-IX | Annex-X |
| 0204 | Dr. Naqash Khalid RO/DDO | Annex-XI | Annex-XII |
| 0305 | Dr. Mohsin Malik RO/Farm Manager | Annex-XIII | Annex-XIV |
| 0406 | Mr. Ahmad Khan Office Assistant/ Ex- Assistant | Annex-XV | Annex-XVI |

S.T.C
 M. Arif Advocate
 25-1-2021

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ALLEGATIONS/FINDINGS:

In light of the Charge Sheet and Statement of Allegations the findings are as under:

- 1. THAT HE HAS MISBEHAVED WITH AN OFFICER IN THE PRESENCE OF SENIOR OFFICER IN VIOLATION OF OFFICE DECORUM.**

Inquiry Committee deliberately discuss the matter with Director PRI, Dr. Zubair and Mr. Ahmad Khan and question in written was also served and the all stake holders including complainant agreed that the matter was based on a misunderstanding and the verbal apology by the accused (Mr. Ahmad Khan) was also accepted by Dr. Zubair Ali SRO which he has been submitted in written to the inquiry committee (Annex-X). However, the accused is responsible for mis-behavior and may be dealt as per rules.

- 2. THAT HE PAID A CHEQUE OF RS. 296,099/- FOR PURCHASE OF POULTRY FEED TO M/S SARHAD TRADERS, DESPITE THE FACT THE FEED WAS NEITHER SUPPLIED BY THE FIRM NOR RECEIVED BY THE END USER AT THE FARM, INSTEAD THE SUPPLIER PAID RS. 280,000/- IN CASH WHICH WAS THEN TRANSFERRED ONLINE IN TO HIS PERSONAL ACCOUNT.**

As per statement of Accused (Annex-XVI, Q-2), Farm Manager (Annex-XIV-D) and Director PRI (Annex-VI), that the pending 36 bags have been received by the farm manager and no pendency exists against supplier (M/S Sarhad Traders). However, the committee has the opinion that receiving cash from the supplier and transferring of that amount to personal account of the accused instead of actual feed supply by supplier (Annex-IV) and then purchasing feed from local market by the accused is accountable as *Irregularity*.

- 3. THAT HE INCURRED DUBIOUS/AMBIGUOUS EXPENDITURE WORTH RS.663, 331/- THROUGH FORGED/BOGUS BILLS.**

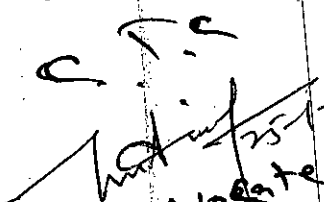
Inquiry committee ask the question from accused to provide reconciled expenditure along with documentary proof where it has been utilized, furthermore, for confirmation and probe the matter in detail, the end users i.e Director PRI, Farm Manager and DDO are also asked to furnish their replies which are as under:

C.T.S

M. Arif Aalwalek

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| S# | Head of Account | Amount | Findings |
|----|-----------------------------------|--------------|--|
| 01 | A01277-DPL | Rs.421,000/- | The accused (Mr. Ahmad Khan Office Assistant) submitted his statement that the amount was utilized for engaging DPL(s), receiving of Payment enclosed (Annex-XVI-A) as per documentary proof which is found valid/ genuine. However, as per Govt: prescribed rules the payment should be made through cross cheque which has not been adopted, therefore, the question was served upon Director PRI and in his reply (Annex-VI-Q7) he stated that "The institute is located in remote area, the local labor is illiterate and reluctant to open bank account, The matter was discussed with DAO and he allowed on the same of DDO". Also according to DPL(s) statement, the bank is 25 KM away from PRI and it is difficult to maintain a bank account. However such practice is objectionable on audit point of view. |
| 02 | A03304 Hot & Cold Weather Charges | Rs.123,750/- | According to the findings of the preliminary inquiry report that a sum of Rs.400,000/- was drawn for purchase of Firewood and Charcoal in which Rs.123,750/- was found embezzle due to its pendency, therefore, the concerned question has been asked from the accused to provide detail and reason for its pendency, the accused submitted all receiving's from end users and entry in stock register as (Annex-XVI-B&C) furthermore, for confirmation of the actual receiving from Farm Manager is enclosed as (Annex-XIV- |


 M. Anif Advocate
 25-1-2021

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| | | | |
|--|--|--|--|
| | | | B&E), therefore, as per available record all pendency have been completed. |
|--|--|--|--|

| | | | |
|----|-----------------------------------|-------------|---|
| 03 | A03807-POL | Rs.32,582 | As per statement of accused the pending POL (120 Ltr) was issued to Farm and Admn block (Annex- XVI-D) which has been confirmed from Farm Manager in his reply and log book (Annex-XIV-A). |
| 04 | A13301- Repair of Office Building | Rs.59,999/- | According to the Statement of Dr. Yasir Amin Senior Research Officer that paint / distemper has been done and rest of work is pending (Annex-VII), however a certificate of committee is enclosed as (Annex-XVII) which shown that no civil work is pending, and Dr. Muhammad Ayaz Director PRI has also confirmed that the Pena flexes have been received to the store section and pasting of these flexes are left over which can be completed in due time. Therefore, it cannot be considered as any deficiency. |
| 05 | A03927- Drug and Medicine | Rs.26,000/- | The left over medicine has been provided to Farm Manager as confirmed from Farm Manager and Stock Register along with Store slips (Anne-XIV-C). |

4. THAT HE WAS ASK TO FURNISH BANK ACCOUNT MONEY TRAIL, DUE TO SOME MYSTERIOUS TRANSACTION OF RS.299,430/- MADE DURING HIS DDO PERIOD, BUT HE FAILED TO DO SO.

The accused submit the detail of his verified bank account that the said amount Rs.299, 430/- was transact in private affairs from different quarter. (Annex XVI-H).

C.T.C
 M. Arif Advocate
 25-1-2021

5. THAT HE FURNISHED EXPENDITURE STATEMENT TO THE INQUIRY COMMITTEE WHICH WAS FOUND FAKE/FORGED/TEMPERED AND DID NOT TALLY WITH THE ACTUAL RECONCILED EXPENDITURE.

During the process of preliminary inquiry most of the items were left over and the receiving's, proper entries in relevant registers were also not found, due to which the reconcile statement did not tally with actual expenditure. However, during the Formal Inquiry the committee examined the evidences available on record in light of the documents provided by accused and end users, which are shown that the deficiencies mentioned in the preliminary inquiry were found completed.

CONCLUSION AND RECOMMENDATION:

As per evidence available on record and thoroughly examination of Preliminary inquiry Report and the replies of its incumbents against their questioners:

1. That the accused is responsible for mis-behavior and may be treated as per rules.
2. That the inquiry committee does not found any major Miss Appropriation except that the expenditure incurred worth Rs.296,099/- for Purchase of Poultry Feed, instead of feed supply by the concerned firm, Cash was received from the supplier for purchase of feed from open market. Though the expenditure utilized on its right place but the method adopted for purchasing feed from open market was wrong and thus it may be count as Irregularity.
3. That the Expenditure from MA 4352 and financial power is the primary domain of Director PRI, Jaaba Mansehra. Director PRI has entrusted his power to another officer/official for his support. Therefore, both Director PRI and Mr. Ahmad Khan are responsible for such malpractice. This also shows lose control of Director Poultry Research Institute Jaaba Mansehra on his subordinates.

C.T.C
M. Arif Advocate

Dr. Sajjid Khan
SRO (CAN)/ Member
Inquiry Committee

Dr. Fakhru'l Islam
PRO (CBP)/ Chairman
Inquiry Committee

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Amman A



**DIRECTORATE GENERAL (RESEARCH)
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT
KHYBER PAKHTUNKHWA, PESHAWAR**



Bacha Khan Chowk Khyber Pakhtunkhwa Peshawar
livestockres.kp.gov.pk

091-9210218,
091-9210220

Facebook.com/livestockresearchkp
Twitter.com/livestockreskp
dg.ldr@kp.gov.pk

No.DG(R)/L&DD/E-I/PF(89)/5070
Dated: Peshawar the 06/06/2020

To

Mr. Ahmad Khan
Office Assistant (BS-16)

Through: Director Poultry Research Institute Jaaba Mansehra

Subject: **SHOW CAUSE NOTICE**

Enclosed please find herewith show cause notice along with a copy of findings of the formal inquiry against Mr. Ahmad Khan Office Assistant (BS-16) on the subject cited above which is self-explanatory for information with the direction to furnish the reply within 15 days.

Encl: As Above

DIRECTOR GENERAL
(RESEARCH)

No.DG(R)/L&DD/E-I/PF(89)//

Dated: Peshawar the ___/06/2020

Copy of the above is forwarded for information to Director Livestock Research and Development Khyber Pakhtunkhwa.

