

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

Service Appeal No. 1073/2018

Date of Institution ... 30.08.2018  
Date of hearing ... 01.04.2022  
Date of Decision ... 05.04.2022

Ahmad Ali, Ex-District Population Welfare Officer, Malakand.  
... (Appellant)

**VERSUS**

1. The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Civil Secretariat Peshawar.
2. The Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.
3. The Secretary Population Welfare Department Government of Khyber Pakhtunkhwa, Peshawar.

... (Respondents)

**Present:**

MR. AKHTAR ILYAS,  
Advocate, --- For Appellant.

MUHAMMAD ADEEL BUTT,  
Additional Advocate General --- For respondents.

**KALIM ARSHAD KHAN** --- **CHAIRMAN**  
**MIAN MUHAMMAD** --- **MEMBER(E)**

**JUDGEMENT.**

**MIAN MUHAMMAD, MEMBER(E):-** The instant service appeal has been instituted invoking Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the impugned order dated 20.04.2018 whereby the appellant was awarded major penalty of

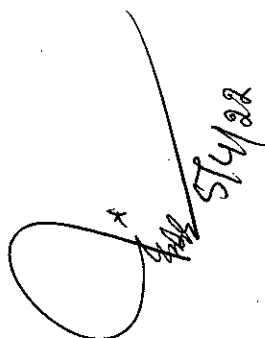
*Handwritten signature and initials: Mian Muhammad*

“removal from service” and his departmental appeal was not decided within the statutory period.

02. Brief facts, as per memorandum of appeal, are that the appellant was serving in the respondent-department and posted as District Population welfare officer Malakand when disciplinary proceedings were initiated against him under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011. On receipt of the enquiry report, he was issued show cause notice to which he replied. The disciplinary proceedings culminated on issuance of impugned order dated 20.04.2018 awarding him major penalty of removal from service on 20.04.2018. However, it is purported to have been received to the appellant on 28.04.2018. His departmental appeal dated 08.05.2018 was not responded within the stipulated statutory period where-after the appellant approached the Service Tribunal on 30.08.2018.

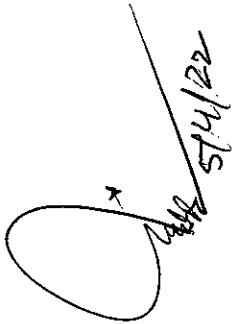
03. Notices were issued to the respondents to submit reply/parawise comments as well as other connected documents. Respondents submitted the requisite record and were represented by learned Additional Advocate General whereas the appellant was represented by the learned counsel. We have heard arguments of the parties and gone through the record with their assistance.

04. Learned counsel for the appellant mainly contended that the enquiry was initiated against the appellant on frivolous and whimsical

A handwritten signature in black ink, followed by the date '5/4/22' written vertically.

charges vide charge sheet dated 06.09.2017 to which he submitted detailed reply on 20.09.2017. But his reply was not considered as the enquiry was pre-decided and conducted in a manner not provided by the law and rules. He further argued that in case when major penalty is imposed on the accused, the inquiry should be conducted strictly in the mode and manner prescribed under the law and rules. The appellant has not been associated with enquiry proceedings and the competent authority has misused and abused the authority in a very colourful and fanciful manner depriving the appellant of his vested rights and treated him in discriminatory manner. The service appeal may therefore be accepted and the impugned notification be set aside allowing the appellant to be reinstated in service with all back benefits. In support of his arguments, learned counsel for the appellant relied on 2017 PLC (C.S) Note 23, 2019 PLC (C.S) Note 28 and 2020 SCMR 1245.

05. Learned Additional Advocate General on the other hand, vehemently argued that the enquiry officer has thoroughly scrutinized the reply and conduct of the appellant and afforded him opportunity to defend himself against the three charges framed against him in the charge sheet/statement of allegations. Based on documentary evidence available in the department and also submitted in the Service Tribunal alongwith the enquiry report, the charges of embezzlement/misappropriation were proved against him. Since all codal formalities were fulfilled before awarding him major penalty of

A handwritten signature in black ink, followed by the date '5/11/22' written vertically to the right of the signature.

“removal from service” therefore the service appeal being devoid of merit, may graciously be dismissed.

06. Perusal and thorough scrutiny of the record reveals that the respondent-department initially conducted a preliminary/fact finding inquiry through Mr. Aleem Khan, who submitted inquiry report on 23.01.2017. The Competent Authority, having considered the inquiry report, ordered formal inquiry under Rule-10 read with Rule-5 (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 by issuing charge sheet dated 06.09.2017, containing three charges and appointed Mr. Zahid Pervez, Deputy Director IMU E & SED as inquiry officer. The enquiry officer duly followed the procedure prescribed under Rule-11 of the rules ibid and inquired into the charges and examined oral as well as documentary evidence in support of the charges and defense of the appellant. On receipt of the enquiry report, the competent authority served the appellant with the show cause notice under Rule-14 of the Rules ibid on 06.01.2018. The Competent Authority also afforded him an opportunity of personal hearing on 04.04.2018 as prescribed and being mandatory under Rule-15 read with 14(7) of the said rules where-after the impugned notification was issued on 20.04.2018 and consequence he was awarded him the major penalty of removal from service.

07. As a sequel to the above we find no violation of the rules to have been made which would warrant to interfere with the impugned

A handwritten signature in black ink, followed by a vertical line and the date '5/4/22' written to the right of the line.

order. The service appeal being devoid of merit is, therefore, dismissed. Costs shall follow the event. Consign.

08. Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 5<sup>th</sup> day of April, 2022.



(KALIM ARSHAD KHAN)  
CHAMIRMAN

(MIAN MUHAMMAD)  
MEMBER(E)

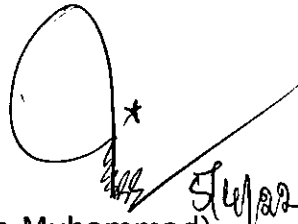
**ORDER**

05.04.2022

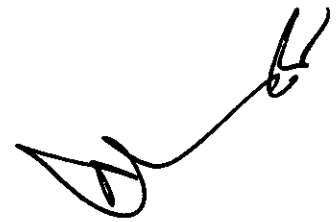
Counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Ahmad Yar Khan, AD(Litigation) for respondents present.

Vide our detailed judgement of today placed on file (containing 05 page), we find no violation of the rules to have been made which would warrant to interfere with the impugned order. The service appeal being devoid of merit is, therefore, dismissed. Costs shall follow the event. Consign.

Announced:  
05.04.2022

A handwritten signature in black ink, featuring a large, stylized initial 'M' followed by a vertical stroke and a diagonal line extending to the right. There is a small asterisk-like mark above the vertical stroke.

(Mian Muhammad)  
Member(E)

A handwritten signature in black ink, consisting of a large, stylized initial 'A' followed by a horizontal line and a vertical stroke extending upwards.

Chairman

01.04.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Ahmad Yar Khan, AD (Litigation) for respondents present. present.

Arguments of both the parties heard. To come up for order on 05.04.2022 before D.B.



(MIAN MUHAMMAD)  
MEMBER(E)



CHAIRMAN

30.08.2019 Regretted.

10.10.2019

→ The authorities have not considered my submissions

→ Complaint Authority / Appellate Authority and Engineering Committee did not consider my submissions

→ P-10 No reasons mentioned -  
The impugned order

→ 2020 SEMR 1245 (A)  
Resistant in service.

→ 2017 PLL (S) N.

Alike should be  
treated alike

→ Major Devally

Reply by TTG

→ P-3 reply

remaining 2 charges not  
touched

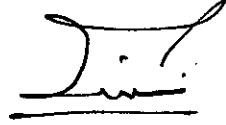
→



24.01.2022

Learned counsel for the appellant present. Mr. Ahmadyar A.D (Legal) alongwith Mr. Kabir Ullah Khattak Additional Advocate General for the respondents present.

Mrs. Rozina Rehman learned Member (Judicial) is on leave, therefore, case is adjourned. To come up for arguments on 01.03.2022 before D.B.



(Salah-Ud-Din)  
Member (J)

1-3-22

*Due to Retirement of the Honble Chairman  
The case is adjourned on 1-4-22*

*Yasir  
Rehman*

5.01.2021

Due to COVID 19, the case is adjourned to  
2.03.2021 for the same as before.

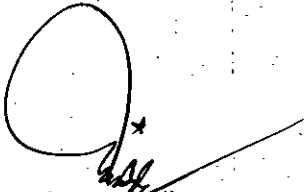
  
Reader


02.03.2021

Appellant in person present.

Noor Zaman Khan Khattak learned District Attorney  
alongwith Fazal Ghaffar S.C for respondents present.

It was on 09.09.2020 when the Department was directed  
to produce inquiry report and accordingly the entire  
documents in respect of inquiry proceedings have already  
been placed on file. Lawyers community is on strike,  
therefore, arguments could not be heard. Case is adjourned  
to 3.5.21 for arguments before D.B at Camp Court,  
Swat.

  
(Mian Muhammad)  
Member (E)  
Camp Court, Swat

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

Appeal No. 1073/2018  
Ahmad Ali vs Govt

09.09.2020

Appellant present in person.

