

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 11965/2020

Date of Institution ... 14.10.2020

Date of Decision ... 31.01.2022

Nafir Ullah Khan Ex-Patwari (then Halqa Patwari Bezan Khel) Tehsil Domel,
District Bannu ... (Appellant)

VERSUS

The Commissioner Bannu Division Bannu and two others.
... (Respondents)

Syed Noman Ali Bukhari,
Advocate ... For Appellant

Naseer-Ud-Din
Assistant Advocate General ... For respondents

AHMAD SULTAN TAREEN ... CHAIRMAN
ATIQU-UR-REHMAN WAZIR ... MEMBER (EXECUTIVE)

JUDGMENT

ATIQU-UR-REHMAN WAZIR MEMBER (E):-

Brief facts of the

case are that the appellant while serving as Patwari, was proceeded against on the charges of misconduct and was ultimately removed from service vide order dated 15-07-2020, against which the appellant filed departmental appeal, which was rejected vide order dated 24-09-2020, hence the present service appeal with prayers that the impugned order dated 15-07-2020 and 24-09-2020 may be set aside and the appellant may be re-instated in service with all back benefits.

02. Learned counsel for the appellant has contended that the impugned orders are against law, facts and norms of natural justice and material on record, therefore, not tenable and liable to be set aside; that in the first inquiry the appellant was exonerated of the charges and without showing any reason for de-

novo inquiry, in second inquiry the appellant was held guilty without issuing charge sheet/statement of allegation and without conducting regular inquiry, which is violation of Article-10 of the Constitution; that in case the authority disagree with findings of the inquiry officer, reason must be recorded but in case of the appellant no such reason was recorded; that no charge sheet/statement of allegation was served upon the appellant, no proper inquiry was conducted as the appellant was not associated with proceedings of the so called inquiry; that neither statement of the witnesses including the complainant were recorded in presence of the appellant nor the appellant was afforded opportunity to cross-examine such witnesses; that copy of the so called inquiry was not handed over to the appellant alongwith show cause notice, which was mandatory; that the mutation in question had correctly been prepared by the appellant in light of the contents of revenue record of the mouza concerned and there exist no mistake or irregularity either in the factum of the sale transaction reported to appellant or the contents of the sheet of subject mutation.

W/h
03. Learned Assistant Advocate General for the respondents has contended that upon a complaint lodged against the appellant, proper inquiries were conducted against the appellant and he was afforded appropriate opportunity of defense; that proper show cause was served upon him, but he failed to prove his innocence; that the appellant was afforded opportunity of personal hearing and all codal formalities were fulfilled; that the appellant was rightly awarded major penalty of removal from service as the appellant was a habitual offender, as previously he had also prepared fake mutation, for which the appellant was penalized; that service record of the appellant is full of bad entries and the appellant is not honest to his duty; that again the appellant was found guilty of misconduct, therefore after hearing the appellant, order of his removal from service was maintained and his departmental appeal was rejected; that the

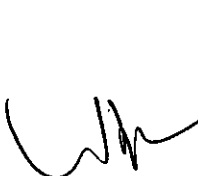
impugned orders are in accordance with law and appeal of the appellant being devoid of merit may be dismissed.

04. We have heard learned counsel for the parties and have perused the record.

05. Record reveals that the appellant while serving as Patwari in Patwar Halqa Bezan Khel, entered five number mutations for verification but the appellant was transferred after some time from the said Halqa. One Mr. Gul Mar Khan lodged a complaint against the appellant with the allegation that he had paid rupees fifty thousand as tax to the appellant for transfer of the property in the said mutations. To this effect an inquiry was conducted by AAC-II Bannu, who found that the mutations were entered as per law and were verified by Girdawar Circle. The inquiry report further reveals that some of the mutations were rejected by Revenue Officer on 30-06-2017 due to non-attendance of the parties and the rest are under process and stance of the complainant to the effect that his mutations were missing is not based on facts. The inquiry officer exonerated the appellant of the charges of mutation as well as of the charges of corruption. The inquiry report was submitted to the authority on 22-12-2017, but the competent authority without recording any reason appointed another inquiry officer and the inquiry officer conducted another fact finding inquiry and submitted its report on 16-06-2019 and held the appellant guilty of misconduct, but without proving such allegations against the appellant. In the said inquiry neither the appellant was associated with proceedings of the inquiry nor statement of the witnesses were recorded in presence of the appellant, thus the appellant was deprived of the opportunity to cross-examine witnesses. Still another inquiry on the same charges and on the same pattern was conducted and the inquiry officer again held the appellant guilty of the charges and submitted its report on 24-01-2020. The appellant was served with a show cause notice without issuing charge sheet/statement of allegation, thus the authorized officer, failed to frame the

proper charge sheet properly explaining the charges and other relevant circumstances proposed to be taken into consideration, as framing of charge and its communication was not merely a formality but it was a mandatory pre-requisite, which was to be followed. Reliance is placed on 2000 SCMR 1743. The appellant was finally awarded with major punishment of removal from service.

06. In the first place, it was noted that the appellant had rightly made entry in the register of mutation as per provisions contained in Section 42 of the Land Revenue Act 1967 read with Para 7.4(i) of the Land Record Manual, which infers that Patwari is required to make entry in the register of mutation every report made to him either by the person acquiring any rights in the landed property or on the information of any other person having charge of the property intended to be transferred through mutation and the appellant was rightly exonerated of the charges by the inquiry officer in the first inquiry report submitted on 22-12-2017.

 It was further noted that such entry is made with pencil, which are later on verified by Girdawar and finally attested by Tehsildar in Jalsa-e-Aam, thereafter it is entered with ink pen, so omission if any, would not be the sole responsibility of the appellant, but inspite of the fact only the appellant was malafiedly implicated on the issue of entering mutation and there is every possibility of rectification of error if any under Para 7.44 of the land record manual and which does not constitute gross misconduct entailing major penalty of dismissal from service. It was further noted that no damage whatsoever was caused either to State or to any individual due to entry of the subject mutation.

07. We have also noted that the respondents, while conducting another inquiry by another inquiry officer has not completed codal formalities under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, as the appellant was not issued fresh charge sheet/statement of allegations nor any reason was recorded for disagreement with the inquiry officer, which shows malafide on part of the respondents. The inquiries so conducted are replete with

deficiencies, as the inquiry officer did not bother to record statement of the main complainant Mr. Gul Mar Khan, hence deprived the appellant of the opportunity to cross-examine such witness, thus the respondents also violated Section 11 (1) and (4) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 by not affording opportunity to cross examine witnesses, nor recorded statements of witnesses in presence of appellant, thus deprived the appellant of his lawful right, which was not warranted by law. Reliance is placed on 2002 SCMR 433, 2012 PLC (CS) 728 and 1997 SCMR 1073. We are of the considered opinion that the appellant has been treated discriminately and the respondents were bent upon removing the appellant from service at any cost.

08. Three inquiries were conducted on the same charges against the appellant but the allegations so leveled were flimsy in nature and no specific charge was framed against the appellant. Perusal of the inquiry reports would suggest that such inquiries were fact-finding inquiries and not a regular inquiry as statements of witnesses and particularly of the complainants have not been recorded, which was mandatory for affording opportunity to the appellant to cross-examine such witnesses, thus skipping a mandatory step in the disciplinary proceedings, therefore action of authority in awarding major penalty of removal from service, in circumstances, was in sheer violation of principles of natural justice. Reliance is placed on 2011 PLC (CS) 387.

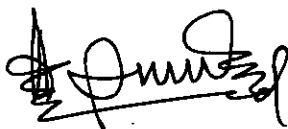
09. We have noticed that the disciplinary proceedings against the appellant have been conducted in a haphazard manner without adhering to the manner prescribed in law and to this effect, the august Supreme Court of Pakistan in its judgment reported as 2008 SCMR 1369 has held that in case of imposing major penalty, the principles of natural justice required that a regular inquiry was to be conducted in the matter, otherwise civil servant would be condemned unheard and major penalty of dismissal from service would be imposed upon him without adopting the required mandatory procedure, resulting in manifest injustice. Main

task of the inquiry officer was to prove such allegations with solid evidence, but the inquiry officer badly failed to prove such allegations. The respondents preferred to punish the appellant only based on presumptions; facts however, had to be proved and not presumed, particularly for awarding major penalty of dismissal from service. Reliance is placed on 2002 PLC (CS) 503 and 2008 SCMR 1369.


10. In order to justify their stance, the respondents had projected the appellant with a tainted past, whereas on the strength of PLJ 2005 Tr.C (Services) 107 and PLJ 2016 Tr.C. (Services) 324, it cannot be made a ground for awarding penalty to a government servant.

11. There are enough grounds available on record to show that the appellant has not been treated in accordance with law and was treated discriminately. Neither the charges of corruption were proved against him nor the entry of fake mutation, despite he was removed from service in an unlawful manner without adhering to the method prescribed in law and without any fault of the appellant. In view of the foregoing, the instant appeal is accepted. The impugned orders dated 15-07-2020 and 24-09-2020 are set aside and the appellant is re-instated in service with all back benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
31.01.2022



(AHMAD SULTAN TAREEN)
CHAIRMAN



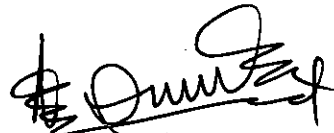
(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

ORDER
31.01.2022

Learned counsel for the appellant present. Mr. Naseer-Ud-Din, Assistant Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file, the instant appeal is accepted. The impugned orders dated 15-07-2020 and 24-09-2020 are set aside and the appellant is re-instated in service with all back benefits. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
31.01.2022



(AHMAD SULTAN TAREEN)
CHAIRMAN



(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

25.01.2022

Appellant in person and Syed Nasirud Din Shah, AAG alongwith Wali Muhammad, Reader to DC Bannu, Gul Rehman, AAC and Kamran, Kanungo for the respondents present.

Arguments heard. To come up for order on 31.01.2022 before this D.B.

(Atiq-Ur-Rehman Wazir)
Member (E)

Chairman

18.05.2021

Due to demise of the Worthy Chairman, the Tribunal is non-functional, therefore, case is adjourned to 06.07.2021 for the same as before.


Reader

06.07.2021

Appellant in person and Mr. Kabirullah Khattak, Addl. AG alongwith Wali Muhammad, Reader for respondents present.

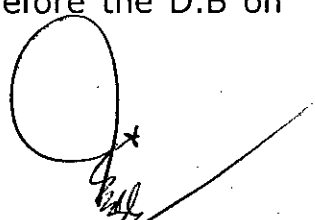
Respondents have submitted reply/comments. The appeal is entrusted to D.B for arguments on 17.11.2021.


Chairman

17.11.2021

Appellant in person present. Mr. Wali Muhammad, Reader alongwith Mr. Javed Ullah, Assistant Advocate General for the respondents present.

The learned Member (Judicial) Mr. Salah-ud-Din is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments before the D.B on 25.01.2022.

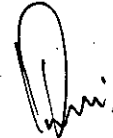

(Mian Muhammad)
Member (E)

18.11.2020

Appellant with counsel present.

Requests for time to further documents the appeal by placing on record orders/documents relevant to the previous departmental proceeding against the appellant. May do so on or before next date of hearing.

Adjourned to 04.02.2021 before S.B.



Chairman

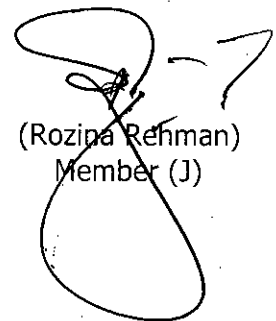
11.12.2020

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

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days.

Appellant Deposited
Security & Process Fee

Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 08.03.2021 before S.B.



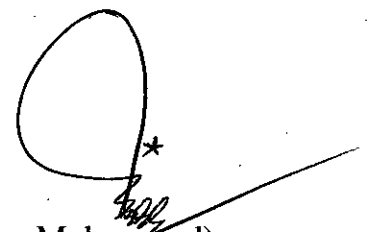
(Rozina Rehman)
Member (J)

08.03.2021

Appellant in person present. Addl: AG for respondents present.

Written reply not submitted. Learned AAG seeks time to contact the respondents for submission of written reply/comments.

Adjourned to 18.05.2021 before S.B.





(Mian Muhammad)
Member (E)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 119865 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/10/2020	<p>The appeal of Mr. Faqir Taj resubmitted today by Mr. Tanveer Minhas Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>18/11/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-		

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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____ /20

Nafeer Ullah Khan

V/S

Revenue Deptt:

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N. Ullah Khan
APPELLANT

NAFEER ULLAH KHAN

THROUGH:

M. Asif Yousafzai

MUHAMMAD ASIF YOUSAFZAI

Supreme Court of Pakistan

Syed Noman Ali Bukhari

(SYED NOMAN ALI BUKHARI)

ADVOCATE, HIGH COURT.

S. Khan

SHAHKAR KHAN YOUSAFZAI

Advocate Peshawar

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 11965/20

Nafir Ullah Khan Ex- Patwari,
(then Halqa Patwari bezan Kheil)
Tehsil Domel, Distt Bannu.

Khyber Pakhtukhwa
Service Tribunal

Diary No. 11420

Dated 14/10/2020

(Appellant)

VERSUS

1. The Commissioner Bannu Division Bannu.
2. The Deputy Commissioner, Bannu Division Bannu.
3. The Senior Member of Board of Revenue, kpk, Peshawar

(Respondents)

.....

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974
AGAINST THE ODER DATED 15.07.2020 WHEREBY
THE APPELLANT WAS REMOVED FROM THE
SERVICE AND AGAINST THE REJECTION ORDER
DATED 24.09.2020 WHEREBY DEPARTMENTAL
APPEAL OF THE APPELLANT HAS BEEN REJECTED
FOR NO GOOD GROUNDS.

Filed to-day
Registrar
14/10/2020

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE
ORDER DATED 15.07.2020 AND 24.09.2020 MAY
PLEASE BE SET ASIDE AND THE APPELLANT MAY
BE REINSTATED IN TO SERVICE WITH ALL BACK
AND CONSEQUENTIAL BENEFITS. ANY OTHER
REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS

**FIT AND APPROPRIATE THAT, MAY ALSO, BE
AWARDED IN FAVOUR OF APPELLANT.**

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was appointed as Halqa patwari and work with full zeal and zest. The appellant while workings as Halqa Patwari Bezan kheil enter 5 mutations for verification and just after 4 months transferred from the said halqa.
2. That, subsequently the complainant file complaint to DC for fake mutations on the basis of that report inquiry was conducted wherein appellant was exonerated from the charges. **copy of inquiry report is attached as Annexure-A.**
3. That thereafter another inquiry was conducted against the appellant without any reason and specific order and which is in questionnaire form. And inquiry officer recommended that the allegation of changing parth sarkar is incorrect. **Copy of inquiry report is attached as annexure-B.**
4. That third time fact finding inquiry was conducted wherein appellant again held responsible. **Copy of inquiry report is attached as annexure-C.**
5. That the deptt direct issued show cause notice to the appellant. The appellant properly replied to the show cause notice and denied the entire allegations. **Copy of show cause notice is attached as Annexure-D.**
6. That thereafter, without personal hearing the major penalty of Removal from service was imposed upon the appellant vide order dated 15.07.2020. The appellant being aggrieved filed departmental appeal against the order dated 15.07.2020 but the same was rejected vide order dated 24.09.2020 for no good grounds. Hence the present Sevice appeal on the following grounds amongst others. **Copy of impugned order, departmental appeal and rejection order is attached as annexure-E, F & G.**

GROUND:

- A. That the orders dated 15.07.2020 and rejection order dated 24.09.2020 are against the law, facts, norms of justice and material on record, therefore not tenable and liable to be set aside.
- B. That in first inquiry the appellant was exonerated and without showing season for denovo Enquiry. in second inquiry the appellant held guilty without issuing charge sheet and regular inquiry. which is violation of Article-10-A of the constitution ..
- C. That if the authority disagree with the inquiry officer he must be given reason but in the case of appellant no order was passed for inquiry and no reason was shown for disagreement with the inquiry which is violation of the superior court judgment.
- D. That no charge sheet statement of allegation was served upon the appellant, no proper regular inquiry was conducted if any then the appellant not associated with the inquiry, neither the statement recorded in presence of appellant nor the chance of cross examination provided to the appellant and if any inquiry conducted at back of the appellant so, also not provided the inquiry report to the appellant and without final show cause notice the impugned order was passed which is against the law and rules, void ab initio and norms of justice.
- E. That the complainant was neither examined before the appellant not given any chance of cross examination to the appellant during inquiry.
- F. That all the 5 mutation was prepared by the appellant which were rejected by the Tehsildar the appellant has not role in this but punished for no fault. **copy of mutation is attached as annexure-H**
- G. That the appellant was punished for no fault but to save the skin of the high officials and threatening the appellant for ulterior motives.
- H. That as per the provision of sec 42 of the land revenue act read with para 7.4 of the land record manual , patwari halqa shall enter in his register of mutation every report made to him either by the person acquiring any right in the landed property or on the information of any other person having charge of property intended to be transferred through mutation. So it is clear that the Patwari has limited roll, further it is added that the mutation was

cancelled by the tehsildar not appellant but despite that the appellant was awarded penalty of removal of service.

- I. That the mutation in question has been correctly prepared by appellant in the light of the contents the revenue record of the mouza concerned .there exists no mistake or irregularity either in the factum of the sale transaction reported to appellant or the contents of the sheet of the subject mutation , all the columns of both the foil and counter foil have correctly been filled by appellant exactly in accordance with the nature of landed property i.e khata number , khasara number , name of land owner /vendors and vendee.
- J. That the impugned order of Dc Bannu is void, contrary to law, facts and available record the appellant was treated discriminatory .the inquiry conducted was biased one. The inquiry was not fair and against mandate of service rules and policy.
- K. That, the entry appellant was thoroughly scrutinized and checked by girdawar circle concerned and later the mutation in question was attested in the presence of required witness.
- L. That, the appellant has done his job accordingly to law and has made the entry for mutation in question only.
- M. That, if the complainant is aggrieved, then he would be from girdawar circle and tehsildar concerned who have attested mutation but action was taken against the patwari by exonerating the tehsildar and Girdawar and punished the appellant to save the skin of High ups.
- N. That, the Inquiry was not conducted as per the mandate of law. Neither any statement of any witness was recorded in the presence of appellant neither he was afforded opportunity of cross examination.
- O. That, personal hearing, being mandatory, was not afforded to appellant which is against the law and rules.
- P. That no inquiry report was provided to the appellant with show cause notice which is against the law and rules.
- Q. That, appellant being employee, was not tenable to any penal action so the impugned order is based on ulterior motive.

- R. That the penalty of removal from service is very harsh which is passed in violation of law and, therefore, the same is not sustainable in the eyes of law.
- S. That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may be accepted as prayed for.

N. Ullah S
APPELLANT
NAFEER ULLAH KHAN

THROUGH:

A. S. You
MUHAMMAD ASIF YOUSAFZAI
Supreme Court of Pakistan

Noman Ali Bukhari
(SYED NOMAN ALI BUKHARI)
ADVOCATE, HIGH COURT.

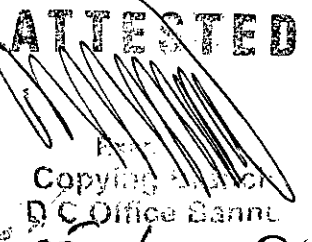
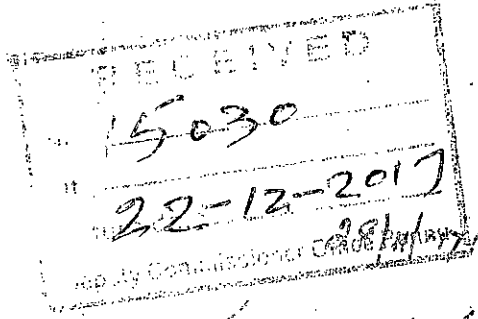
S. Khaz
SHAHKAR KHAN YOUSAFZAI
Advocate Peshawar

No. 967

Date 22/12/2017

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05-10-20

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تعمیراتی کاموں کے حوالے سے خلاصہ بیان کیا۔ درج ذیل تفصیلات 10048-10049-10050

10051-10052-10053-10054-10055-10056-10057-10058-10059

میلوں کے لئے پر تقریباً 20/11/2017ء کو جاری کی گئی تھی۔ اور ڈاؤن لوڈ کی

گئی تھی۔ اس کے بعد 2012ء سے تاحال جاری رہے

تعمیراتی کاموں کے حوالے سے تفصیلات 10048-10049-10050

تعمیراتی کاموں کے حوالے سے تفصیلات 10048-10051-10064

تعمیراتی کاموں کے حوالے سے تفصیلات 30/6/2017ء کو جاری کی گئی تھی

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تعمیراتی کاموں کے حوالے سے تفصیلات 10048-10051-10064

ATTESTED

09/10/2017

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Dr. Chirica Balnu

تعمیراتی کاموں کے حوالے سے تفصیلات 10048-10051-10064

تعمیراتی کاموں کے حوالے سے تفصیلات 30/6/2017ء کو جاری کی گئی تھی

اور اس کے بعد 2012ء سے تاحال جاری رہے

تعمیراتی کاموں کے حوالے سے تفصیلات 10048-10051-10064

تعمیراتی کاموں کے حوالے سے تفصیلات 30/6/2017ء کو جاری کی گئی تھی

اور اس کے بعد 2012ء سے تاحال جاری رہے

Attested
Handwritten signature

اس کے علاوہ زیر کار اشتیاقیت نمبر 10048-10061-10064 وغیرہ
ناصل زیر کار 7- جو کہ اشتیاقیت نامہ نمبر 7-

درخواست نمبرہ کا یہ موقف غلط ہے کہ یہ اشتیاقیت نامہ نمبر 7-
جم اشتیاقیت ریلیاؤڈ پر وجود ہے۔ خارج نامہ اشتیاقیت کے

بار میں اس وقت عدالت کے سامنے ہے۔ کہ وہ جائز عدالت میں ہے اور اس کے

دوسرے زیر کار اشتیاقیت کے بار میں اس وقت عدالت کی ہے۔ کہ وہ
دیوٹی آفیسر کو بائیکاٹ بحکم عام نہیں کرتے۔ تاہم فریقین/بائیکاٹ

کے موجودگی فیصلہ سے ہو سکتے۔ اور خارج نامہ اشتیاقیت کے بار میں عدالت

تاقون قرار کی ہے۔ کہ عدالت اشتیاقیت کے بار میں انفرنگ کا

تاقون قرار ہے۔ جو کہ عدالت کے فیصلہ کارروائی اور اس وقت ہے۔ اس کے

کی حکم انصر ہے۔

628

Before the Magistrate 05-10-20

Date of Application 05-10-20

Before the Court 05-10-20

Signature

No's of Wards 03

Usual fee Rs. 300

Special fee Rs.

Attested

AA (B) TESTED

05/10/20

Handed over to
ATTORNEY

INQUIRY REPORT AGAINST MR. NAFEER PATWARI,

COMPLAINT

To dig out facts, various stakeholders in the case were summoned and their statements were recorded.

Statement of Complainant Gul Mar Khan: (Flag A)

He stated that

RECEIVED	
No.	18029
Dt.	24-10-19
Return Date	
Deputy Commissioner Office Bannu	

- Recd
Patwari*
- The applicant had purchased 52 K land @ 26000/per Kanal. He paid Rs.1000000/- to the seller on the spot. Rest of the payment will be made after mutation.
 - The applicant went to Patwari Nafirullah for entry/attesting the mutation for the same and paid Rs.54000 to him for the purpose.
 - Patwari Nafirullah entered various mutations. Nafirullah (Patwari) delayed attestation of the same. Meanwhile, he was transferred. When the complainant approached the new Patwari. The Patwari stated that the mutations are not available/traceable
 - Therefore, he submitted complaint to DC, Bannu against Patwari Nafirullah, but after some time mutation were found with office Kanungo Domel being rejected/disposed off.
 - The complainant stated that the rejected mutations are bogus one. He provided another copy of the mutations which has the partial of Girdawar but the rejected copy has not the partial of Girdawar, which reveals that the rejected mutations are bogus.
 - He requested to take disciplinary action against the Nafirullah (partwari) and attested the mutations as he already deposited/paid taxes to Nafirullah (Patwari).

A. Hestad
Reader to Commissioner
Bannu Division
10/2020

Haider Ali
ATTESTED

Statement of Nafir (Ex Patwari Bizan Khel): (Flag B)

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He stated that ;

- a. He has entered mutation No. 10049, 10050, 10051, 10057, 10060, 10064, 10061. and 10048 on 24.05.2012 and the Girdawar has made parthal on Parth Patwar.
- b. He has not taken any amount from the complainant.
- c. The complaint is baseless and may be filed.
- d. On a question that "why parth Sarkar has not the parthal of Girdawar" he replied that "the Girdawar should record parthal but it is the responsibility of Girdawar.
- e. On a question that "handwriting of parth sarkar and Parth partwar is difference" he replied that to hurry and change of pen, difference may occurred.
- f. On a question that "why the mutations have been delayed and why he has not presented the same to Tehsildar for attestation/rejection" he replied that "The mutations were lying with Girdawar."
- g. On question that "the complainant has paid amount to Nafirullah through Amir Hamza. He replied that "he does not know Amir Hamza.
- h. About writing he stated that he does not know.