DIRECTOR GENERAL
(RESEARCH)

g/A

Already reply 17/6.
Submitted on 05/6/2020.
17/6/2020

C.T.C
M. Arif Advocate
25-1-2021

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Bacha Khari Chowk Khyber Pakhtunkhwa Peshawar
livestockres.kp.gov.pk

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



Facebook.com/livestockresearchkp
Twitter.com/livestockreskp
dg.ldr@kp.gov.pk

091-9210218,
091-9210220

SHOW CAUSE NOTICE

I, Dr. Mirza Ali Khan Director General (Research) Livestock and Dairy Development Department Khyber Pakhtunkhwa, as Competent Authority under the Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules-2011, do hereby serve you Mr. Ahmad Khan Office Assistant (BS-16) the then Drawing & Disbursing Officer Poultry Research Institute Jaaba Mansehra the show cause notice as follow:

1.
 - i. Consequent upon completion of formal inquiry committee against you by the Inquiry Committee notified vide DG(R)L&DD/Est-II/PF/89/236 Dated: 08.01.2020 for which you were given an opportunity of hearing and:
 - ii. Ongoing through the findings & recommendations of the Inquiry Committee the materials on record and other connected papers including you defense before the said inquiry committee.

I am satisfied that you have committed acts/ omissions specified in Rule-3 of the said Rules:

- a. Guilty of misconduct by misbehavior with senior officer without any reason.
- b. Guilty of corruption by misappropriating / embezzlement of Government Funds.
- c. Inefficiency by failure to efficiently perform functions assigned in the discharged of duties at PRI.

2. As a result I, as Competent Authority, have tentatively decided to impose upon you the *Major Penalty of Removal from Service* under Rule 4 (b)(iii) of said Rules.

3. You are, therefore, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person?.

If no reply to this notice is received within 15 fifteen days, it shall be presumed that you have no defense to put in and in that case an ex-parte action shall be taken against you.

A copy of the findings of the Inquiry Committee is enclosed.

COMPETENT AUTHORITY

C.T.C
M. Arif
25-1-2021
5.

(Signature)
Dr. Mirza Ali Khan



POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA

Ph/Fax: 0997-410028



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Annex
R

To

The Director General (Research)
Livestock and Dairy Development
Khyber Pakhtunkhwa Peshawar
Director PRI Jaaba Mansehra

Through:
Subject:
R/Sir,

SHOW CAUSE NOTIC

Kindly refer to letter No. DG(R)/L&DD/E--II/PF (89)/ 5070 dated 02/06/2020.
The reply of the undersigned is as under please:

| S. No | Shoe cause notice Para | Reply |
|-------|--|---|
| a | Guilty of misconduct by misbehavior with senior officer without any reason. | As the undersigned mentioned in the formal inquiry that the misbehavior was totally a miss understanding and the matter was already settled down in the presence of Regional Director VR&DIC Abbottabad with the concerned officer through the apology in this regard. Also the undersigned is submitting the personal statement of the officer as proof of the settlement of the problem (Annex-A) In this regard the undersigned once again apologized from the Department in writing on judicial stamp paper (Annex-B). In view of the above scenario it is therefore, requested that the matter has already been solved and the apology may kindly be accepted please. |
| b | Guilty of corruption by misappropriating/embezzlement of Government funds. | The undersigned had provided enough supportive documents already which reflect that no Government investment/funds have been used for the personal purpose of the undersigned. Though the fund was not received through proper channel from the supplier instead of feed which was due to exigency how're, for surety that the fund was utilized on the actual place. In this regard the undersigned is submitted the end user/Farm Manager PRI certificate (Annex-C), as a proof that there is no pendency on behalf of the undersigned. The undersigned ambitions were crystal clear and in the best interest of Government/Institute having no desired of corruption what so ever. So the end user i.e Farm Manager PRI etc as evident to the committee and recommended that no misappropriation/embezzlement occurred in the regard. The undersigned will try his best not to repeat same exercise in future; therefore, the reply may kindly be accepted please. |
| c | In efficiency by failure to efficiently perform functions assigned in the discharged of duties at PRI. | The undersigned always has fulfilled his duties/targets assigned to him well in time at the institute. Beside this the undersigned also offer himself for the extra work if any. Being the official of admin block the undersigned has huge responsibilities to perform, in these circumstances the undersign has completed successful above 01 years at PRI during the said period one external and one internal audit are conducted wherein no serious audit para's reflected as compared to other station/centers of livestock research wing which is evident that all record is streamline and in order and also show that undersign is always committed to perform in litter and sprite which is also confirmed by the formal inquiry committee after the evaluation of the record. The committee does not raise any objection regarding performance and duty of the undersigned. It is therefore, requested that the reply may be accepted please. |

C.T.S
M. A. F. Advocate
1551-2021

Furthermore, requested that undersign has the desire to be heard in person

MR. AHMAD KHAN
OFFICE ASSISTANT



POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA
 Ph/Fax: 0997-410028



51

No. PRI/Estt. Inquiry/2019/727-28

Dated Jaaba the 05/06/2020.

Forwarded in original to:

1. ✓ The Director General (Research) Livestock & Dairy Development Khyber Pakhtunkhwa, Peshawar w/r to letter quoted above with the request that all matters regarding above obligation are hereby resolved successfully. The issue of the misconduct was resolved as the officer (Dr. Zubair Ali) accepted the apology of the accused and the issue of feed embezzlement was also solved as indicated in the statement of Farm Manager PRI attached herewith, therefore it is recommended at this stage that it may not lead for major penalties further, accused learned from the experience and assured that he will not repeat such exercise in future that can make awkward situation, therefore, undersigned is of the opinion that the above reply may be accepted and the case be consider sympathetically please.
2. The Director Livestock Research and Development Khyber Pakhtunkhwa, Peshawar for favor perusal please.

4 - 8 - 2020
 DR. MUHAMMAD AYAZ
 DIRECTOR
 (5/6/2020)

C.T.R
 M. Anif Advocate
 25-1-2021

....., requested that undersign has the desire to be heard in person

MR. AHMAD KHAN

2/11/20



VETERINARY RESEARCH & DISEASE INVESTIGATION CENTER
MANDIAN ABBOTTABAD

Website: www.kddr.kpdata.gov.pk

EMAIL: info@mandian.vri.gov.pk

PHONE NO: 0992-412710

Dated: 20/04/2020

No. VRDIC/SRO/OFF/OFF/2019-20/79

To,

The Chairman/PRO (CBP)
VRI Peshawar

Subject:

FORMAL INQUIRY AGAINST MR. AHMAD KHAN OFFICE
ASSISTANT (BS-16) POULTRY RESEARCH INSTITUTE JABBA
MANSEHRA

With reference to your office letter No 114/CBP dated 17/04/2020 on the subject cited above it is stated that a verbal apology from Ahmad Khan was made regarding his Misbehavior, which was accepted by the undersigned before the inquiry committee at VR&DIC Abbottabad, as Mr. Ahmad Khan told that he has Blood pressure problem and he was misguided by Mr. Wajid Zaman tube well operator/Driver on telephone while he was on way to PRI Jaaba Mansehra on dated 03/09/2019.

C.T.C
M. Arif Advocate
25-1-2021

Dr. Zubair Ali
Senior Research Officer
VR&DIC Abbottabad
20/04/2020

53



GOVERNMENT OF KHYBER PAKHUNTKHAWA
POULTRY RESEARCH INSTITUTE JABA, MANSEHRA



Ph:0997-410028-29;pri.mansehra@gmail.com

CERTIFICATE

I hereby certify that I received 4800 kg (Feed 13#) and 2057 kg (Feed 14 #) from Ex- DDO poultry Research Institute jaaba Mansehra and also certify that no pendency exist now against Mr. Ahmad Khan Office Assistant/ Ex-DDO poultry Research Institute jaaba Mansehra as per my office record.

[Signature]
22/06/2020
(DR. MALIK MOHSIN ALI)
RO/FARM MANAGER
DR. MOHSIN ALI
Research Officer
Poultry Research Institute
Jaaba Mansehra

Count signed

As 24(1),

2/6/2020.

C.T.S

M. Arif
25/6/2020
Advocate

54 Annex 8



DIRECTORATE GENERAL RESEARCH
LIVESTOCK & POULTRY RESEARCH DEPARTMENT
PESHAWAR



State Khan, Chook Khyber Pakhtunkhwa Peshawar
www.livestockres.gov.pk

091-9210210
091-9210220

Facebook.com/livestockresearchkp
Twitter.com/livestockreskp
ag.lrdn@gov.pk

Dated: 17th August 2020

NOTIFICATION

WHEREAS disciplinary proceeding were initiated against Mr. Ahmad Khan, Assistant (BS-16) PRI, Jaaba Mansehra under Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the Charge Sheet and statement of allegations.

WHEREAS an Inquiry Committee conducted formal Inquiry against the accused official for the charges levelled against him and proved the main allegation of misappropriation of government funds mentioned in the charge sheet and statement of allegations.

WHEREAS on the basis of the findings & recommendations of the formal inquiry, a Show Cause Notice was served upon the accused official as to why Major Penalty of removal from service under Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011 may not be imposed upon him. The official was also offered personal hearing to defend his offences.

WHEREAS the accused official furnished reply to the Show Cause Notice and sought opportunity of personal hearing, which was granted and authorizing Dr. Muhammad Ijaz Ali, Director VRI Peshawar (BS-19) to conduct personal hearing of the accused.

WHEREAS after having examined the relevant record, inquiry report, written defense as well as verbal submissions made by the official before the authorized officer during the personal hearing, the authorized officer concluded that the charges of "Misappropriation of Government Funds" stand established in a way that keeping funds in personal account for later procurement of feed was not endorsable. Although no loss to Government occurred as the required feed was actually procured and proper entries verified but the process adopted was wrong proving inefficiency on part of the official. The Authorized officer recommended to exonerate the official from major penalty of removal from service but with imposition of some other penalty to discourage such practices in future.