Mr. Riaz Khan Paindakheil learned Assistant AG alongwith Ahmad Yar Assistant Director for respondents present.

Partial arguments had already been heard in the instant case and today case was fixed for full arguments and order but in order to reach at a correct conclusion, case file in respect of inquiry proceedings is required to be produced before the Tribunal. As such, case is adjourned for arguments and production of case file in respect of inquiry proceedings on 03.11.2020 before D.B at Camp Court, Swat. Representative of respondents and learned AAG is directed to make sure the availability of inquiry proceedings file on or before the date fixed.



(Attiq ur Rehman)  
Member (E)  
Camp Court, Swat




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

03.11.2020

Appellant in person present.

Muhammad Jan learned Deputy District Attorney alongwith Ahmad Yar Khan AD for respondents present and produced record in respect of inquiry proceedings.

Lawyers are on general strike, therefore, case is adjourned to 05.01.2021 for arguments, before DB at Camp Court, Swat.



(Atiq ur Rehman Wazir)  
Member (E)  
Camp Court, Swat



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


06.07.2020 Bench is incomplete. Therefore, the case is adjourned.  
To come up for the same on 07.09.2020, at camp court  
Swat.


  
Reader

07.09.2020 Counsel for appellant present.

Mr. Riaz Khan Paindakheil learned Assistant AG alongwith  
Abdul Ghaffar S.C for respondents present.

Partial arguments heard. For further clarification, learned  
AAG requests for a short adjournment; granted. To come up for  
further arguments/order on 09.09.2020 before D.B at Camp Court,  
Swat.


  
(Attiq ur Rehman)  
Member (E)  
Camp Court, Swat

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

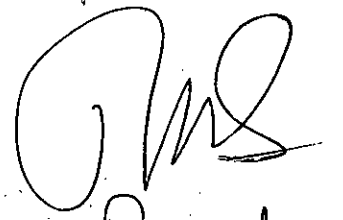
04.03.2020

Learned counsel for the appellant present. Mr. Riaz Paindakhel learned Assistant Advocate General for the respondents present. Some points need consideration. Adjourn. To come up for order on 06.04.2020 before D.B at Camp Court Swat.

  
Member

  
Member  
Camp Court Swat

Due to corona virus  
tour to camp court swat  
has been cancelled. To come  
up for the same on - 1/6/20

  
Reader


01.06.2020


Due to Covid-19, the case is adjourned. To come up for the same on 06.07.2020, at camp court Swat.

  
Reader

08.01.2020

Appellant in person and Mr. Usman Ghani, District Attorney alongwith Mr. Fazal Ghaffar, Senior Clerk for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 02.03.2020 for arguments before D.B at Camp Court Swat.

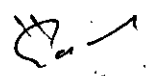
  
(Hussain Shah)  
Member  
Camp Court Swat

  
(M. Amin Khan Kundi)  
Member  
Camp Court Swat

02.03.2020

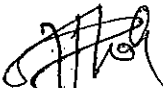
Learned counsel for the appellant present. Mr. Riaz Paindakheil learned Assistant Advocate General alongwith Fazal Ghaffar S.C present. Arguments heard. To come up for order on 04.03.2020 before D.B at Camp Court, Swat.


  
Member

  
Member  
Camp Court, Swat.

08.10.2019

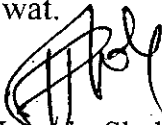
Counsel for the appellant and Mian Amir Qadir, Deputy District Attorney alongwith Mr. Sagheer Musharaf, Assistant Director for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 06.11.2019 for arguments before D.B at Camp Court Swat.

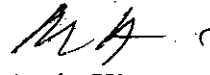
  
(Hussain Shah)  
Member  
Camp Court Swat

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat

06.11.2019

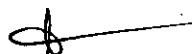
Appellant in person and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Fazal Ghaffar, Senior Clerk for the respondents present. Appellant requested for adjournment on the ground that his counsel is not available today due to illness. Adjourned to 04.12.2019 for arguments before D.B at Camp Court Swat.

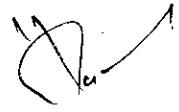
  
(Hussain Shah)  
Member  
Camp Court Swat

  
(M. Amin Khan Kundi)  
Member  
Camp Court Swat

04.12.2019

Clerk to counsel for the appellant present. Mr. M. Riaz Khan, Paindakhel, Assistant Advocate General alongwith Mr. Fazal Ghaffar, Senior Clerk for respondents present. Clerk to counsel for the appellant seeks adjournment due to strike of District Bar Association, Malakand Division. Adjourned. To come up for arguments on 08.01.2020 before D.B at camp court Swat.

  
Member

  
Member  
Camp Court Swat

06.05.2019


Learned counsel for the appellant and Mr. Mian Amir Qadir learned District Attorney for the respondents present. Learned counsel for the appellant submitted rejoinder and seeks adjournment. Adjourn. To come up for arguments on 11.06.2019 before D.B at Camp Court, Swat.


  
Member

  
Member  
Camp Court Swat

11.06.2019

Clerk of counsel for the appellant and Mr. Mian Ameer Qadir, learned District Attorney for the respondents present. Clerk of counsel for the appellant seeks adjournment as counsel for the appellant is not available today. Adjourn. To come up for arguments on 03.09.2019 before D.B at Camp Court Swat.

  
(M. Amin Khan Kundi)  
Member  
Camp Court Swat

  
(M. Hamid Mughal)  
Member  
Camp Court Swat

03.09.2019

Counsel for the appellant present. Mian Amir Qadir, DDA alongwith Mr. Sagheer Musharraf, AD (Lit) for respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 08.10.2019 before D.B at camp court Swat.


  
Member

  
Member



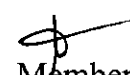
10.01.2019

Appellant in person present. Mr. Muhammad Salam, Supervisor alongwith Mian Amir Qadir, District Attorney for the respondents present. Written reply on behalf of respondents not submitted. Learned District Attorney requested for further adjournment. Adjourned. To come up for written reply/comments on 07.03.2019 before S.B at Camp Court Swat.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Swat


07.03.2019


Appellant with counsel present. Mian Amer Qadir, District Attorney alongwith Mr. Shageer Musharraf, AD (Lit) for respondents present. Written reply/comments submitted which is placed on file. Case to come up for rejoinder and arguments on 04.04.2019 before D.B at camp court Swat.

  
Member  
Camp Court, Swat

04.04.2019

Appellant in person and Mr. Mian Ameer Qadir, District Attorney for the respondents present. Due to strike of Pakistan Bar Council, learned counsel for the appellant is not available today. Adjourn. To come up for rejoinder and arguments on 06.05.2019 before D.B at Camp Court Swat.

  
(M. Amin Khan Kundi)  
Member  
Camp Court Swat

  
(M. Hamid Mughal)  
Member  
Camp Court Swat

05.10.2018


Appellant Ahmad Ali alongwith his counsel Mr. Imdadullah Advocate present and heard in limine.

Contends that the respondents imposed major penalty i.e. removal from service but without observing all the legal and codal formalities as prescribed under the law.

Points raised need consideration. The appeal is admitted to regular hearing subject to all legal objections, if raised by the respondents. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents. To come up for written reply/comments on 06.11.2018 before the S.B at camp court, Swat.


Appellant Deposited  
Security & Process Fee



  
Chairman  
Camp court, Swat


06.11.2018

Due to retirement of the Hon'ble Chairman Service Tribunal is incomplete. Tour to Camp Court Swat has been cancelled. To come up for the same on 05.12.2018 at camp court Swat.

  
Reader

05.12.2018

Clerk to counsel for the appellant and Mr. Usman Ghani learned District Attorney for the respondents present. Written reply not submitted. Notice be issued to the respondents for 10.01.2019. Adjourn. To come up written reply/comments before S.B at Camp Court Swat.

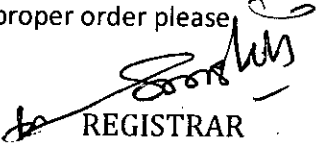

  
Member  
Camp Court Swat

Form- A

FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 1073/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/08/2018	<p>The appeal of Mr. Ahmad Ali presented today by Mr. Aziz-ur-Rehman Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please</p> <p> REGISTRAR</p>
2-	11-9-18	<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>05-10-2018</u></p> <p> CHAIRMAN</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. 1073 of 2018

Ahmad Ali Ex-District Population Welfare Officer, Malakand.

...Appellant

VERSUS

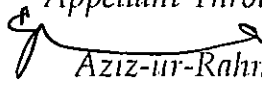
The Chief Minister Khyber Pakhtunkhwa through Principal Secretary, Peshawar  
and Others.

...Respondents

INDEX

S. No.	Description of documents	Annexure	Pages
1.	Memo of Appeal	....	1-5
2.	Affidavit	....	6
3.	Addresses of the parties	....	7
4.	Copy of the Charge Sheet	A	8-10
5.	Copy of the Reply	B	11-12-A
6.	Copy of the Show Cause Notice	C	13-15
7.	Copy of the Reply	D	16-17
8.	Copy of the Notification dated 20-04-2018	E	18
9.	Copy of the Departmental Appeal	F	19-21
10.	Vakalat Nama	....	22

Appellant Through

 Aziz-ur-Rahman

Advocate Swat

Office: Khan Plaza, Gulshone Chowk,  
Mingora Swat, Cell 0333 929 7746

①

BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1073 of 2018

Ahmad Ali Ex-District Population Welfare Officer,  
Malakand.