Statement of Asghar (ADK): (Flag C)

- a. He provide copy of Mutation No 10049, 10050, 10051, 10057, 10060, 10061, 10064. which are rejected.
- b. There is no record of Mutation No. 10048 in his office.
- c. He does not know about overwriting as he has recently joined this office.

Statement of Shafiullah (Girdawar): (Flag D)

He stated that

- a. He has written parthal on the parth patwar of the mutation No. 10049, 10050, 10051, 10057, 10060, 10064, 10061. and 10048
- b. Parth sarkar of mutation No. 10049, 10050, 10051, 10057, 10060, 10064, 10061. and 10048 has signature of him but signature of him

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Refer to Commissioner
Banny Division
02/10/2022

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does not exist on parth sarkar, which means that Parth Sarkars have been replaced. Over writing on page No. has also indicates that there is something wrong.

Statement of Tehsildar (Asmat Ullah): (Flag E)

He stated that:

- He rejected Mutation No. 10061, 10049, 10050, 10051, 10057, 10060, 10064, in Jalsa AAm as they were pending since long.
- Parthal of Girdawar was not quoted on the said mutations.

Statement of Mir Shah Ali Khan (partwari Bizan Khel) (Flag F)

He stated that

- Difference in Page No. may also occur due to damages of pages.
- Difference in handwriting may also occur due to change of pen.
- Parthal of Girdawar is necessary on both i.e. parth Sarkar and Parth Patwar.
- After recording parthal mutation has been handed over to Patwari.

Statement of Amirullah (present Patwari Bizan Khel) (Flag G)

He stated that:

- He stated that most of the land under question has been sold vide difference mutations.

Statement of Sabil (Partner of complainant) (Flag H)

He stated that:

- They have purchased 33 K land from Hanzada Khan, Qamar Zaman Khan Etc and amount has been paid to them.
- Rs. 26000/ as taxes have also been paid to Ayub Khan (Ex.Tehsildar) by hand.
- He does not know about revenue record whether the Patwari has attested the mutations or not.
- Later on he left partnership with complainant and now he has not concerned with the land.

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Reader to Commissioner
Bannu Division
02/10/2020

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(19)

Findings:

After going through the record and statements of the accused/Patwari, complainant & witness, it reveals that the accused Patwari change the Parth Sarkar of the mutation NO. 10049, 10050, 10051, 10057, 10060, 10064. Further statement of complainant Mr. Gul Mar Khan seems genuine that he gives tax money to Patwari (Nafeerullah) in the presence of Mr. Aamir Humza at shamimly Hotel.

Recommendations:

Keeping in view track record of Nafirullah Patwari (presently dismissed in corruption cases & filled a writ petition in high court for his restoration), interesting on the same allegation and record, Azizullah Jan the-then AAC (Rev) Bannu, conduct an inquiry and come up with report on 20/03/2018 with the recommendation that the allegation of Gul Mar Khan seems to be genuine (**Flag I**).

Therefore, it is recommended that Mr. Nafeerullah the-then Patwari Mouza Bizan Khel seems to be guilty of changing Parth sarkar of Mutations no 10049, 10050, 10051, 10057, 10060, 10064. And Major penalty may be imposed on him according to E&D Rules 2011.

{ Report is submitted please.

11/2/19
16/9/19
Addl; Deputy Commissioner
Inquiry officer, Bannu

Attested
[Signature]
Reader to Commissioner
Bannu Division

02/10/2020

Haidead Ali

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13

**OFFICE OF THE
ASSISTANT COMMISSIONER
BANNU**

Ph:#0928-9270039 - Email acbannu@gmail.com

No. 88 /AC/F.5

Dated Bannu the 27/01/2020

To

The Deputy Commissioner,
Bannu.

Subject:- **DISCIPLINARY ACTION AGAINST NAFEER ULLAH KHAN,
PATWARI.**

Dear Sir,

Please refer to your good office charge sheet and statement of allegation bearing No.7330/DC/AE dated 27.11.2019.

P-15

Enclosed find herewith the requisite inquiry report conducted by the undersigned against Mr.Nafeerullah Khan, Patwari for further necessary action as desired, please.

Shauzab Abbas
24/01/2020
(SHAUZAB ABBAS) 2020
Assistant Commissioner

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No. 1172
Dt. 27-1-2020
Return Date
Deputy Commissioner Office Bannu

Attested.

[Signature]
Reader to Commissioner
Bannu Division

02/10/2020

Haradathi

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Discuss.

AE
[Signature]
Deputy Commissioner
Bannu

Shaheed Tehsil Domel and paid Rs.10,00,000/- to the seller on the spot while as per commitment the outstanding balance will be paid during the time of mutation. He further stated that three Parth Sarkar of mutations No.10048, 10061 & 10064 were found pending while the other Parth Sarkar of mutations 10061 & 10064 were found pending while the other Parth Sarkar of mutations later-on

15



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13

OFFICE OF THE ASSISTANT COMMISSIONER BANNU

Ph:#0928-9270039 - Email acbannu@gmail.com

No. 88 /AC/F.5

Dated Bannu the 27/01/2020

To

The Deputy Commissioner, Bannu.

Subject:- DISCIPLINARY ACTION AGAINST NAFEER ULLAH KHAN, PATWARI.

Dear Sir,

Please refer to your good office charge sheet and statement of allegation bearing No.7330/DC/AE dated 27.11.2019.

P-15

Enclosed find herewith the requisite inquiry report conducted by the undersigned against Mr.Nafeerullah Khan, Patwari for further necessary action as desired, please.

Shauzab Abbas
26/01/2020
(SHAUZAB ABBAS)
Assistant Commissioner

RECEIVED
No. 1172
Date 27-1-2020
Deputy Commissioner, Office Bannu

Attested
Reader to Commissioner
Bannu Division

02/10/2020

Discuss.
Deputy Commissioner
Bannu

Harada Bhatti

ATTESTED



(14)

OFFICE OF THE
ASSISTANT COMMISSIONER
BANNU

Fax/Ph: #0928-9270039 - Email acbannu@gmail.com

**ENQUIRY REPORT INTO THE ALLEGATIONS LEVELLED AGAINST MR. NAFEER
ULLAH THE THEN PATWARI HALQA BIZEN KHEL TEHSIL DOMEL DISTRICT
BANNU BY GUI. MAR KHAN R/O DOGAR UMERZAI TEHSIL DOMEL**

The Deputy Commissioner, Bannu appointed the undersigned as an Inquiry Officer vide charge sheet and statement of allegation bearing No.7330/DC/AE dated 27.11.2019 to conduct inquiry into the allegations regarding guilty of changing Parth Sarkar of mutations on account of illegal gratification.

Summary of the case

One Mr. Gul Mar Khan s/o Bostan Khan r/o Dogar Umerzai Tehsil Domel District Bannu complained that Mr. Nafeerullah Khan the then Patwari Halqa Bizen Khel Tehsil Domel had changed the Parth Sarkar of Mutations No.10049, 10050, 10057, 10060 & 10064 on account of illegal gratification. Accordingly, the Additional Deputy Commissioner, Bannu probe into the allegations which were proved to be genuine upon which he recommended award of major penalty to the accused Patwari.

Proceedings

In order to ascertain factual position and to record statements, the complainant, all stakeholders and the accused Patwari Mr. Nafeerullah were summoned on 10.12.2019 at 11.30 am and 3.00 pm vide letters No.4545-50/AC/F.5 dated 3.12.2019 and No.4551-52/AC/F.5 dated 3.12.2019 respectively. The eight number respondents who were summoned through Patwari concerned did not attend this office despite of the facts that they were informed by the Patwari well in time vide Annex-A. The complainant (Gul Mar Khan), Asmatullah, the then Tehsildar Domel (now retired), Asghar Khan, the then Office Kanungo Tehsil Domel (now HVC Commissioner's office), Shafiullah the then Girdawar Circle Tehsil Domel (now retired) Mir Shah Ali Khan, the then Patwari Halqa Bizen Khel attended this office and their statements were recorded which are reproduced as follows:-

Statement of the complainant (Gul Mar Khan)

In his written statement at Annex-B, the complainant Gul Mar Khan has stated that he had already given statement to ADC Bannu in the said inquiry and his current statement is the same.

In his previous statement (Annex-C), the complainant stated that he purchased 52 Kanal land @ Rs.26000/- per kanal located in Mauza Chak

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Reader to Commissioner
Bannu Division
10/12/2019

H. Mirza Ali

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Shaheed Tehsil Domel and paid Rs.10,00,000/- to the seller on the spot while as per commitment the outstanding balance will be paid during the time of mutation. He further stated that three Parth Sarkar of mutations No.10048, 10061 & 10064 were found pending while the other Parth Sarkar of mutations No.10049, 10050, 10051, 10057 & 10060 were missing which were later-on presented by the concerned Patwari and the serial number of the said parth Sarkar of Mutations do not match with the Parth Patwar of the said mutations. The complainant also stated that the said parth sarkar of mutations No.10049, 10050, 10051, 10057 & 10060 were bogus and not original.

The complainant therefore requested that necessary legal action may be taken against the concerned Patwari.

Statement of the then Tehsildar Domel (Asmatullah)

In his written statement at Annex-D, Mr. Asmatullah, the then Tehsildar Domel (now retired) has stated that he had given the statement to the Additional Deputy Commissioner Bannu on 1.1.2019 about Mutations No.10049, 10050, 10051, 10057, 10060, 10061 & 10064 Mauza Bizen Khel and his current statement is the same.

In his previous statement (Annex-E), the then Tehsildar stated that:-

- (1) Mutations No.10049, 10050, 10051, 10057 & 10060 which were lying since 2012 and no action was taken on it were rejected in default.
- (2) Since the mutations were old, therefore, the same were rejected.
- (3) The concerned Patwari prepared detail of rejected mutations which were rejected in Jalsa-e-Aam.
- (4) There was no verification report of Girdawar Circle on Parth Sarkar.
- (5) When there was no verification report available on parth sarkar, then how can signature of Girdawar Circle exist?
- (6) Mutations No.10061 & 10064 were rejected in Jalsa-e-Aam on 22.1.2018 while mutation No.10048 was still pending and was present with concerned Patwari Halqa.

Statement of the then Office Kanungo Tehsil Domel (Asghar Khan)

In his written statement at Annex-F, Mr. Asghar Khan, the then Office Kanungo Tehsil Domel (now HVC Commissionerate Bannu) has stated that he had given the statement in the inquiry of Nafeer to the then Additional Deputy Commissioner Bannu about Mutation No.10049 etc and his statement is the same.

In his previous statement (Annex-G), the then office Kanungo stated that he had brought register of mutations of Mauza Bizen Khel and presented photocopies of rejected Parth Sarkar of Mutations No.10049, 10050, 10051, 10057, 10060, 10061 & 10064. He further stated that Parth Sarkar of Mutation No.10048 was not available in the office of Kanungo Tehsil Domel. He also

Page 2 of 4

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Asghar Khan
Reader to Commissioner
Bannu Division
02/10/2020

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stated that serial numbers of Parth Sarkar, of mutations No.10050, 10051, 10057 & 10060 had been overwritten which is not known to him that who had do it.

Statement of the then Girdawar Circle Tehsil Domel (Shafiullah Khan)

In his written statement at Annex-H, Mr. Shafiullah Khan, the then Girdawar Circle Tehsil Domel (now retired) has stated that he had given statement earlier in this case, that is still his statement.

In his previous statement (Annex-I), the then Girdawar Circle had stated that his signatures were exist on Parth Patwar and Parth Sarkar of Mutations No.10048 and 10061 while his signatures on Parth Patwar of mutations No.10049, 10050, 10051, 10057 & 10064 are exist but the same on Parth Sarkar were not exist. He also stated that the serial number of the Parth Patwar and Parth Sarkar does not clear and accurate which make that suspicious.

He further stated that when Girdawar Circle sign (verification report) parth patwar then he also sign the parth sarkar which shows that the pages of parth sarkar had been changed.

Statement of the then Patwari Halqa Bizen Khel (Mir Shah Ali Khan)

In his written statement at Annex-J, Mr.Mir Shah Ali Khan, the then Patwari Halqa Bizen Khel (now Patwari Mauza Aral-I Tehsil Domel) has stated that he had given statement earlier in this case, that is still his statement.

In his previous statement (Annex-K), the then Patwari had stated that difference in page number occurred due to damages of pages while difference in hand writing occurred due to change of pen. He further stated that parth of Girdawar was necessary on both i.e. parth sarkar andn parth patwar and after recording parth, mutation handed over to Patwari.

Statement of the present Patwari Halqa Bizen Khel (Amirullah Khan)

In his written statement at Annex-L, Mr.Amir Ullah Khan, Patwari Halqa Bizen Khel has stated that he had given statement earlier in this case, that is still his statement.

In his previous statement given to the ADC Bannu (Annex-M), Mr.Amirullah Khan has stated that he had brought himself parth sarkar & parth patwar of Mutation No.10048 while parth patwar of mutations No.10049, 10050, 10051, 10057, 10060, 10061 & 10062, for perusal. He further stated that most of the land in question had been sold vide above mutations.

Haider Ali

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Reader to Commissioner
Bannu Division

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Statement of the accused Patwari (Nafeerullah Khan)

In his statement (Annex-N), Mr. Nafeerullah Khan, the then Patwari Halqa Bizen Khel Tehsil Domel has stated that he had entered mutations No. 10048, 10049, 10050, 10057, 10060, 10061 & 10064 Mauza Bizen Khel-I Tehsil Domel of the complainant on 24.5.2012 and the Girdawar Circle made parthal on parth patwar. He further stated that the complainant (Gul Markhan) produced only sellers of mutation No. 10048 while the sellers of other mutations did not produce to Girdawar Circle and Tehsildar since 2012 to date out of which mutations No. 10048, 10061 & 10064 were still pending while other mutations were rejected by the Revenue Officer on 30.6.2017 due to absence of sellers.

The accused Patwari further stated that neither he had taken any tax amount from anyone nor it is his job. He also stated that he did not take any amount for any officer.

He further stated that the complaint of the complainant is baseless as the complainant made false accusations on him in the complaint. The accused Patwari therefore requested that since he is innocent, therefore, the complaint of the complainant may please be filed.

Findings:

After thorough probing into the matter and going through the record and statements, it revealed that the accused Patwari (Nafirullah) has acted in an irresponsible manner about the missing of parth sarkar of the mutations and later-on presented by the accused Patwari but the serial number of the said parth sarkar of mutations were not match with the parth patwar of the said mutations. The accused Patwari prepared bogus mutations for the complainant. The complaint of the complainant seems to be genuine.

Recommendations:

Keeping in view the above, It is recommended that:-

- (a) Mr. Nafeerullah, the then Patwari Mouza Bizen Khel, Tehsil Domel may be awarded major penalty.
- (b) Any relief regarding preparation of fresh mutations of the disputed landed property cannot be granted by this office for which he should file appeal in the proper forum.

Report is submitted please.

Attested
Reader to Commissioner
Bannu Division
02/10/2020

Shauza Abbas
(SHAUZAB ABBAS)
Assistant Commissioner/
Inquiry Officer, Bannu
24/01/2020

Haider Ali

ATTESTED



12

THE DEPUTY COMMISSIONER, BANNU

tel: 0928-9270032, Fax: 0928-9270079 dcbannu

Dated: 5-02-2020

No. 1615-6/AE/BC

SHOW CAUSE NOTICE

1. I (Capt.(R) Muhammad Zubair Khan Niazi Deputy Commissioner Bannu), as competent authority, under the Khyber Pakhtunkhwa Government servants (Efficiency and Discipline) Rule: 2011, do hereby serve you Mr. Nafir Ullah Khan the then Patwari Halqa Bezan Khel Tehsil Dornal as follows.

2. That consequent upon the completion of enquiry conducted against you by the Inquiry Officer the allegations mentioned in statement of allegation and charge sheet have been proved.

3. I am satisfied that you have committed the following acts/omission specified in rule 3 (b) of the said rules.
(b) Guilty of misconduct.

As a result thereof, I as Competent Authority, have tentatively decided to impose upon you penalty including major penalty of removal from service provided under the E & D rules 2011.

4. 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.


5. If no reply to this notice received within seven days (7) or not more than fifteen (15) days of its delivery, it shall be presumed that you have no defense to put in and that case an ex-parte action shall be taken against you.

A copy of the finding of the inquiry officer/inquiry committee is enclosed.


DEPUTY COMMISSIONER

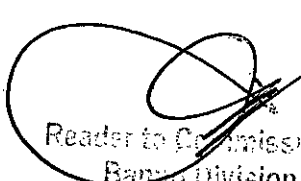
Copy of the above is forwarded to the:-

- 1. Assistant Commissioner Bannu w/r to his letter No.88/AC/F.5 dated 27-01-2020 for information please.
- 2. Official concerned.


DEPUTY COMMISSIONER

RIN 0912/ok

6-3-2020


Reader to Commissioner
Bannu Division

ATTESTED



19
E

THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, dcbannu

No. 2814 /DC/AE

Dated: 15-07-2020

OFFICE ORDER:

WHEREAS, Mr. Nafeer Ullah (then Patwari Halqa Bizan Khel) Tehsil Domel, District Bannu was proceeded under E&D rules for allegations of changing the 'Parth Sarkar' of mutation no. 10049, 10050, 10057, 10060 and 10064 and preparing bogus mutations (Parth Patwar & Parth Sarkar of which do not tally with each other) on complaint/allegation levelled by Gul Mar Khan, R/O Dogar Umerzai, Tehsil Domel, Bannu within the meaning of Rule-3 (b) & (c) of the Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline) Rules, 2011 during his posting as Patwari Halqa Bizan Khel, Tehsil Domel, Bannu.

WHEREAS, all legal formalities were completed. Proper Charge Sheet and Statement of Allegations as well as proper show-cause notice were issued to the said Patwari and opportunity of personal hearing by the undersigned was provided as evident from show cause notice No. 1615/AE/BC dated 05/03/2020, his detailed reply to show cause notice during personal hearing before the undersigned, dated 18/03/2020 and notice for personal hearing No. 2727/DC/AE/BC dated 03/07/2020 and attendance sheet dated 08/07/2020.

WHEREAS, the said Patwari was also proceeded under E&D rules in another case for allegation of taking illegal gratification from one Uzair Aslam R/O Mitaki Bizan Khel, Tehsil Domel within the meaning of Rule-3 (b) & (c) of the Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline) Rules, 2011 during his posting as Patwari halqa Landidak, Tehsil Baka Khel.

AND WHEREAS, ongoing through the record, including written defense of the said employee before the inquiry officers, as well as his verbal and written defense/statements before the undersigned during his personal hearings, I am satisfied that the said employee had committed the said offences thus found guilty under Rule-3(b) & (c) accordingly and the guilt/allegations have been proved without any shadow of doubt.

I, (Zubair Khan Niazi, Deputy Commissioner Bannu), as competent authority, hereby impose major penalty of "Removal from Service" as provided under rule 4 (b)(iii) of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rule 2011 on Mr. Nafeer Ullah, Patwari with immediate effect.

Since, the complainants sustained heavy losses, hence, they may contact proper legal forum/Civil Court for compensation of their losses. Moreover, the complainant Gul Mar Khan, may also approach concern quarters for preparation of fresh mutation of disputed landed property to proper legal forum accordingly.

ATTESTED

Copy of this Office Order

(Cap. Rtd. Zubair Khan Niazi)
DEPUTY COMMISSIONER

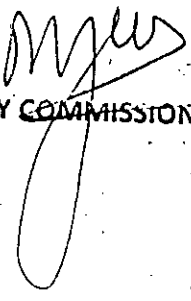
Haidar Ali

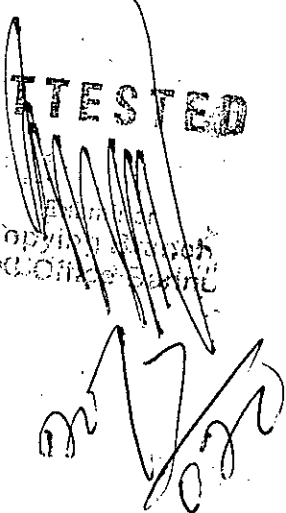
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Copy forwarded to the:

1. Secretary to Govt. of Khyber Pakhtunkhwa Revenue & Estate Department, Peshawar.
2. Commissioner Bannu Division, Bannu.
3. PSO to Chief Minister
4. PSO to Chief Secretary
5. PS to Principal Secretary to CM
6. Additional Deputy Commissioner Bannu.
7. Assistant Commissioner, Bannu.
8. All AACs, Bannu
9. Tehsildar Bannu and Domail.
10. District Comptroller of Accounts, Bannu.
11. District Nazir, Bannu.
12. Official concerned.
13. Complainants (Gul Mar Khan & Uzair Aslam)


DEPUTY COMMISSIONER

ATTESTED

Copy of the
DC Office

Haidar ALI
ATTESTED

Reader
put up through
A.C.R.

بخدمت جناب کمشنر صاحب بنوں ڈویژن بنوں

COMMISSIONER
Bannu Division

A Hestad
A. S. S. S.

Reader 20/16/2020
Bannu Division

اپیل حکمانہ

بدیں مضمون کہ سائل نفیر اللہ خان پٹواری کو بروئے لیٹر نمبر 2914/DC/AE

مورخہ 15-07-2020 کو "Removal From Service" کیا گیا ہے

RECEIVED
D.No. 3726
Date 21-07-20
Return date 21/7
Commissioner Office Bannu

استدعائے اپیل:-

بمنظوری اپیل ہذا و منسوخ فرمانے حکم زیر اپیل محررہ مورخہ 15-7-2020 و بحال فرمانے

جانے اپیلانٹ بطور پٹواری

Reader

جناب عالی:- اپیلانٹ ذیل عرض کرتا ہے۔

(۱) یہ کہ حکم زیر اپیل محررہ مورخہ 15-7-2020 خلاف قانون، واقعات اور روئیدات مثل ہے اپیلانٹ نے اپنی ڈیوٹی نہایت خلوص، لگن سے سرانجام دی ہے

(۲) یہ کہ جناب ڈپٹی کمشنر بنوں نے حکم زیر اپیل صادر فرماتے وقت موجود ریکارڈ کو یکسر طور پر نظر انداز کیا ہے بدیں وجہ حکم زیر اپیل قابل منسوخ ہے۔

(۳) یہ کہ ڈپٹی کمشنر بنوں نے حکم مورخہ 15-7-2020 صادر فرماتے وقت بنیادی و قانونی امور کو پرکھنے میں اور اس کا صحیح تجزیہ نکالنے میں قانونی غلطی کی ہے اور یوں انصاف و قانون کے تقاضے بری طرح مجروح ہوئے ہیں۔

(۴) یہ کہ ڈپٹی کمشنر بنوں / انکوائری آفیسر نے اس جانب کسی قسم کی توجہ نہیں دی ہے کہ من سائل نے صرف اور صرف انتقالات درج کئے ہیں۔ انتقالات کے تصدیق کرنے کی ذمہ داری ریونیو آفیسر کی ہوتی ہے۔ سائل کو جب پٹواری حلقہ موضع بیزن خیل بنوں سال 2012 میں تعینات کیا گیا تو سائل کا دورانیہ صرف اور صرف چار ماہ تھا۔ سائل نے انتقالات درج کرنے کے بعد جب سائل کا اس موضع بیزن خیل سے ٹرانسفر ہو گیا تو سائل پر قانوناً کسی قسم کی ذمہ داری عائد نہیں ہوتی

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(۵) یہ کہ دوران انکوائری آفیسر انکوائری نے کسی قسم کے قانونی تقاضے پورے نہیں کئے ہیں اور زر خرید مالک سمیل خان کا بیان نہیں لیا گیا ہے اور سائل کو بمشء قانون جرح کی اجازت نہیں دی گئی ہے جملہ کاروائی مبنی بر بد نیتی، خلاف قانون ہے اپیلانٹ کو مکمل طور پر قانونی حق دینا چاہیے تھا لیکن انکوائری آفیسر سے سائل کو قانونی حق نہ دیتے ہوئے سائل کو ناقابل تلافی نقصان دیا ہے جبکہ اعلیٰ عدالتوں کے یہی احکامات ہیں کہ فریقین کو ناقابل تلافی نقصان نہیں دیا جائے گا۔ انکوائری آفیسر نے جملہ کاروائی نہایت جلد بازی میں کی ہے

(۶) یہ کہ انتقال کے درج ہونے کے بعد مشتری نے اپنے انتقال کے کا پتہ تک گوارہ نہیں کیا ہے کیونکہ ریونیو آفیسر نے اپنے تحریری بیان مورخہ 1-1-2019 کو واضح طور پر درج کیا ہے کہ انتقال نمبرات 10049-10050-10051-10057-10060 جو کہ سال 2012 سے

پڑے تھے اور اسپر کوئی کاروائی نہیں ہوئی تھی بعد پیروی خارج کئے گئے۔ جس سے واضح ہے کہ مشتری سمیل خان ولد گل باز خان کے اپنے انتقال درج کرانے کے بعد اس کا پتہ تک گوارہ نہیں کیا ہے۔ حالانکہ یہ واضح ہے کہ

مشتری ہوشیار باش

(۷) یہ کہ کچھ دیگر قانونی نقاط بدوران بحث با اجازت انجناب پیش عدالت کئے جائینگے۔

لہذا بوجوہات بالا استدعا ہے کہ اپیل ہذا منظور فرماتے ہوئے حکم زیر اپیل محررہ مورخہ 15-7-2020 کو منسوخ فرمایا جا کر اپیلانٹ کو اپنی ملازمت پر بحال فرمایا جائے

2020/7/15

نفیر اللہ خان۔ کفایتیہ ہوائی۔ اپیلانٹ

Attested

Asif

02/10/2020

Reader to Commissioner
Bannu Division

Haider Ali

Attested

نام

IN THE COURT OF COMMISSIONER BANNU DIVISION

BANNU

Service Appeal

Q A (23)

Mr.Nafeer Ullah Patwari, Office of DC Bannu..... (Appellant)

Versus

Deputy Commissioner, Bannu(Respondent)

ORDER:

Mr.Nafeer Ullah Ex-Patwari, office of Deputy Commissioner Bannu, has moved an appeal against the impugned order No. 1615-16/AE/BC, dated 05/03/2020 issued by the Deputy Commissioner Bannu, the respondent department herein, whereby the appellant has been removed from service.