NOW THEREFORE the undersigned, being Competent Authority in this case after having considered all the charges; evidence on record; findings of the formal inquiry; the explanation of the accused official; outcome of personal hearing and the recommendations of the Authorized officer, and exercising powers under Rule 14 (5) and Rule 4 (1) (a) (ii) of the Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011 has been pleased to impose Minor Penalty of "Withholding promotion and two increments for a period of two years" with immediate effect.

C.T.C
M. Arif Advocate
15/8/2021

(DR. MIRZA ALI KHAN)
Director General (Research)

Dated: 17th August 2020

No. DG(R)/L&DD/E-II/PF(63)/89/ 7212-23

Copy of the above is forwarded for information and necessary action to:

1. District Account Officer: Mensehra.
2. Director Veterinary Research Institute Peshawar.
3. Director Livestock Research & Development Khyber Pakhtunkhwa, Peshawar.
4. Director Poultry Research Institute Jaaba Mansehra.
5. Mr. Ahmad Khan Office Assistant Office Assistant (BS-16) PRI Jaaba Mansehra, through his in-charge.

(DR. MIRZA ALI KHAN)
Director General (Research)

55

Annex ✓

T



POULTRY RESEARCH INSTITUTE JAABA
DISTRICT MANSEHRA

Ph: 0997-410028 Fax: 410030



dated Jaaba the: 14/09/2020.

No.PRI/Est.PF (07)/OA/2019/ 131

To
The Secretary
Agriculture, Livestock, Fisheries and Cooperative
Department Khyber Pakhtunkhwa
Peshawar

Through: PROPER CHANNEL
Subject: REQUEST FOR EXONERATION FROM PENALTIES
R/Sir,

Kindly refer to the subject cited above.

It is pleased stated that the undersigned is working as Office Assistant (BPS-16) in the Directorate General (Research) Livestock and Dairy Development Department Khyber Pakhtunkhwa while posted at Poultry Research Institute Jaaba District Mansehra. The undersigned was charge sheet after formal inquiry due to the allegations copy attached (**Annex-I**) and penalties has been imposed under Rule 14 (5) and Rule 4(1) (a) (ii) of the Khyber Pakhtunkhwa (Efficiency and Disciplinary Rules (2011) copy attached (**Annex-II**), in this regard the undersigned wish to submit an appeal against the imposed penalties/allegation please.

| S. No | GIST OF ALLEGATION | APPEAL/REPLY OF UNDERSIGNED |
|-------|---|---|
| 01 | Guilty of misconduct by misbehavior with Senior Officer without any reason. | In earlier reply of the undersigned submitted detail statement that the incident was happened due to miss understanding caused by a tube well operator of his false statement later after deliberated discussion the matter was sought and a memo of understanding was signed. The undersigned is submitting the personal statement of the concerned officer as proof of the settlement of the problem (Annex-III) |
| 02 | Guilty of corruption by misappropriating/embezzlement of Government funds. | The undersigned had provided enough supportive documents already which reflect that no Government investment/funds have been used for the personal purpose, however it is necessary to mention that matter was emerged due to an emergency that the suppliers was failed to supply feed which was immediate requirement at the moment due to live assets. Mean while the bill was processed therefore, to avoid any loss to the Government, the payment has been retrieve from supplier in shape of cash. However in above quoted reply of the undersigned it was clarified with strong supporting document that the payment was actually disbursed to its correct/actual place. In this regard the undersigned is submitting the end user (Farm Manager PRI) certificate (Annex-IV) as a proof that there is no pendency/no payment on the behalf of the undersigned. |
| 03 | Inefficiency by failure to efficiently perform functions assigned in the discharged of duties at PRI. | In this connection it is deliberately stated that the undersigned has completed more than 31 years of his services and during the entire period of his service neither disciplinary action proceedings nor any other in appropriate action has been taken by the department against the undersigned. Thus it shows that the undersigned has always performed his duty with the litter and spirit. |

C.T.C

The above scenario reflects that no loss to the Government assets has been made by the undersigned as well as no serious steps has been taken that goes against the Government machinery. The competent authority is therefore, humbly requested that the already imposed penalties upon the undersigned may be set aside to avoid financial and mental pressure upon the undersigned.

M. Arif Advocate

MR. AHMAD KHAN
OFFICE ASSISTANT
14/9/2020

56



VETERINARY RESEARCH & DISEASE INVESTIGATION CENTER
MANDIAN ABBOTTABAD

Website: www.ldr.kpdata.gov.pk

EMAIL: mandianabbad@ldr.kpdata.gov.pk

PHONE NO: 0992-412710

No. VRDIC/SRO/OFF/OFF/2019-20/79

Dated: 20/04/2020

To,

The Chairman/PRO (CBP)
VRI Peshawar

Subject:

FORMAL INQUIRY AGAINST MR. AHMAD KHAN OFFICE
ASSISTANT (BS-16) POULTRY RESEARCH INSTITUTE JABBA
MANSEHRA

With reference to your office letter No 114/CBP dated 17/04/2020 on the subject cited above it is stated that a verbal apology from Ahmad Khan was made regarding his Misbehavior, which was accepted by the undersigned before the inquiry committee at VR&DIC Abbottabad, as Mr. Ahmad Khan told that he has Blood pressure problem and he was misguided by Mr. Wajid Zaman tube well operator/Driver on telephone while he was on way to PRI Jaaba Mansehra on dated 03/09/2019.

C.T.C
M. Arif Advocate
20/04/2020

Dr. Zubair Ali
Senior Research Officer
VR&DIC Abbottabad
20/04/2020

57



GOVERNMENT OF KHYBER PAKHUNTKHAWA
POULTRY RESEARCH INSTITUTE JABA, MANSEHRA



Ph:0997-410028-29:pri.mansehra@gmail.com

CERTIFICATE

I hereby certify that I received 4800 kg (Feed 13#) and 2057 kg (Feed 14 #) from Ex- DDO poultry Research Institute jaaba Mansehra and also certify that no pendency exist now against Mr. Ahmad Khan Office Assistant/ Ex-DDO poultry Research Institute jaaba Mansehra as per my office record.

(DR. MALIK MOHSIN ALI)
RO/FARM MANAGER
DR. MOHSIN ALI
Research Officer
Poultry Research Institute
Jaaba Mansehra

Count signed

Dr. 24/11,

2/6/2020.

C T C

M. Arif Advocate
25-6-2021



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Annex U

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK, FISHERIES & COOPERATIVE
DEPARTMENT

No. SO (LFC)/AD/3-1/2020
Dated Peshawar the November 09, 2020

28-12-2020
171

To

The Director General (Research),
Livestock & Dairy Development Department,
Khyber Pakhtunkhwa

Subject: REQUEST FOR EXONERATION FROM PENALTIES.

I am directed to refer to your department letter No.DG(R)/L&DD/E-I/PF/(89)/8593-95 dated 01-10-2020 on the subject noted above and to say that the subject appeal has been processed having been no solid grounds afresh for consideration, has been regretted by the appellate authority.

(Signature)
(AHMAD HUSSAIN)
SECTION OFFICER (LFC)

Endst: No. & date even:

Copy forward to:

1. PS to Secretary Agriculture, Livestock, Fisheries & Cooperatives Department.
1. Master File.

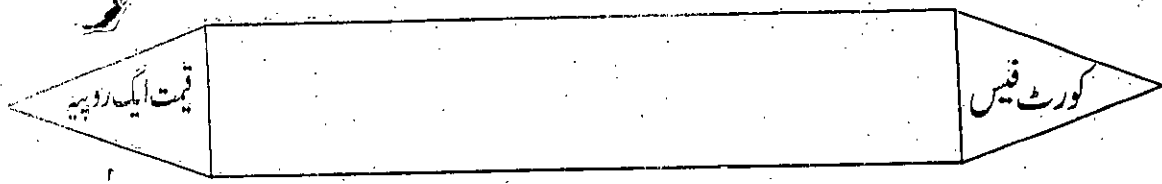
(Signature)
SECTION OFFICER (LFC)

CS(B) 11
20/12/11
28/12

C.T.C
M. Arif Advocate
25-1-2021

P.T) -
offic file
sir

بعد التمسک سے سرسٹریٹریٹل جنیبل لیسٹو مجتازہ بیٹام کیشاوری



مورخہ 25 صیوری
مقدمہ احمد خان
دعویٰ
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ آن مقام سرسٹریٹریٹل محمد عارف ریڈیٹریٹل صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کر پتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا اوکالت نامہ لکھ دیا کہ سند رہے

المرقوم ۲۵ صیوری ۱۴۰۲ھ

واہ شدہ العبد
Attested and accepted

کے لئے منظور ہے
Muhammad Arif Advocate
District court swat
mob# 03329483542

بمقام سرسٹریٹریٹل
C.T.C

M. Arif Advocate

احمد خان ولد تاج ملوک
واہ شدہ العبد
عالمی اسٹریٹریٹریٹل
مقام سرسٹریٹریٹل
mob# 03018048005



Most Immediate
Court Matter

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK & COOPERATIVE
DEPARTMENT

Phone-0919212464, Fax-091-9210033

To

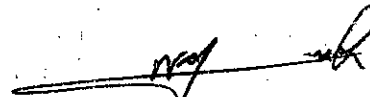
No. SO(Lit)AD/3-306/2021
Dated Peshawar the May 09, 2022

The Director General (Research),
Livestock & Dairy Development
Khyber Pakhtunkhwa, Peshawar.