Khyber Pakhtunkhwa  
Service Tribunal  
...Appellant

Diary No. 1361

Dated 30/8/2018

VERSUS

1. The Chief Minister Khyber Pakhtunkhwa through Principal Secretary, Peshawar.
2. The Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.
3. The Secretary Population Welfare Department Government of Khyber Pakhtunkhwa, Peshawar.

*Sec.*

...Respondents

SERVICE APPEAL UNDER SECTION 4  
OF THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974  
AGAINST THE NOTIFICATION NO.  
SOE. (PWD) 1-16/2015/INQUIRY READ  
WITH ENDST: NO. 2336-46 DATED 20-  
04-2018, RECEIVED ON 28-04-2018,  
WHEREBY A MAJOR PENALTY OF  
REMOVAL FROM SERVICE IS  
IMPOSED UPON THE APPELLANT  
AGAINST THE LAW, RULES AND  
SHARIAH HENCE IS LIABLE TO BE SET  
ASIDE. FEELING FROM THE SAME THE  
APPELLANT PREFERRED A  
DEPARTMENTAL APPEAL, BUT THE  
SAME IS NOT RESPONDED TO  
DESPITE THE LAPSE OF STATUTORY  
PERIOD OF TIME.

Filed to day  
Registrar  
30/8/18

**Prayer:**

*That on acceptance of this service appeal the notification impugned may very kindly be set aside being against the law, rules and Shariah and reinstate the appellant back into service with all back/ consequential benefits.*

---

*Respectfully Sheweth:*

**Facts:**

- i. That the appellant joined the Population Welfare Department as Deputy District Population Welfare Officer on 15-06-2009.*
- ii. That the appellant was performing his duties efficiently and to the satisfaction of the authorities and due to his efficiency he was promoted to the rank of District Population Welfare Officer in due course of time and in due course of law.*
- iii. That to the astonishment of the appellant an inquiry was initiated against the appellant with charges utterly whimsical and frivolous, as the appellant never involved in any practices which may constitute any offence, being an efficient, hardworking and law abiding officer and citizen as well.*
- iv. That the appellant was issued charge sheet and statement of allegations on the charges mentioned in the charge sheet. The appellant*

submitted a detailed reply to the same, but the same was never considered for the reason that the inquiry was pre-decided. Copy of the charge sheet is enclosed as Annexure "A" and that of the reply as Annexure "B", respectively.

- v. That the so called and farce inquiry was conducted in a manner not provided by the law and rules, neither were any of the codal formalities observed, mandatory under the law on the subject.
- vi. That the appellant was issued show cause notice on the charges utterly whimsical and frivolous, to which the appellant submitted a detailed reply, but as the whole process was a pre-decided one the reply was never accepted. Copy of the show cause notice is enclosed as Annexure "C" and that of the reply is enclosed as Annexure "D", respectively.
- vii. That major penalty of removal from service was imposed upon the appellant vide Notification No. SOE. (PWD) 1-16/2015/Inquiry read with Endst: No. 2336-46 dated 20-04-2018, received on 28-04-2018. Copy of the notification dated 20-04-2018 is enclosed as Annexure "E".
- viii. That feeling aggrieved the appellant preferred a departmental appeal, but the same was not responded to despite the lapse of mandatory period of time. Copy of the departmental appeal is enclosed as Annexure "F".

ix. That still feeling aggrieved and having no other option this honourable tribunal is approached for the redressal of the grievances on the following grounds.

Grounds:

- a. That the for the imposition of major penalty a full dressed inquiry strictly in the mood and manner provided by the law and rules has to conducted, which is the prerequisite for the imposition of the penalty, but in case of the appellant the same has been bulldozed bald of any reasons, whatsoever. Moreover the appellant has not been associated with the so called and farce and pre-decided inquiry, mandatory under the law and rules on the subject.
- b. That this a classic case of its kind of misuse, abuse of authority and exercise of the same in a very colourful and fanciful manner to the detriment of the appellant, which the law never approves of.
- c. That the appellant has not only been deprived of his vested right, but the same time has been discriminated as well.
- d. That the appellant has not committed any act of commission or omission which may constitute any offence under any law.

It is, therefore, very respectfully prayed that on acceptance of this appeal the notification impugned may very kindly be set aside and the

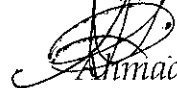


⑤

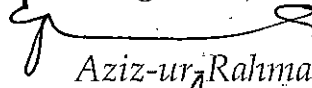
appellant reinstated back into service with all back / consequential benefits.

Any other relief deemed appropriate in the circumstances and not specifically prayed for may also very kindly be granted.

Appellant

  
Ahmad Ali

Through Counsels,

  
Aziz-ur-Rahman

  
Imdad Ullah

Advocates Swat

6

BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. \_\_\_\_\_ of 2018

Ahmad Ali Ex-District Population Welfare Officer,  
Malakand.

...Appellant


**VERSUS**

The Chief Minister Khyber Pakhtunkhwa through  
Principal Secretary, Peshawar and Others.

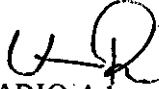
...Respondents

AFFIDAVIT

It is solemnly stated on oath that all the contents of  
this service appeal are true and correct to the best of my  
knowledge and belief and nothing has either been  
misstated or kept concealed before this honourable  
tribunal.

Deponent  
  
Ahmad Ali

**ATTESTED**

  
UMAR SADIQ Advocate,  
OATH COMMISSIONER  
Distt: Courts Swat.

No. 314 Date 28/8/18

BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. \_\_\_\_\_ of 2018

Ahmad Ali Ex-District Population Welfare Officer,  
Malakand.

...Appellant

**VERSUS**

The Chief Minister Khyber Pakhtunkhwa through  
Principal Secretary, Peshawar and Others.

...Respondents

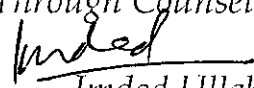
ADDRESSES OF THE PARTIES

Appellant:

Ahmad Ali Ex-District Population Welfare Officer,  
Malakand.

Respondents:

1. The Chief Minister Khyber Pakhtunkhwa through  
Principal Secretary, Peshawar.
2. The Government of Khyber Pakhtunkhwa through  
Chief Secretary, Peshawar.
3. The Secretary Population Welfare Department  
Government of Khyber Pakhtunkhwa, Peshawar.

Appellant  
Through Counsel,  
  
Imdad Ullah  
Advocate Swat



GOVERNMENT OF KHYBER PAKHTUNKHWA,  
POPULATION WELFARE DEPARTMENT  
02<sup>nd</sup> Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

(B) Annexure 'A'

No. SOE (PWD) 1-16/2015/PF/ 9/5-21  
Dated Peshawar the 12<sup>th</sup> September, 2017

To

Mr. Zahir Pervez (PAS BS-18),  
D.M.O. I.M.U, Elementary & Secondary Education Deptt:  
Khyber Pakhtunkhwa, Peshawar.

Subject: - DISCIPLINARY ACTION AGAINST MR. AHMAD ALI (BS-17) DPW OFFICER, MALAKAND AND MR. SAEED-UR-REHMAN, ACCOUNTANT DPW OFFICE, MALAKAND

Dear Sir,

I am directed to refer to the subject noted above and to state that the competent authority i.e. the Chief Secretary, Khyber Pakhtunkhwa has been pleased to order disciplinary proceedings against Mr. Ahmad Ali (BS-17) posted as District Population Welfare Officer, Malakand and Mr. Saeed-ur-Rehman, Accountant / Accounts Assistant (BS-11), DPW Office, Malakand.

The competent authority has been pleased to appoint you as Inquiry Officer to scrutinize the conduct of the aforesaid accused officer / official vis-à-vis the attached statement of allegations / charge sheet and desired that the Inquiry Officer shall take further necessary action and submit report within 30 days in accordance with the provisions of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011.

Mr. Muhammad Wali, Director (A&P), Directorate General PW is hereby nominated as Departmental Representative to assist the inquiry officer.

Yours faithfully,

Encls: As above.

SECTION OFFICER (ESTT)

Copy to the:-

1. Director General, PWD Peshawar.
2. PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.
3. Mr. Muhammad Wali, Director (A&P), PWD, Peshawar with the request to assist the inquiry officer.
4. PA to Advisor the CM for PWD, Khyber Pakhtunkhwa, Peshawar.
5. Mr. Ahmad Ali, DPWO, Malakand alongwith copy of charge sheet / statement of allegations.
6. Mr. Saeed-ur-Rehman, Accountant / Accounts Assistant C/o DPW Office, Malakand with a copy of charge sheet / statement of allegations.

With the direction to appear before the inquiry officer for the purpose of inquiry proceedings as and when required.