Brief history of the case is that upon public complaint, the Deputy Commissioner Bannu conducted an inquiry against the appellant, issued a show-cause notice to him and imposed a major penalty of removal from service upon him vide the impugned order.

Appellant as well as representative of the Deputy Commissioner Bannu present and heard in detail. Comments of the respondent department and case file perused.

Impugned order seems to be based on merit. The instant appeal is, therefore, dismissed with no order as to cast.

Announced
24/09/2020

[Signature]
COMMISSIONER,
BANNU DIVISION

Attested
[Signature]
02/10/2020
Reader to Commissioner
Bannu Division

Attested
[Signature]
ATTESTED

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			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						ان زمینوں کے بارے میں جواب دہ محکمہ کی طرف سے۔					
10060			50						15					
922			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						87					
924			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						130					
925			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						184					
945			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						24					
953			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						130					
957			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						170					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						148					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						60					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						110					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						28					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						23					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						80					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						143					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						129					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						153					
			مجموعہ زمینیں جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔						1984					

خوب حالی 1
 دائرہ بنداریں دفعہ کر کے
 بعد امر کے اشتہار پیش
 محضر انور سے

کے کمرہ نمبر 10

ATTENDED
 Haidar Ali

Reader to Commissioner
 Bannu Division

نشان 10060 میں سیزن میں / جس کی خرید و بیعہ متعلقہ محکمہ کے ماتحت ہے۔

95

سرکار سوات

ادوار چتر چتر چتر

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تاریخ	مقام	مبلغ	تفصیل	ملاحظات
924	55	1316	مبلغ	
924	55	1317	مبلغ	
925	55	1341	مبلغ	
925	55	1342	مبلغ	
925	55	1344	مبلغ	
925	55	1303	مبلغ	
925	55	908	مبلغ	
		3308	مبلغ	
		3307	مبلغ	
		3304	مبلغ	
		3373	مبلغ	
		3315	مبلغ	
		3319	مبلغ	
		3320	مبلغ	
		3321	مبلغ	
		3323	مبلغ	
		17	مبلغ	

دائمی بر قسطی در 2 اقسام
 لیدر امریک بشارت
 کفران

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RECEIVED
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Reader to Commissioner
 Sannu Division

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921	15/5/57	922	923	924	925	926	927	928	929	930	931	932	933	934
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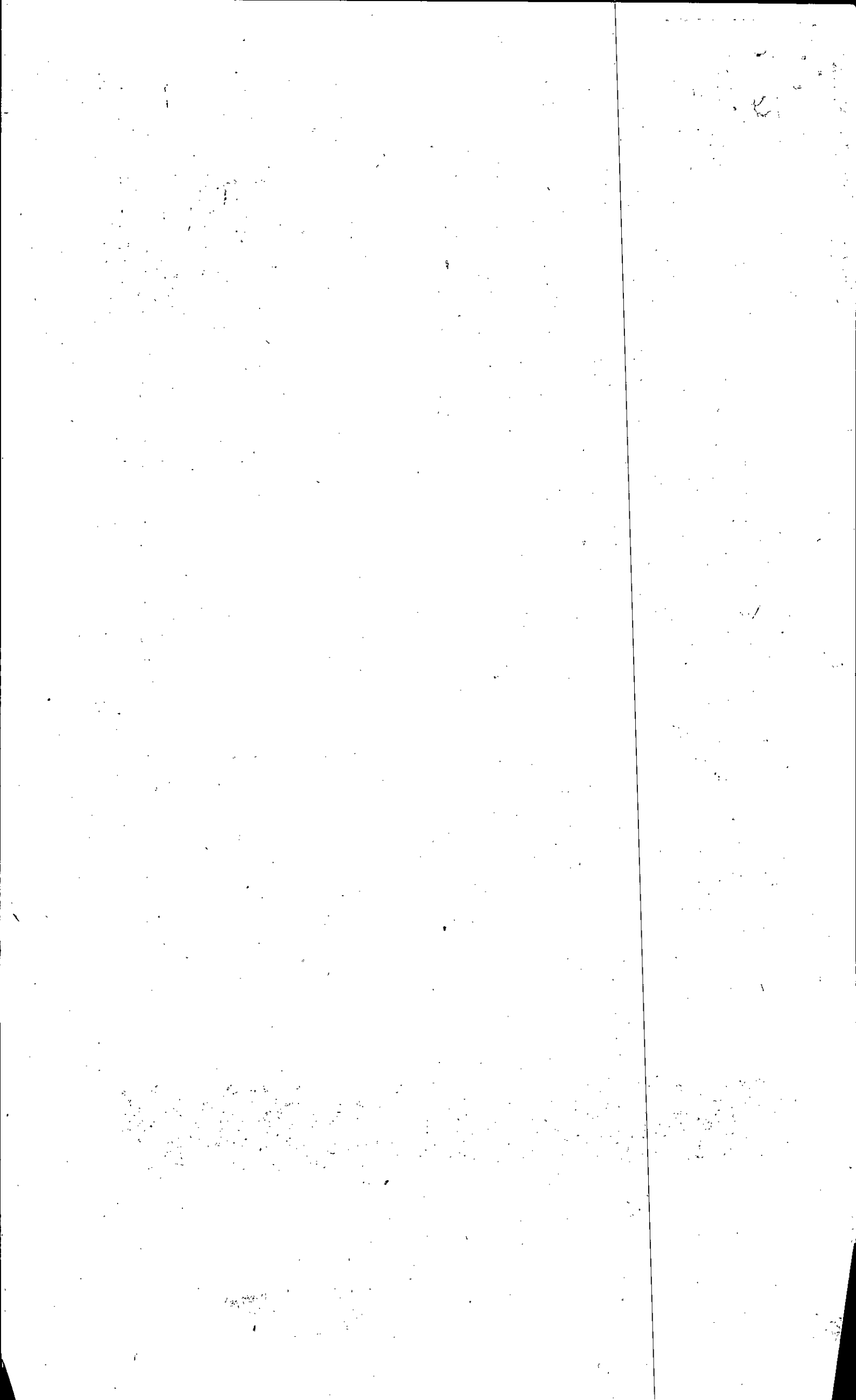
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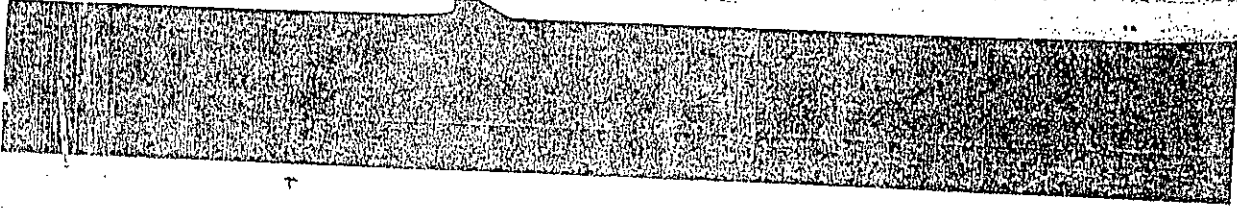
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Reader-in-Chief
Barisal Division



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نام صاحب زمین	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ	رقبہ
عبدالحق	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33	33
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سرسا ریتھن 10549 کوئلہ سرسا ریتھن صلیب دیکھو ڈیویژن سرسا ریتھن



بھوس
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Reader to Commissioner
 Banna Division

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Haidar Ali

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VAKALAT NAMA

NO. _____/20

IN THE COURT OF KP Service Tribunal, Pesh

Najir ullah Khan

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Revenue Dept

(Respondent)
(Defendant)

I/We, Najirullah Khan

Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20

N. Y. S
(CLIENT)

ACCEPTED

M. Asif Yousafzai

M. ASIF YOUSAFZAI
Advocate Supreme Court Peshawar.

& Taimur Ali Khan
TAIMUR ALI KHAN
Advocate High Court, Peshawar

& Syed Noman Ali Bukhari
SYED NOMAN ALI BUKHARI
Advocate High Court

& S. Khan
SHAHKAR KHAN YOUSAFZAI
Advocate.

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar

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**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 11965/2020

Nafeer UllahAppellant

VERSUS

Commissioner, Bannu Division and two others.....Respondents

INDEX

S No	Description of documents	Annexure	Pages
1.	Comments		1-7
2.	Copy of writ petition No.1008-B/2019 titled Nafeer Ullah vs Government and others	Anex-R-1	8-11
3.	Copy of Joint Parawise Comments in WP 1008-B/2019.	Anex-R-2	12-48
4.	Copy of complaint of Gul Markhan and Sabeel Khan	Anex-R-3	49-50
5.	Copy of report of AAC-II	Annex-R-4	51-52
6.	Copy of inquiry report of ADC, Bannu	Anex-R-5	53-64
7.	Copy charge sheet dated 27.11.2019.	Anex-R-6	65
8.	Copy of statement of allegations	Anex-R-7	66
9.	Covering letter for submission of Inquiry report of Assistant Commissioner, Bannu	Anex-R-8	67
10.	Inquiry report of Assistant Commissioner, Bannu	Anex-R-9	68-78
11	Show Cause Notice dated 05.03.2020	Anex-R-10	79
12	Written reply of the appellant to the show cause notice	Anex-R-11	80-81
13	Calling letter to the appellant for personal hearing.	Anex:R-12	82
14	Attendance sheet of personal hearing of appellant	Anex:R-13	83
15	Office order regarding imposing of major penalty	Anex:R-14	84-85
16	Copy of Parth Sarkar Mutation No. 10049,10050, 10051, 10057, 10060	Anex:R-15	86-90
17	Copy of Parth Patwar Mutation No. 10049,10050, 10051, 10057, 10060	Anex:R-16	91-95


Additional Deputy Commissioner,
Bannu

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 11965/2020

Nafeer UllahAppellant

VERSUS

Commissioner, Bannu Division and two others.....Respondents

Joint Para-wise reply on behalf of respondents No. 1 to 3.

Respectfully Sheweth.

Joint Para-wise reply by Respondents No. 1 to 3 are as under: -

Preliminary Objections.

- i. That the appellant has got no cause of action/locus standi to file the instant appeal.
- ii. That the appellant has not come to this honorable Tribunal with clean hands.
- iii. That the appellant is estopped by his own conduct, to file the instant appeal.
- iv. That the appeal is bad due to non-joinder and mis-joinder of necessary parties, hence, liable to be dismissed.
- v. That the instant Service Appeal is based on malafide.
- vi. That the appellant is habitual offender. Previously, he has also prepared fake mutations and on the complaint of one Hayat Ullah S/O Wali Ullah, inquiry was conducted and on the report of inquiry officer, after fulfillment of all codal formalities, major penalty of removal from service was imposed on the appellant. The respondent No. 3 directed respondent No.1 to reinstate the appellant only for the purpose of inquiry vide his letter No.Esst:VII/C.Case/5975 dated 28.02.2019 and accordingly the respondent No.2 reinstated the appellant in service only for the purpose of inquiry and not for duty vide order dated 2203/DC/AE dated 04.04.2019. Thereafter, the

appellant filed writ petition before Peshawar High Peshawar (copy of writ petition is enclosed as annexure R-1. On first date of the Hon'ble Court vide order dated 23.07.2019, directed the respondents for submission of comments and to release the salary of the appellant. In compliance to the direction of Hon'ble Court joint Para-wise comments were submitted and respondent No. 2 vide order No.5156/DC/AE/BC dated 29.08.2019 also release the salary of appellant from the date of re-instatement of the appellant in to service. (Copy of Joint Para-wise comments is enclosed as **annexure R-2**). All the above mentioned documents available in annexure R-2. Later on, the case was transferred from Peshawar to Bannu Bench and is still pending.

FACTS.

1. Pertains to record.
2. Incorrect. The appellant was not exonerated from the charge. Furthermore, the complainant Gul Mar Khan and Sabeel Khan filed an application before respondent No.2 for initiation of legal proceeding against the Patwari Halqa, which was marked to Additional Assistant Commissioner-II, Bannu for conducting of inquiry, who submitted his report for legal proceedings. Copy of complaint and report of AAC-II, Bannu is enclosed as annexure **R-3** and **R-4**.
3. Incorrect. On the report of AAC-II, Bannu, respondent No.2 directed Additional Deputy commissioner, Bannu for conducting of preliminary inquiry on the application of complainant Gul Mar Khan etc. The ADC, Bannu after conducting inquiry submitted inquiry, wherein report confirmed allegations to be genuine and recommended for major penalty under E&D Rules, 2011. (Copy of inquiry report and statements recoded by the ADC, Bannu are

③

enclosed as annexure R-5). Thereafter, as per law, the appellant was charge sheeted by the Respondent No.2, issued statement of allegations and Assistant Commissioner, Bannu was appointed as Inquiry Officer. (Copy of Charge Sheet and statement of allegations are enclosed as annexure R-6 & R-7). The inquiry officer recorded statement of appellant and other PWs and submitted inquiry report vide letter No. 88/AC/F-5 dated 27.01.2020, copy enclosed as annexure R-8, while inquiry report along with statement of PWs and appellant are enclosed as annexure R-9. Findings of inquiry officer is narrated as under:

“After thorough probing into the matter and going through the record and statements, it reveals that the accused/Patwari (Nafirullah) acted in irresponsible manner about the missing of Parth Sarkar of the mutations and later on presented by the accused Patwari but the serial number of the said Parth Sarkar of mutations were not match with parth patwar of the said mutations. The accused Patwari prepared bogus mutations for the complainant. The complaint of the complainant seems to be genuine. The AC/inquiry officer, Bannu has recommended for major Penalty. In light of inquiry report of Assistant commissioner/inquiry officer, Bannu, Show Cause Notice vide No. 1615-16/AE/BC dated 05.03.2020 was issued to him. (Copy of Show Cause Notice is enclosed as annexure R-10). Reply to the Show Cause Notice dated 05.03.2020 was submitted by the appellant duly ^{signed} by him. (Copy enclosed as annexure R-11). Thereafter, as per law, an opportunity of personal hearing was given to the appellant vide No. 2727/DC/AC/BC dated 03.07.2020 and vide his attendance sheet dated 08.07.2020 he availed the same. (Copy enclosed as annexure R-12 & R-13). After fulfillment of all codal formalities, major penalty of

removal from service was imposed on the appellant vide order No. 2914/DC/AE dated 15.07.2020. (Copy enclosed as annexure **R-14**).

4. Detail reply is given in Para-3 above.
5. Detail reply is given in Para-3 above.
6. As the appellant has been found guilty of mis-conduct, therefore, after hearing the appellant and the order of removal from service of respondent No. 2 was maintained and the appeal of the appellant was dismissed by the respondent No. 1.

Grounds.

- A. Incorrect. The order of respondent No. 1 and 2 is according to law, rules and principle of natural justice. Detailed is given in para-3 of the **Facts** above.
- B. Incorrect. Detail is given in Para-3 of the **Facts** above.
- C. Incorrect. All the proceedings were carried out according to Law and in accordance with the judgments of the superior courts.
- D. Incorrect. After fulfillment of all codal formalities, final order for removal from service was issued by respondent No.2 which is purely according to law, rules and norms of Justice.
- E. Incorrect. Detail is given in Para-3 of the **Facts** above.
- F. The 5 bogus mutations No. 1049, 10050, 10051, 10057 and 10060 were prepared by the appellant. Firstly, he showed irresponsibility about missing of Parth Sarkar of the said mutations and later on when he presented the same, it shows that serial No of the Parth Patwar did not match with the serial No. of the Parth Sarkar as the serial No. of the Parth Sarkar has been erased/removed. Furthermore, Partal of the Girdawar has been made on Parth Patwar but the same is not done on Parth Sarkar, which is essential. Copy of above mentioned mutations (both

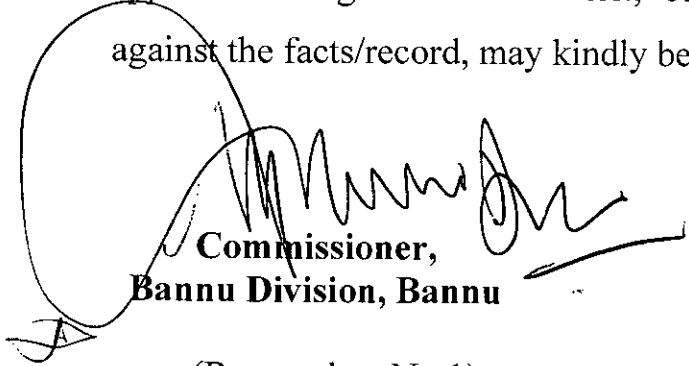
Parth Patwar and Parth Sarkar) are enclosed as annexure **R-15**
and R-16)

- G. Incorrect. The appellant was found guilty of mis-conduct. Hence, after fulfillment of codal formalities, he was removed from the service.
- H. Correct to the extent that the bogus mutations prepared by the appellant has been rejected by the Tehsildar. However, the bogus mutations were prepared by the appellant and firstly he showed irresponsibility regarding missing Parth Sarkar of the said mutation and later on when he presented the same and on perusal, it transpired that no sign of the Girdawar Circle is available on part Sarkar. Furthermore, the serial No. of the Parth Patwar of the bogus mutations were also not matching with Parth Sarkar. This fact has also been confirmed by the Girdawar Circle Shafillah Khan and Patwari Mir Shah Ali Khan in their statements before inquiry officer. Copy already enclosed in annexure **R-9**.
- I. Incorrect. The area mentioned in the bogus mutation are different from the revenue record. Detail is available in statement of Amir Ullah Khan, the present Patwari recorded before inquiry officer already annexed in annexure **R-9**.
- J. The order of the respondent No.2 is according to law, facts and the appellant has not been treated discriminatory and the inquiry officer had submitted impartial inquiry report.
- K. Incorrect. Detail is given in the above.
- L. Incorrect. He has registered fake mutations; detail is given in the above Paras.
- M. The illegality has been committed by the appellant and after fulfillment of all codal formalities, he was removed from service, detail is given in Para-3 of the Facts above.

6

- N. Incorrect. The inquiry officer has conducted fair inquiry, which is according to law.
- O. Incorrect. The appellant has been given opportunity of personal hearing vide annexure **R-12** and he availed the same vide annexure **R-13**.
- P. Incorrect.
- Q. Incorrect.
- R. The order of respondent No.2 regarding imposing of major Penalty upon the appellant is according to law.
- S. That for rebuttal to the arguments of the appellant, the respondents may be allowed to raise additional grounds at the time of arguments.

It is, therefore, requested that the instant appeal of the appellant being devoid of merit, baseless, frivolous, illegal and against the facts/record, may kindly be dismissed with heavy cost.


**Commissioner,
Bannu Division, Bannu**

(Respondent No.1)


**Deputy Commissioner,
Bannu**

(Respondent No.2)


**Senior Member Board of Revenue,
Peshawar**

(Respondent No.3)

7

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 11965/2020

Nafeer Ullah **Appellant**

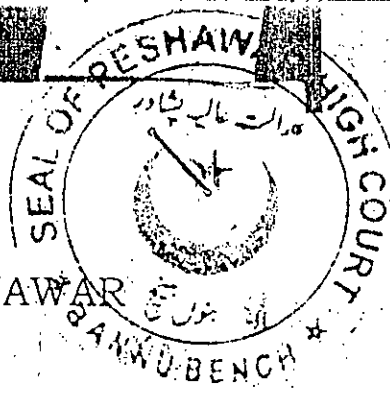
VERSUS

Commissioner, Bannu Division and two others.....**Respondents**

Affidavit

Shabir Khan, Additional Deputy Commissioner, Bannu do hereby solemnly affirm on oath that contents of the reply are true and correct to the best of my knowledge & belief and nothing has been concealed from this Hon'ble Tribunal.


Additional Deputy Commissioner,
Bannu



THE PESHAWAR HIGH COURT PESHAWAR

1068/8 (3637)
Writ Petition No. -P/2019

Ann R-1

Nafeer Ullah S/o Khair Ali Khan R/o Shabaz Azmat Khail,
Tehsil & District Bannu Petitioner

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Board of Revenue & Estate Department, Peshawar
2. Senior Member Board of Revenue, (SMBR) Peshawar
3. Commissioner, Bannu Division, Bannu
4. Deputy Commissioner, District Bannu
5. Assistant Commissioner III (Pol) Bannu
6. District Account Officer, Bannu

..... Respondents

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN

Respectfully Sheweth,

The petitioner humbly submits as under:-

1. That the appellant was appointed as Patwari in the year 2010 and performed his duty with full zeal and enthusiasm to the entire satisfaction of his superior.
2. That respondent No. 4 issued a charged sheet to the appellant on 26/02/2018 containing the allegation that as per allegations leveled by one Hayat Ullah S/o Wali Ullah , you had prepared bogus and fake mutations due to which the complainant has sustained huge financial loss and accordingly a Show Cause Notice was issued to petitioner on 31/08/2018 by the respondent No. 4 (Copy of SCN is attached as Annexure "A")
3. That respondent No. 4 with out giving proper opportunity hearing to petitioner passed an order dated 27/09/2018 vide which the petitioner has been awarded major penalty of "Removal from Service". (Copy of the order is attached as Annexure "B")

Attested

ATTESTED
EXAMINER
Peshawar High Court
Bannu Bench

FILED TODAY
Deputy Registrar

(9)

4. That petitioner filed departmental appeal against the order dated 27/09/2018 before worthy respondent No. 3 on 15/10/2018 who vide order dated 24/01/2019 kept pending the case of petitioner till the finalization of enquiry against Tehsildar. (Copy of the representation and order are attached as Annexure "C" & "D")

5. That respondent No. 1 vide letter dated 28/02/2019 issued directions to respondent No. 3 for reinstatement of petitioner and accordingly respondent No. 4 vide order dated 4th April, 2019 reinstated petitioner. (Copies of the letters are attached as Annexure "E" and "E-I")

6. That although respondents reinstated petitioner but his salary has not been paid to him and accordingly petitioner filed an applications for release of his salaries but of no avail, which constrained petitioner to file Writ Petition bearing No. 565-B/2019 before Hon'ble Peshawar High Court, Bannu. (Copy of the Letter and W.P are attached as Annexure "F" & "G")

7. That Hon'ble High Court vide order dated 10/06/2019 disposed of the Writ Petition with direction to the respondents to decide the representation on merit in accordance with law within a period of one month and accordingly the respondent No. 4 vide Impugned order dated 27/06/2019 decided the issue against petitioner and refused to release his salary. (Copy of the Court Order and Impugned Order are attached as Annexure "H" & "I")

8. That now petitioner left with no other alternate or efficacious remedy, hence, challenges the action, an-action, unlawful exercise of power and authority and violation of Constitution of Islamic Republic of Pakistan before this Hon'ble Court on the following amongst other ground.

GROUND:

- a. That the impugned orders is illegal, without lawful authority thus untenable and is liable to be set aside.
- b. That order of respondent No. 4 is against the rule and regulation and contrary to the settle principle of service rules.
- c. That once petitioner has been reinstated on service then respondents can not denied to him his monthly salary as the same amount to force labor.

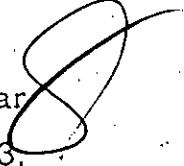
FILED TODAY
Deputy Registrar
04 JUL 2019

ATTESTED

EX. M. S. K.
Peshawar High Court
Bannu Bench

- (10) ✓
- d. That withholding of monthly salary of an employee is against the rules and regulation equally un-Islamic. The superior Court of the Country in its various judgment categorically stated that monthly salary of an employee can no be withheld as punishment.
- e. That order dated 24/01/2019 clearly reflect that petitioner has been made an escaped goat in the whole episode, but still his salary has not been released to him which is totally against the nor of justice.
- f. That appellant prepared the said mutations from Perth Patwar of previous Mutations no. 8257, 8258, 8315, 8316, 8349, 8353, 8355 & 8404 entered during the period from may to August 2011 by the previous Patwari Halqa Bezan Khel, checked and verified by the same Girdawar Circle, who has checked and verified as correct the mutation prepared by the appellant from the above mutations, therefore, the clerical errors; if any; in the figures of Khata/ Khasra numbers entered in the relevant mutations was attributable to the previus Patwari Halqa and Girdawar Circle. The appellant has been treated in very arbitrary manners and has been make a escape goat.
- g. That the concerned Girdawar Halqa has categorically stated in his statement recorded before the enquiry officer that he has checked and found correct the Mutation prepared by appellant. Under the law it is the duty of concerned Girdawar/ Qanungo (under Para 7:4 (ii) of the Land Record Manual) to check the entries made by the Patwari. Besides the Girdawar Halqa, the Tehsildar / Revenue Officer is also bound under Para; 7.4 (iii) of the Land Record Manual to check the entries made in the mutation with the record and after his satisfaction attest the Mutation, therefore, appellant can not be blamed for any error in the Khatha/ Khasra number and its area of mutated, all the other persons are enjoying their emoluments but the same has been denied to petitioner vide impugned order therefore, the same is not sustainable in the eyes of law.
- h. That as per Constitution of Pakistan all the citizen of Pakistan are equal before the law and equal protection of law is available

Attesty



ATTEST

Deputy Registrar

FILED TODAY
Deputy Registrar

(11) ✓

to all the citizen of the state and being a citizen of Pakistan petitioner is entitled to be treated in accordance with law.