Subject: APPEAL NO.1630 OF 2021 TITLED AHMAD KHAN V/S GOVERNMENT OF
KHYBER PAKHTUNKHWA & OTHERS.

I am directed to refer to your letter No. 2998 dated 29-04-2022 on the
subject noted above and return herewith Joint Para wise comments (**in original**) duly
signed by the respondents for filing before the Khyber Pakhtunkhwa Service Tribunal
Camp Court at Swat immediatly under intimation to this department.


Encl. **As above.**


Section Officer (Litigation)

Endst. No. & Date Even.

Copy forwarded to:

1. PS to Secretary Agriculture, Khyber Pakhtunkhwa, Peshawar.
2. Master File.


Section Officer (Litigation)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1630/2021

Ahmad Khan.....Appellant

Versus

The Secretary Agriculture, Livestock & Cooperatives and others Respondents.

REPLY/PARAWISE COMMENTS ON BEHALF OF RECONDENTS NO. 1,2,3 & 8

INDEX

| S.No | Description of Documents | Annexure Page No. |
|------|--|-------------------|
| 01 | Receipt of Amount Rs. 280,000/ from the Contractor | 1 |
| 02 | Opportunity for Personal Hearing | 2 |
| 03 | Reply of Charge Sheet | 3-4 |

Handwritten signature and date: 10/05/2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1630/2021

Ahmad Khan.....Appellant

Versus

The Secretary Agriculture, Livestock & Cooperatives and others Respondants

REPLY/PARAWISE COMMENTS ON BEHALF OF REPENDENTS NO. 1,2,3 & 8

Respectfully Sheweth;

Preliminary Objections:

- a- That the Appellant has got no Locus Standi to file the instant appeal.
- b- That the Appellant has not come to the Tribunal with clean hands. He has suppressed the material facts from this honorable Tribunal and thus the appeal deserves dismissal on this score alone.
- c- That the Appellant is not an aggrieved person within the meaning of Article-199 of the constitution of Islamic Republic of Pakistan, 1973.
- d. That the factual controversy is involved in the case, which cannot be adjudicated upon.
- e. That the instant Appeal is barred by law.
- f. That the appeal is time barred.

Facts

1. Pertains to record.
2. Correct to the extent that respondent No. 3 issued a letter to the contractor Sarhad Traders for the outstanding feed of 36 bags but it is the appellant who received the cash amount of Rs. 280,000/ instead of feed from the contractor and transferred it in to his personal bank account at HBL Mingora Swat which has been proved both in preliminary as well as in formal inquiry.

3. Pertains to record. However when the contractor failed to supply the required poultry feed and returned the already paid amount Rs. 280,000/- to the appellant which he kept in his personal account illegally. (Annexure- A).
4. Incorrect. After the preliminary inquiry dated 01-10-2019, the charge sheet was issued dated 05-11-2019 and the appellant was given full chance to be heard and was called for personal hearing vide letter dated 12-12-2019. (Annexure- B).
5. Incorrect. The amount Rs. 280,000/ was found in the appellant personal bank account, the then DDO at PRI Mansehra. (Annexure- C).
6. Correct to the extent that the preliminary inquiry committee has verified the depositing of public funds in personal account of the appellant and its use for personal gains. (Annexure- D).
7. Incorrect. The appellant has been given full opportunity to all documents as per rules and regulations and also given an opportunity for personal hearing as mentioned in above para 4. (Annexure- E).
8. Incorrect. The questionnaire was issued on 2-3-2020 for conducting formal inquiry constituted on 14-05-2019. (Annexure- F).
9. Correct to the extent that both the preliminary and formal inquiry committees have proved that the appellant has received cash from the contractor instead of outstanding feed, and then, depositing the same public money in his personal bank account and hence committed irregularities.
10. Correct to the extent that the appellant asked for personal hearing which was given to him as mentioned in para 4.
11. Correct to the extent that the appellant being aggrieved from the order of the competent authority, made departmental appeal which was partially accepted and the penalty of "withholding promotion for two years" has been withdrawn vide letter No . SO (LFC)/AD/3-1/2020 dated 16-06-2021. (Annexure- G).

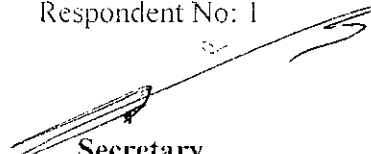
12. Correct to the extent that the respondent No- 1 rejected the departmental appeal but then the appeal was reviewed on the request of the appellant where the penalty of "withholding promotion for two years" has been withdrawn as mentioned in above para 11

GROUNDS :

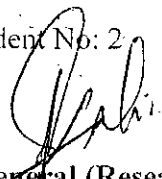
1. Incorrect. The order has been issued under law and is according to the rules and regulations which have been mentioned clearly in the said order dated 17-08-2020. (Annexure- H)
2. Incorrect. In the formal inquiry, the mis-behavior and irregularities, committed by the appellant has been proved. (Annexure- I)
3. Incorrect. The respondents have no personal clashes with the appellant and both the preliminary and formal inquiries have been conducted as per government rules.
4. Incorrect. Both the orders are issued according to the law but as per the request of the appellant, his appeal has been reviewed by the appellate authority where the penalty of "withholding promotion for two years" has been withdrawn vide letter No. SO (LFC)/AD/3-1/2020 dated 16-06-2021.
5. Incorrect. The appellant blocked the government money by depositing it in his personal bank account at HBL Mingora Swat.
6. Incorrect. The appellant was heard in personal and has access to all relevant documents as per law as mentioned in para 4 of the FACTS.
7. Incorrect. The appellant as being the DDO, has kept the government money in his personal bank account and committed irregularity. Hence punished accordingly after being proved as convicted.

8. It is therefore humbly prayed that the appeal being devoid of merit may be dismissed.

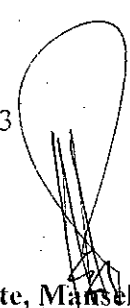
Respondent No: 1


Secretary
Agriculture, Livestock and
Cooperative Department
Government of Khyber Pakhtunkhwa

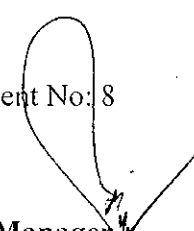
Respondent No: 2


Director General (Research)
Livestock & Dairy Development
Department Khyber Pakhtunkhwa

Respondent No: 3


Director
Poultry Research Institute, Mansehra
Government of Khyber Pakhtunkhwa

Respondent No: 8


Farm Manager
Poultry Research Institute, Mansehra
Government of Khyber Pakhtunkhwa

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1630/2021

Ahmad Khan.....Appellant

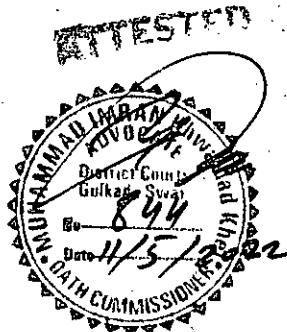
Versus

The Secretary Agriculture, Livestock & Cooperatives and others Respondents

REPLY/PARAWISE COMMENTS ON BEHALF OF REPENDENTS NO. 1,2,3 & 8

AFFIDAVIT

I, Dr. Sohail Khan, Senior Research Officer, Veterinary Research and Disease Investigation Center Balogram Swat, do hereby solemnly affirm and declare that the contents of the attached Para-wise Comments are true and correct to the best of my knowledge and belief.



Sohail Khan
10/5/22
DEPONENT



35

SARHAD TRADERS

Deals in Medicine, Equipment, Seeds, Fertilizer, Pesticide & General Order Supplier

Sr. No:

Date: 17.11.2019

Total Payment Received From PRI Manshera Rs = 301,937/-
 Cash paid to store keeper PRI Manshera Rs = 280,000/-
 cheque clearing bank charges of Sarhad Traders Bank Account 937
 Net Balance Rs = 21,000/-

Cash paid to Mr. Ahmad Khan DDO PRI Manshera Rs = 21,000/-

Balance Nil

SARHAD TRADERS
 25, 26/A GROUND FLOOR,
 MAIN TOWER F-2/2001 ROAD, PESHAWAR
 TEL: 091-5243772

A. Raza
12/11/19

C.T.C

M. Arif Advocate
 1257-2021

Received 21000/-
 on 12/11/2019
 M. Arif

13/11/19

Amex - C

28 ~~Amex - C~~

25 Amex - C



POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA

Pl/Fax: 0997-410028



No. PRI/Estt. Inquiry/2019/ 358-59

Dated Jaaba the 12 /11/2019

1. Dr. Hamid Ullah PRO/Regional Director VR&DIC Abbottabad.
2. Mr. Shahid Hussian Office Assistant VR&DIC Abbottabad.

Through Director PRI Jaaba Mansehra.

Subject : REPLY OF CHARGE SHEET.

Respect Sir.