LDC for informing the concerned officials and n/a  
14-9-17

Diary No: 845  
Date: 14/9/17

SECTION OFFICER (ESTT)

ATTESTED  
Inded  
ADVOCATE

9

## CHARGE SHEET

I, Muhammad Azam Khan, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, hereby charge you, Mr. Ahmad Ali, District Population Welfare Officer, (BS-17) Malakand, as follows:

That you while posted as DPW Officer, Malakand, committed the following irregularities:-

- (a) You have unlawfully drawn and misappropriated Rs. 254166/- as an arrear of salary at the enhanced rate Rs. 75000/- PM instead of the permissible rate of Rs. 50,000/- PM for the period from 09-10-2015 to 15-07-2016 in the name of Dr. Kiran Kalsoom, WMO, I/c MSU Batkhela;
- (b) You have embezzled the amount of Rs. 96,000/- on account of hiring charges of FWC Thana & FWC Totay;
- (c) You have misappropriated government funds of Rs. 4175380/- in violation of GFR, Delegation of Financial Powers & KEPRA Rules during the financial year 2014-15 & 2015-16.

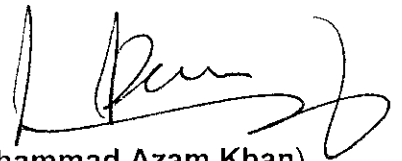
2. By reason of the above, you appear to be guilty of misconduct under Rule-3 of the Govt. of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified under Rule 4 of the rules ibid.

3. You are, therefore, required to submit your written defence within seven (07) days of the receipt of this charge sheet to the Inquiry Officer/Inquiry Committee, as the case may be.

4. Your written defense, if any, should reach the Inquiry Officer/Inquiry Committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

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

6. A statement of allegations is enclosed.



(Muhammad Azam Khan)

Chief Secretary, Khyber Pakhtunkhwa  
(Competent Authority)

6/9/17

ATTESTED

*Ardes*

ADVOCATE

## DISCIPLINARY ACTION

10

I, Muhammad Azam Khan, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, am of the opinion that Mr. Ahmad Ali, District Population Welfare Officer, (BS-17) Malakand, has rendered himself liable to be proceeded against, as he committed the following acts/omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

### STATEMENT OF ALLEGATIONS

- i. You have unlawfully drawn and misappropriated Rs. 254166/- as an arrear of salary at the enhanced rate Rs. 75000/- PM instead of the permissible rate of Rs. 50,000/- PM for the period from 09-10-2015 to 15-07-2016 in the name of Dr. Kiran Kalsoom, WMO, I/c MSU Batkhela;
- ii. You have embezzled the amount of Rs. 96,000/- on account of hiring charges of FWC Thana & FWC Totay;
- iii. You have misappropriated government funds of Rs. 4175380/- in violation of GFR, Delegation of Financial Powers & KEPPRA Rules during the financial year 2014-15 & 2015-16.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/inquiry committee, consisting of the following is constituted under Rule -10(1) (a) of the ibid rules.

- i. Mr. Zahir Pervez, DMO IMU ETSE
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

3. The Inquiry Office/Inquiry Committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused; record its findings and make, within 30 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

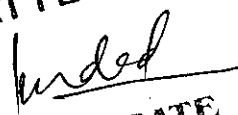
4. The accused and a well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the Inquiry Officer/Inquiry Committee.

  
(Muhammad Azam Khan)

Chief Secretary, Khyber Pakhtunkhwa  
(Competent Authority)

6/9/11

ATTESTED

  
ADVOCATE

11

Annexure

B

ظاہر پرویز صاحب

ڈی ایم او آئی ایم یو ایسٹری اینڈ سیکنڈری ایجوکیشن ڈیپارٹمنٹ

محکمہ بہبود آبادی KPK پشاور لیٹر نمبر: SOE (PWD) 1-16/2015/PF/915-21 تاریخ پشاور: 12 ستمبر 2017 کے

مطابق میرے خلاف چارج شیٹ کے جوابات مندرجہ ذیل ہے۔

چارج نمبر 1۔ رقم مبلغ 2541661 روپے بابت تنخواہ اور باقیاجات ڈاکٹر کرن کلثوم؟

جواب:- ڈاکٹر کرن کلثوم نے سکرٹری محکمہ بہبود آبادی کے آرڈر کے مطابق ضلع دفتر کو رپورٹ کی۔ زبردستی نے انکی کی پوسٹنگ

ADP بٹ خیلہ MSU میں کی (Annexure A) ضلعی آفس ان کو باقاعدگی سے تنخوائیں بحساب ماہانہ 50,000/- روپیہ دیتی رہی پھر

18-07-2016 ڈاکٹر صاحبہ نے نوکری سے استعفیٰ دیا (Annexure B) زبردستی کو سال 2016-17 کی بجٹ کاپی موصول ہوئی بحث

کاپی کے ساتھ اضافی تنخواہ کی کاپی لگی ہوئی ہے (Annexure C) پھر ایک دن MSU ADP کے تمام سٹاف نے میٹنگ کے دوران

مجھے کہا کہ ہمارے تنخوائیں بھڑگئی ہے لہذا ہمیں اپنی تنخوائیں بمعہ بقایاجات از 9-10-2015 سے ادا کی جائے اس طرح انکی تنخوائیں بنادی گئی

اور DAO آفس ملاکنڈ میں جمع کی گئی ڈاکٹر صاحبہ کی تنخواہ کی بل مبلغ 2541661 روپے پاس ہوئی (Annexure D) پھر بذریعہ خط نمبر

admin 2015 (8)-1 مورخہ 07-12-2016 معلوم ہوا کہ ڈاکٹر صاحبہ کی تنخواہ صرف پچاس ہزار روپیہ ہی ہے (Annexure E)

(ڈاکٹر صاحبہ کی اضافی تنخواہ حق نہیں بنتی اس لئے ان کو 50,000/- کی تنخواہ کی حساب سے صرف 25000/- ہزار روپیہ 15 دن کی تنخواہ دیا ہے)

(Annexure F)

ڈاکٹر صاحبہ کی بقایا رقم مبلغ 229166 روپیہ واپس حکومت کے خزانے میں جمع کیا ہے (Annexure G)۔

چارج نمبر 2۔ مبلغ 960000 روپیہ بابت کرایہ فلاحی مرکز تھانہ اور ٹوٹی؟

جواب:- (i) رقم مبلغ 36000 روپیہ بحساب 3000 ماہانہ کرایہ مالک مکان عبدالجبار ولد جواب خان کو ماہ 7-2015 سے لیکر

جون 2016 تک کرایہ دیا اور ان سے رسید لیا ہے اور زبردستی نے پیمنٹ اسٹیڈ کیا ہے (Annexure H)۔

(ii) اس طرح رقم 60,000/- روپیہ مالک مکان تھانہ سنٹر افضل حسین ولد شیر علی کو از ماہ جولائی 2015 تا جون 2016

ادا کی گئی ہے پے منٹ اسٹیڈ رسید منسلک ہے۔ (Annexure I)

2019/17  
احمد علی ضلع آفیسر محکمہ بہبود آبادی ضلع ملاکنڈ بمقام بٹ خیلہ

ATTESTED

Inded  
ADVOCATE

چارج نمبر ۱۔ کرایہ کی مد میں (-/10,60,000) دس لاکھ 60 ہزار روپے  
کرایہ کی مد میں دس لاکھ ساٹھ ہزار روپے کرایہ داروں کو 2015-16 کے مالی سال میں ادا کی گئی ہے۔ اور تفصیل کے لئے تمام کرایہ داروں

جو اب۔ کی کرایہ کی حصول کی رسیدیں اور اس کی اسٹیڈ کاپیاں منسلک ہے۔ (Annexure-A) مبلغ -/438000 رقم کی منظوری مجاز اتھارٹی سے

مل چکی ہے۔ اور بقایا رقم -/622000 روپے کی منظوری لینے مجاز اتھارٹی کو ارسال کر دی ہے۔ Annexure-AA

نوٹ: محکمہ بہبود آبادی کی ڈسٹرکٹ آفس اور زیادہ تر فلاحی مراکز پرائیویٹ بلڈنگز میں ماہانہ کرایہ پر کرایہ پر ہیں۔ جب بھی مہینہ پورہ ہو جاتا ہے۔ تو زیادہ تر کرایہ دار اپنے کرایہ کی

حصولی کے لئے محکمہ کو نوٹس جاری کر دیتے ہیں۔ چند نوٹسز کی کاپیاں منسلک ہے۔ Annexure-AA

چارج نمبر ۲۔ پرنٹنگ چارج مبلغ -/500000 روپے تفصیل

جو اب۔ پرنٹنگ چارج مبلغ پانچ لاکھ (500000) روپے کی تفصیل اس وقت پانچ پراجیکٹس (Compnents) ضلع ملاکنڈ میں ایک ساتھ چل

رہے ہیں۔ MD-6176, MD-6177, MD-6195, MD-5068 & MD-5124 اس سلسلے میں تمام تفصیل منسلک

ہے۔ Annexure-B۔

چارج نمبر ۳۔ سیمینار چارجز مالی سال 2014-15 اور مالی سال 2015-16 رقم -/110,000 روپے

جو اب۔ مالی سال 2014-15 اور 2015-16 میں سیمینار کی مد میں مبلغ -/110,000 روپے خرچ ہوا ہے۔ اس سلسلے میں جو پروگرامز ہوئے