- i. That after the reinstatement of petitioner it is the responsibility of the respondents to depute petitioner where they desire as petitioner on daily basis attend the office.
- j. That appellant also seeks permission of this Hon'ble Forum to raise additional points at the time of arguments.

It is, therefore, most humbly prayed that by accepting this Writ Petition, the impugned order dated 27/06/2019 may graciously be set aside by declaring it illegal, void, unlawful, without authority, based on mala fide and thus not sustainable and the appellant is entitled for his salary.

Direct the respondents to act in the matter in accordance to law and unless and until the enquiry is finalized against the concerned officials and thereafter, an appropriate order is made till then petitioner is entitled for his monthly emoluments past, present and future.

Any Other relief which has not been specifically prayed for but deem appropriate in the circumstances of the case may also be granted

INTERIM RELIEF

It is also prayed that this Honorable Court, during the pendency of the titled writ petition, to safe guard the rights of petitioner, the respondents may kindly be directed to release monthly salary for the current month and onward till, till the final disposal of instant petition.

Appellant

Through

Shahid Qayum Khattak
Advocate, Supreme Court

Dated: /07/2019

Certified that as per instruction of my client no such Petition has been filed before this Hon'ble Court.

FILED TODAY
Deputy Registrar

Advocate

12

BEFORE THE HONOURABLE PESHAWAR HIGH COURT BANNU BENCH

WRIT PETITION NO.1008-B/2019

And R-2


Nafeer Ul-Khair Ali Khan r/o Shahbaz Azmat Khel,
Tehsil & District Bannu -----

Petitioner

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Board of Revenue & Estate Department, Peshawar.
2. Senior Member Board of Revenue (SMBR), Peshawar.
3. Commissioner, Bannu Division, Bannu.
4. Deputy Commissioner, Bannu.
5. Assistant Commissioner III (Pol) Bannu.
6. District Accounts Officer, Bannu. -----

Respondents

Attested


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6.	Copy of charge sheet and state of allegations dated 26.2.2018.	"C"	10-11
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14.	Copy of letter of Respondent No.1 vide No.Estt:VII/C.Case/5975 dated 28.2.2019	"K"	25
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Additional Assistant Commissioner-I
Bannu

(13)

BEFORE THE HONOURABLE PESHAWAR HIGH COURT, BANNU BENCH

WRIT PETITION NO.1008-B/2019

Nafeer Ullah s/o Khair Ali Khan r/o Shahbaz Azmat Khel,
Tehsil & District Bannu -----

Petitioner

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Board of Revenue & Estate Department, Peshawar.
2. Senior Member Board of Revenue (SMBR), Peshawar.
3. Commissioner, Bannu Division, Bannu.
4. Deputy Commissioner, Bannu.
5. Assistant Commissioner III (Pol) Bannu.
6. District Accounts Officer, Bannu. -----

Respondents

PARA-WISE COMMENTS TO THE PETITION BY THE RESPONDENTS No.1 TO 5

Preliminary objections:-

- (1) The Petitioner has got no cause of action against the Respondents.
- (2) The Petitioner has got no locus standi.
- (3) The Petitioner has not come to the court with clean hands.
- (4) The petition is not maintainable in its present forum.
- (5) The petition of the petitioner is bad for non-joinder and mis-joinder of necessary parties, hence the petition is worth dismissal.

Respectfully Sheweth:

Reply to facts:

Para No. (1) Correct to the extent that the Petitioner was appointed as Patwari in 2010.

Para No.(2) Correct.

Para No. (3) Incorrect. Complaints No.57014 and No.57017 dated 31.1.2018 of one Hayatullah s/o Waliullah were received via Khyber Pakhtunkhwa Citizen Portal (Annex-A) wherein he complained against the Petitioner

for making fake/illegal mutations, which caused him financial loss. The complainant request to conduct of inquiry. The complaints were initially marked to Additional Assistant Commissioner (Revenue), Bannu for preliminary enquiry who after probing into the case reported that there is truth in the allegations and the mutations have been wrongly prepared. The AAC (Revenue) Bannu further recommended for initiating formal inquiry into the matter vide his report dated 8.2.2018 (copy attached at Annex-B).

Attested
S

Accordingly, the petitioner was charge sheeted vide charge sheet & statement of allegations dated 26.2.2018 (Annex-C) and the Additional Assistant Commissioner-III, Bannu was appointed as an Inquiry Officer to conduct inquiry in the subject case vide letter No.1263/AE/BC dated 26.2.2018 (Annex-D). The Inquiry carried out a thorough probe and submitted a comprehensive report vide No.214/AAC-III dated 17.8.2018 (Annex-E), on the basis of which, all concerned were summoned before the Respondent No.4 for personal hearing on 19.9.2018. The record was perused, enquiry report alongwith supporting documents examined by the Respondent No.4. Since the Inquiry Officer had declared the petitioner as guilty, therefore a formal show cause notice vide No.4429/DC/AE dated 31.8.2018 (Annex-F) was issued. Reply to the show cause notice dated 6.9.2018 received vide Annex-G.

The opportunity of personal hearing was given to the petitioner vide letter No.4752-55/AE/BC dated 14.9.2018 (Annex-H) and vide his attendance dated 18.9.2018 (Annex-I). After fulfillment of all codal formalities, major penalty of removal from service was imposed on the petitioner vide order No.4986-99/DC/AE dated 27.9.2018 (Annex-J).

L

Para No.(4) Correct.

Para No.(5) Incorrect. The respondent No.1 directed the respondent No.3 to reinstate the petitioner only for the purpose of enquiry vide his letter No.Estt:VII/C.Case/5975 dated 28.2.2019 (Annex-K). Accordingly, the respondent No.4 reinstated the petitioner in service only for the

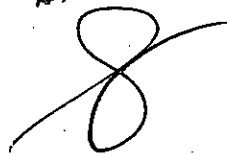
15

purpose of enquiry and not for duty vide order No.2203/DC/AE dated 4.4.2019 (Annex-L).

Para No.(6) Correct to the extent that the petitioner submitted an application dated 10.4.2019 (Annex-M) for release of pay but release of pay was subject to outcome of the enquiry. Later-on, the petitioner submitted application to Respondent No.3 for release of pay who forwarded the case to respondent No.4 vide letter No. 3063-66 dated 23.4.2019 (Annex-N) and accordingly he was informed that the petitioner had been reinstated only for the purpose of inquiry not for duty and the issue of release of pay was kept pending till outcome/disposal of inquiry by the Respondent No.1 vide letter No.3005/DC/AE dated 16.5.2019 (Annex-O).

Para No.(7) Correct.

Para No.(8) No comments.

Attested


Reply to Grounds

- a. Incorrect. The impugned order is legal, lawful thus tenable and is liable to be implemented.
- b. The order issued by the Respondent No.4 is under the rules, regulations and in accordance with the service rules.
- c. Incorrect as per paras-5 & 6 above.
- d. Incorrect as per paras 5 & 6 above.
- e. Incorrect. There is no mentioned in the order dated 24.1.2019 of the respondent No.3 (Annex-P) to release the pay of petitioner but it is clearly mentioned that the matter is to be taken up with the respondent No.2 for detailed enquiry into the matter covering all officials as the respondent No.2 is the competent authority for Tehsildar and kept pending his departmental appeal till the disposal of enquiry by the Board of Revenue.



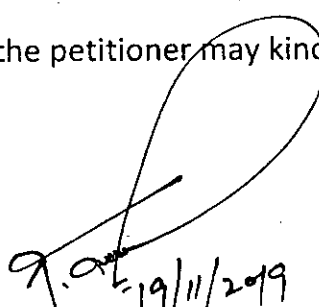
16

Now as per orders of the Hon'ble Peshawar High Court Peshawar dated 23.7.2019 (Annex-Q), the pay of the petitioner has been released with effect from April 2019 and onward vide order No.5156/DC/AE/BC dated 29.8.2019 (Annex-R).

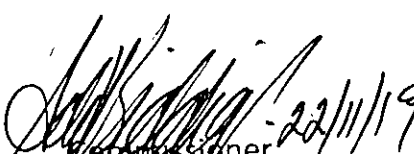
- f. Incorrect as per Para 3 above.
- g. Incorrect as per Para 3 above.
- h. It is correct that all the citizen of Pakistan are equal before the law as per Constitution of Pakistan but since the petitioner was involved in malpractice, therefore, the competent authority (Respondent No.4) proceeded him under the Khyber Pakhtunkhwa E&D Rules 2011 while the cases of Retired Girdawar and Tehsildar were referred to Director Anti Corruption and Board of Revenue respectively for further necessary action.
- i. Incorrect as per Paras 5 & 6 above.
- j. No comments.


Attested

In view of the above submission and facts, it is humbly prayed that the petition of the petitioner may kindly be dismissed with cost.



19/11/2019
Additional Assistant Commissioner-III
Bannu


Deputy Commissioner,
Bannu


22/11/19
Commissioner,
Bannu Division Bannu


Senior Member Board of Revenue
Khyber Pakhtunkhwa, Peshawar.

Vetted


20/11/2019
Assistant Advocate General



17

THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270039, dcbannu

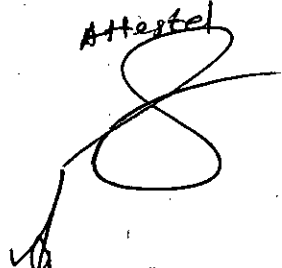
No. 444-95 /DC/Reader/PHC

Dated: 20 /12/2019

AUTHORITY LETTER.

Additional Assistant Commissioner-I, Bannu is hereby deputed and authorized to attend the Peshawar High Court, Bannu Bench in WP No.1008-B/2019 case titled "Nafeerullah v/s Govt of Khyber Pakhtunkhwa Board of Revenue & Estate Department etc" on behalf of the Respondents No.1 to 5 and submit the Para-wise comments to the honorable court.

Attested


Deputy Commissioner,
Bannu

Even No. & Date

Copy forwarded to:

1. Honorable Peshawar High Court, Bannu Bench.
2. Officer concerned.


Deputy Commissioner,
Bannu

بعد ازاں جناب ایڈیشنل سٹیٹ منسٹر محترم صاحب نے 1958ء میں
 سٹیٹ بجائٹ آف 1958ء کی حالت میں مندرجہ ذیل رقمیں طوری طرح جمع کی ہیں۔
 محمد نادر وزیر نے ایسی رقمیں جمع کرائیں۔

جناب عالی کے ذمے سالانہ رقمیں گزرائیں گے کہ ان پر چارج لگائیں۔
 یہ رقمیں سالانہ مجموعہ ہونے پر چارج لگائیں گے۔

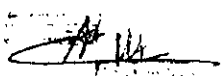
سالانہ رقمیں 8945، 8946، 8947، 8948 اور 8949 ہیں۔
 یہ رقمیں سٹیٹ کو سٹیٹ عسوت آف انڈیا سے حاصل کی گئی ہیں۔

8258، 8349، 8353، 8355 اور 8404
 مندرجہ رقمیں سٹیٹ سے حاصل کی گئی ہیں۔

جناب عالی سے پہلے سرکاری ٹیکسی بھی جمع نہیں کی گئی تھی۔
 یہ رقمیں سٹیٹ سے حاصل کی گئی ہیں۔

یہ رقمیں سٹیٹ سے حاصل کی گئی ہیں۔

ATTESTED


 Controller Branch
 D.C. Office Damm
 18-10-19

صحت

ت

یہ کہ حکیم مال کی عدالت اور کسی کو جو میں سے کسی کو یہ
 لفظوں کے اٹھانے پر سے اور عدالت کے کا جہر لگانا نہیں
 یہ کہ میں نے سائل کو غیر اشخاص چوں کہ صفائی کے لئے نہیں
 کی دھماکی دیتے ہیں اور اپنی اراضی والیسی اور ان کا لینے سے کہ
 پو پو سا نام درماتے اشخاص سے کہ لوگوں کو دینا اپنی اراضی والیسی
 کو۔ جس میں سائل کو کافی نقصان اور شہرہ زنی کو کرتے پھرتے
 اور بیخ رہا ہے۔

سیدہ اسٹار ملا علیہ آپ صاحبان نے یہ اپنی فرما کر میں فرما کر اور ان اراضیات
 کے اشخاص کی درستگی پر لیم حکیم مال کے احکامات سے صادر فرمادی
 تاکہ میں سائل کے فرما کر اشخاص سے سے درماتے غیر اشخاص کو درست
 رہتا ہے جو سائل کے آپ صاحبان کے سامنے امرام کا بیان ہے
 مستکو اور تازہ لیتے دنگو پو لوگ

ورض = 28/05/2018

درماتے اشخاص۔ حسن حیات اللہ اہل دلی خان

ATTESTED
 Copying Branch
 LDC Office Bannu
 18-12-19

Registration No. 907
 Date of Receipt and Application 18-12-19
 Date of Issue 18-12-19
 Date of Payment 18-12-19
 Stamp 18
 Fee 1800
 Utility Fee 368
 Special fee Rs

Attn: Mr. Ajmal Sh
Asst. Secy (Estab)
BOR P&R

~~Annex C~~

20
20

Deputy Commissioner, Bannu

Subject: COMPLAINT NO. 57014 & 57017.

attached
Citizen

Vide PUC, Hayatullah s/o Waliullah has submitted a complain Portal Complaint System twicly vide No.57014 & 57017, wherein he stated that:

- i. Ex patwari halqa mouza Bizan khel (Nafirullah) has made fake/illegal mutations, which caused huge financial loss to him.
- ii. He requested for correction of record and to conduct inquiry against Nafirullah patwari.

2

The complainat, Nafirullah (ex patwari halqa Bizan khel) and Turab Shah (present patwari halqa Bizan khel) were summoned. They appeared before the undersigned.

Turab Shah (patwari) submitted written statement (Flag-A), wherein he reported that:

- i. 25K - 19M land has been mutated from Asmatullah khan s/o Asat khan to Wali khan s/o Gulbat Shah and Hayatullah s/o Wali khan equally vide Mutations bearing No.8943, 8944, 8945, 8946, 8947, 8948 & 8949.
- ii. Mutations No.8943, 8944, 8945, 8946, 8947, 8948 were entered in Khata No.940 Khasrajat No.908, 1341, 3503, 1339, 1338, 3307, 3304, 3309, 3310, 3311, 3312, 3313, 3314, 3315 whereas these khasrajat Nos did not exist in khata No.940 as per revenue record.
- iii. Similarly, khasra No.1341 has once wrongly shown/recorded in khata No.940 with measurement 04K-15M. But the same khasra No. has again been shown/recorded in mutation No. 8948 with measurement, 130K-01M.
- iv. There are also irregularities/illegalities in the property so transferred.

3

The charges leveled by the complainant and the report submitted by patwari halqa concerned needs prooe and proper inquiry.

4

It is therefore suggested that proper inquiry into the complaint may be conducted through AAC-II Bannu or any other officer.

5

At this stage, the complaint may be considered "resolved" in the Citizen Portal Complaint System.

6


Submitted for perusal and further orders deemed appropriate, please.

8/2/18
AAC(Rev:) Bannu

7

Worthy Deputy Commissioner, Bannu

ATTESTED


Copying Branch
DC Office Bannu
18-12-18

(21)

THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, **F**dcbannu

Dated: 26-02-2018

CHARGE SHEET

I, (Muhammad Ali Asghar, Deputy Commissioner Bannu), as competent authority, hereby charge you, Mr. Nafeer Ullah then Patwari Halqa Bizen Khel Tehsil Domel District Bannu as follows:

That you, while posted as Patwari Halqa Bizen Khel, committed the following irregularities:

- a. That as per allegations leveled by one Hayat Ullah s/o Wali Ullah, you had prepared bogus and fake mutations due to which the complainant has sustained huge financial loss.
2. By reason of the above, you appear to be guilty of Misconduct, guilty of inefficient and guilty of corruption under Rule-3 (a), (b) and (c), of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule-4 of the rules ibid.
3. You are, therefore, required to submit your written defense within seven days of the receipt of this Charge Sheet to the Inquiry Officer.
4. Your written defense, if any, should reach the Inquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and, in that case, ex-parte action shall be taken against you.
5. Intimate whether you desire to be heard in person.
6. A statement of allegation is enclosed.

No. & Date Even: -

Copy is forwarded to the: -

1. Additional Assistant Commissioner-III, Bannu.
2. AE to please assist the Inquiry Officer in the process of inquiry.
3. Official concerned.

Attested

[Signature]

[Signature]
(MUHAMMAD ALI ASGHAR)
DEPUTY COMMISSIONER

ATTESTED

[Signature]
Copying Branch
D.C. Office Bannu
18-10-18

[Signature]
DEPUTY COMMISSIONER



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THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, f dcbannu

Dated: 26-02-2018

DISCIPLINARY ACTION

I, (Muhammad Ali Asghar, Deputy Commissioner Bannu), as competent authority, am of the opinion that (Mr. Nafeer Ullah Patwari Halqa Bizen Khel Tehsil Domel) has rendered himself to be proceeded against, as he committed the following acts/omissions, within the meaning of rule 3 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

STATEMENT OF ALLEGATIONS

- i. That as per allegations leveled by one Hayat Ullah s/o Wali Ullah, he had prepared bogus and fake mutations due to which the complainant has sustained huge financial loss.
2. For the purpose of inquiry against him with reference to above allegations, Additional Assistant Commissioner-III Bannu is hereby appointed as Inquiry Officer to conduct inquiry under rule-10(1) (a) of the ibid rules.
3. He is, therefore, required to submit his written defense within seven days of the receipt of this Charge Sheet to the Inquiry Officer.
4. His written defense, if any, should reach the Inquiry Officer within the specified period, failing which it shall be presumed that he has no defense to put in and, in that case, ex-parte action shall be taken against him.
5. Intimate whether he desire to be heard in person.

ATTESTED

[Signature]
Copying Branch
D C Office Bannu
18-10-19

Attested

[Signature]

[Signature]
(MUHAMMAD ALI ASGHAR)
DEPUTY COMMISSIONER



DEPUTY COMMISSIONER/POLITICAL AGENT F.R., BANNU

Tel: 0928-9270032, Fax: 0928-9270079

No. 1263 /AE/BC

Dated: 26-02-2018

To,

The Additional Assistant Commissioner - II,
Bannu

Subject:- COMPLAINT ON CITIZEN PORTAL AGAINST NAFIR ULLAH PATWARI.

Memo:-

I am directed to inform you that the Deputy Commissioner Bannu has appointed you as inquiry officer to conduct inquiry regarding complaint against Mr. Nafir Ullah the then Halqa Patwari Bizen Khel presently working as Patwari Halqa Haveed Landidak and to request you to furnish report within 10 days according for perusal of Deputy Commissioner Bannu.

Copy of complaint alongwith report of The Additional Assistant Commissioner Revenue Bannu on note sheet dated 08-02-2018 and report of field Revenue staff ect., are also enclosed.

Attested

[Signature]
Superintendent,
Deputy Commissioner's Office
Bannu

Even No & Date:

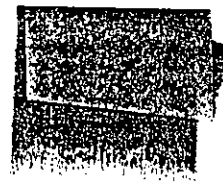
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PS to Deputy Commissioner Bannu.

[Signature]
Superintendent,
Deputy Commissioner's Office
Bannu

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ATTESTED
[Signature]
Examiner
Copying Branch
D.C. Office Bannu
18-10-18



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ADDITIONAL ASSISTANT COMMISSIONER-III, BANNU

Tel:0928-621395-, Fax: 0928-9270079

No. 214 /AAC-III

Dated 17 /08/2018.

To,

The Deputy Commissioner,
Bannu.

Attest

Subject:

COMPLAINT ON CITIZEN PORTAL AGAINST NAFIR ULLAH PATWARI.

Memo:

Kindly refer to your letter No. 1263 dated 26/02/2017 on the subject noted above (Annex- A).

Introduction:

A complaint on Citizen Portal was made by Mr. Hayatullah s/o Waliullah wherein he complained about the preparation of bogus and fake mutations for him by the then patwari halqa Bizenkheil. The complainant implored for justice in the form of initiating a disciplinary proceeding against the said patwari and correction of the record regarding the mutations. The task to inquire into the matter was handed over to the undersigned by the worthy Deputy Commissioner.

Background:

A complaint on Citizen Portal (Annex- B) was lodged by Mr. Hayatullah s/o Waliullah against Mr. Nafirullah, the then halqa patwari Bizen Kheil, presently suspended in another case, wherein he (the complainant) alleged that the said patwari had prepared bogus and fake mutations for him and that he had been suffering a great financial loss due to this act of the said patwari. The complainant had prayed for conducting an inquiry against the patwari and correction of the revenue record. The complaint was marked to AAC-R. Subsequently AAC-R drafted a self- explanatory report (Annex-C) wherein he mentioned some irregularities/illegalities of very severe nature allegedly committed by Nafir patwari while making the mutations.

The undersigned was tasked by the esteemed addressee to conduct an inquiry regarding the complaint against the patwari.

Procedure of the Inquiry:

The complainant submitted his written statement (Annex-D) wherein he asserted that Nafir, the then patwari halqa Bizenkheil, had made fake and bogus mutations (no.8943, 8944, 8945, 8946, 8947, 8948 and 8949) for him due to which he suffered a great financial loss and that he wanted Nafir patwari be prosecuted in the case. In order to delve into the matter, statement of the incumbent patwari of the halqa Bizenkheil Mr. Turab Shah (Annex-E) was sought. Mr. Turab Shah reported that...

1. 25K-19M land had been mutated from Asmatullah Khan s/o Asat Khan to Wali Khan s/o Gulbat Shah and Hayatullah s/o Wali Khan equally vide mutations bearing No.8943, 8944, 8945, 8946, 8947, 8948 and 8949 (Annex-F)

2. Mutations No.8943, 8944, 8945, 8946, 8947, and 8948 were entered in khata No.940 khasra No.908, 1341,3503,1339,1338,3307,3304,3309,3310,3311,3312,3313,3314,3315, whereas these khasra did not exist in khasra No.940 as per revenue record.

3. Similarly khasra No.1341 had once wrongly been shown in khata No.940 with measurement 04K--15M. But the same khasra No. has again been shown in mutation No.8948 with measurement 130K--01M.

4. There are also irregularities/illegalities in the property so transferred.

5. The mutations were made with a reference to mutations instead of jamabandi.

Statement of Mr. Nafir, the accused patwari (Annex-G)

Nafir patwari was called and apprised of the allegations being leveled against him. He was provided with full opportunity of being personally heard. He was given full opportunity to prove his innocence in the case and was cross-questioned. He submitted his written statement wherein he stated that.

1. Mutations from 8943 to 8949 were registered with reference to mutations (bahawala-e-intiqal)

2. Khasrat No.908,1341,3503,1339,1338,3307,3304,3305 and 3310 were in different khatajat as khatajat oftenly get changed during the preparation of charsala.

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3. Measurement of Khasra No.1341 had been correctly shown in accordance with the revenue record, khasra girdawri. He further asserted that the measurement of the said khasra No. was same in the previous mutations as it was in mutations No. 8943, 8944, 8945, 8946, 8949 as these above-mentioned mutations were made from those previous ones.

Statement of Mr. Shafiullah, the then girdawar Halqa Bizenkheil(Annex-H):

As Shafiullah (Retd girdawar), the then girdawar of the halqa was, by virtue of his designation, responsible for checking an irregularity/illegality, if any, in the mutations he was going to confirm. Henceforth he was summoned and an attempt was made to know his response regarding all the irregularities/illegalities that were reported in the mutations he had signed. He submitted a written statement

Wherein he stated that he had made the mutations no. 8943,8944,8945,8946,8947,8948 and 8949 bahawal-e-intiqalat and cross-checked it with mutations no. 8349,8353,8355,8257,8258,8404 and 8315 respectively. He further stated that the mutations he registered were legal bahawal-e-intiqalat.

Statement of Mr Fariq Nawaz,acting patwari halqa(Annex-I):

The patwari stated in his statement that khasra No.1341 is registered in Jamabandi 2005-06 in khata No.926/5126 having an area of 130K-01M. He further stated that in Field Book of settlement of 1992-93 area of the said khasra No. was correctly registered.