It is with the reference of the charge sheet received from the Director General (Research) Livestock & Dairy Development Peshawar vide letter No. DG/L&DD/Acctt(26)/17/Vol-II/8954 Dated 05-11-2019. In this connection the annotation reply is being given below:

It is being stated that inquiry committee did not hear me in person.

| Sl.No | Charge Sheet | Reply of Charge Sheet |
|-------|---|--|
| | You paid a cheque amounting to Rs. 296099/- to M/S Sarhad Traders on account of purchase of 6357 Kg of Poultry feed (4800Kg Feed #13 and 1557 Kg Feed #14) to PRI Jaaba in June, 2019 despite the fact that the feed was neither supplied nor received by the end user at the farm. Instead, the supplier Paid Rs. 280,000/- in cash, which was the online transferred on 04-07-2019 to your personal bank account at HBL Mingora Swat. | In response of the demand of Farm Manager, the undersigned processed the bill of feed for M/S Sarhad Traders Peshawar Amounting to Rs. 301937/-. The case was checked in detail and found correct, hence submitted to District Account Officer Mansehra for further processing. Cheque No. 1771646 Amount to Rs. 22123/- and Cheque No. 1772147 Amount Rs. 279814/- (Annex-A) received by undersigned and handed over to Concerned Firm on 28/06/2019 through Proper Receipt 1009 & 1011 14. (Copy enclosed as Annex-B) On 03 July 2019 the Farm Manager told me verbally that the feed is not supplied by Firm and bill as signed just to prevent the laps of budget. I discussed the issue with Director PRI Jaaba he directed me to call Sarhad traders Peshawar and collect feed after consulting with firm the Sarhad Trader Peshawar reply with the remarks that due to fluctuation in price and strike of transportation, we are not able to supply your feed. The Director PRI directed to undersigned to collect money from Sarhad Traders Peshawar (verified by the Director PRI Jaaba) and I advised to Junior Clerk for collection of fee money (On that day he was on approved tour to Peshawar). The Amount of Rs. 280000/- received. |

2411
13/11/19

C.T.C
M. Arif Advocate
25-11-2019

Annex-C

~~Annex-C~~

26

| | |
|--|--|
| | by Junior Clerk / Store Keeper. The Farm Manager PRI required feed on urgent basis therefore I called to Junior Clerk for deposit this amount to my salary Bank Account in HBL (for safety purpose of money in the best interest of institute). |
| You misappropriated Rs. 255,000/- by producing fake, forged and tempered documents before the inquiry Committee for the expenditure incurred on various items including feed against the online transferred funds of Rs. 280,000/- | Please detail of Rs.301937/- instead of Rs.280,000/- detail is below: i. RS. 136500/- Paid to Farm Manager for purchased of feed (Detail Receipt attached). As Annex-C ii. RS. 15000/- Paid to Farm Manager for purchased of feed Through Muhammad Ayaz Naib Qasid PRI (certificate attached). As Annex-D iii. RS. 120450/- Paid to Farm Manager for purchased of feed (Receipt of bags attached). As Annex-E iv. Rs.426/- Bank online charges v. Balance amount to Rs.7624/- deposited with cashier of PRI (Receipt is attached) Annex-F Paid amount to Sarhad Trader Peshawar Total Rs. 301937/- and (-Rs.937 bank online charges deducted from Sarhad Traders Peshawar.) And the remaining amount Rs. 21000/- was retained by supplier as his profit, on the departmental inquiry, the supplier handed over this remaining amount (Rs.21000/-) to undersigned on 12/11/2019 (As Annex-G), this is also deposited with the cashier of PRI (proof statement photo copy of M/S Sarhad Traders attached herewith for ready reference and receipt of cashier) As Annex-H. |
| 3 You embezzled public money amounting to Rs. 25000/- (280,000-255,000) brazenly and failed to perform your assigned duties honestly. | The undersigned not done any embezzlement/corruption the detail is already provided in reply to query No.02 please. |

Also requested for personal hearing please

24/11
13/11/19

Ahmad Khan
12/11/19
AHMAD KHAN
Office Assistant

C.T.C
M. Arif
15-11-2019
M. Arif Advocate

Amma - D

hkp

2523

(38) Annex L

CENTRE FOR POLICY RESEARCH INSTITUTE JAMSHEDPUR DISTRICT MANSEHRA

PHONE NO. 0997-4100

Dated Jaaba the 25/11/2019

INQUIRY/

The Regional Director
VR&DIC Abbotabad

PROVISION OF RECORD

Reference your letter No.RD/VR&DIC(100)/2015-16/536 dated 20/11/2019 on above.

The detail of money trail of Account No.02210093382003 is below as required.

| Dated | Amount | Reply | Remarks of HBL Bank |
|------------|--------------|---|---------------------|
| 03-04-2019 | Rs.100,000/- | Online From KDA Market Branch Karachi | Verified |
| 02-05-2019 | Rs.100,000/- | Through Bank Al Habib ATM Online | " |
| 02-05-2019 | Rs.34,800/- | Through Bank Islamia ATM Online | " |
| 03-06-2019 | Rs.15,000/- | Through Anwer Said Bunner Online | " |
| 22-07-2019 | Rs.49,630/- | Through Naveed Iqbal Timergara Dir Online | " |
| 01-08-2019 | Rs.34,000/- | Online from Mansehra (TA Bills) | " |
| 04-11-2019 | Rs.22,000/- | Online from Mansehra (TA Bill) | " |

(Signature)
ANMAD KHAN
OFFICE ASSISTANT
Dated Jaaba the 25/11/2019

INQUIRY/

Forwarded to the Regional Director VR&DIC Abbotabad with reference to above letter please.

DR.MUHAMMAD AYAZ
DIRECTOR

C.T.C

(Signature)
Muhammad Nasir
Operational Manager Mangera
PA # 14578

(Signature)
M. Arif
Advocate

max-E

39

Amman M



352
17/12/19

4-2-19
MILITARY RESEARCH & DISEASE INVESTIGATION CENTER
MANAMA, ABU DHABI
PROJ. No. 1022/2019
Dated: 12/12/2019

REF: (1022/2019) 16/575

Mr. Ahmad Khim
Officer in Charge
Public Health Institute
Jeddah, Saudi Arabia

Through: Sr. on Director, PIR, Abu Dhabi

Subject: SHOW CAUSE NOTICE

Reference to Director General (Research) and notice No. DC/OTL/SPD/AS/26/17/M/011/537 Dated 04/11/2019.

Your reply submitted vide No. Nil dated 17/11/2019 was thorough but insufficient and found **NOT SATISFACTORY**.

Therefore, you are hereby directed to appear in person before the Inquiry Committee for personal hearing on 26/12/2019 at 10am in the office of under signed.

(DR. HAMEDULLAH)
Production Inquiry Committee

No. of documents

Copy of the above is forwarded to the Director General (Research) and Director, PIR, Abu Dhabi for their information and necessary action. A copy of the above is also forwarded to the Director, PIR, Abu Dhabi for their information and necessary action. A copy of the above is also forwarded to the Director, PIR, Abu Dhabi for their information and necessary action.

DR. HAMEDULLAH

Director
Tel. 3
OK 17/12
11/12/19

C.T.C
M-Arif Advocate

ANNEX - F

41 Annex O



POULTRY RESEARCH INSTITUTE JABA
DISTRICT MANSEHRA

Ph/Fax: 0997-410028



Dated Jaaba the 03 /03/2020.

PR/Estt. Inquiry/2019/

Reference your questionnaire regarding formal inquiry Dated 02-03-2020.

The reply is being given below:

| Questionnaire Para | Reply |
|---|--|
| Whats your statement about the ambiguous expenditure worth Rs.663,331/- | i. The undersigned has paid total amount/salary to all DPL, in cash and receiving has been taken with signature and thumb impressions. Furthermore written statements of the DPL have also has been taken proving no pending amount/salary on behalf of the undersigned. Annex-A |
| i. DPL Rs.421000/- | ii. Hot and Cold bill passed of Rs.123750/- total bills passed for Rs.400000/- (80. Monds @Rs.1350/-P.M+640 Mond Firewood) and the charcoal +Firewood issued vide store Slip No detail below: <u>CHARCOAL</u> i. 082 dated 02/01/2019 40 mond ii. 048 dated 02/01/2019 514 Kgs iii. 049 dated 02/01/2019 486 Kgs iv. 004 dated 18/01/2019 15 mond <u>FIREWOOD</u> i. 054 dated 6/11/2018 90 mond ii. 062 dated 15/12/18 100 Mond iii. 056 dated 16/11/18 100 Mond iv. 087 dated 15/04/19 150 Mond v. 089 dated 20/11/18 200 Mond Furthermore written statements of the officials of this office have also has been taken proving no pending amount on behalf of the undersigned. Annex-B & C |
| ii. Hot & Cold Rs.123750/- | iii. POL Rs.32582/- Purchased 190 liters diesel for farm Generator + 158.5 liters petrol for Admn Generator and issued to farm manager vide store slip No.056 dated 09/05/2019 and log book page No.156 of admn generator. Annex-D |
| iii. POL Rs.32582/- | iv. Drug & Medicine Rs.26000/- instead of Rs.26772/- passed and the all medicine issued to Farm Manager vide his Store Slip No.03 dated 31/05/2019 Annex-E |
| iv. Drug & Medicine Rs.26000/- | v. Repair Office Building bill passed for Rs.82500/- instead of Rs.59,999/- The Repair of Building collected PCI from C&W Department Mansehra and Process all formalities and do the progress of repair work by M/S Aurang Zeb and Sons Building material General order supplier Mansehra. Certificate of work done was obtained from committee members Annex-F. |
| v. Repair office Building Rs.59999/- | |