ہیں۔ ان کے پرنٹ میڈیا کو رتج کی کاپیاں اور تفصیل منسلک ہے۔ Annexure-C

چارج نمبر ۴۔ انگریزی میشن چارجز کے سلسلے میں اخراجات مالی سال 2015-16 رقم -/30,000 روپے

جو اب۔ مالی سال 2015-16 انگریزی میشن پر مبلغ -/30,000 روپے خرچ ہوا ہے۔ تفصیل منسلک ہے۔ Annexure-D

چارج نمبر ۵۔ پرجیز انٹرنیٹ ہارڈ ویئر رقم -/20,000 روپے

جو اب۔ مالی سال 2015-16 میں کمپیوٹر اور ہارڈ ویئر دفتر کے استعمال کے لئے مجاز اتھارٹی کی منظوری سے خریدی گئی جو انٹرنیٹ خریدے گئے ہیں۔

ان کے پے منٹ تھر و چیکس کی گئی ہیں۔ اور اس کی تفصیل بعد پے منٹ منسلک ہے۔ اور کمپیوٹر اور ہارڈ ویئر کی فزیکل ویری فیکیشن

بھی کسی بھی وقت کوئی بھی کر سکتا ہے۔

Annexure-E

چارج نمبر ۶۔ POL چارجز مالی سال 2015-16 رقم -/650,000 اور مالی سال 2014-15 رقم -/520,000 روپے

جو اب۔ پی او ایل کے پے منٹ کے سلسلے میں تمام پے منٹس تھر و چیکس ڈبلر کو وقت و وقت پر ادا کی گئی ہے۔ اس کے ساتھ ڈبلر کی طرف سے بھی ڈیمانڈ

نوٹسز وقت و وقت پر محکمہ کو موصول ہو چکی ہے۔ چیکس کی فوٹو کاپیاں اور تفصیل منسلک ہیں۔ Annexure-F

ATTESTED  
*[Signature]*  
ADVOCATE



13

Annexure 'C'

GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE GENERAL POPULATION WELFARE  
Plot No.18, Sector E-8, Phase-VII, Hayatabad, Peshawar

F.No.4(6)/2017/Admn / 12-1-2-1,  
Dated Peshawar the 06/11/2018

To  
The District,  
Population Welfare Officer,  
Malakand.

Subject: - DISCIPLINARY ACTION AGAINST MR. AHMAD ALI (BS-17) THE THEN DPW OFFICER, MALAKAND AND MR. SAEED-UR-REHMAN, ACCOUNTANT, DPW OFFICE, MALAKAND

I am directed to refer to Admn Department letter No. SOE (PWD) 1-16/2015/PF/3965-67 dated 2<sup>nd</sup> January, 2018 on the subject cited above and to enclose herewith show cause notice to be delivered to Mr. Ahmad Ali (BS-17) the then DPW Officer, Malakand.

You are advised to obtained receipt from the officer concerned and convey the same to this Directorate for onward submission to Admn Department PWD, within 02-days positively.

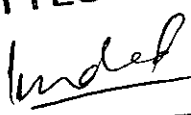
  
(Hidayat Khatun)  
Deputy Director (Admn)

Copy Forwarded to the: -

1. Section Officer (Establishment) w/r to his letter quoted above.
2. PS to Advisor to CM for PWD, KP, Peshawar.
3. PS to Director General, PWD, KP, Peshawar.

Deputy Director (Admn)

DPW/Admn/Anif-Admn

**ATTESTED**  
  
**ADVOCATE**

Muhammad Azam Khan, Chief Secretary, Khyber Pakhtunkhwa, as authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, do hereby serve you Mr. Ahmad Ali, District Population Welfare Officer (BPS-17), Malakand as follows:-

(14)

- (a) that consequent upon the completion of inquiry conducted against you by the Inquiry Officer for which you were given opportunity of hearing vide communication No. 1-10/EI/DMOP/2017/007 dated 10-11-2017; and
- (b) After going through the findings and recommendations of the inquiry officer / inquiry committee, the material on record and other connected papers including your defence before the inquiry officer / inquiry committee,-

I am satisfied that you have committed the following acts of commission specified in rule-3 of the said rules:

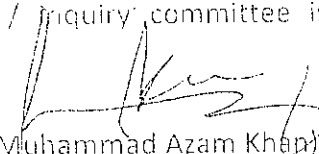
- (i) That you unlawfully drawn and misappropriated Rs. 254166/- as an arrear of salary of the enhanced rate Rs. 75000/- PM instead of the permissible rate of Rs. 50,000/- PM for the period from 09-10-2015 to 15-07-2016 in the name of Dr. Kiran Kalsoom, WMO, I/c MSU Batkhela;
- (ii) That you have embezzled the amount of Rs. 60,000/- on account of hiring charges of FWC Thana & FWC, Totay;
- (iii) That you have misappropriated government funds of Rs. 3737380/- in violation of GFR, Delegation of Financial Powers & KEPPRA Rules during the financial year 2014-15 & 2015-16.

2. As a result thereof, I, as Competent Authority, have tentatively decided to impose upon you the penalty of "Removal from Service" under rule-4 of the Khyber Pakhtunkhwa, Govt. Servants (Efficiency and Discipline) Rules, 2011.

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

4. If no reply to this notice is received within fourteen (14) days of its delivery, in the normal course of circumstances, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.

5. A copy of the findings of the Inquiry officer / inquiry committee is enclosed.

  
(Muhammad Azam Khan)  
Chief Secretary  
Khyber Pakhtunkhwa

Mr. Ahmad Ali  
District Population Welfare Officer, (BS-17),  
Malakand

ATTESTED  
Inded  
ADVOCATE

gs:

15

After having thoroughly gone through the available record of the case, perusing the evidence in the form of documents as presented by the accused and the statements in their defense as submitted by the accused, the findings are given below:

- An amount to the tune of Rs. 254,166/- was illegally drawn through DDO cheque for further payment to Dr. Kiran Kalsoom by the accused which was later on deposited in the government ex-chequer.
- No sanction has been obtained for the amount of Rs. 60,000/- for payment of rent for FWC building Thana.
- Amount of Rs. 3,737,380/- has been misappropriated by the accused, which contains irregular expenditure for different purposes in violation of GFR & Delegation of Financial Powers.
- It has been observed with the great concern that no proper office record has been maintained by the concerned department.
- Communication gap and lack of coordination of the administrative department, the directorate and District Population Welfare office Malakand has been observed in the entire inquiry. It appears that the directorate does not bother to visit their district office Malakand regularly. The official business is running without observing the due codal formalities, which has ultimately resulted in the above mentioned irregularities.

**Conclusion:**

It is concluded that:

- a) Charge No. 1 stands proved.
- b) Charge No. 2 to the tune of Rs. 60,000/- stands proved against the accused.
- c) Charge No. 3 to the tune of Rs. 3,737,380/- stands proved against the accused.

**Certificate:**

It is certified that the inquiry report consists of 03 pages and Annexure I to VII. Each page of the inquiry report is duly signed by the undersigned.

Zahid Pervez

Deputy Director, Independent Monitoring Unit,

**ATTESTED**

*Kund*

**ADVOCATE**

(16)

Annexure D

Respectable Mr. Muhammad Azam Khan,  
Chief Secretary,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Through: PROPER-CHANNEL

Subject:- DISCIPLINARY ACTION AGAINST MR. AHMD ALI (BS -17) THE THEN DPW OFFICER, MALAKAND AND MR. SAEEDUR REHMAN, ACCOUTANT, DPW OFFICE MALAKAND.

Respected Sir,

Kindly refer to the Show Cause Notice No.4 (6)/2017/Admn/121/24 dated 6/01/2018 in my name, signed by your good-self and delivered to me on 08/01/2018 afternoon.

It is submitted that the above Show Cause Notice received, where as the following charges as levelled against to impose upon me the proposed major penalty.

Para-wise reply of the Notice is as under:-

i) The undersigned did not drawn and mis-appropriated an amount of Rs.254166/- as an arrear of salaries in respect of Dr. Kiran Kalsoom incharge of ADP MSU Batkhela. The factual position was clarified to the Inquiry Committee that Dr. Kiran Kalsoom was appointed on fixed pay @ Rs. 50000/- per month for MSU vide Admin: Department order dated 20/08/2015 (Photo copy attached). According to her salary was prepared @ Rs.50000/-per month and she drawn her salaries for the period w.e.f. 29-08-2015 to 30-06-2016. Meanwhile a letter from the Director General, Population Welfare Deptt: Govt: of Khyber Pakhtunkhwa was received regarding revised salary of the ADP-MSU Employees (Photo Copy attached). Keeping in view the Bill of an arrears alongwith 15-days salary for the month of July 2016 was submitted to DAO Malakand of the Doctor concerned. In the meantime a clarification was issued by the Directorate General, Peshawar vide letter No.1(8)/2015-Admn/5683-86 dated 07-12-2016, which is received on 23-12-2016, where in directed to recover the over payment from the Doctor concerned accordingly under intimation to the competent authority. Hence 15 days salary from 1-07-2016 to 15-07-2016 amounting to Rs:25000/- Paid to Dr. concerned proper receipt obtained from her dully attested by the undersigned (Copy Attached). The over payment of Rs.229166/-was recovered and deposited in the Govt: treasury as per Challan attached.