Findings:

From perusal of the record, statement of the complainant and cross-examination of the patwari Nafir and Shafiullah, the then girdawar of the halqa, following findings have been established by the undersigned.

1. Nafir patwari and Shafiullah girdawar(Retired) have failed in justifying, in the eye of the law and rules, their act of making and confirming the mutations vid no.8943,8944,8945,8946,8947,8948 and 8945 from mutations vide no.8349,8353,8355, 8257,8258, 8404 and 8315 respectively which are in itself unapproved and unconfirmed(copies of unapproved mutations are attached herewith as Annex-J). It is concluded that these mutations are fake and bogus and that the patwari and girdawar have intentionally made and confirmed it with malafide intentions; most probably for the sake of the obviously involved monetary considerations.

2. Nafir patwari and Shafiullah girdawar(Retired) have entered and subsequently confirmed mutations no. 8943,8944,8945,8946,8947 and 8948 in khata No. 940 having khasarajat No.908, 1341, 3503, 1339,1338,3307,3304,3309,3310,3311,3312,3313,3314 and 3315 whereas these khasarajat do not exist in the said khata. It is therefore established that this entry and consequent mutations are illegal, fake, and misleading. This whole practice speaks of the pecuniary interests being considered on the part of the patwari and the girdawar.

3. Patwari Nafir and girdawar Shafiullah have shown their incompetency by showing two different measurements of khasra no. 1341. The actual measurement/position of the said khasra No.,in accordance with the Field Book 1992-93, is 130K-01M and its khata No. is 926/5126 in accordance with the Jambandi 2005-06.

4. An irregularity has been committed by the patwari and the girdawar here as they have made the mutations bahawal-e-intiqal where, by law and rules, they were supposed to do it from jamabandi. They have abdicated their responsibility of making mutations from jamabandi.

5. The complainant may apply at an appropriate forum for rectifying the record.

ATTESTED

A. K.

Copying Branch
D C Office Bannu

18-10-11

(Eid Nawaz Sherani)
Additional Assistant Commissioner-III,
Bannu.



THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, dcbannu

No. 14429 /DC/AE

Dated: 31-August-2018

SHOW CAUSE NOTICE

I, (Muhammad Ali Asghar Deputy Commissioner Bannu), as competent authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, do hereby serve you, Mr. Nafeer Ullah the then Halqa Patwari Bizen Khel as follows:

1. (i) that consequent upon the completion of inquiry conducted against you by the inquiry officer for which you were given full opportunity of hearing vide summon bearing No. 96-AAC-III Bannu dated 15.03.2018 and your written reply/statement available at record; and
(ii) ongoing through the findings and recommendations of the inquiry officer, material on record and other connected papers including your defense before the inquiry officer;

I am satisfied that you have committed the following acts/ omissions specified in rule 3 (a), (b) and (c) of the said rules:

- (a) Guilty of inefficiency.
- (b) Guilty of misconduct.
- (c) Guilty of corruption.

Attested

2. As a result, thereof, I, as competent authority, have tentatively decided to impose upon you, penalty including major penalty under rule-4 of the said rules.
3. You are, therefore, served with show cause notice under Rule 7 of Efficiency and Disciplinary Rules 2011, as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
4. If no reply to this notice received within seven days of its delivery, it shall be presumed that you have no defense to put in and that case an ex-parte action shall be taken against you.
5. A copy of the findings of the inquiry officer along-with copies of charge sheet and statement of allegations is enclosed.

(MUHAMMAD ALI ASGHAR)
DEPUTY COMMISSIONER

Even No. & Date: -

Copy forwarded to the:

1. Additional Assistant Commissioner-III, Bannu.
2. Tehsildar Domel.
3. Official concerned.

ATTESTED

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LDC Office Bannu.

DEPUTY COMMISSIONER

RECEIVED
 No 12738
 Dt 8/9/18
 District Commissioner Office Bahawalpur

خدمت جناب ڈپٹی سب صاحب ضلع بہاول

عنوان: - محالہ شوکانہ ٹرنس ف 4429 صفحہ 8/31 پیر 2018
 Attested ذیل مرفوعہ کرنا ہوں۔

یہ ضلع میں سائل سالانہ حلقہ پوراہ پینن ضلع کے خلاف جسکی بیان اللہ علی بنامی عالی
 دہ دہ ولی اللہ سعید NWTA نے این تحریری کیملینٹ پر بنیاد پوٹس جعلی
 انتظامات کی تیاری کے بارے میں دیا گیا تھا۔
 پیر: یہ دیکھ کر در فوریت کے لئے یہی در فوریت میں سائل کے خلاف ڈسپلنری کارروائی
 اور درستگی ریکارڈ انتظامات کی استدعا کی گئی تھی۔
 پیر: یہ دیکھ کر کیملینٹ کے بابت انٹواری انسر AAC-RI حوزہ بنا گیا۔

پیر: یہ دیکھ کر در فوریت میں در فوریت کے لئے یہ طلب کیا گیا کہ سالانہ پوراہ حلقہ پانڈھانہ
 کے لئے پوٹس اور جعلی انتظامات تیار کرنے کی وجہ سے جسے بیت پیری مالی نقصان
 سے دوچار پیر بنا گیا اور سابقہ میں ان کے خلاف انٹواری شروع کرنے کی استدعا بھی کی گئی تھی
 پیر: یہ دیکھ کر بعد جناب AAC-RI نے پیر کیملینٹ قانونی اور SEVERE Nature کے Findings

خلاف پوراہ حلقہ بابت تیاری انتظامات کے
 کیا: یہ دیکھ کر دوران انٹواری در فوریت کے لئے این تحریری بیان دیا۔ جو کہ مارک D سے نام
 جس میں لکھا ہے کہ سالانہ پوراہ حلقہ پینن ضلع کے جعلی اور پوٹس انتظامات پیر
 8943، 8944، 8945، 8946، 8947، 8948، 8949، 8950

پینن ضلع میں تیاری کے در فوریت کے لئے عالی لکھا گیا۔
 پیر: یہ دیکھ کر دوران انٹواری مافزروس پوراہ حلقہ پینن ضلع تیار ہوا جس کا
 سے لاکھ ہے۔ جس میں یہ لکھا گیا ہے کہ پوٹس تیار نہیں ہوئے ہیں اور زمین کا انتقال
 سب صاحب عدالت لکھنؤ سے دی جانے والی خان دہر گل بادشاہ

Branch
 Office Bahawalpur

اور حیات اللہ ولد ولی خان کعبہ ہر اسر انتقالات 8943 ، 8944

8945 ، 8946 ، 8947 ، 8948 ہر اسر انتقالات میں ذکر ہے

8 جو کہ کتابت نمبر 940 ہر اسر بات نمبر 908 ، 1341 ، 3503 ، 1339 ، 1338

3307 - 3304 - 3309 - 3310 - 3311 ، 3312 ، 3313 ، 3314

3315 جبکہ درجہ بالا ہر اسر بات ریکارڈز میں موجود نہ ہے یعنی کتابت نمبر 940 میں
معلقہ ریکارڈز میں

9 یہ ہے کہ ایسی طرح و سر ہڈ 1341 میں عند کتابت نمبر 940 میں دکھایا گیا ہے

عدیکہ رقبہ نگہداری 15-4 دکھایا گیا ہے اور یہی صورت درجہ ذیل بار انتقالات

ATTESTED

8948 رقبہ نگہداری آ - 130 میں بھی دکھائی گئی ہے

Attested

Examined
Copy to Branch
D O Office Bannu

10 یہ ہے کہ حلقہ پورہ نے غیر قانونی طریقے سے جائیداد یا زرعی اراضی انتقال کر لی

11 یہ ہے کہ انتقالات بناتے وقت بغیر محمدی کے تیار کئے گئے ہیں

12 یہ ہے کہ دوران انڈوسٹری سہولت حلقہ پورہ ناخیر خان و انڈوسٹری آفس کے پاس سنایا گیا

جس میں آئین تحریری جواب انڈوسٹری آفس میں کوئی بے نامی کے بابت دیا گیا جو کہ گف ہے

13 یہ ہے کہ دوران انڈوسٹری شہید اللہ گمراہ حلقہ بہرنی میں وارد ہوا شدہ ہر اسر میں

کیا گیا جس نے جو ب پیش کیا اور اس میں Postponed یہ لکھا ہے کہ انتقالات

کاربنوں نے باقاعدہ طور پر یہاں کیا تھا۔ اور انتقالات مدعو کر کے تیار کی گئی تھیں

جس کے ساتھ انتقالات یعنی کولم انتقالات اور محمدی میں ذرا حال کان کے

لقدتی کے بعد تیار کئے گئے ہیں جو کہ قابل مدظم ہے

14 یہ ہے کہ دوران انڈوسٹری آفس نے فقیر خورشید احمد پورہ حلقہ و

میں سنایا گیا جس نے تحریری طور پر جو بیان دیا ہے وہ قابل مدظم ہے

اور مسائل کے نشانات مندرجہ ذیل کی ہیں۔

Attested

INQUIRY OFFICER Findings

مگر یہ سیکرٹری کی آفیس کے Findings مطابق ایک اور پیش کردہ اور بیانات
 کے روشنی میں صحیح مدد سے کیا گیا ہے۔ اور نشانات وغیرہ کو
 ANNEX I دیا گیا ہے۔ کہ تمام تر نشانات بوجس ادرجی ہے اور ساتھ
 ہی گرواؤں کے کو بھی ذمہ دار نہیں کیا گیا ہے۔ مگر نہ تو وہیں کوئی شہادتوں دیا گیا ہے
 اور نہ ہی کوئی نوٹس بابت نشانات پر تالی ذمہ داری کے بار میں اسے ذمہ دار نہیں کیا گیا ہے
 اس لیے بھی ذمہ داری آفیس کے Findings نظر انداز کرنے کے لائق ہیں۔ نیز یہ
 ذمہ داری آفیس نے شہادت کے بنا پر مسائل کو رشوت کے الزام عطا کیا ہے۔ جو کہ اس وقت
 ناالفاظی اور بغیر ثبوت و کثرتی تباہیوں میں نہیں ہے۔ یہیں سے Findings
 قابل اقرار ہے۔

یہ سیکرٹری کی آفیس صاحب پیرا II میں یہ لکھا ہے۔ کہ مافوق مذکورہ
 اور متبع اللہ گرواؤں کے نشانات 8943 ، 8944 ، 8945
 8946 اور 8947 اور 8948 جو کہ گمانہ نمبر 940 میں صیکرٹری کے تحت
 3303 ، 3309 ، 3338 ، 3307 ، 3304 - 3316 ، 3311 ، 3312

3313 اور 3315 اس کا وجود گمانہ مذکورہ 940 میں نہیں ہے۔ اس عام تر
 نامہ نشانات بوجس ادرجی ہے یہ سیکرٹری کی آفیس کے Findings
 دیکھاؤں حال کے مطابق درست ہے۔ کیونکہ تمام تر نشانات صحیحی زبان
 کے گمانہ ادرجی ہوتے ہیں۔ یہاں کے نشانات مندرجہ ذیل میں بولے گئے ہیں۔
 اس لیے Findings غلط اور خلاف حقیقت، دیکھاؤں میں

ATTESTED

Ath

۳۔ یہ سید زین العابدینؑ کی قبر سے منسبت اور گروہ شیعہ اللہ کو

INCOMPETENCY دیا گیا ہے۔ کیونکہ دو مختلف پیمانے جس پر 1341

کے ریکارڈ سے دکھائے گئے ہیں۔ جبکہ اصل پوزیشن سرہ منگور کا علاقہ

فیلڈ نمبر 93-92 کے علاقے 30/35 اسی طرح اردھیا کھانہ 26/51/92

حسابہ جمعہ 06-2005 سے نافذ ہے جبکہ علاقہ قانون لینڈ ریو نوٹس / لینڈ ریو نوٹس

دریں 1967 میں تمام تر زمینوں کی سرٹیفکیٹس جاری کیے گئے ہیں۔

واقعاتی تیار کر کے انتظامات جمعہ سے تیار کرتے ہیں۔ تو اس کے بعد گروہ سرہ منگور

انتظامات کی سرٹیفکیٹس جاری کیے ہیں۔ اگر کوئی ریکارڈ میں غلطی ہو تو اس کی درستگی

گروہ سرہ منگور میں درست کرنا ہے۔ جبکہ حلقہ پورہ پورہ پورہ جمعہ

اور ریکارڈ مال سے انتظامات تیار کرتے ہیں۔ اور انہی کی یہی ڈوبی ہے۔

قابل مدد قلم اور قابل توضیح بات یہ ہے۔ کہ انتظامات مندرجہ بالا طور پر سائلہ انتظامات

صوبہ گروہ سرہ منگور کی سرٹیفکیٹس ملنے اور ریو نوٹس مانگنے کے بعد یہ انتظامات کو حل

انتظامات سے تیار کئے ہیں۔ اگر منسبت علاقہ قانون حال انتظامات کو حل نہ کرنا تو کم

جمعہ قابل ذمہ دار ٹیکس آفیسر اور جب انتظامات کو حل انتظامات سے تیار کئے تب ہی انورٹری آفیسر

نے مختلف الزامات لگائے ہیں جس کا سائل مندرجہ بالا ہے۔ اور ریکارڈ مال

یہ۔ تمام تر نوڈس لفٹا میں۔ ہیں Findings پیرا 11 کے تحت

یہ مسئلہ منسبت نے انتظامات کے تیار کرنے میں کوئی IRREGULARITY

کی ہے۔ بلکہ تمام تر انتظامات مندرجہ جمعہ کے تیار کئے ہیں

اس طرح پیرا 11 کے تحت اور خلاف واقعات ہے

ATTESTED

Examined
Copying Branch
D/O Office Bannu
18-10-18

Attested



Paradise written reply of the
Shows Cause notice, as under

1۔ یہ عسک من سائل نے ریکورڈنگ آفس میں کو اس تحریر کی جواب نہیں دیا گیا ہے
دیا گیا تھا جو کہ ریکارڈز میں موجود ہے۔ جبکہ ریکورڈنگ آفس میں صاحب نے درخواست
دی گئی تھی۔ جو کہ ریکارڈز میں بیانات، کوٹیکسٹ اور نظر انداز کیا گیا ہے من سائل نے
کبھی بھی رینی ذمہ داری میں کوٹیکسٹ نہیں کی ہے۔ اور یہاں وقت اسی طرح سے
ملاقات قانون مال رینی ڈیوٹی سر انجام دیا۔ اور ریکارڈز مال کا محفوظ بھی کیا گیا۔

2۔ یہ عسک من سائل نے بھی رینی ذمہ داری کا مطالبہ نہیں کیا ہے۔ اور وہاں ڈیوٹی
تمام تر ریکارڈز مال جو بھی سیریا ڈیوٹی رکھتا ہے۔ ریکورڈنگ میں ہے۔ بیانات بھی
خوش دلی سے سر انجام دیا ہے۔

Attested

اصل حقائق یوں عسک ریکورڈنگ آفس میں صاحب نے جو الزامات
میں کیا ہے ریکورڈنگ آفس میں اور درست دیکھ کر نہیں ہے۔ کیونکہ ذمہ داری تمام تر سیریا
تحریر میں موجود ہے۔ جو کہ لگا ہے۔ اور اصل میں ملکیت ریکارڈز مال میں سیریا
میں ہے۔ اور صورت میں عسک تمام الزامات نہیں جاتی ہے اور بیانات ملکیت سیریا
ذمہ داری ہے۔ جبکہ درست ملکیت ریکارڈز مال قانون مال۔ لیکن ریکورڈنگ 1967
میں موجود ہے۔ من سائل نے جو اختلافات عسک عظیم تیار کیے ہیں اس میں
مبالغہ آمیز اختلافات کے مال کچھ حصے عسک ملکیت میں ہے۔ جو کہ اصل میں ریکورڈنگ
میں ہے۔ اور عسک ملکیت ہے۔

یہ عسک ملائی Procedure حلقہ پور انتظامات میں پور
میں دیکھتے ہیں۔ اور اصل اختلافات آفس قانون کوٹیکسٹ میں موجود ہیں

ATTESTED

Ak

3 یہ وسیع انتشارات مندرجہ ذیل عبارت 8943 ، 8944 ، 8945 ، 8946

8947 ، 8948 ، 8949 کو تیار کی گئی تھیں۔ اس وقت فائرفرس ہوائی گاڑیوں کے بارے میں
اور سرکاری انتشارات کیساتھ کولم انتشارات کی 8943 انتشارات کیساتھ کولم انتشارات
8949 ، اساطیر ، 8944 انتشارات کیساتھ کولم انتشارات 8353 ، 8945 انتشارات کیساتھ
کولم انتشارات 8350 ، اور 8946 انتشارات کیساتھ کولم انتشارات 8257 ، اور اساطیر
8949 انتشارات کے ساتھ کولم انتشارات 8258 اور 8948 انتشارات کیساتھ کولم انتشارات
8949 اور انتشارات مندرجہ 8949 کیساتھ کولم انتشارات 8315 گاڑیوں کے بارے میں
صبر و بردباری سے باقاعدہ پتہ چلا گیا ہے۔ اور کھینچا اور پکڑنے کے بعد
یہ انتشارات مندرجہ ذیل مسائل کے تیار کردہ ہیں جو کہ کف جواب تھا ہیں

4 یہ وسیع من مسائل کے خلاف پیمبر پینلٹی - بریٹیڈ رشورٹ سٹانی Under R-4
کا امداد نہیں دیتا ہے۔ نیز یہ من مسائل کے مطابق قانون مال ڈروئی سربراہی
کوئی کوئی نہیں ہے۔ جیسا کہ رشورٹ کے مطابق قانون سہادت
کا تعلق سہادت کے خلاف لکھا اور وجود ہے اور نہ ہی میں یہ لکھو کہ انتشارات

Attested

اس لئے اس کے خلاف من مسائل کے خلاف رشورٹ سٹانی
میں من مسائل کے خلاف پیمبر پینلٹی - بریٹیڈ رشورٹ سٹانی
میں من مسائل کے خلاف پیمبر پینلٹی - بریٹیڈ رشورٹ سٹانی
آب کوئی سرکاری دعا اور حکم - 6/9/2018

ناصر خان مددگار بریٹیڈ رشورٹ سٹانی

ATTESTED

Branch
L C Office Bannu
12-10-10

Handwritten signature and stamp area



38



THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, Fdcbannu

No. 4429-SS/AE/BC/

Dated: 14-09-2018

To: Mr. Nafeer Ullah Khan Patwari (Suspended).

Subject: INQUIRY AGAINST NAFEER ULLAH PATWARI.

Memo,

I am directed to refer to this office show cause Notice No. 4429/AE/BC dated: 31-03-2018 and to direct you to attend the personal office of the Deputy Commissioner Bannu on 18-09-2018 (Tuesday) for personal hearing accordingly.

Attested

Superintendent,
Deputy Commissioner's Office
Bannu

Copy of the above is forwarded to the: -

1. Additional Assistant Commissioner-III Bannu with the request to please attend the office of Deputy Commissioner Bannu regarding the subject inquiry alongwith relevant record on 18-09-2018.
2. Assistant Establishment for compliance.
3. Tehsildar Bakka Khel for necessary action.

ATTESTED

Examiner
Copying Branch
DC Office Bannu.
18-10-18

cc

Superintendent,
Deputy Commissioner's Office
Bannu

34



Passed hearing in Case Particulars
on dated 18/9/2018.

S.No	Name	Post	Signature
1.	Najeebullah Khan	Patwar	
2.	Shafiqullah Khan	Sivalew CRtd.	

ATTESTED

Copying Branch
 EDC Office
 18-10-19

Attested



35

17/24

THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, dcbannu

No. 4986-99 /DC/AE

Dated: 27 September-2018

OFFICE ORDER:

Whereas, Mr. Nafeer Ullah (then Patwari Halqa Bezan Khel Tehsil Domail) Bannu was proceeded under E&D rules for allegations of making fake / illegal mutation with malafid intention within the meaning of Rule-3 (a)(b) & (c) of the Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline) Rules, 2011 during his posting as Patwari Halqa Bezan Khel Tehsil Domail Bannu.

Whereas, proper show cause notice was issued to the said employee as well as opportunity of personal hearing was provided by the undersigned as evident from show cause notice No. 4429/DC/AE dated 31/08/2018 and his detailed reply to show cause notice as well as his statement recorded during personal hearing before the undersigned, dated 19/02/2018.

Whereas, ongoing through the record, including written defense of the said employee before the inquiry officer, as well as his verbal and written defense / statement before the undersigned during his personal hearing, I am satisfied that the said employee had committed the said offence thus found guilty under Rule-3(a)(b) & (c) accordingly and the guilt has been confirmed / proved.

I, (Muhammad Ali Asghar, Deputy Commissioner Bannu), as competent authority, hereby impose major penalty of "Removal from Service" as provided under rule 4 (b)(iii) of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rule 2011 on Mr. Nafeer Ullah, Patwari with immediate effect.

Attested

(MUHAMMAD ALI ASGHAR)
DEPUTY COMMISSIONER

Copy forwarded to the:

1. Secretary to Govt. of Khyber Pakhtunkhwa Revenue & Estate Department, Peshawar.
2. Commissioner Bannu Division, Bannu.
3. Additional Deputy Commissioner Bannu.
4. Assistant Commissioner, Bannu.
5. All AACs, Bannu
6. Tehsildar Bannu and Domel.
7. District Comptroller of Accounts, Bannu.
8. District Nazir, Bannu.
9. Official concerned.

ATTESTED

Attested
Copying Branch
D.C. Office Bannu
18-10-18

DEPUTY COMMISSIONER

36

Fax



GOVERNMENT OF KHYBER PAKHTUNKHWA,
 BOARD OF REVENUE,
 REVENUE & ESTATE DEPARTMENT.
 Facebook ID: www.facebook.com/hor.kp.k9
 Twitter ID: [@RevenueBoardkp](https://twitter.com/RevenueBoardkp)
 Fax No: 091.921398

No. Estt: VII/C. Case/ 50175
 Peshawar dated the 28/02/2019.

To

The Commissioner,
 Bannu Division, Bannu.

Attested

SUBJECT: SERVICE APPEAL CASE TITLED "NAFEER KHAN PATWARI VS DEPUTY COMMISSIONER, BANNU."

Dear Sir,

I am directed to refer to your letter No. 1016-19-Records P 105 dated 12.02.2019 and to state that Mr. Nafeer Khan Patwari may be reinstated for the purpose of enquiry, prepare and provide charge sheet alongwith statement of allegations against all the responsible officers/officials to proceed further in the matter please.

ACK

*Support
 Puhup on file as to seek approval
 of DC Commissioner for sending the case
 to DC Bannu for needful or otherwise.*

[Signature]
 SECRETARY (EST)

*J
 01/03/2019
 ACK*

AGS

ATTESTED

[Signature]

Copying Division
 DC Office Bannu

18-10-19

37

Better Copy



GOVERNMENT OF KHYBER PAKHTUNKHWA BOARD OF REVENUE DEPARTMENT

Facebook ID: www.facebook.com/bor.kp

Twitter ID: @Revenue Boardkp

Fax No.091-9213989

No.Estt:VII/C.Case/5975

Peshawar dated the 28 /02/2019

To,

The Commissioner,
Bannu Division Bannu.

Attested
[Signature]

Subject: SERVICE APPEAL CASE TITLED "NAFEER KHAN PATWARI VS DEPUTY COMMISSIONER, BANNU"

Dear Sir,

I am directed to refer to your letter No.1016-19 Records F-105 dated 12-02 2019 and to state that Mr. Nafeer Khan Patwari may be reinstated for the purpose of enquiry prepare and provide charge sheet alongwith statement of allegations against all the responsible officers, officialws to proceed further in the matter please.

-Sd-

Assistant Secretary (Estt)

Attested

[Signature]
ADDL. ASSISTANT COMMISSIONER-I
Bannu



38

18

THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, **dc**bannu

No. 3005 /DC/AE

Dated: 16-May-2019

To: Commissioner Bannu, Division, Bannu.

Subject: APPLICATION-SERVICE APPEAL IN CASE TITLED "NAFEER KHAN VS DEPUTY COMMISSIONER BANNU".

Dear Sir,

Reference your letter No. 3065-66/Reader/F-105 dated 23.04.2019 on the subject cited above.

The case was examined carefully and it was found that the subject Patwari was removed from service by this office after found him guilty. The subject Patwari lodged an appeal before the court of Commissioner Bannu Division, who was pleased to keep the said appeal pending till the disposal of inquiry by Board of Revenue. The case has accordingly been sent to Board of Revenue for conducting inquiry right from concerned Patwari to Tehsildar that appear to be responsible for the negligence to cover all the officials involved in the instant matter.

Since this office's removal from service orders has not been set aside and the said Patwari has been reinstated only for the purpose of inquiry not for duty etc. Hence this office keeps the issue of his pay release till outcome/disposal of inquiry by Board of Revenue.