C.T.C

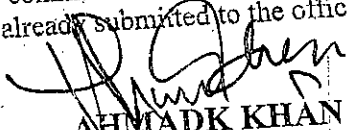
M. Arif Advocate


Annex - F

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| | |
|---|--|
| Please verify the 36 feed bags not provided to the concerned officer. | 36 feed bags was received by Farm Manager vide store slip No.23 dated 05/12/2019 Annex-G. Also no pending feed bags against undersigned and already issued certificate of no pendency exists now against M/S Sarhad Traders Peshawar on 06/12/2019 Annex-G. |
| Please provide the money trail of Rs.299430/- in detail. | <ol style="list-style-type: none"> i. Rs.100,000/- on line from HBL KDA Market Branch Karachi (Received from Mr.Abdul Hadi of my cousin living in Malaysia and money the purpose of supporting his family contact Number +60173595213) ii. Rs.100,000/- from Bank Al Habib ATM on line (Received from Mr.Rehman Bangish of my friend living in Saudi Arab for purpose of his work in islamabad). iii. Rs.34,800/- from Bank Islamia ATM on line (Received from Mr. Alamgir Bacha of my cousin living in Malaysia and money the purpose of supporting his family contact Number +60162436510) iv. Rs.15,000/- on line Through Anwer Said Bunner (Received from Mr.Abdul Hadi of my cousin living in Malaysia and money the purpose of supporting his family contact Number +60173595213) v. Rs.49,630/- on line from through Naveed Iqbal Timergara Lower Dir (Received from Mr.Sherin Zada Brother in law). Annex-H |
| Why the DPL's were paid in cash instead of cross cheque | The cheque was issued in the name of DDO therefore the undersigned has paid total amount/salary to all DPL in cash and receiving has been taken with signature and thumb impressions. Annex-I Furthermore written statements of the DPL have also has been taken proving no pending amount/salary on behalf of the undersigned. Already provide in Annex-A |
| According to the preliminary inquiry, under different codes payment made without obtaining receipts from concerned firms, bills not verified by DDO and Concerned Officer/official. Clarify please. | All payment made through firm receipts and all bills verified by concerned officers/officers along with DDO and already checked by Internal Audit party and no para taken against payment made without obtaining receipts from concerned firm and bill not verified by DDO and concerned officer/officials. |
| Being a DDO why the cash book is not being properly maintained. | The Cash book properly maintained and already checked by Internal Audit party and no para taken about cash book. |

present reply to the questionnaire served by the inquiry committee may be considered my to charge sheet and my previous reply to the charge sheet already submitted to the office of L&DD may not be consider please.


AHMADK KHAN
 Office Assistant/ex DDO


 M. Arif Advocate



Annex - 4. 280

GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE, LIVESTOCK, FISHERIES & COOPERATIVE
DEPARTMENT

No. SO (LFC)/AD/ 3-1 /2020
Dated Peshawar the June 16, 2021

To

The Director General (Research),
Livestock & Dairy Development Department,
Khyber Pakhtunkhwa, Peshawar.

2613
18 JUN 2021

Subject: REQUEST FOR REVIEW APPEAL

I am directed to refer to your letter No.DG(Res)L&DD/Est-I/PF(63)/89/3374 dated 21-04-2021 on the subject noted above and to state that the competent authority has been pleased to withdraw penalty of "withholding promotion for two years" in respect of Mr. Ahmad Khan, Assistant. Notification may kindly be issued after fulfillment of all codal formalities under intimation to this department.

(AHMAD HUSSAIN)
SECTION OFFICER (LFC)

Endst: No. & date even:

Copy forward to:

1. PS to Secretary Agriculture, Livestock, Fisheries & Cooperatives Department.
2. Master File.

CS(B) 11

SECTION OFFICER (LFC)

Amir - H



**DIRECTORATE GENERAL (RESEARCH)
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT
KHYBER PAKHTUNKHWA, PESHAWAR**



250

Dr. Ahmad Khan Chowk Khyber Pakhtunkhwa Peshawar
Livestock Res. kp.gov.pk

☎091-9210218,
☎091-9210220

Facebook.com/livestockresearchkp
Twitter.com/livestockreskp
dg.ldr:@kp.gov.pk

Dated: 17th August 2020

NOTIFICATION

No. DG(R)/L&DD/E-II/PF(63)/89/ WHEREAS disciplinary proceeding were initiated against Mr. Ahmad Khan, Assistant (BS-16) PRI, Jaba Mansehra under Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the Charge Sheet and statement of allegations.

2. WHEREAS an Inquiry Committee conducted Formal Inquiry against the accused official for the charges levelled against him and proved.

3. WHEREAS the inquiry committee after considering the allegations, evidence on record and explanation of the accused official furnished its report, wherein the main allegation of misappropriation of government funds mentioned in the charge sheet and statement of allegations.

4. WHEREAS on the basis of the findings & recommendations of the formal inquiry, a Show Cause Notice was served upon the accused official as to why Major Penalty of removal from service under Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011 may not be imposed upon him. The official was also offered personal hearing to defend his offences.

5. WHEREAS the accused official furnished reply to the Show Cause Notice and sought opportunity of personal hearing, which was granted and authorizing Dr. Muhammad Ijaz Ali, Director VRI Peshawar (BS-19) to conduct personal hearing of the accused.

6. WHEREAS after having examined the relevant record, inquiry report, written defense as well as verbal submissions made by the official before the authorized officer during the personal hearing, the authorized officer concluded that the charges of "Misappropriation of Government Funds" stand established in a way that keeping funds in personal account for later procurement of feed was not endorsable. Although no loss to Government occurred as the required feed was actually procured and proper entries verified but the process adopted was wrong proving inefficiency on part of the official. The Authorized officer recommended to exonerate the official from major penalty of removal from service but with imposition of some other penalty to discourage such practices in future.

7. NOW THEREFORE the undersigned, being Competent Authority in this case after having considered all the charges; evidence on record; findings of the formal inquiry; the explanation of the accused official; outcome of personal hearing and the recommendations of the Authorized officer, and exercising powers under Rule 14 (5) and Rule 4 (1) (a) (ii) of the Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011 has been pleased to impose Minor Penalty of "Withholding promotion and two increments for a period of two years" with immediate effect.

o/c
(DR. MIRZA ALI KHAN)
Director General (Research)

No. DG(R)/L&DD/E-II/PF(63)/89/ 729-23

Dated: 17th August 2020

Copy of the above is forwarded for information and necessary action to:

1. District Account Officer Mansehra.
2. Director Veterinary Research Institute Peshawar.
3. Director Livestock Research & Development Khyber Pakhtunkhwa, Peshawar.
4. Director Poultry Research Institute Jaaba Mansehra.
5. Mr. Ahmad Khan Office Assistant Office Assistant (BS-16) PRI Jaaba Mansehra, through his in-charge.

o/c
(DR. MIRZA ALI KHAN)
Director General (Research)
18/8/2020

7/2
2020

Annex I

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Annex P

FORMAL INQUIRY AGAINST MR. AHMAD KHAN OFFICE ASSISTANT (BS-16)
POULTRY RESEARCH INSTITUTE JAABA MANSEHRA

BACKGROUND:

In pursuance to the complaint lodged by Director Poultry Research Institute Jaaba Mansehra and fact finding inquiry report against Ahmad Khan Office Assistant (BPS-16) the competent authority constituted a formal inquiry committee vide Notification No. DG (R)/L&DD/E-II (169)/2018/Vol-IV/4136-4 dated 14/05/2019 (Annex-I) in order to probe in to the allegations levelled against the accused.

PROCEEDINGS:

The Inquiry Committee, visited PRI Jaaba Mansehra on 03.03.2020 in order to probe in to the allegations levelled against Mr. Ahmed Khan Office Assistant PRI, Jaaba Mansehra, wherein Director PRI nominated Dr. Naqash Khalid Research Officer/DDO Departmental Representative to assist inquiry committee vide office order No. PRI/Order F-47/2019-20/522-25 dated: 21-01-2020 (Annex-II). Thereafter Questioners were served to the following officers/ officials i.e Director PRI, DDO PRI, Farm Manager PRI and accused Mr. Ahmad Khan Office Assistant, most of the officers/ officials submit their replies along with necessary enclosures (Copy Annexed) as mentioned below against each to the inquiry committee on the same day. However, Director PRI submitted his reply late due to his health problem. The inquiry committee requested the DG(R) L&DD for provision of Personal file of Mr. Ahmad Khan Office Assistant and Fact finding Inquiry (Annex-III) which were provided by the Office superintendent establishment section along with fact finding inquiry report which was examined in detail in light of the charge sheet and statement of allegations.

| S# | Name of Officers/ Officials | Questioner | Reply |
|------|--|------------|------------|
| 01 | Dr. Muhammad Ayaz Khan Director PRI | Annex-V | Annex-VI |
| 02 | Dr. Yasir Amin SRO (BS-18) | Annex-VII | Annex-VIII |
| 03 | Dr. Zubair Ali SRO (BS-18) | Annex-IX | Annex-X |
| 0204 | Dr. Naqash Khalid RO/DDO | Annex-XI | Annex-XII |
| 0303 | Dr. Mohsin Malik RO/Farm Manager | Annex-XIII | Annex-XIV |
| 0406 | Mr. Ahmad Khan Office Assistant/ Ex- Assistant | Annex-XV | Annex-XVI |

C.T.C
M. Arif Advocate
25-1-2021

CONCLUSIONS/FINDINGS:

of the Charge Sheet and Statement of Allegations the findings are as under:
1. THE ACCUSED HAS MISBEHAVED WITH AN OFFICER IN THE PRESENCE OF ANOTHER OFFICER IN VIOLATION OF OFFICE DECORUM.