ii) So far as the amount of Rs. 60,000/- shown as embezzlement, the said amount is not embezzled but the building of FW-Centre Thana has been established during the year 2015-16 under ADP-Project w.e.f. 1-7-015 at the monthly rent of Rs.7000/- as per agreement with the owner of the building subject to rent assessment issued by (C&W) Department @ Rs.5000/- Per Month for the year, 2015-16, which has been paid to the concerned owner of the building as per proper receipt obtained duly attested by the undersigned (Copy attached). So the question of embezzlement does not arise.

iii) That the amount of Rs.3737380/-is shown misappropriated by the inquiry committee. The said amount had been incurred on the expenditure of various projects during the fiscal year 2014-15 & 2015-16 i.e. (MD-6176 Admin: organization) alongwith (15- service outlets), (MD-6177 RHSC-A Batkhela), (MD-6195 (RHSC-"A" Dargai), (MD-5068 (ADP-10 FW-Centres) & (MD-5124 Mobile Service Unit-ADP) as per detail given below:-

(Page # 2 Attached)

ATTESTED  
*Indef*  
ADVOCATE

(17)

<u>S.No.</u>	<u>Description</u>	<u>Amount</u>
1-	Rent charges of buildings	Rs.10,60000/-
2-	POL charges of 5-vehicles	Rs.1170300/-
3-	Seminar charges	Rs.110,000/-
4-	Exhibition charges	Rs.30000/-
5-	Printing charges	Rs. 5,00000/-
6-	Purchase of Computer	Rs. 200000/
7-	Repair of 5 number Vehicles charges	Rs.476470/-
8-	Repair of Machinery & Equipment charges	Rs.125800/-
9-	Repair of Furniture & Fixture charges	Rs.91990/-
10-	Repair of equipments charges	Rs. 5000/-
11-	Repair of Hardware charges	Rs.50,000/
12-	IRC Payment	Rs.355820/-


Sir, it is further added that the above expenditures have actually been the outstanding liabilities & being paid to the various vendors & proper receipts thereof obtained from the concerned which have been duly attested by the undersigned as available on the record of this office. It is further stated that the documentary proofs of the above expenditure has not been properly scanned by the Inquiry Committee. However these are procedural lapses and not embezzlement & no loss has been made to the Government exchequer at all.

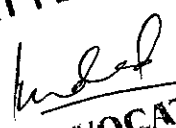
Sir, I also want to be heard in person to verbally appraise your good-self of the true facts of the matter with documents etc.

It is therefore requested that being innocent, the notice against me may very kindly be withdrawn & I may be exonerated of the said charges on humanitarian grounds please.

Dated 18/01/2018

OBEDIENTLY YOUR'S

  
(Ahmad Ali Khan)  
EX-DPWO- BPS-17  
Distt: Population Welfare Office, Malakand

ATTESTED  
  
ADVOCATE



GOVERNMENT OF KHYBER PAKHTUNKHWA,  
POPULATION WELFARE DEPARTMENT  
02<sup>nd</sup> Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

(18)

Annexure "E"

Dated Peshawar the 20<sup>th</sup> April, 2018

NOTIFICATION

No SOE (PWD) 1-16/2015/PE: Whereas, Mr. Ahmad Ali (BS-17), the then District Population Welfare Officer, Malakand was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 for the charges mentioned in the Statement of Allegations;

AND WHEREAS, Mr. Zahid Pervez (BS-18), Deputy Director, IMU, Elementary & Secondary Education Department was appointed as Inquiry Officer to conduct inquiry against the said officer for charges leveled against him in accordance with rules;

AND WHEREAS, the Inquiry Officer, after having examined the charges, evidence on record and explanation of the accused officer, submitted his report;

AND WHEREAS, on the basis of findings and recommendations of the Inquiry Officer, Show Cause Notice was served upon the accused officer to which he replied;

NOW, THEREFORE, the Competent Authority after having considered the charges, evidence on record, findings of inquiry officer, the reply of the accused officer to the Show Cause and hearing him in person on 04-04-2018, and exercising his powers under Rule-14 (5) (ii) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, has been pleased to impose major penalty of "Removal from Service" upon Mr. Ahmad Ali (BS-17), the then DPWO, Malakand with immediate effect.

SECRETARY

GOVT. OF KHYBER PAKHTUNKHWA  
POPULATION WELFARE DEPARTMENT

Endst: No. SOE (PWD) 1-16/2016/PE/2336 - 66

Dated: 20<sup>th</sup> April, 2018

Copy forwarded for information & necessary to the: -

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director General Population Welfare Department, Peshawar.
4. PS to Govt. of KPK, Establishment Department, Peshawar.
5. PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
6. PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.
7. PA to Advisor to the Chief Minister for PWD, Khyber Pakhtunkhwa, Peshawar.
8. District PW-Officer, Malakand
9. District Accounts Officer, Malakand
10. Mr. Ahmad Ali, the then DPWO, Malakand C/O DPW Office, Malakand.
11. Master file

Adm/AA  
MA  
27/4

Received

28-4-2018

SECTION OFFICER (ESTT)  
Phone No. 091-9223623

Scanned by CamScanner

ATTESTED  
*Indled*  
ADVOCATE

To

The Honourable Chief Minister  
Khyber Pakhtunkhwa,  
Peshawar.

Office of the PSCM

Diary No. 786

Dated 10/5

Annexure

"F"

19

( Through proper channel )

**Subject: DEPARTMENTAL APPEAL AGAINST THE NOTIFICATION NO. SOE. (PWD) 1-16/2015/INQUIRY READ WITH ENDST: NO. 2336-46 DATED 20-04-2018, RECEIVED ON 28-04-2018. WHEREBY ILLEGALLY AND WITHOUT ANY JUSTIFICATION A MAJOR PENALTY OF REMOVAL FROM SERVICE WAS IMPOSED UPON THE APPELLANT.**

**Prayer:**

On acceptance of this departmental appeal the impugned orders may very kindly be declared as unlawful, not based on solid evidence and may kindly be set aside. The appellant may very kindly be exonerated from the charges and reinstated in service with all back benefits.

Respected Sir,

The appellant submits as under;

1. That the appellant belongs to a very respectable family of District Dir and was appointed as Deputy District Population Welfare Officer on 12-06-2009.
2. That the appellant performed his duties to the entire satisfaction of the higher authorities and in the best interest of public. While in service an inquiry was initiated against the appellant by the competent authority and appointed an inquiry officer (BPS-18), which was unwarranted and pre-decided.
3. That the worthy Chief Secretary Government of Khyber Pakhtunkhwa issued Statement of Allegation along with the Charge Sheet to which the appellant submitted reply based on cogent reasons and on true facts, which was never properly considered / appreciated either by inquiry officer or the competent authority.
4. That the inquiry proceedings were allegedly taken and concluded. The appellant was never associated with the inquiry proceedings. The alleged

ATTESTED  
*[Signature]*  
ADVOCATE

evidence was collected at the back of the appellant and without any base or solid evidence.

20

5. That without considering the material illegalities and whims and unblemished service record the competent authority issued a show cause notice to the appellant as to why the major penalty of the removal from service should not be impose on the appellant.
6. That the award of major penalty must be based on a concrete and solid evidence, which shall be beyond any shadow of doubt and whatever evidence is collected must be in the presence of the appellant. The appellant has vested right of his defence. However all these mandatory requirements were over looked and contrary to the facts, law the award of major penalty was proposed.
7. That the appellant submitted his reply, which is based on facts and requires full consideration of the competent authority, however the competent authority was pleased to impose the major penalty of removal from service ignoring the fact that neither the charges / allegations against the appellant have been proved nor the mandatory provisions of law have been followed.
8. That the appellant has never been afforded a fair chance of defence as well as of being heard in person.
9. That the competent authority has not been pleased to take into consideration the facts that the same day the appellant had already been awarded the major penalty of removal from service.
10. That the appellant has not committed any act of commission or omission which may constitute any offence punishable under any law. The impugned order is against the law, facts and Shariah and is not sustainable in law.

It is, therefore, very respectfully prayed that on acceptance of this departmental appeal the major penalty of removal from service imposed upon the appellant may very kindly be set aside and the appellant reinstated into service with all back benefits.

ATTESTED  
*[Signature]*  
ADVOCATE

Appellant  
*[Signature]*  
Ahmad Ali  
8.5.2018  
Ex-District Population Welfare Officer, Malakand



21

Affidavit:

It is solemnly stated on Oath that all the contents of this departmental appeal are true and correct to the best of my knowledge and belief.