Attested

(ATTA UR REHMAN)
DEPUTY COMMISSIONER

No. & Date Even:

Copy of is forwarded to the:

1. Secretary to Govt. of Khyber Pakhtunkhwa, Revenue & Estate Department, Peshawar.

ATTESTED

Coping Branch
DC Office Bannu
18-10-19

DEPUTY COMMISSIONER

SERVICE APPEAL:

Nafeer Patwari.....Appellant)

Versus

Deputy Commissioner, Bannu.....(Respondent)

ORDER:24-01-2019

My this court order will be dispose of the instant service appeal departmental presentation instituted by the appellant through counsel against the order dated 27-09-2018 passed by Deputy Commissioner, Bannu whereby major penalty "Removal from service under Rule-4(a) (iii) &(c) of Khyber Pakhtunkhwa E&D Rules 2011" was imposed upon Mr. Nafeer Khan, Ex- Patwari Halqa Bizen Khel for making fake / illegal mutation with malafid intension.

Comments / relevant record were requisitioned from Deputy Commissioner Bannu which were accordingly furnished to make the story more clear. District Kanungo, Offie Kanungo Tehsil Domel. Relevant circle Kanungo Bizen Khwel and incumbent patwari Halqa were summoned alongwith relevant record. Accordingly, they appeared alongwith relevant record from the detailed examination and perusal of the record the following observations were recorded which needs further detailed investigation:-

1. Making entry of mutation its examination/ checking and its attestation is the responsibility of concerned Patwari, Girdawar and Tehsildar respectively; whereas only the appellant has been penalized altogether balance burden of responsibility.
2. Mutation Nos 8943,8944,8945,8947,8948, and 8949 have been entered in 2012 by the appellant with reference to mutation No. 8943,8944,8946,8947,8948 and 8315 of 2011 respectively. These mutations have been duly examined by Girdawar concerned and attested by Tehsildar concerned.
3. Pert Patwar as well as Pert Sarkar of Register Mutations in respect of Mutations No.8349,8353,8355,8557,8258,8404 and 8315 were presented by Patwari Halqa. It has been noticed that remarks of Tehsildar as to appointment of Commission for recording statements of the vendors /vendee alongwith recorded statements of the parties and report of Commission were found endorsed upon most of these Pert of Mutations. Neither final orders of the Tehsildars as to acceptance or rejection of mutations nor any observation of Revenue Officer have been found on record despite the fact that these mutations are pending after due completion since 2011 till date, reasons being unknown.
4. About 70 to 80 % entries in the register Mutation (Pert Patwar) for the year 2011, Halqa the Revenue Officer as to acceptance or rejection of mutations which is a gross negligence on the part of the then Patwari, Girdawar and Revenue Officer.

Attested

Attested

- (40)
5. In the report to Inquiry Officer i.e AAC-III Bannu has given no recommendation regarding penalty. Furthermore, order of the Deputy Commissioner, Bannu is silent as to correction of record.
6. While making entry of mutation No.8948, the appellant the name of Mr. Asmatullah instead of Rehmatullah and accordingly irrelevant statements were recorded too.

After listening arguments of the counsel for the appellant and perusing the comments

/ inquiry report and relevant record. I have come to the conclusion that order dated 27-09-2018 issued by the Deputy Commissioner Bannu does not cover all the officials involved in the instant matter from concerned Patwaris to Tehsildars that appear to be responsible for the negligence as well as wrong done in the record for years while performing their duties. Therefore, the matter is taken up with Senior Member Board of Revenue, Khyber Pakhtunkhwa Peshawar for ordering detailed enquiry into the matter covering all officials as Senior Member Board of Revenue is competent authorities for Tehsildars (BS-16). Hence, the instant appeal departmental representation be kept pending and the disposal of enquiry by Board of Revenue.

Announced
24-01-2019

-Sd-
Commissioner
Bannu Division

Attested

Attested
[Signature]
Addl. Assistant Commissioner
Bannu

(341)

17/6

IN THE COURT OF COMMISSIONER, BANNU DIVISION

SERVICE APPEAL:

Nafeer Patwari

(Appellant)

Versus

Deputy Commissioner, Bannu

(Respondent)

ORDER :

24-01-2019

My this court order will dispose of the instant service appeal departmental presentation instituted by the appellant through counsel against the order dated 27-09-2018 passed by Deputy Commissioner, Bannu whereby major penalty "Removal from Service under Rule-4(a) (iii) & (c) of Khyber Pakhtunkhwa E&D Rules, 2011" was imposed upon Mr. Nafeer Khan, Ex-Patwari Halqa Bizan Khel for making fake/illegal mutation with malafid intention.

Comments/relevant record were requisitioned from Deputy Commissioner, Bannu which were accordingly furnished. To make the story more clear, District Kanungo, Office Kanungo Tehsil Domel, relevant Circle Kanung Bizan Khel and incumbent Patwari Halqa were summoned along with the relevant record. Accordingly, they appeared along with relevant record. From the detailed examination and perusal of the record the following observations were recorded which needs further detailed investigation:-

1. Making entry of mutations, its examination/checking and its attestation is the responsibility of concerned Patwari, Girdawar and Tehsildar respectively; whereas only the appellant has been penalized altogether ignoring balance burden of responsibility.
2. Mutation Nos. 8943, 8944, 8945, 8946, 8947, 8948 and 8949 have been entered in 2012 by the appellant with reference to mutation Nos. 8349, 8353, 8355, 8257, 8258, 8404 and 8315 of 2011 respectively. These mutations have been duly examined by Girdawar concerned and attested by Tehsildar concerned.
3. Pert Patwar as well as Pert Sarkar of Register Mutations in respect of Mutations Nos. 8349, 8353, 8355, 8257, 8258, 8404 and 8315 were presented by Patwari Halqa. It has been noticed that remarks of Tehsildar as to appointment of Commission for recording statements of the vendor/vendee along with recorded statements of the parties and report of Commission were found endorsed upon most of these Pert of Mutations. Neither final orders of the Tehsildar as to acceptance or rejection of mutations, nor any observation of Revenue Officer have been found on record, despite the fact that these mutations are pending after due completion since 2011 till date, reasons being unknown.
4. About 70 to 80% entries in the Register Mutation (Pert Patwar) for the year 2011, Halqa Bizan Khel with regard to entry of mutations are found unattested i.e. without orders of the Revenue Officer as to acceptance or rejection of mutations which is a gross negligence on the part of the then Patwari, Girdawar and Revenue Officer.

Attested

ATTESTED

Copy Branch



(42)

- 5. In the report of Inquiry Officer i.e. AAC-III, Bannu has given no recommendations regarding penalty. Furthermore, order of the Deputy Commissioner, Bannu is silent as to correction of record.
- 6. While making entry of mutation No. 8948, the appellant entered the name of Mr. Asmatullah instead of Rehmatullah and accordingly irrelevant statements were recorded too.

After listening arguments of the counsel for the appellant and perusing the comments inquiry report and relevant record, I have come to the conclusion that order dated 27-09-2018 issued by the Deputy Commissioner, Bannu does not cover all the officials involved in the instant matter from concerned Patwaris to Tehsildars that appear to be responsible for the negligence as well as wrong done in the record for years while performing their duties. Therefore, the matter is taken up with Senior Member, Board of Revenue, Khyber Pakhtunkhwa, Peshawar for ordering detailed enquiry into the matter covering all officials as Senior Member, Board of Revenue is competent authority for Tehsildars (BS-16). Hence, the instant appeal departmental representation be kept pending till the disposal of enquiry by Board of Revenue.

COMMISSIONER
BANNU DIVISION

Announced
24-01-2019

ATTESTED
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Copying Branch
DC Office Bahraich
B-1819

Attested
[Signature]

DC, Bannu
Resp. No. 4

43

12-2-99

IN THE PESHAWAR HIGH COURT, PESHAWAR

FORM OF ORDER SHEET



Date of order or proceedings.	Order or other proceedings with signature (s) of Judge(s)
(1)	(2)
23.07.2019	<p><u>W.P.No.3637-P/2019</u></p> <p><u>Present:</u> Mr. Shahid Qayum Khattak, Advocate for the petitioner.</p> <p>***</p> <p>Comments of respondents be called for, so as to reach this court positively within a fortnight.</p> <p><u>Interim Relief</u></p> <p>Notice. In the meanwhile, the salary of the petitioner shall be released as he is reinstated by the respondents.</p>

Attested
[Signature]

RECEIVED
107/12
8/8/2019

JUDGE
[Signature]

JUDGE
[Signature]

No. 342

Date of Presentation of Application 17/8/19

No of Pages 02

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Date of Preparation of Copy 5/8/19

Date of Delivery of copy 5/8/19

Received By [Signature]

CERTIFIED TO BE TRUE COPY
Peshawar High Court, Peshawar
Authorized Under Article 177 of the Constitution of Pakistan 1973

05 AUG 2019

Deputy Commissioner
Bannu

ATTESTED

[Signature]
Shahid Ali, Court Secretary. (D.B)

[Signature]
(Hon'ble Mr. Justice Iqramullah Khan and Hon'ble Mr. Justice Ishaq Ibrahim)

Copying Branch
DC Office Bannu
18-10-19



44

THE DEPUTY COMMISSIONER, BANNU
Tel: 0928-9270032, Fax: 0928-9270079, dcbannu

No. 5156 /DC/AE/BC

Dated: 29-8-2019

OFFICE ORDER

In compliance with Peshawar High Court, Peshawar order dated 23.7.2019 in WP No.3637-P/2019, the salary of the petitioner Mr.Nafeerullah Khan, the then Patwari Halqa Bizen Khel, Tehsil Domel District Bannu, is hereby released with effect from the date of re-instatement into service i.e April 2019 and onward till the outcome of enquiry already under process against the said Patwari in Board of Revenue, Revenue & Estate Department Peshawar.



(ATTA UR REHMAN)
DEPUTY COMMISSIONER

Even No & Date:-

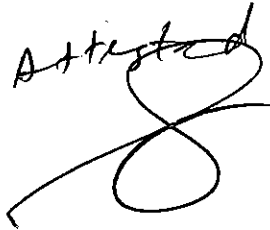
Copy forwarded to:-

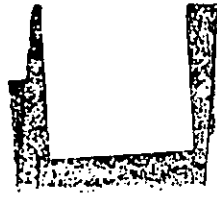
1. The Registrar Peshawar High Court Peshawar for information please.
2. The Commissioner Bannu Division Bannu.
3. Additional Deputy Commissioner Bannu.
4. Assistant Commissioner Bannu.
5. District Comptroller of Accounts Bannu.
6. All Additional Assistant Commissioners Bannu.
7. All Tehsildars.
8. Official concerned.

ATTESTED


Copy of this order
DC Office
B-10-11


DEPUTY COMMISSIONER

Attested




P-26

THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, [dc@bannu](mailto:dc@bannu.gov.pk)

No. 2203 /DC/AE

Dated: 4 -April-2019

OFFICE ORDER:

In compliance with Board of Revenue letter No. Estt:VII/C. Case/5975 dated 28.02.2019 in service appeal case titled "Nafeer Khan VS Deputy Commissioner Bannu", Mr. Nafeer Khan Patwari removed from service vide this office order No. 4986-99/DC/AE dated 27.September.2018, is hereby reinstated in service only for the purpose of enquiry till conclusion of enquiry accordingly..

Attested

(MUHAMMAD ALI ASGHAR)
DEPUTY COMMISSIONER

Even No. & Date:

Copy forwarded to the:

- i. Secretary to Govt. of Khyber Pakhtunkhwa Revenue & Estate Department, Peshawar.
- ii. Commissioner Bannu Division, Bannu.
- iii. District Comptroller of Accounts, Bannu.
- iv. District Nazir, Bannu.
- v. Official concerned.

DEPUTY COMMISSIONER

ATTESTED

Examined
Copying Branch
EOC Office Bannu
08-10-19

خدمت جناب محکمہ سیکرٹریٹ جنرل

46

عنوان :- use of pay Attested

ضابطہ

قودینہ ڈریشن فیصلہ من سائل لفٹیشن پٹوری کو آب احسان نے بحوالہ نمبر
2203/DC/AE بتاریخ 04-04-2019 کو آب احسان صرف اینڈ اوری گئے (reinstated)

ضابطہ درالہ سائل بان پوں کو لیا گیا ہے۔ چونکہ سائل نے گریجویٹ اور اس کے
صرف تنخواہ پر ڈریشن عمل کیا ہے۔ چونکہ اس کے سائل کو تنخواہ بند ہے۔

آب سائل آب احسان کے (Reinstated) اور ڈریشن ڈریشن کو قودینہ الٹی ڈریشن
کہ انڈیا کے سائل کو تنخواہ بند ہے اور اس کے Release اور اس کے اس کے
سائل کو ڈریشن ڈریشن ہے۔

صفحہ 10-04-2019 عین ڈریشن ہے۔

Ru put and

A

AE

Signature

ATTESTED by: Commr

Copying Branch
DC Office Banno
18-11-19

RECEIVED
No 5636
10-4-2019



**OFFICE OF THE
COMMISSIONER
BANNU DIVISION**

(47)

P.O. Box. 12, Postal Code 28100, Bannu.
Phone: 0928-9270044 & 621144
Fax: 0928-9270041
E-mail: acr.bannu@yahoo.com

No. 3063-66/Reader/F
Dated: 23-04-2019

Most Immediate/Court Matter.

The Deputy Commissioner,
Bannu.

Attested

Subject: APPLICATION- SERVICE APPEAL IN CASE TITLED "NAFEER KHAN
VERSUS DEPUTY COMMISSIONER BANNU".

I am directed to enclose herewith a copy self explanatory application received from Mr. Nafeer Khan Patwari alongwith its enclosure, for release of salary in the light of instructions conveyed vide letter No. Estt:VII/C.Case/5975, dated 28/02/2019 received from Board of Revenue, Government of Khyber Pakhtunkhwa, Peshawar (copy enclosed) please.

Assistant to Commissioner (Rev/G.A)
Bannu Division

Even No & Date
Copy for information to the:-

1. Secretary to Commissioner Bannu Division.
2. Assistant Secretary (Estt:), Board of Revenue, Government of Khyber Pakhtunkhwa, Peshawar w/r to above for information please.
3. PS to Commissioner Bannu Division.

*R.K
put up on
Nafeer Enquiry
file*

ATTESTED

Deputy Commissioner

RECEIVED
No. 6254
Dt. 23/4/19
Deputy Commissioner Office-Bannu

Assistant to Commissioner (Rev/G.A)
Bannu Division

Deputy Commissioner
Bannu

کد صاحب عیسیٰ علیہ السلام

Attested

[Signature]

عنوان: درخواست پورا پورا روزانہ عیسیٰ

صاحب کمال

کوڈ نمبر گزشتہ دفعہ میں سائل نے غیر قانونی طور پر کوڈ نمبر منسوخ کر دیا ہے۔ صاحب صاحب کوڈ نمبر منسوخ کر دیا ہے۔
میر خلیفہ انوار کے لیے سے 04-04-2018 کو (reinstated) صاحب کوڈ نمبر منسوخ کر دیا ہے۔
سائل نے کوڈ نمبر منسوخ کر دیا ہے۔
04-04-2018 کو صاحب کوڈ نمبر منسوخ کر دیا ہے۔
صاحب کوڈ نمبر منسوخ کر دیا ہے۔
صاحب کوڈ نمبر منسوخ کر دیا ہے۔

صاحب کوڈ نمبر منسوخ کر دیا ہے۔
صاحب کوڈ نمبر منسوخ کر دیا ہے۔
صاحب کوڈ نمبر منسوخ کر دیا ہے۔
صاحب کوڈ نمبر منسوخ کر دیا ہے۔

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[Signature]
Copying Branch
DC Office Bannu

17-4-2018

عین ذرا نشانی

عین ذرا نشانی

کفر دہشت گردی

P.L, discuss with file.

Apr 17/4/19

ACR:

[Signature]
No the useful

Request change to DC for release of salary as per orders of in the light of

BOR-KP

22/4/2019
ACR

De C. M. S. detailed within 2 weeks

15/10/20

شہرستان ولد بوستان خان سید ڈومر گزرائی تحصیل ڈومیر ضلع بھکر
سید فضل ولد سید فضل خان سید ڈومر گزرائی تحصیل ڈومیر ضلع بھکر

گورنمنٹ / آفس قانونی

نام صاحب رابطہ رکھارک ڈھیل لریک
ایسٹ آج ہی آج

Attested.

سید خان ولد سید شہرستان خان، آفیسر (پرنسپل) مدرسہ اسلامیہ، بھکر، تحصیل ڈومیر ضلع بھکر

(4) شہرستان ولد نامعلوم، سید خان ولد نامعلوم (5) نور علی ولد ولی دود

(6) صاحبی قادری ولد نامعلوم (8) بی بیوں ولد نامعلوم سکسٹ ڈیویژن بھکر

تحصیل ڈومیر ضلع بھکر
مستول عدلیہ

درخواست گزار کہ ما سائلین مستول عدلیہ بھکر

رہبر قہادی 52-0-5 کسٹڈین ہاؤس (9) ہزار روپے

سال 2012 میں فی کنال کے حساب سے بیسہ قسط خریدی ہے

موجودہ مبلغ / دس لاکھ روپے روڑا جو وہاں وصول پایا ہے

تبا یا زربیسر بوت منتقل کرن ما سائلین ادارہ کے پاس

زود وار ہے جس سے حق سید فضل خان ولد سید شہرستان

منتقل نامہ 10048، 10061، 10064 جو موجود ہے

اور باقی باقی منتقلات ثابت شدہ ہے

ذیل ہے: 10049، 10050، 10051، 10057، 10060

اور موجودہ میٹرواری حلقہ کو مبلغ 5000 روپے ملے گا

لیکن وغیرہ لینے وصول پایا ہے جس کے ناجائز منتقلات

موجودہ حق سائلین نہیں ہے اور کسی بھی قسم منتقلات

No. 1201 / AAC
18/10/20

Deputy Commission
Bannu

RECEIVED
No. 9735
DI 16/10
Bannu

بوالہ شان میریانی فرمایا جا کر مسائلمن و پیروان حلقہ، گرد اور سرکل

شہید طلب صورتاً مطلوب ہے

خط عالی :- مسائلمن حسب ذیل عمل کریں

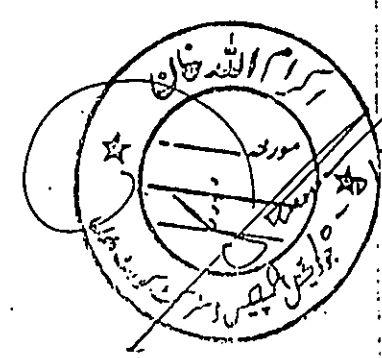
یہ مسائلمن نا واقع موضع وزیر بنین جگہ شہید میں رو بروں ڈا ہاں رومیہ تعدادی
52-0-0 مشترکہ اراضیات بارڈر مل میں (26) ہزار روپیہ فی سال کا حساب سے
سال 2012 میں بیسہ قطعاً خرید لیا گیا ہے۔ ہر موقع صلوات اور دعا لاکھ روپیہ میں
رو بروں ڈا ہاں وصول پایا ہے اور تقابلاً زر بیسہ بوقت استقالات کرن عمداً کیا ہے

یہ اب سٹول بیسہ مسائلمن کو علم بالہ استقالات کر چکے ہیں جسکے ضمنی ذمہ
موضع بنین ضلع جگہ شہید پیروان حلقہ، گرد اور سرکل استقالات بالہ بیسہ
بیشٹ آگیا ہے جب مسائلمن پیروان حلقہ مسائلمن نا پیروان کو دعائے
تو نا پیروان مسائلمن گرد اور سرکل کو ریفر کرتا ہے اور گرد اور سرکل مسائلمن
پیروان حلقہ کو ارسال کرتا ہے پیروان حلقہ، گرد اور سرکل مسائلمن
سے فٹ بال بنا رکھا ہے

یہ مسائلمن کو پیروان حلقہ جگہ شہید بنین ضلع، گرد اور سرکل مقیم کرنے
خلاف چھلکانہ قانونی کارروائی کرنا مطلوب ہے۔ (حال D.K. پٹانہ)

لینڈ آرٹھمنٹ، سٹول بیسہ بالہ حلقہ پیروان حلقہ، گرد اور سرکل
ممبر ریٹائرڈ مقیم طلب فرمایا جا کر واقعات سے جو بھی جرم ثابت
صورتاً چھلکانہ قانونی کارروائی عمل میں لایا جا کر گرد اور سرکل بیسہ بالہ
حلقہ پیروان حلقہ گرد اور سرکل طلب فرمایا جا کر علم استقالات ریٹائرڈ
زیر تفتیش کرنا چھو مسائلمن استقالات کرن نا دعائے
سے در فرمایا جاوے گا۔ آئندہ ہر ایک پیروان، گرد اور سرکل
میں قسم خصلت سے باز رہے۔

Attest



فورم 9-10-017

مل مرغان، سبیل خان مسائلمن
phno:- 03339916751
03358282849

نذر علی مرغان

967

22/12/2017

خواجگان ...

عنوان: ...

AMR R-4

گواہان وغیرہ

نصاب عالی

7676/DC/ME/28/11/17

حساب الحکم درخواست ...

کہ میں نے جو درخواست ...

Attested

انتظامات ...

مذکورہ بالا ...

دفتری ...

میں ...

نویس ...

تفسیر اللہ تعالیٰ نے خلعتا بیان کیا۔ کہ اشتغالات 10048-10049-10050-

10051-10056-10060-10061-10064 موضوع بہترین فضل یا تحصیل ڈومیسیل میں نہ

سہارا ان کے لئے ہے۔ پھر آفریقا کے لئے 21/5/2012 کو درج ہے کہ جس سے - اور گروڈ اور سکرل سے

جسب ضابطہ پیر تال کرلی گی ہے - سائیدین نے سال 2012 سے تاحال فوجی ہالیہ

سورٹے اشتغال 10048 سے اور پورے ریونیو آفسیر تحقیق ڈومیسیل سٹیٹ سٹیٹ میں ہے۔

جسبہ تباہ اشتغالات ریونیو آفسیر تحقیق ڈومیسیل نے صفحہ 30/6/2017 کو بوجہ غیر صافری

بائٹان خارج کی ہے جس سے - میں نے اس سے کچھ فوجی سٹیٹ کی رقم نہیں لی ہے۔

اور نہ ہی سٹیٹ لکھنا سدا کام ہے۔ سٹیٹ سٹیٹ سے اینڈ لڈ یا گروڈ اور سکرل پائی

اور آفسیر سٹیٹ رقم نہیں لی ہے۔ سائیدین کا درخواست خصوصاً اور برہنہ ہے

منہی ہے۔ اور جیسے ہر سال کرتے لکھنے درخواست میں خصوصاً الزامات

لگائے ہیں - میں نے نہ ہوں - اس دفعہ صاف فرمایا جاوے - اور آئندہ

لکھنے وقت اس سورتے - ان کے بارے سے استدعا ہے - کہ سائیدین کا درخواست سکرل

دفعہ فرمایا جاوے۔

Attached

سینئر مندرجہ بالا بیانات سے نتیجہ اخذ کیا جاتا ہے کہ سائیدین نے جسبہ تباہ

اشتغالات درج کیے ہیں - اور گروڈ اور سکرل سے پیر تال لکھی ہے - پھر سکرل کے لئے

نے بیان کیا ہے - کہ میں نے سائیدین سے رقم نہیں لی ہے۔ جسبہ تباہ نے سکرل کے لئے

5000/- دو سو سے ہزار روپیہ کا الزام لگایا ہے۔ سائیدین کی اشتغالات نمبر 10049-10050-

10051-10056-10060-10061-10064 کے بارے میں درخواست ریونیو آفسیر ڈومیسیل نے بوجہ غیر صافری

(10064)

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(S) (S)

THE ADDITIONAL DEPUTY COMMISSIONER/ INQUIRY
OFFICER, BANNU

Ann R-5

INQUIRY REPORT AGAINST MR. NAFEER PATWARI,

COMPLAINT

To dig out facts, various stakeholders in the case were summoned and their statements were recorded.

Statement of Complainant Gul Mar Khan: (Flag A)

He stated that

Attested


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No.	10029
Dt.	24-10-19
Return Date	
Deputy Commissioner Office Bannu	

- Rec
Process*
- 2*
- AG*
- 2*
- by com*
- a. The applicant had purchased 52 K land @ 26000/per Kanal. He paid Rs.1000000/- to the seller on the spot. Rest of the payment will be made after mutation.
 - b. The applicant went to Patwari Nafirullah for entry/attesting the mutation for the same and paid Rs.54000 to him for the purpose.
 - c. Patwari Nafirullah entered various mutations. Nafirullah (Patwari) delayed attestation of the same. Meanwhile, he was transferred. When the complainant approached the new Patwari. The Patwari stated that the mutations are not available/traceable
 - d. Therefore, he submitted complaint to DC, Bannu against Patwari Nafirullah, but after some time mutation were found with office Kanungo Domel being rejected/disposed off.
 - e. The complainant stated that the rejected mutations are bogus one. He provided another copy of the mutations which has the partial of Girdawar but the rejected copy has not the partial of Girdawar, which reveals that the rejected mutations are bogus.
 - f. He requested to take disciplinary action against the Nafirullah (partwari) and attested the mutations as he already deposited/paid taxes to Nafirullah (Patwari).
- AN*



54

Statement of Nafir (Ex Patwari Bizan Khel): (Flag B)

He stated that ;

- a. He has entered mutation No. 10049, 10050, 10051, 10057, 10060, 10064, 10061. and 10048 on 24.05.2012 and the Girdawar has made parthal on Parth Patwar.
- b. He has not taken any amount from the complainant.
- c. The complaint is baseless and may be filed.
- d. On a question that "why parth Sarkar has not the parthal of Girdawar" he replied that "the Girdawar should record parthal but it is the responsibility of Girdawar.
- e. On a question that "handwriting of parth sarkar and Parth partwar is difference" he replied that to hurry and change of pen, difference may occurred.
- f. On a question that "why the mutations have been delayed and why he has not presented the same to Tehsildar for attestation/rejection" he replied that "The mutations were lying with Girdawar."
- g. On question that "the complainant has paid amount to Nafirullah through Amir Hamza. He replied that "he does not know Amir Hamza.
- h. About writing he stated that he does not know.