The inquiry committee deliberately discuss the matter with Director PRI, Dr. Zubair and Mr. Ahmad Khan and question in written was also served and the all stake holders including complainant agreed that the matter was based on a misunderstanding and a verbal apology by the accused (Mr. Ahmad Khan) was also accepted by Dr. Zubair and the DDO which he has been submitted in written to the inquiry committee (Annex-X). However, the accused is responsible for mis-behavior and may be dealt as per rules.

2. THAT HE PAID A CHEQUE OF RS. 296,099/- FOR PURCHASE OF POULTRY FEED TO M/S SARHAD TRADERS, DESPITE THE FACT THE FEED WAS NEITHER SUPPLIED BY THE FIRM NOR RECEIVED BY THE END USER AT THE FARM, INSTEAD THE SUPPLIER PAID RS. 280,000/- IN CASH WHICH WAS THEN TRANSFERRED ONLINE IN TO HIS PERSONAL ACCOUNT.

As per statement of Accused (Annex-XVI, Q-2), Farm Manager (Annex-XIV-D) and Director PRI (Annex-VI), that the pending 36 bags have been received by the farm manager and no pendency exists against supplier (M/S Sarhad Traders). However, the committee has the opinion that receiving cash from the supplier and transferring that amount to personal account of the accused instead of actual feed supply by supplier (Annex-IV) and then purchasing feed from local market by the accused is accountable as Irregularity.

3. THAT HE INCURRED DUBIOUS/AMBIGUOUS EXPENDITURE WORTH RS. 663, 331/- THROUGH FORGED/BOGUS BILLS.

Inquiry committee ask the question from accused to provide reconciled expenditure along with documentary proof where it has been utilized, furthermore, for confirmation and probe the matter in detail, the end users i.e Director PRI, Farm Manager and DDO are also asked to furnish their replies which are as under:

Advocate
25/1-2021

Annex-I

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| Head of Account | Amount | Findings |
|-----------------------------------|--------------|--|
| A01277-DPL | Rs.421,000/- | The accused (Mr. Ahmad Khan Office Assistant) submitted his statement that the amount was utilized for engaging DPL(s), receiving of Payment enclosed (Annex-XVI-A) as per documentary proof which is found valid/ genuine. However, as per Govt: prescribed rules the payment should be made through cross cheque which has not been adopted, therefore, the question was served upon Director PRI and in his reply (Annex-VI-Q7) he stated that "The institute is located in remote area, the local labor is illiterate and reluctant to open bank account, The matter was discussed with DAO and he allowed on the same of DDO". Also according to DPL(s) statement, the bank is 25 KM away from PRI and it is difficult to maintain a bank account. However such practice is objectionable on audit point of view. |
| A03304 Hot & Cold Weather Charges | Rs.123,750/- | According to the findings of the preliminary inquiry report that a sum of Rs.400,000/- was drawn for purchase of Firewood and Charcoal in which Rs.123,750/- was found embezzle due to its pendency, therefore, the concerned question has been asked from the accused to provide detail and reason for its pendency, the accused submitted all receiving's from end users and entry in stock register as (Annex-XVI-B&C) furthermore, for confirmation of the actual receiving from Farm Manager is enclosed as (Annex-XIV-7 |

C.T.C

M. Arif Advocate
23-1-2024

47
Annex-I

46

B&E), therefore, as per available record all pendency have been completed.

| | | |
|-----------------------------------|-------------|---|
| A03807-POL | Rs.32,582 | As per statement of accused the pending POL (120 Ltr) was issued to Farm and Admn block (Annex- XVI-D) which has been confirmed from Farm Manager in his reply and log book (Annex-XIV-A). |
| A13301- Repair of Office Building | Rs.59,999/- | According to the Statement of Dr. Yasir Amin Senior Research Officer that paint / distemper has been done and rest of work is pending (Annex-VII), however a certificate of committee is enclosed as (Annex-XVII) which shown that no civil work is pending, and Dr. Muhammad Ayaz Director PRI has also confirmed that the Pena flexes have been received to the store section and pasting of these flexes are left over which can be completed in due time. Therefore, it cannot be considered as any deficiency. |
| A03927- Drug and Medicine | Rs.26,000/- | The left over medicine has been provided to Farm Manager as confirmed from Farm Manager and Stock Register along with Store slips (Anne-XIV-C). |

THAT HE WAS ASK TO FURNISH BANK ACCOUNT MONEY TRAIL, DUE TO SOME MYSTERIOUS TRANSACTION OF RS.299,430/- MADE DURING HIS DDO PERIOD, BUT HE FAILED TO DO SO.

The accused submit the detail of his verified bank account that the said amount Rs.299, 430/- was transact in private affairs from different quarter. (Annex-XVI-H).

CTC
4
M. Arif Advocate
25-1-2021

Annex I


47
HE FURNISHED EXPENDITURE STATEMENT TO THE INQUIRY COMMITTEE WHICH WAS FOUND FAKE/FORGED/TEMPERED AND DID NOT TALLY WITH THE ACTUAL RECONCILED EXPENDITURE.

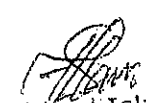
During the process of preliminary inquiry most of the items were left over and the vouchers, proper entries in relevant registers were also not found, due to which the reconcile statement did not tally with actual expenditure. However, during the Formal inquiry the committee examined the evidences available on record in light of the documents provided by accused and end users, which are shown that the deficiencies mentioned in the preliminary inquiry were found completed.

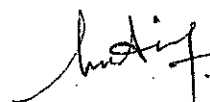
CONCLUSION AND RECOMMENDATION:

As per evidence available on record and thoroughly examination of Preliminary inquiry Report and the replies of its incumbents against their questioners:

1. That the accused is responsible for mis-behavior and may be treated as per rules.
2. That the inquiry committee does not found any major Miss Appropriation except that the expenditure incurred worth Rs.296,099/- for Purchase of Poultry Feed, instead of feed supply by the concerned firm, Cash was received from the supplier for purchase of feed from open market. Though the expenditure utilized on its right place but the method adopted for purchasing feed from open market was wrong and thus it may be count as Irregularity.
3. That the Expenditure from MA 4352 and financial power is the primary domain of Director PRI, Jaaba Mansehra. Director PRI has entrusted his power to another officer/official for his support. Therefore, both Director PRI and Mr. Ahmad Khan are responsible for such malpractice. This also shows lose control of Director Poultry Research Institute Jaaba Mansehra on his subordinates.


Dr. Sajjid Khan
SRO (CAN)/ Member
Inquiry Committee


Dr. Fakhru'l Islam
PRO (CBP)/ Chairman
Inquiry Committee


M. Arif Advocate
25-1-2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1630/2021

Ahmad Khan.....Appellant

Versus

The Secretary Agriculture, Livestock & Cooperatives and others Respondants

REPLY/PARAWISE COMMENTS ON BEHALF OF RECONDENTS NO. 1,2,3 & 8

Respectfully Sheweth;

Preliminary Objections:

- a- That the Appellant ^{has} have got no Locus Standi ~~or cause of action~~ to file the instant ~~case~~ ^{appeal}
- b- That the Appellant has ^{not} come to the Tribunal with ~~un~~ clean hands. He has suppressed the material facts from this honorable Tribunal and thus the appeal deserves dismissal on this score alone.
- c- That the Appelant is ^{no} not ~~an~~ aggrieved person within the meaning of Article-199 of the constitution of Islamic Republic of Pakistan, 1973.
- d. That the factual controversy is involved in the case, which cannot be adjudicated upon.
- e. That the instant Appeal is barred by law.
- f. That the appeal is time barred

Facts

1. Pertains to record.

2. Pertains to record.
3. Pertains to record. However when the contractor failed to supply the required poultry feed and instead, returned the already paid amount Rs. 280,000/ which the appellant kept in his personal account illegally. Annexure- A
4. Incorrect to the extent that the appellant was not heard and after the preliminary inquiry dated 01-10-2019, the charge sheet was issued dated 05-11-2019. Annexure- B
5. Incorrect. The amount Rs. 280,000/ was found in the appellant personal bank account, the then DDO at PRI Mansehra. Annexure- C
6. Pertains to record
7. Incorrect.
8. Pertains to record
9. Pertains to record
10. Correct
11. Pertains to record
12. Pertains to record

GROUND S :