Deponent

*[Signature]*  
Ahmad Ali  
8.5.2018

Attested  
*[Signature]*

Syed Nasir Ahmad Shah  
(Advocate)  
Oath Commissioner  
Sub-Divisional Courts Chaddara  
No. 42 Date 08-05-2018

ATTESTED  
*[Signature]*  
ADVOCATE

(2)

# بعد الت خد سروس ٹریڈنگ لیمٹڈ درگیاں اور سوانے

قیمت ایک روپیہ		کورٹ فیس
----------------	--	----------

مورخہ 03 مئی 2018ء منجانب دیپلانٹ

مقدمہ آج محمد علی حسن نام حکومت

سروس ٹریڈنگ لیمٹڈ  
بابت تحریر آنکہ

مقدمہ  
دعوی  
جرم

مقدمہ مندرجہ بالا میں اپنی طرف سے واسطے پیروی وجواب دہی وکل کاروائی متعلقہ آن مقام کھینچ کر سوانے کے لئے (ذوالرحمن)، امردانہ (ذوالکعبہ) مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل احتیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ ڈائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ دہر جانہ التوائے مقدمہ کے سبب سے ہا گا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند ہے

دیپلانٹ

المرقوم 03 ماہ مئی 2018ء

بمقام سروس ٹریڈنگ لیمٹڈ  
گواہ شہادہ العبد  
Attested and accepted by  
مقدمہ کے لئے منظور  
مقدمہ

**IN THE HONORABLE SERVICE TRIBUNAL, KHYBER  
PAKHTUNKHWA AT CAMP COURT SWAT.**

In Service Appeal No.1073/2018.

Ahmad ali Ex: District Population Welfare Officer Malakand (Appellant).

VS

The Chief Minister Khyber Pakhtunkhwa through Principal Secretary, Peshawar  
and others..... (Respondents)

**INDEX**

S.No.	Documents	Annexure	Page
1	Para-wise comments		1-2
2	Affidavit		3

  
Depoent

Sagheer Musharraf  
Assistant Director (Lit)

**IN THE HONORABLE SERVICE TRIBUNAL, KHYBER  
PAKHTUNKHWA AT CAMP COURT SWAT.**

In Service Appeal No.1073/2018.

Ahmad Ali Ex: District Population Welfare Officer Malakand (Appellant)

VS

The Chief Minister Khyber Pakhtunkhwa through Principal Secretary, Peshawar  
and others ..... (Respondents)

**JOINT PARA-WISE REPLY/COMMENTS ON BEHALF OF THE RESPONDENTS.**

Respectfully Sheweth,

**PRELIMINARY OBJECTIONS.**

1. That the appellant has got not locus standi to file the instant appeal.
2. That the Tribunal has no jurisdiction to adjudicate the matter.
3. That the instant appeal is bad in the eye of law.
4. That the appeal is based on distortion of facts and is not maintainable in its present form.
5. That the appellant has come to the Tribunal with un-cleaned hands.
6. That the appellant has been estopped by his own conduct to file the appeal.
7. That the appellant has no cause of action or locus standi.

**ON FACTS.**

1. Correct.
2. Pertains to record need no comments.
3. Incorrect. The factual position of the case is that Dr. Kiran Kalsoom, WMO, MSU Batkhela resigned from her Post and the then DPWO Malakand was directed to forfeit 15 days salary from Dr. Kiran Kalsoom. The then DPWO Malakand has submitted AC Bill regarding the deduction of 15 days salary. The bills shows that Dr. Kiran Kalsoom WMO Incharge MSU Batkhela has been getting unauthorized over payment as rupees 75000/- PM instead of 50000/- PM in pursuance of notification No, SO(R-IV) E&AD/1-2014, dated 09-10-2015. The fact finding committee constituted to search out the dealing hand who unlawfully authorize Dr. Kiran Kalsoom to draw her salary beyond the fix salary of rupees 50000/- PM and submit report for perusal for the competent authority. The committee submitted its reports. Whereas the competent authority (Chief Secretary KP) orders to take disciplinary proceeding against the Mr. Ahmad Ali (BPS-17) Posted as District Population Welfare Officer, Malakand and Mr. Saeed-ur-Rehman, Accountant/ Account Assistant (BPS-11) DPW Office.
4. Incorrect. The competent authority nominated Mr. Zahir Pervez (PAS BS-18) D.M.O. I.M.U, Elementary & Secondary Education Deptt: as Inquiry Officer to scrutinize the conduct of the aforesaid accused officer therefore charge and statement of allegation was served to the appellant.
5. Incorrect. Verbatim distortion of facts all codal formalities were observed under the law rules and regulations.

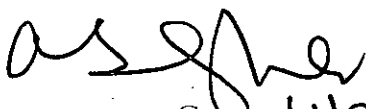
6. Incorrect. On the basis of finding and recommendation of the inquiry officer, show cause notice was served upon the accused officer to which he replied.
7. Correct. The competent authority after having considered the charges, evidence on record, findings of inquiry officer, the reply of the accused officer to the show cause and hearing him in person on 04-04-2018, and exercising his powers under Rules-14 (5) (ii) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, has been pleased to impose major Penalty of "Removal from Service" upon Mr. Ahmad Ali (Bs-17), the then DPWO, Malakand with immediate effect.
8. Incorrect. The departmental appeal of the appellant was filed by the competent authority being devoid of merit.
9. No comments.

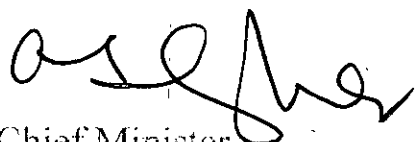
**ON GROUNDS.**

- A. Incorrect. As explained in Para 7 of the facts above.
- B. Incorrect. The appellant was rightly removed from service after fulfillment of all codal formalities.
- C. Incorrect. As explained in ground B above.
- D. Incorrect. As explained in Para 6 & 7 of the facts above.

**PRAYER:-**

Keeping in view the above, it is prayed that the instant appeal may kindly be dismissed with cost.

  
Secretary to Govt. 4/3/19  
of Khyber Pakhtunkhwa  
Population Welfare Department  
Respondent No.3

  
Chief Minister  
for Khyber Pakhtunkhwa  
Through Principal Secretary  
Respondent No.1

**IN THE HONORABLE SERVICE TRIBUNAL, KHYBER  
PAKHTUNKHWA AT CAMP COURT SWAT.**

In Service Appeal No.1073/2018.

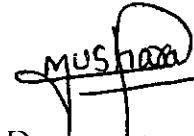
Ahmad ali Ex: District Population Welfare Officer Malakand (Appellant)

VS

The Chief Minister Khyber Pakhtunkhwa through Principal Secretary, Peshawar  
and others..... (Respondents)

**Affidavit**

I Mr. Sagheer Musharraf, Assistant Director (Litigation), Directorate General of Population Welfare Department do solemnly affirm and declare on oath that the contents of para-wise comments/reply are true and correct to the best of my knowledge and available record and nothing has been concealed from this Honorable Tribunal.





Deponent

Sagheer Musharraf  
Assistant Director (Lit)  
CNIC.17301-1642774-9

AUTHORITY LETTER

Mr. Sagheer Musharraf, Assistant Director (Lit), Directorate General of Population Welfare Khyber Pakhtunkhwa is hereby authorized/ nominated on behalf of the undersigned to defend/peruse the Service Appeal No.1073/2018 Titled Ahmad Ali V/S Chief Minister Khyber Pakhtunkhwa through Principle Secretary Peshawar in Honorable Service Tribunal Khyber Pakhtunkhwa (at Camp Court Swat).

  
Secretary to Govt. 4/3/19  
of Khyber Pakhtunkhwa  
Population Welfare Department  
Respondent No.3

  
for Chief Minister  
Khyber Pakhtunkhwa  
Through Principal Secretary  
Respondent No.1

①

BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1073/2018

Ahmad Ali.

...Appellant

VERSUS

The Chief Minister Khyber Pakhtunkhwa through  
Principal Secretary and Others.

...Respondents

REJOINDER BY THE APPELLANT

Respectfully Sheweth:

Preliminary Objections.

That all the preliminary objections are incorrect, baseless, against the law, rules, facts and Shariah, thus are specifically denied. Moreover the appellant has got a prima facie case in his favor and has approached this honourable tribunal well within time and this honourable tribunal has got the jurisdiction to adjudicate upon the same.

On Facts:

1. Para 1 of the comments being admission needs no reply.
2. Para 2 of the comments as drafted also amounts to admission, thus no comments.
3. Para 3 of the comments as drafted is incorrect, baseless and whimsical. The factual situation is that the lady doctor received her salary of PKR 50,000/- till 30-06-2016 and ~~got~~<sup>the</sup> allegation of receiving PKR 75,000/- was after when the DG Population office



revised the salaries that the WMO got the raised pay, however, when the appellant was directed by the authorities to recover the amount paid as enhanced salary along with the 15 days of salary, due to her resignation, ~~so~~ the same directions were complied with and the complete recovery was made, the proof of which is attached herewith. None of the act was done by the appellant either with mala fide intent or misappropriation, as is alleged, thus the para is denied specifically. Copies of the relevant letters and notifications are enclosed as Annexure "A".

4. Para 4 of the comments as drafted is incorrect and baseless, as the whole process was initiated with a preplanned conclusion and the farce inquiry was made the as a footing to make stand the preplanned result executed, thus the para is denied as well.
5. Para 5 of the comments as drafted is incorrect, baseless and based on misstatements as the appellant has been condemned as unheard as neither proper opportunity of defence was afforded to the appellant nor was his defence version considered at all, thus the para is specifically denied.
6. Para 6 of the comments as drafted is incorrect, devoid of merits and against the facts, as the farce inquiry was conducted in the manner dictated and not in accordance with the law and rules, moreover there is no direct or indirect evidence which could connect the appellant with any of the allegations alleged neither was there any proof of any misappropriation of any sort, thus the para is denied specifically.