Statement of Asghar (ADK): (Flag C)

- a. He provide copy of Mutation No 10049, 10050, 10051, 10057, 10060, 10061, 10064. which are rejected.
- b. There is no record of Mutation No. 10048 in his office.
- c. He does not know about overwriting as he has recently joined this office.

Statement of Shafiullah (Girdawar): (Flag D)

He stated that

- a. He has written parthal on the parth patwar of the mutation No. 10049, 10050, 10051, 10057, 10060, 10064, 10061. and 10048
- b. Parth sarkar of mutation No. 10049, 10050, 10051, 10057, 10060, 10064, 10061. and 10048 has signature of him but signature of him

Kar

Attested

does not exist on parth sarkar, which means that Parth Sarkars have been replaced. Over writing on page No. has also indicates that there is something wrong.

Statement of Tehsildar (Asmat Ullah): (Flag E)

He stated that:

- He rejected Mutation No. 10061, 10049, 10050, 10051, 10057, 10060, 10064, in Jalsa AAm as they were pending since long.
- Parthal of Girdawar was not quoted on the said mutations.

Statement of Mir Shah Ali Khan (partwari Bizan Khel) (Flag F)

He stated that

- Difference in Page No. may also occur due to damages of pages.
- Difference in handwriting may also occur due to change of pen.
- Parthal of Girdawar is necessary on both i.e. parth Sarkar and Parth Patwar.
- After recording parthal mutation has been handed over to Patwari.

Statement of Amirullah (present Patwari Bizan Khel) (Flag G)

He stated that:

- He stated that most of the land under question has been sold vide difference mutations.

Statement of Sabil (Partner of complainant) (Flag H)

He stated that:

- They have purchased 33 K land from Hanzada Khan, Qamar Zaman Khan Etc and amount has been paid to them.
- Rs. 26000/ as taxes have also been paid to Ayub Khan (Ex. Tehsildar) by hand.
- He does not know about revenue record whether the Patwari has attested the mutations or not.
- Later on he left partnership with complainant and now he has not concerned with the land.

Attested



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Findings:

After going through the record and statements of the accused/Patwari, complainant & witness, it reveals that the accused Patwari change the Parth Sarkar of the mutation NO. 10049, 10050, 10051, 10057, 10060, 10064. Further statement of complainant Mr. Gul Mar Khan seems genuine that he gives tax money to Patwari (Nafeerullah) in the presence of Mr. Aamir Humza at shamimly Hotel.

Recommendations:

Keeping in view track record of Nafirullah Patwari (presently dismissed in corruption cases & filled a writ petition in high court for his restoration), interesting on the same allegation and record, Azizullah Jan the-then AAC (Rev) Bannu, conduct an inquiry and come up with report on 20/03/2018 with the recommendation that the allegation of Gul Mar Khan seems to be genuine (**Flag I**).

Therefore, it is recommended that Mr. Nafeerullah the-then Patwari Mouza Bizan Khel seems to be guilty of changing Parth sarkar of Mutations no 10049, 10050, 10051, 10057, 10060, 10064. And Major penalty may be imposed on him according to E&D Rules 2011.

Report is submitted please.

Attested

11/9/19
16/9/19
Addl; Deputy Commissioner
Inquiry officer, Bannu

بعد الت جناب ایڈیشنل ڈپٹی کمشنر / انکوائری افسر، بنوں۔

سوال نامہ برائے نفیر اللہ ملزم و سابقہ پٹواری حلقہ

سوال نمبر 1: کیا آپ نے روزنامہ پچھ و پچھانی میں انتقالات درج کئے ہیں؟

جواب: درج کئے ہیں۔

سوال نمبر 2: کیا پرت سرکار پر دستخط گرد اور سرکل ضروری ہے؟

جواب: دستخط ہونا چاہئے لیکن دستخط کرنا گرد اور سرکل کا کام ہیں۔

سوال نمبر 3: پرت سرکار اور پرت پٹواری کی ہیڈ رائلنگ میں واضح فرق ہے اس کے بارے میں آپ کیا کہتے ہیں؟

جواب: جلدی / اور پین کی تبدیلی کی وجہ ہیڈ رائلنگ میں فرق ہو سکتا ہے۔

سوال نمبر 4: کیا آپ کے پاس شاگرد تھا؟

جواب: نہیں۔

سوال نمبر 5: سائل کہتا ہے کہ اسے فلکس کے پیسے آپ کے شاگرد کو دیئے ہیں اس کے بارے میں آپ کیا کہتے ہیں؟

جواب: نہیں دیئے ہیں اور نہ ہی میرے پاس پٹواری کام کیلئے کوئی شاگرد تھا۔

سوال نمبر 6: انتقالات نمبر 10049، 10050، 10051، 10057، 10060، 10048، 10061، 10064 سال

2012 درج دئے تھے آپ نے اسدہ دورہ تصدیق انتقالات پر رپورٹیں افسر کو برائے تصدیق یا خارج کرنے کیلئے پیش کیوں

نہیں کئے؟

جواب: انتقالات 10049 وغیرہ گرد اور سرکل کے پاس تھے۔

سوال نمبر 7: انتقال نمبر 10048، 10061 کی پرت سرکار اور پرت پٹواری کی لکھائی ایک جیسی ہے اور گرد اور سرکل کی

دستخط مثبت ہے جبکہ بقایا انتقالات کی پرت سرکار پرت پٹواری کی لکھائی میں فرق ہے اور اس پر گرد اور سرکل کی

دستخط مثبت نہ ہے اس کے بارے میں آپ کیا کہتے ہیں؟

جواب: اس کا جواب سریل نمبر 3 میں دیا گیا ہے۔

سوال نمبر 8: انتقالات نمبر 10048، 10061 کی پرت پٹواری پرت سرکار کی ورق نمبر ایک جیسی ہے جبکہ بقایا انتقالات کی

پرت سرکار ورق نمبر پر overwriting کی گئی تاکہ ملاحظہ نہ ہو اسکے بارے میں آپ کیا کہتے ہیں؟

جواب: میرے علم میں نہیں ہے۔

سوال نمبر 9: کیا آپ امیر حمزہ کو جانتے ہو؟

جواب: نہیں۔

سوال نمبر 10: سائل کہتا ہے کہ اس نے فلکس کے بعض پیسے امیر حمزہ کے ہاتھوں اسکو دیئے ہیں جبکہ امیر حمزہ بھی گواہی

دینے کیلئے تیار ہے اس کے بارے میں آپ کیا کہتے ہیں؟

جواب: میں اس کو جانتا نہیں ہوں تو اس نے مجھے پیسے کیسے دیئے۔

سوال نمبر 11: کیا رپورٹیں ریکارڈ کی حفاظت کرنا بطور پٹواری آپ کی ذمہ داری ہے؟

جواب: رپورٹیں ریکارڈ کی حفاظت کرنا ضروری ہے۔

Affected

سوال نمبر 12: انتقال درج کن کے بعد آئینہ دورہ تصدیق انتقالات پر درج شدہ انتقالات کی تھی اپ ریونیو افسر کو پیش کرنے کے پابند ہے؟

جواب: منظور شدہ اور خارج شدہ انتقالات کی تھی ریونیو افسر کو پیش کرتے ہیں۔

سوال نمبر 13: سائل تصدیق کیلئے پیش نہیں ہو رہا تھا کیا آپ نے اس کو کوئی نوٹس بھیجا ہے؟

جواب: نوٹس بھیجنا تحصیلدار صاحب کا کام ہوتا ہے ریونیو افسر نے کوئی نوٹس برائے سالان پٹواری حلقہ کو نہیں دیا ہے تاکہ میں اسکو بھیج دیتا۔

سن کر درست تسلیم کیا،
ایڈیشنل ڈپٹی کمشنر / انکوائری افسر، بنوں

~~Handwritten signature~~

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بیان ازاں اصغر خان، افسر کانوٹوگو تحصیل ڈو میل ضلع، بنوں۔

CW

خلاف بیان کیا کہ میں اپنے ہر ادوار جسٹس انتقالات موضع بیڑن خیل لایا ہوں۔ انتقالات 10049، 10050، 10051، 10057، 10060، 10061، 10064 خارج شدہ پرت سرکار کی فوٹو کاپی ہائے پیش کرتا ہوں۔ پر سرکار انتقال 10048 میرے ریکارڈ (افس کانوٹوگو تحصیل ڈو میل) میں نہیں ہے۔ درق نمبرات پر سرکار انتقالات نمبر 10051، 10050، 10057، 10060 مٹائے (overwriting) کئے گئے جس کا مجھے علم (معلومات) نہ ہے۔ کہ کس نے کئے ہے البتہ میں نے نہیں کیا ہے۔ کیونکہ میرا اثر اس سفر حال ہی میں ہوا ہے۔

سن کر درست تسلیم کیا،

ایڈیشنل ڈپٹی کمیشنر / انکوائری افسر، بنوں

Affected

ضبا عالی

حساب اکم ضبا ایزیشنل ڈیپارٹمنٹ میں من گڑ اور لیکن صاف ہوا
 نقل انکوائری سے مدد طلب ہوا اور اس میں موجود اشتقاقی مدد طلب ہے
 اشتقاقی مدد طلب فرماتے ہوئے 10048، 10049، 10050، 10051، 10052، 10053، 10054، 10055، 10056، 10057، 10058، 10059، 10060
 کے گزرتے ہوئے اور پیرت کے گزرتے ہوئے اشتقاقی مدد طلب اور اس میں
 صفا اشتقاقی مدد طلب فرماتے ہوئے

10060 کے گزرتے ہوئے اور پیرت کے گزرتے ہوئے اشتقاقی مدد طلب اور اس میں
 پیرت کے گزرتے ہوئے اور پیرت کے گزرتے ہوئے اشتقاقی مدد طلب اور اس میں
 صفا اور درجہ نہیں ہے اور اشتقاقی مدد طلب ہے۔ گزرتے ہوئے
 جب پیرت کے گزرتے ہوئے اور پیرت کے گزرتے ہوئے اشتقاقی مدد طلب اور اس میں
 صفا سے ثابت ہوتے ہے اور پیرت کے گزرتے ہوئے اشتقاقی مدد طلب اور اس میں
 اور اس میں تبدیل ہوتے ہیں۔

میں نے
 22/11/2019
 سن کر دست تسلیم کیا
 22/11/2019

Attested



بعد اہل جناب ایڈیشنل ڈپٹی کمشنر / انکوائری افسر، بنوں۔

سوال نامہ برائے میر شاہ علی، پٹواری حلقہ موضع بیزن خیل

سوال نمبر 1: کیا پرت پٹواری اور پرت سرکار کی ورق نمبر ایک جیسا ہوتا ہے؟

جواب: پرت پٹواری اور پرت سرکار کی ورق نمبر ایک جیسا ہوتا ہے۔

سوال نمبر 2: اگر پرت پٹواری اور پرت سرکار نمبر میں تضاد ہو، تو اسکی کیا وجہ ہو سکتی ہے؟

جواب: اگر پرت پٹواری اور پرت سرکار نمبر میں تضاد ہو تو اس کی کوئی خاص وجہ نہیں ہوتی اس لئے کہ دوران استعمال رجسٹر انتقال کی ورق بھی خراب ہو سکتی ہے۔

سوال نمبر 3: کیا پرت پٹواری اور پرت سرکار کوئی دو سر بناتا ہے؟

جواب: پرت پٹواری اور پرت سرکار پٹواری ہی بناتا ہے۔

سوال نمبر 4: اگر پرت پٹواری اور پرت سرکار مرتب کرتا ہے مگر لکھائی (handwriting) میں فرق ہو تو اس کی کیا وجہ

ہو سکتی ہے؟

جواب: اگر پرت پٹواری اور پرت سرکار کی لکھائی کوئی خاص فرق نہ ہے تو اس کا مطلب دو بین کی استعمال بھی ہو سکتی ہے۔

سوال نمبر 5: پرت انتقال پر گرد اور سرکل کی پڑتال کی کتنی اہمیت ہوتی ہے؟

جواب: گرد اور سرکل کے پڑتال کے بغیر انتقال نامکمل ہے۔

سوال نمبر 6: اگر پرت پٹواری پر گرد اور سرکل کا دستخط ثبت ہو مگر پرت سرکار پر نہ ہو تو اس کا کیا مطلب ہو سکتا ہے؟

جواب: پرت پٹواری اور پرت سرکار پر گرد اور سرکل کا دستخط ضروری ہے۔

سوال نمبر 7: پرت انتقال پر گرد اور سرکل کے پڑتال کے بعد اپ پرت انتقال کس کے حوالے کرتے ہیں؟

جواب: گرد اور سرکل کے پڑتال کے بعد انتقالات پٹواری حلقہ کے پاس ہوتی ہے۔ اور گرد اور سرکل کی دستخط شدہ

انتقالات پٹواری حلقہ بجلسہ عام میں ریونیو افسر کو پیش کرتی ہے۔

سوال نمبر 8: کیا اپ پرت انتقال میں ٹیکس لگتے ہیں؟

جواب: پٹواری حلقہ پرت پٹواری اور پرت سرکار میں زر زمین لگتا ہے۔

سن کر پرت تسلیم کیا،

ایڈیشنل ڈپٹی کمشنر / انکوائری افسر، بنوں

Attested

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بیان ازاں امیر اللہ خان موجودہ پٹواری حلقہ بیزن نیل نمبر 1 تحصیل ڈومیل

CW

ضلع بنوں -

خانہ نام کیا کہ آج میں اپنے ہمراہ انتقال نمبر 10048 پرت سرکار و پرت پٹواری لایا ہوں جو کہ عدالت ہذا کو فوٹوکاپی پیش کرتا ہوں اسی طرح انتقال نمبر 10049، 10050، 10051، 10057، 10060، 10061، 10062 کی پرت پٹواری کی فوٹوکاپی پیش کرتا ہوں۔ اسی طرح انتقال نمبر 10048 کھاتہ نمبر 922 سابق حال کھاتہ زیر کار 14-2013-3/94 خسرو جات 1341، 1310، 3339، 3320، 3321 میں مسماۃ نیاز بی بی بیوہ یک و حفیظہ خانہ 1/2-3 حصہ پسرگلی خانہ در 4/3 حصہ ختم ہو چکی ہے۔ اسی طرح انتقال نمبر 10049 میں حصہ منتقلہ 1797120/36 درج ہے اور انتقال نمبر 10049 میں حصہ منتقلہ 7 سرسانی اتا ہے۔ اسی طرح مذکورہ کھاتہ میں مسمی قمر زمانہ مذکورہ میں رقبہ منتقلہ 0-5-4 درج ہے۔ جبکہ اسی حصہ منتقلہ 7 سرسانی اتا ہے۔ اسی طرح مذکورہ کھاتہ میں مسمی قمر زمانہ ولد غازی مرجان 12 حصہ جمعندی زیر کار میں موجود ہے اسی طرح انتقال نمبر 10050 کھاتہ نمبر 3/944 حصہ جات مذکورہ بالا میں صرف مسماۃ رغیبہ باقی ہے اسی طرح انتقال نمبر 10051 کھاتہ نمبر 3/944 میں باقی نہیں ہے اسی طرح انتقال نمبر 10057 کھاتہ نمبر 3/944 میں جمعندی زیر کار مسمی شہرا میر ولد سرور خان کا حصہ 4/3- انتقال نمبر 10060 کھاتہ نمبر 3/944 میں جمعندی زیر کار مسمی شہرا میر ولد سرور خان کا حصہ 4/3- انتقال نمبر 10064 پر درج شدہ بائعان کھاتہ نمبر 922 سابق در جدید 3/944 زیر کار میں بائعان 22 باقی ہے جبکہ انتقال مذکور پر 62 حصہ درج ہے۔ اسی طرح انتقال نمبر 10064 پر درج شدہ بائعان کھاتہ نمبر 922 سابق در جدید 3/944 زیر کار میں بائعان 22 باقی ہے۔ اسی طرح انتقال نمبر 10064 پر درج شدہ بائعان کھاتہ نمبر 922 سابق در جدید 3/944 زیر کار میں بائعان 22 باقی ہے۔ اسی طرح انتقال نمبر 10064 پر درج شدہ بائعان کھاتہ نمبر 922 سابق در جدید 3/944 زیر کار میں بائعان 22 باقی ہے۔ اسی طرح انتقال نمبر 10064 پر درج شدہ بائعان کھاتہ نمبر 922 سابق در جدید 3/944 زیر کار میں بائعان 22 باقی ہے۔

سن کر دست تسلیم کیا،

ایڈیشنل ڈپٹی کمشنر / انکوائری افسر، بنوں

Assisted

بیان ازاں ملک سبیل والد گل مرخان سکنہ بیزن خیل، بنوں۔ CW

بالفأ بیان کیا کہ گل مرخان نے خانزادہ، قمر زمان وغیرہ کو ادا کر دی۔ خانزادہ، قمر زمان وغیرہ نے اراضی متدعو یہ کی انتقالات گل مرخان کو کر دی۔ اب اگے پٹواری کا کام ہے۔ یادو نمبر کا کام ہے یا ایک نمبر کا کام ہے۔ یہ پٹواری کو پتہ ہو گا۔ ہم اس کے ذمہ دار نہ ہے۔ اگے پٹواری سے پوچھ لو ہم ان پر پڑھ لو اب ہیں۔ اور ہم مال نے کاغذات کو نہیں سمجھتے۔ میں نے تحصیلدار ڈومیل مسی ایوب خان کو 3/1 حصہ زمین کی ٹیکس بنانے 20000 روپے اپنے ہاتھوں سے ادا کر دی تھی۔ مجھے بعد میں گل مرخان اور نوت اللہ خان نے مجھے ات سے کال دیا کہ میرے پاس پیسے روپے کی کمی تھی۔ اب میرا اسی زمین کے ساتھ کوئی تعلق نہیں۔

سن کر درست تسلیم کیا،

ایڈیشنل ڈپٹی کمیشنر / انکوائری افسر، بنوں

Attested



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THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, F, dcbannu

No. 7330 /DC/AE

Dated: ²⁷ -11-2019

CHARGE SHEET

ANX R-6

1. I, (Atta-Ur- Rehman, Deputy Commissioner Bannu), as competent authority, hereby charge you Mr. Nafeer Ullah Khan, Patwari the then Halqa Bezan Khel Tehsil Domel.

That you, while posted as Patwari Halqa Bezan Khel Tehsil Domel committed the following irregularities:

- I. As per complaint submitted by one Gul Mar Khan s/o Bustan Khan r/o Doger Umerzai Tehsil Domel, you have changed the Parth Sarkar of the mutation No.10049, 10050, 10057, 10060, 10064 and you have also taken the money of Taxes from the complainant in the presence of Mr. Aamir Humza.
 - II. A fact finding enquiry was conducted through Additional Deputy Commissioner Bannu, who declared you guilty of changing Parth Sarkar of mutation No.10049,10050, 10057, 10060,10064 on account of illegal gratification.
2. By reason of the above, you appear to be guilty of Inefficient and Misconduct under Rule-3 (b) & (c) of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule-4 of the rules ibid.
 3. You are, therefore, required to submit your written defense within seven days of the receipt of this Charge Sheet to the Inquiry Officer.
 4. Your written defense, if any, should reach the Inquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.
 5. Intimate whether you desire to be heard in person.
 6. A statement of allegation is enclosed.

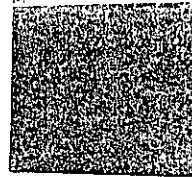
Atta Ur Rehman

(ATTA UR REHMAN)
DEPUTY COMMISSIONER

Copy is forwarded to the: -

1. Assistant Commissioner Bannu alongwith all connected documents.
2. Assistant Establishment to assist the Inquiry Officer.
3. Official concerned.

DEPUTY COMMISSIONER



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THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, dcbannu

Dated: -11-2019

DISCIPLINARY ACTION

1. I, (Atta-Ur-Rehman, Deputy Commissioner Bannu), as competent authority, hereby charge, Mr. Nafeer Ullah Khan Khan Patwari Halqa Bezan Khel Tehsil Domel follows:

That he, while entrusted with the duty of Patwar Halqa Bezan Khel Tehsil Domel committed the following irregularities:

STATEMENT OF ALLEGATIONS

- I. As per complaint submitted by one Gul Mar Khan s/o Bustan Khan r/o Doger Umerzai Tehsil Domel he has changed the Parth Sarkar of the mutation No.10049, 10050, 10057, 10060, 10064 and he has also taken the money of Taxes from the complainant in the presence of Mr. Aamir Humza.
- II. A fact finding enquiry was conducted through Additional Deputy Commissioner Bannu, who declared him guilty of changing Parth Sarkar of mutation No.10049,10050, 10057, 10060,10064 on account of illegal gratification.

2. For the purpose of inquiry against him with reference to above allegations, (Assistant Commissioner Bannu) is hereby appointed as Inquiry Officer to conduct inquiry under rule-10(1) (a) of the ibid rules.

3. He is, therefore, required to submit his written defense within seven days of the receipt of this Charge Sheet to the Inquiry Officer.

4. His written defense, if any, should reach the Inquiry Officer within the specified period, failing which it shall be presumed that he has no defense to put in and in that case ex-parte action shall be taken against him.

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

(ATTA UR REHMAN)
DEPUTY COMMISSIONER

7/8

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OFFICE OF THE
ASSISTANT COMMISSIONER
BANNU

Ph:#0928-9270039 - Email acbannu@gmail.com

No. 88 /AC/F.5

Dated Bannu the 27/01/2020

To

The Deputy Commissioner,
Bannu.

Subject:- DISCIPLINARY ACTION AGAINST NAFEER ULLAH KHAN,
PATWARI.

Dear Sir,

Please refer to your good office charge sheet and statement of allegation bearing No.7330/DC/AE dated 27.11.2019.

P-15

Enclosed find herewith the requisite inquiry report conducted by the undersigned against Mr.Nafeerullah Khan, Patwari for further necessary action as desired, please.

Attested

Shauzab Abbas
24/01/2020
(SHAUZAB ABBAS)
Assistant Commissioner

RECEIVED
No. 1172
Dt. 27-1-2020
Return Date
Deputy Commissioner Office Bannu

Discuss.

AE
[Signature]
Deputy Commissioner
Bannu



68

OFFICE OF THE
ASSISTANT COMMISSIONER
BANNU

Fax/Ph: #0928-9270039 - Email acbannu@gmail.com

**ENQUIRY REPORT INTO THE ALLEGATIONS LEVELLED AGAINST MR. NAFEER
ULLAH THE THEN PATWARI HALQA BIZEN KHEL TEHSIL DOMEL DISTRICT
BANNU BY GUL MAR KHAN R/O DOGAR UMERZAI TEHSIL DOMEL**

The Deputy Commissioner, Bannu appointed the undersigned as an Inquiry Officer vide charge sheet and statement of allegation bearing No.7330/DC/AE dated 27.11.2019 to conduct inquiry into the allegations regarding guilty of changing Parth Sarkar of mutations on account of illegal gratification.

Summary of the case

One Mr. Gul Mar Khan s/o Bostan Khan r/o Dogar Umerzai Tehsil Domel District Bannu complained that Mr. Nafeerullah Khan the then Patwari Halqa Bizen Khel Tehsil Domel had changed the Parth Sarkar of Mutations No.10049, 10050, 10057, 10060 & 10064 on account of illegal gratification. Accordingly, the Additional Deputy Commissioner, Bannu probe into the allegations which were proved to be genuine upon which he recommended award of major penalty to the accused Patwari.

Proceedings

In order to ascertain factual position and to record statements, the complainant, all stakeholders and the accused Patwari Mr. Nafeerullah were summoned on 10.12.2019 at 11.30 am and 3.00 pm vide letters No.4545-50/AC/F.5 dated 3.12.2019 and No.4551-52/AC/F.5 dated 3.12.2019 respectively. The eight number respondents who were summoned through Patwari concerned did not attend this office despite of the facts that they were informed by the Patwari well in time vide **Annex-A**. The complainant (Gul Mar Khan), Asmatullah, the then Tehsildar Domel (now retired), Asghar Khan, the then Office Kanungo Tehsil Domel (now HVC Commissioner's office), Shafiullah the then Girdawar Circle Tehsil Domel (now retired) Mir Shah Ali Khan, the then Patwari Halqa Bizen Khel attended this office and their statements were recorded which are reproduced as follows:-

Statement of the complainant (Gul Mar Khan)

In his written statement at **Annex-B**, the complainant Gul Mar Khan has stated that he had already given statement to ADC Bannu in the said inquiry and his current statement is the same.