1. Incorrect
2. Incorrect
3. Incorrect
4. Incorrect
5. Incorrect. The appellant blocked the government money by depositing it in his personal bank account.
6. Incorrect. The appellant was heard in personal and has access to all relevant documents as per law.
7. incorrect. The appellant as being the DDO, has kept the government money in his personal bank account and committed irregularity. Hence punished accordingly.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1630/2021

Ahmad Khan.....Appellant

Versus

The Secretary Agriculture, Livestock & Cooperatives and others Respondents

REPLY/PARAWISE COMMENTS ON BEHALF OF REPOENDENTS NO. 1,2,3 & 8

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I

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1630/2021

Ahmad Khan.....Appellant

Versus

The Secretary Agriculture, Livestock & Cooperatives and others Respondants

REPLY/PARAWISE COMMENTS ON BEHALF OF RECONDENTS NO. 1,2,3 & 8

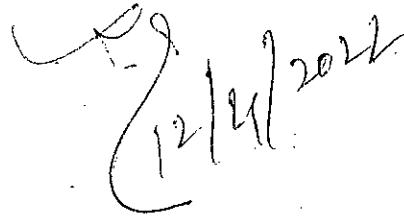
Respectfully Sheweth;

Preliminary Objections:

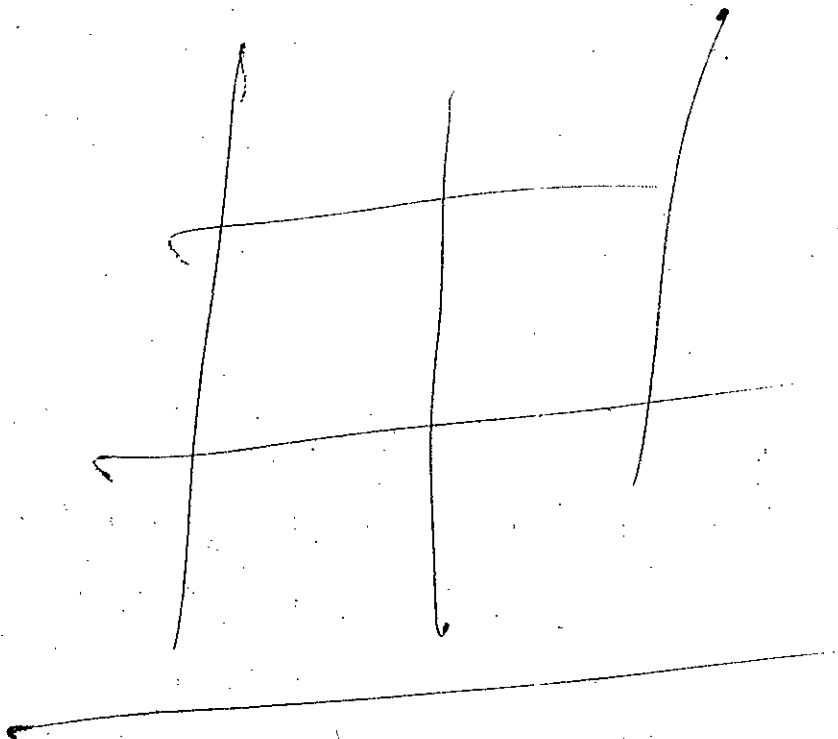
- a- That the Appellant have got no Locus Standi or cause of action to file the instant case.
- b- That the Appellant has come to the Tribunal with unclean hands..He has suppressed the material facts from this honorable Tribunal and thus the appeal deserves dismissal on this score alone.
- c- That the Appelant is not aggrieved persons within the meaning of Article-199 of the constitution of Islamic Republic of Pakistan, 1973.
- d. That the factual controversy is involved in the case, which cannot be adjudicated upon.
- e. That the instant Appeal is barred by law.

Facts

1. Pertains to record.


12/11/2022

2. Pertains to record.
3. Pertains to record. However when the contractor failed to supply the required poultry feed and instead, returned the already paid amount Rs. 280,000/ which the appellant kept in his personal account illegally. Annexure- A
4. Incorrect to the extent that the appellant was not heard and after the preliminary inquiry dated 01-10-2019, the charge sheet was issued dated 05-11-2019. Annexure- B
5. Incorrect. The amount Rs. 280,000/ was found in the appellant personal bank account, the then DDO at PRI Mansehra. Annexure- C
6. Pertains to record
7. Incorrect.
8. Pertains to record
9. Pertains to record
10. Correct
11. Pertains to record
12. Pertains to record



GROUND S :

1. Incorrect
2. Incorrect
3. Incorrect
4. Incorrect
5. Incorrect. The appellant blocked the government money by depositing it in his personal bank account.
6. Incorrect. The appellant was heard in personal and has access to all relevant documents as per law.
7. Incorrect. The appellant as being the DDO, has kept the government money in his personal bank account and committed irregularity. Hence punished accordingly.

[Handwritten signature]
12/4/2022

8. It is therefore humbly prayed that the appeal being devoid of merit may be dismissed

Respondent No: 1

Secretary
Agriculture, Livestock and
Cooperative Department
Government of Khyber Pakhtunkhwa

Respondent No: 2

[Signature]
Director General (Research)
Livestock & Dairy Development
Department Khyber Pakhtunkhwa

Respondent No: 3

Director
Poultry Research Institute, Mansehra
Government of Khyber Pakhtunkhwa

Respondent No: 8

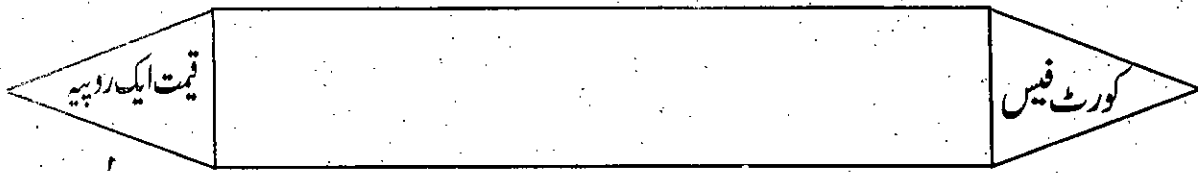
Farm Manager
Poultry Research Institute, Mansehra
Government of Khyber Pakhtunkhwa

*Voted subject to necessary correction,
attachment of annexures and affidavit.*

(12/4/2022)

*Assistant Secretary General
Khyber Pakhtunkhwa
Services Tribunal Peshawar*

بعد التظاہر سروس ٹریبونل جسٹس لیسٹو خواہ ہتمام کیٹاوی



مورخہ 25 جنوری 2022ء منجانب اربلا سٹ / احمد خان
مقدمہ احمد خان بنام سیکریٹری لائبریری سائنس ڈیپارٹمنٹ
دعویٰ جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی
متعلقہ آن مقام سروس ٹریبونل محمد عارف اربلا سٹ

مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل
اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب
دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زر اور اس پر دستخط کرنے کا اختیار ہوگا۔
نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل
یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔
اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ
برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوا ایسے مقدمہ کے
سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے
وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل
صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند رہے

المرقوم 25 جنوری 2022ء

واہ شہادہ العبد
Attested and accepted

محمد عارف اربلا سٹ
Muhammad Arif Advocate
District court suwat

Mob# 03329483542

سروس ٹریبونل
بمقام

احمد خان ولد تاج ملک واہ شہادہ العبد
محمد عارف اربلا سٹ
مقام سروس ٹریبونل
Mub# 0318048005
حال دیوبند

"B"

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

No.

Appeal No. of 20 ⁷⁸

1630

21

Appellant/Petitioner

Almad Khawwas

Secy: Line Staff *MPG* Respondent No.

3

JABA

Notice to: —

Director Poultry Research Institute (PRI)

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.....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.....

9/11

Day of.....20

Dec:

21

at Camp Court Sweet

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. 1630 of 2021

Ahmad Khan Appellant/Petitioner

Versus

Sey: Live Stock M.P.C. Pesh. Respondent

Respondent No. 4

Notice to:

Doctor Sajid Ali, S.R.O. Inquiry
affair Veterinary Disease and Investigation
Muzail Khan, Muzail Khan, Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 11-1-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

office Notice No. dated

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

Day of Decr. 2021

at Camp Court Swat

[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.

Appeal No. 1630 of 20 21
Ahmad Khan

Appellant/Petitioner
Sey: Linc Stack MPA

Respondent
Doctor Hamid ulah PRO / inquiry officer
Primary Disease and Investigation

Notice to: —

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.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this Dec 21 Day of.....20

at camp least Swat

[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. 1630 of 2021

Almad Khan Appellant/Petitioner

Versus

Serj. Linc Streets 14 PM Respondent

Mr. Shahid Hussain office Assistant Respondent No. 2

Notice to:

Inquiry officer Veterinary Disease and Investigation Mezaril Chakule Akattabad

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 1-1-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this 9/11

Day of Decr 2021

at Camp Court Smart

[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.

T13

Appeal No. 1630 of 20 21

Muhammad Khuresh Appellant/Petitioner

Versus

Secy Livestock & Pk Pesh Respondent

Respondent No. 2

Notice to:

Farm Manager P.R.I Poultry Research Institute AISA Mansehra.

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 4-1-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

office Notice No. dated

912

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

Day of Decr 20 21

at Camp Court Swat

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.