In his previous statement (**Annex-C**), the complainant stated that he purchased 52 Kanal land @ Rs.26000/- per kanal located in Mauza Chak

(69)

Shaheed Tehsil Domel and paid Rs.10,00,000/- to the seller on the spot while as per commitment the outstanding balance will be paid during the time of mutation. He further stated that three Parth Sarkar of mutations No.10048, 10061 & 10064 were found pending while the other Parth Sarkar of mutations No.10049, 10050, 10051, 10057 & 10060 were missing which were later-on presented by the concerned Patwari and the serial number of the said parth Sarkar of Mutations do not match with the Parth Patwar of the said mutations. The complainant also stated that the said parth sarkar of mutations No.10049, 10050, 10051, 10057 & 10060 were bogus and not original.

The complainant therefore requested that necessary legal action may be taken against the concerned Patwari.

Statement of the then Tehsildar Domel (Asmatullah)

In his written statement at Annex-D, Mr. Asmatullah, the then Tehsildar Domel (now retired) has stated that he had given the statement to the Additional Deputy Commissioner Bannu on 1.1.2019 about Mutations No.10049, 10050, 10051, 10057, 10060, 10061 & 10064 Mauza Bizen Khel and his current statement is the same.

In his previous statement (Annex-E), the then Tehsildar stated that:-

- (1) Mutations No.10049, 10050, 10051, 10057 & 10060 which were lying since 2012 and no action was taken on it were rejected in default.
- (2) Since the mutations were old, therefore, the same were rejected.
- (3) The concerned Patwari prepared detail of rejected mutations which were rejected in Jalsa-e-Aam.
- (4) There was no verification report of Girdawar Circle on Parth Sarkar.
- (5) When there was no verification report available on parth sarkar, then how can signature of Girdawar Circle exist?
- (6) Mutations No.10061 & 10064 were rejected in Jalsa-e-Aam on 22.1.2018 while mutation No.10048 was still pending and was present with concerned Patwari Halqa.

Statement of the then Office Kanungo Tehsil Domel (Asghar Khan)

In his written statement at Annex-F, Mr. Asghar Khan, the then Office Kanungo Tehsil Domel (now HVC Commissionerate Bannu) has stated that he had given the statement in the inquiry of Nafeer to the then Additional Deputy Commissioner Bannu about Mutation No.10049 etc and his statement is the same.

In his previous statement (Annex-G), the then office Kanungo stated that he had brought register of mutations of Mauza Bizen Khel and presented photocopies of rejected Parth Sarkar of Mutations No.10049, 10050, 10051, 10057, 10060, 10061 & 10064. He further stated that Parth Sarkar of Mutation No.10048 was not available in the office of Kanungo Tehsil Domel. He also

stated that serial numbers of Parth Sarkar of mutations No.10050, 10051, 10057 & 10060 had been overwritten which is not known to him that who had do it.

Statement of the then Girdawar Circle Tehsil Domel (Shafiullah Khan)

In his written statement at Annex-H, Mr. Shafiullah Khan, the then Girdawar Circle Tehsil Domel (now retired) has stated that he had given statement earlier in this case, that is still his statement.

In his previous statement (Annex-I), the then Girdawar Circle had stated that his signatures were exist on Parth Patwar and Parth Sarkar of Mutations No.10048 and 10061 while his signatures on Parth Patwar of mutations No.10049, 10050, 10051, 10057 & 10064 are exist but the same on Parth Sarkar were not exist. He also stated that the serial number of the Parth Patwar and Parth Sarkar does not clear and accurate which make that suspicious.

He further stated that when Girdawar Circle sign (verification report) parth patwar then he also sign the parth sarkar which shows that the pages of parth sarkar had been changed.

Statement of the then Patwari Halqa Bizen Khel (Mir Shah Ali Khan)

In his written statement at Annex-J, Mr.Mir Shah Ali Khan, the then Patwari Halqa Bizen Khel (now Patwari Mauza Aral-I Tehsil Domel) has stated that he had given statement earlier in this case, that is still his statement.

In his previous statement (Annex-K), the then Patwari had stated that difference in page number occurred due to damages of pages while difference in hand writing occurred due to change of pen. He further stated that parthal of Girdawar was necessary on both i.e. parth sarkar andn parth patwar and after recording parthal, mutation handed over to Patwari.

Statement of the present Patwari Halqa Bizen Khel (Amirullah Khan)

In his written statement at Annex-L, Mr.Amir Ullah Khan, Patwari Halqa Bizen Khel has stated that he had given statement earlier in this case, that is still his statement.

In his previous statement given to the ADC Bannu (Annex-M), Mr.Amirullah Khan has stated that he had brought himself parth sarkar & parth patwar of Mutation No.10048 while parth patwar of mutations No.10049, 10050, 10051, 10057, 10060, 10061 & 10062, for perusal. He further statedthat most of the land in question had been sold vide above mutations.

Arrested

(71) (3)

Statement of the accused Patwari (Nafeerullah Khan)

In his statement (Annex-N), Mr. Nafeerullah Khan, the then Patwari Halqa Bizen Khel Tehsil Domel has stated that he had entered mutations No.10048, 10049, 10050, 10057, 10060, 10061 & 10064 Mauza Bizen Khel-I Tehsil Domel of the complainant on 24.5.2012 and the Girdawar Circle made parthal on parth patwar. He further stated that the complainant (Gul Markhan) produced only sellers of mutation No.10048 while the sellers of other mutations did not produced to Girdawar Circle and Tehsildar since 2012 to date out of which mutations No.10048, 10061 & 10064 were still pending while other mutations were rejected by the Revenue Officer on 30.6.2017 due to absence of sellers.

The accused Patwari further stated that neither he had taken any tax amount from anyone nor it is his job. He also stated that he did not take any amount for any officer.

He further stated that the complaint of the complainant is baseless as the complainant made false accusations on him in the complaint. The accused Patwari therefore requested that since he is innocent, therefore, the complaint of the complainant may please be filed.

Findings:

After thorough probing into the matter and going through the record and statements, it revealed that the accused Patwari (Nafirullah) has acted in an irresponsible manner about the missing of parth sarkar of the mutations and later-on presented by the accused Patwari but the serial number of the said parth sarkar of mutations were not match with the parth patwar of the said mutations. The accused Patwari prepared bogus mutations for the complainant. The complaint of the complainant seems to be genuine.

Recommendations:

Keeping in view the above, It is recommended that:-

- (a) Mr. Nafeerullah, the then Patwari Mouza Bizen Khel, Tehsil Domel may be awarded major penalty.
- (b) Any relief regarding preparation of fresh mutations of the disputed landed property cannot be granted by this office for which he should file appeal in the proper forum.

Report is submitted please.

Arrested

Shauza Abbas
(SHAUZAB ABBAS)
Assistant Commissioner/
Inquiry Officer, Bannu
24/01/2020

72

Annex B


بیان اذین علیٰ عرفان ولد بوستان سیدہ ڈوگر ٹیڑھ
کے پیش ڈیسپلنہ ضلع یوں

سین جی بی ان ADC کے اٹکوں کے سیدہ کی

دیگی علی بیان سے

11101-4602368-1 عرفان

علی عرفان

Attested


73

Annex

بیل عہد اللہ خان سابقہ کفیلدار ڈریل حال رہائش دروازے خلیفہ خان سا

رہس کے استغلات 10049 - 10050 - 10051 - 10057 -

10060 - 10061 - 10064 کے متعلق ضابطہ اولیٰ ڈریل ڈسپوزیشن کے تحت
موضع بھرنے میں

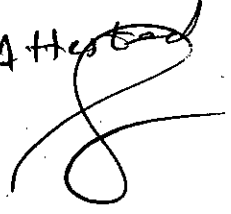
کو درجہ اولہ کو بیل رہا ہے۔ حصار حورہ بیان لکھی ہے۔
2019



111
2019

عہد اللہ رہائش دروازے کفیلدار

03457671382

Attested


(24)

Answer

بیان اہل خانہ سالانہ اجس قانونگو حصہ دوسری

کے میں فی جو بیان تفریحی انکوائری میں استعارہ 10049 اور

سالانہ جناب ایڈیشن ڈپٹی کمشنر صاحب فضل بنوں کو

دیا ہے۔ وہی بیان ہے موجودہ طور پر جاری ہے اس

قانونگو حصہ دوسری سو فی کے ایوان میں ہے

ایڈیشن سالانہ 10049 دوسری

11/12/2019

سال HVC کمشنر اجس بنوں

Handwritten signature

Annex H

صفا عالی

حساب اطمینان حساب اسٹیٹ بینک پاکستان میں گروڈ اور اس کے بینرز میں سہ ماہی کے
 ڈی سی آر ڈیفائنڈ ہوا۔ فنل لینڈ اور جی سی سی کے ذریعے اس میں گروڈ اور
 قبیلہ میں بیان کیا گیا ہے۔ اور اب بھی وہی بیان ہے جو کہ
 فنل میں موجود ہے۔ اور اس میں ہے۔

صفا عالی
 ڈی سی آر ڈیفائنڈ
 13/12/2019

بیان سنکر درست کسے گیا

AC Bannu
 13/12/19

AC Bannu
 13/12/19



Annex J

لکھنؤ فیما - اسٹیٹمنٹ منور :-

فیما :-

سپانے جو بیان ایڈیشنل ڈپٹی کمشنر ایس ایس سی
دس دیا گیا۔ مراد آں لکھی وہی بیان ہے۔

عمر شاہ علی خان سابقہ ٹواری بنیر ضلع
حال ٹواری موہوہ اول - II دوسری

عمر شاہ علی

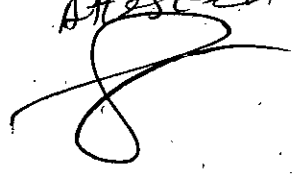
Attested

گواہت کے بارے میں

سید ارمین اللہ اللہ تعالیٰ سے شہادت کے لئے مقررہ عمل میں شامل ہو کر / شہادت کے لئے

میں نے جو بیان دیا ہے اس کا ADC کاغذ کو لے لیا جائے۔ وہی اب بھی وہاں بیان

اللہ اللہ تعالیٰ سے شہادت کے لئے مقررہ عمل

Attested


بیان ازان تفسیر اللہ پوری سابقہ موضع بین ضلع

حلفاً بیان کرتا ہوں کہ انتقالات 10048، 10049، 10050، 10057، 10060
موقع موضع بین ضلع فیروز کھیل ڈومیل میں سائیلنڈر انتقالات
10061، 10064 اور دیگر سرکل نہایت پیوار انتقالات
2015/24/5 کو درج دستاویز میں اور ڈاؤن لوڈ کر کے
10048 سے سائیلنڈر سال 2012 سے تاحال کوئی بائٹم سیوا انتقالات
کے ذریعہ کی ہے۔ سائیلنڈر سال 2012 سے تاحال کوئی بائٹم سیوا انتقالات
میں گرد اور اور ڈاؤن لوڈ کر کے کھیل ڈومیل میں نہیں کیے گئے ہیں جن میں
سے انتقالات 10048، 10061، 10064 اصل زیر کار تو جب تک بقایا

انتقالات ڈاؤن لوڈ کر کے کھیل ڈومیل میں دوزخ 30/08/17 کو بوجھ غم ماری
حاصل بالعمان خارج کیے گئے ہیں۔ میں نے کسی بھی ٹیکس کی رقم نہیں
کی ہے اور نہ ہی ٹیکس لینا میرا کام ہے میں نے کسی سے اپنے اپنے یا
دوسرا ان نام کیلئے کوئی رقم نہیں لی ہے۔ سائیلنڈر کا درخواست
گھوٹ پر مبنی ہے۔ اور مجھے ضرر اسیل کرنے کیلئے درخواست میں گھوٹ
الزاحات لگانے گئے ہیں۔ میں نے ان 10 ہزاروں لہذا میرا ہر نام

سائیلنڈر کا درخواست خارج کیا گیا ہے
میں نے دیکھا ہے
19/12/20
تفسیر اللہ پوری
سابقہ موضع بین ضلع فیروز کھیل ڈومیل



THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079 dcbannu

No. 1615-16/AE/BC

Ann R-10

Dated: 5-02-2020

SHOW CAUSE NOTICE

1. I (Capt.(R) Muhammad Zubair Khan Niazi Deputy Commissioner Bannu), as competent authority, under the Khyber Pakhtunkhwa Government servants (Efficiency and Discipline) Rules 2011, do hereby serve you Mr. Nafir Ullah Khan the then Patwari Halqa Bezan Khel Tehsil Domel as follows.

2. That consequent upon the completion of enquiry conducted against you by the Inquiry Officer the allegations mentioned in statement of allegation and charge sheet have been proved.

3. I am satisfied that you have committed the following acts/omission specified in rule 3 (b) of the said rules.

(b) Guilty of misconduct.

As a result thereof, I as Competent Authority, have tentatively decided to impose upon you penalty including major penalty of removal from service provided under the E & D rules 2011.

4. 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.

5. If no reply to this notice received within seven days (7) or not more than fifteen (15) days of its delivery, it shall be presumed that you have no defense to put in and that case an ex-parte action shall be taken against you.

A copy of the finding of the inquiry officer/inquiry committee is enclosed.

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Handwritten signature
 DEPUTY COMMISSIONER

Copy of the above is forwarded to the: -

1. Assistant Commissioner Bannu w/r to his letter No.88/AC/F.5 dated 27-01-2020 for information please.
2. Official concerned.

Handwritten signature
 DEPUTY COMMISSIONER

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The Deputy Commissioner
District Bannu.

ANA R-11

P-41

SUBJECT: Written Reply to the Show cause notice dated 05/03/2020

Sir:

Reference to your show cause notice dated 05/02/2020, the reply is hereby submitted by explaining my position,

That in the year 2001 I was posted as Patwari Halqa Moza Bizan Khel District Bannu then entered mutations No. 10057-10051-10050-10049 in accordance with law which remained unattested for long time due to the default of complainant party and due to time limitation the said mutations were cancelled by the competent authority in accordance with law.

RK
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That in 2012 I was transferred and one Mr. Mushtaq Hussain was appointed as Patwari Halqa Moza Bizan Khel District Bannu and it was 2017 I was again posted as Patwari Halqa Moza Bizan Khel and the complaint has been filed on 17/01/2018. it is partenaint to mention that during 2011 till 2017 and 2018 several Patwaris, other than me, has been transferred and posted as Patwari Halqa Bizan Khel and the official record regarding the above mentioned mutations remained in the custody of several Patwaries. It is not certained nor has been fixed, during the inquiry proceeding that in whos duration the alleged changing cuttings, over writing, manufacturing has been made.

Attested

Deputy Commissioner
Bannu

That the inquiry officer has failed to conduct the inquiry in accordance with law because it was necessary, to fix liability/responsibility, to summon all the patwaries who remained as patwari halqa Moza Bizan Khel Bannu and to record their statements in this regard.

That I, entered the above mentioned mutations both in Parth-e-Patwar and Parth-e-Sarkar in my hand writing and in accordance with law. I have no concern with the latter changing/manufacturing of Parth-e-Sarkar. To fix the responsibility about the latter on changing/manufacturing of Parth-e-Sarkar, it was a legal requirement to take signature and hand writing specimen from all the persons who remained Patwari Halqa Moza Bizan Khel District Bannu but the inquiry officer failed to do so, hence the inquiry officer acted against the law and

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12-03-2020
Return Date
Deputy Commissioner Office Bannu

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settled principles of inquiry. The inquiry conducted by the inquiry officer cannot be termed as fair and impartial inquiry.

It is important to mention that the inquiry officer failed to provide opportunity of cross examination to me Vis-à-Vis statement of complainant etc which is illegal and no proposed penalty can be imposed upon its basis.

That no meaningful opportunity of defence was provided to the undersigned in the whole process of conducting inquiry. Inquiry was completed in mechanical manner without adhering to the principles of natural justice which are part and parcel of all judicial, quasi-judicial and executive proceedings. The mandatory provisions of Article-10-A of the constitution which in essence speaks about the due process of law, had also been violated, beside this, I was discriminated and has not been treated in accordance with the mandate of articles 4 and 25 of constitution of Islamic Republic of Pakistan. So much so that the inquiry officer even miserably failed to fix responsibilities Vis-à-vis various provisions of land record manuals, therefore, the inquiry cannot be termed as a regular inquiry rather the same was conducted in a manner to make space and room for the real accused .

Attested

That explanation given above by me are sufficient to justify that I am innocent and recommendation given by the inquiry officer to the effect to remove me from service is highly unjustified, illegal and cannot be justified on the basis of available record by applying its independent/unbiased mind.

Keeping in view what has been stated above I am being innocent may kindly be exonerated from the alleged baseless allegations and allow to perform my duties with all back benefits.

Date: 18/03/2019

Ny/S Patwari
Nafeer Ullah Khan
Patwari



82

THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079 dcbannu

No. 2727 /DC/AE/BC/

Dated: 3-7-2020

To,

Mr. Nafeerullah Khan
Ex-Patwari Hlqa Bizen Khel-I.

Subject: -

PERSONAL HEARING IN CASE REGARDING COMPLAINT OF GUL MAR KHAN WAZIR UMER
ZAI AGAINST NAFEER ULLAH PATWARI.

Memo:-

You are directed to attend the personal office of the undersigned in connection with your personal hearing on 08.07.2020 in the subject cited case accordingly.

Accepted

[Signature]
DEPUTY COMMISSIONER

Copy is forwarded to the: -

The Assistant Commissioner Bannu (inquiry Officer) with the request to attend the office of undersigned on the date fixed.

[Signature]
DEPUTY COMMISSIONER

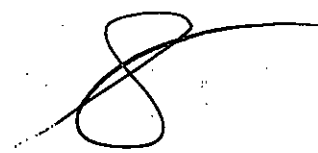
ATTENDANCE SHEET

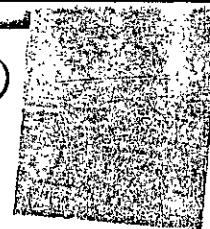
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83

Mr Nafeenullah Then Patwari, Patwar Halqa _____ attended
Deputy Commissioner Bannu personal office regarding his personal hearing after completion
of inquiry report, today dated 08/07/2020.


Signature

Attested





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THE DEPUTY COMMISSIONER, BANNU

Tel: 0928-9270032, Fax: 0928-9270079, f dcbannu

No. 2814 /DC/AE

Dated: 15-07-2020

OFFICE ORDER:

WHEREAS, Mr. Nafeer Ullah (then Patwari Halqa Bizan Khel) Tehsil Domel, District Bannu was proceeded under E&D rules for allegations of changing the 'Parth Sarkar' of mutation no. 10049, 10050, 10057, 10060 and 10064 and preparing bogus mutations (Parth Patwar & Parth Sarkar of which do not tally with each other) on complaint/allegation levelled by Gul Mar Khan, R/O Dogar Umerzai, Tehsil Domel, Bannu within the meaning of Rule-3 (b) & (c) of the Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline) Rules, 2011 during his posting as Patwari Halqa Bizan Khel, Tehsil Domel, Bannu.

WHEREAS, all legal formalities were completed. Proper Charge Sheet and Statement of Allegations as well as proper show-cause notice were issued to the said Patwari and opportunity of personal hearing by the undersigned was provided as evident from show cause notice No. 1615/AE/BC dated 05/03/2020, his detailed reply to show cause notice during personal hearing before the undersigned, dated 18/03/2020 and notice for personal hearing No. 2727/DC/AE/BC dated 03/07/2020 and attendance sheet dated 08/07/2020.

WHEREAS, the said Patwari was also proceeded under E&D rules in another case for allegation of taking illegal gratification from one Uzair Aslam R/O Mitaki Bizan Khel, Tehsil Domel within the meaning of Rule-3 (b) & (c) of the Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline) Rules, 2011 during his posting as Patwari halqa Landidak, Tehsil Baka Khel.

AND WHEREAS, ongoing through the record, including written defense of the said employee before the inquiry officers, as well as his verbal and written defense/statements before the undersigned during his personal hearings, I am satisfied that the said employee had committed the said offences thus found guilty under Rule-3(b) & (c) accordingly and the guilt/allegations have been proved without any shadow of doubt.

I, (Zubair Khan Niazi, Deputy Commissioner Bannu), as competent authority, hereby impose major penalty of "Removal from Service" as provided under rule 4 (b)(iii) of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rule 2011 on Mr. Nafeer Ullah, Patwari with immediate effect.

Since, the complainants sustained heavy losses, hence, they may contact proper legal forum/Civil Court for compensation of their losses. Moreover, the complainant Gul Mar Khan, may also approach concern quarters for preparation of fresh mutation of disputed landed property to proper legal forum accordingly.

Attested

(Cap. Rtd. Zubair Khan Niazi)
DEPUTY COMMISSIONER



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Copy forwarded to the:

1. Secretary to Govt. of Khyber Pakhtunkhwa Revenue & Estate Department, Peshawar.
2. Commissioner Bannu Division, Bannu.
3. PSO to Chief Minister
4. PSO to Chief Secretary
5. PS to Principal Secretary to CM
6. Additional Deputy Commissioner Bannu.
7. Assistant Commissioner, Bannu.
8. All AACs, Bannu
9. Tehsildar Bannu and Domail.
10. District Comptroller of Accounts, Bannu.
11. District Nazir, Bannu.
12. Official concerned.
13. Complainants (Gul Mar Khan & Uzair Aslam)

Attested

M. J. Us
DEPUTY COMMISSIONER

37

15 14 13 12 11 10 9 8 7 6 5 4 3 2 1

اندرج مجموعہ کی گزشتہ یا آخری واقعہ انتقال جس کی ترمیم مطلوب ہے۔

اندرج جدید جواب قائم کیا جاوے گا۔

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال	نام ملک و احوال
10050	921	922	923	924	925	926	927	928	929	930	931	932	933	934
قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی
1316	1317	1341	1342	1344	1303	908	3308	3307	3306	3310	3313	3315	3319	3320
165	87	130	186	24	130	210	120	142	60	110	28	23	128	163
قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی
1984	1984	1984	1984	1984	1984	1984	1984	1984	1984	1984	1984	1984	1984	1984
قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی	قوم سید علی

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Attested

1984-11-17

اعداد جمع بندی گذشته یا آخری واقعه انتقال جس کی ترمیم مطلوب ہے۔

اعداد جدید جواب قائم کیا جاوے گا۔

نام ملک و احوال	نام کاشت کار و احوال	نمبر پلاٹ جمعیت و ترقی	مصارف و احوال	نمبر کاشت کار و احوال	نمبر پلاٹ جمعیت و ترقی	مصارف و احوال	نمبر کاشت کار و احوال	نمبر پلاٹ جمعیت و ترقی	مصارف و احوال	نمبر کاشت کار و احوال	نمبر پلاٹ جمعیت و ترقی	مصارف و احوال	نمبر کاشت کار و احوال	نمبر پلاٹ جمعیت و ترقی	مصارف و احوال	نمبر کاشت کار و احوال	نمبر پلاٹ جمعیت و ترقی	مصارف و احوال																																		
1005	921	1316	165	11	1317	87	130	1	1341	7	1342	24	12	1344	130	0	1303	18	908	8	3308	0	3307	60	8	3304	8	3310	28	6	3313	23	9	3315	80	14	3319	143	16	3320	128	9	3321	163	5	3323	1984	11	17	1984	11	17

Handwritten notes and signatures on the left side of the page, including a large signature and some illegible text.

Attested

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دست ۱۶

97

تاریخ	شرح	مبلغ	تاریخ	شرح	مبلغ	تاریخ	شرح	مبلغ	تاریخ	شرح	مبلغ
۱۳۸۴	...	۱۶۲	۱۳۸۴	...	۱۲۱۶	۱۳۸۴	...	۱۳۸۷	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۸۷	۱۳۸۴	...	۱۳۴۱	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۳۰	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۸۶	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۲۴	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۳۰	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۲۱۰	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۷۰	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۱۰	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۲۸	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۲۳	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۴۳	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۲۸	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۶۳	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷
۱۳۸۴	...	۱۹۸۴	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۴۲	۱۳۸۴	...	۱۳۸۷

Handwritten notes in the top left corner of the table area.

Handwritten notes in the middle left section of the table area.

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Attested

24/5/2012

511

(91)

(92)

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نام مالک داخل	تعداد	تعداد	تعداد	تعداد	تعداد	تعداد	تعداد
سکن 5	921	1003	1316	105	1316	1316	1316
مجموعه زمین 260	922		1317	87	1317	1317	1317
	923		1341	130	1341	1341	1341
مجموعه زمین 46	924		1342	126	1342	1342	1342
	925		1344	24	1344	1344	1344
زندانیان	944		1303	130	1303	1303	1303
	945		908	210	908	908	908
سازمان قتل	955		3308	170	3308	3308	3308
	957		3307	142	3307	3307	3307
کوچه پراپر 238			3310	110	3310	3310	3310
			3313	28	3313	3313	3313
مساحت زمین 52			3315	26	3315	3315	3315
			3317	80	3317	3317	3317
مساحت زمین 1/3			3321	128	3321	3321	3321
			3323	189	3323	3323	3323
			قطع	1924	11	1924	1924
			17				

دو قطعه زمین در جاده
 کوه ابرو است اینها را پیش
 کوه ابرو

کوه ابرو

80000

1924 - 1
 سند قتل

کس فارغان 3

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1950

سند

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