7. Para 7 of the comments clarifies the fact that whole process was a shame and farce, which makes the same nullity in the eyes of law.
8. Para 8 of the comments as drafted is incorrect and based on misstatements as no order with regards the filling of the departmental appeal is ever communicated to the appellant till date, thus the para is denied. Moreover the departmental authority was bound under the law and rules that he should have again inquired the allegations alleged objectively in accordance with the due course of law and in the mode and manner provided for.
9. Para 9 of the comments amounts to admission of the fact that the appeal of the appellant is within time and this honourable tribunal has got the jurisdiction as well.


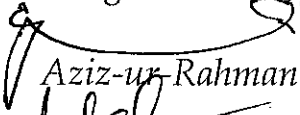

On Grounds:

- A. Ground A of the comments as drafted is vague, evasive and devoid of merits, <sup>need less</sup> ~~not~~ to mention the whole para is based on concealments and misstatements. The appellant was never properly associated with the farce and shame inquiry neither was the appellant afforded any opportunity of personal hearing nor to rebut the evidence used against the appellant and neither was the defence version of the appellant considered at all for no reasons, ~~at all~~, thus the para is denied specifically.
- B. Ground B of the comments as drafted is incorrect, devoid of merits and needs solid evidence. The appellant was made the scape goat for the faults of the authorities and the appellant was denied his vested right, thus the para is denied specifically.

C. Ground C of the comments as drafted is devoid of merits, vague and evasive, the appellant was denied the rights guaranteed by the commands of the constitution, thus the para is denied.

D. Ground D of the comments as drafted also is vague, evasive and devoid of merits, thus the same denied.

It is, therefore, very respectfully prayed that on acceptance of this rejoinder the appeal of the appellant may very kindly be decided as prayed for originally.

Appellant  
  
Ahmad Ali  
Through Counsels,  
  
Aziz-ur-Rahman  
  
Imdad Ullah  
Advocates Swat

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

Service Appeal No. 1073/2018

Ahmad Ali.

...Appellant

**VERSUS**

The Chief Minister Khyber Pakhtunkhwa through  
Principal Secretary and Others.

...Respondents


**AFFIDAVIT**

It is solemnly stated on Oath that all the contents of this rejoinder are true and correct to the best of my knowledge and belief and nothing has either been misstated or kept concealed before this honourable tribunal.

Deponent

Ahmad Ali

**ATTESTED**

  
UMAR SADIQ Advocate,  
OATH COMMISSIONER  
Distt: Courts Swat.

No. 430 Date 22/04/19



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT  
(INDEPENDENT MONITORING UNIT)



Annexure <sup>N</sup>A<sup>v</sup>

Ref No: 1-10/EI/DMOP/2017/007

Dated: 10-11-2017

(5)

Mr. Ahmad Ali (BS-17),  
District Population Welfare Officer,  
Population Welfare Office,  
Malakand at Batkhela near Shahraz House.

Subject: **Summon**

Reference this office letter No. 1-10/EI/DMOP/2017/004 dated 25-10-2017.

You are required to appear before the undersigned on 14-11-2017 at 11:00 am in the office of the undersigned along with the following documents.

1. Budget book of ADP and current side: Where the post of Dr. Kiran is reflected.
2. Sanction of the competent authority for increasing salary of Dr. Kiran.
3. Approval for hiring building in Thana.
4. Any other documentary proof you may like to submit in your defense.

  
Zahid Pervez


DDE, IMU, E&SE KPK / Inquiry officer

**Copy To:**

1. Mr. Muhammad Wali Director (A&P), PW, Departmental Representative, with the request to attend the inquiry proceedings as per above schedule along with complete record of the case.
2. Section Officer Establishment PWD, with reference to your office letter no. SOE (PWD) 1-16/2015/PF/915-217

  
Zahid Pervez

DDE, IMU, E&SE KPK / Inquiry officer

Attested  
  
Advocate

On 14-11-2017  
I was in ACE custody.



Dr. Appointment letters

(6)

Dated Peshawar the, 20<sup>th</sup> August, 2015.

To

Dr. Kiran Kalsoom w/o Dr. Zia Ur Rehman,  
Mohallah Syed Abad, Dheri Alladand,  
District, Malakanad, KPK.

Subject: - APPOINTMENT OF WOMEN MEDICAL OFFICERS (MSU)  
ON FIXED SALARY PACKAGE @ Rs. 50,000/- P.M.

In response to your application for appointment as Women Medical Officer in the MSU under fixed salary package of Rs. 50,000/- per month, followed by interview, recommendations of the Departmental Selection Committee and with approval of the competent authority, you are offered appointment on fixed salary, referred to above, on purely contract basis subject to medical fitness, and production of a certificate from at least a BPS-17 gazetted officer regarding your good moral character. TORs / Job description of the post is attached. The terms and conditions of contract appointment would be as under:-

(i) PAY: - Lump sum package is of Rs. 50000/- p.m. No other allowance such as medical, conveyance and daily allowance while conducting camps would be allowed. However for additional duties including training assigned as and when deputed, you will be entitled to draw normal TA/DA like other Women Medical Officers of the regular cadre equivalent to BPS 17.

(ii) CONTRACT DURATION: - The contract appointment will be initially from the date of its commencement up to 30-06-2016 i.e. for a period of one year unless terminated earlier in accordance with the terms and conditions. The period of contract is extendable by the Population Welfare Department Khyber Pakhtunkhwa for another term of contract for a period of one year subject to condition that your conduct and performance were found good and satisfactory. The appointment being purely on fixed monthly package (Rs. 50000/- P.M) and station specific, is non transferable.

(iii) POOR PERFORMANCE/ ABSENCE FROM DUTY: - Your services are liable to be terminated on account of poor performance, undesirable conduct and unauthorized / willful absence from duty for a period of more than one week. For this purpose the procedure as laid down in Khyber Pakhtunkhwa Government servants (Efficiency & Discipline) Rules, 2011 will not be adopted.

(iv) LEAVE: - You will not be entitled to any kind of leave during the contract period. However, gazetted holidays and casual leave @ 3 days per month during the contract period will be allowed.

Attested  
*[Signature]*  
Advocate

(vi) MEDICAL FACILITY: - No medical facility shall be admissible.

(vii) MATERNITY LEAVE: - Will be permissible to you only for 45 days on full pay from the date of confinement in the Government Hospital.

(viii) TERMINATION OF CONTRACT: - Your appointment during the period of contract shall be liable to termination on 15 days notice from either side or payment of one month pay in lieu thereof, without assigning any reasons.

(ix) SENIORITY / PENSION: - Contract appointment will neither confer upon you any right for regular appointment to the same or any other post nor the services will be counted towards seniority. The service rendered under the present contract shall not qualify you for pension or gratuity.

(x) RESIGNATION FROM SERVICE: - In case of resignation from service, you will be bound to give 15 days notice to the Secretary, Population Welfare Department Khyber Pakhtunkhwa through DPWO prior to the date of relinquishing the charge. In case 15 days notice is not given, you will deposit an amount equivalent to one month's salary.

(xi) INITIAL TRAINING: - One month training in Family Planning, Reproductive Health, Community Mobilization, working with the community, Asepsis, counseling IUCD Insertion and contraceptive technology at Regional Training Institute and RHSC-A Training Centre has been specifically designed for you, which will make you competent to conduct camps in the rural areas and which will be arranged in due course of time and you will have to undergo the same as compulsory.

If you accept this offer of contract appointment, then you should report for duty to DPWO, Malakand within a period of 15 days failing which it will be construed that the offer of contract appointment is not acceptable to you and will be treated as cancelled.

*[Signature]*  
SECTION OFFICER (ESTI)

Copy to the:-

1. PS to Advisor for Chief Minister for PW, Khyber Pakhtunkhwa.
2. PS to Secretary, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
3. District Population Welfare Officer, Malakand.
4. District Account Officer, Malakand.
5. PA to Director General, PWD, KPK, Peshawar.

**Attested**  
*[Signature]*  
**Advocate**

SECTION OFFICER (ESTI)



staff strength

(8)

سب و کاپی کے لیے  
درغلو سے نو کپیوں کی درخواست کی جا رہی ہے

OFFICE OF THE  
DISTRICT POPULATION WELFARE OFFICER  
MALAKAND AT B ATKHELA

\*\*\*\*\*

E.No.311/Admn-2015

Dated Batkhela , the 29 /08/2015

OFFICE ORDER

In compliance with Secretary to , Government of Khyber Pakhtunkhwa Population Welfare Department , Peshawar letter No. SOE(PWD)4-43/2015/PV/WMO/5388-9 Dated 20<sup>th</sup> August , 2015 regarding appointment of Women Medical Officers (MSU) on fixed salary package @ Rs. 50000.00 pm .

Dr. Kiran Kalsoom , submitted her arrival report for duty on dated 29<sup>th</sup> August , 2015 and subsequently taken on the staff strength of MSU project , Batkhela from the date of her arrival report. She is further directed to take over the charge of Mobile Service Unit , Batkhela immediately under intimation to this office .

o/e

DISTRICT POPULATION WELFARE OFFICER  
MALAKAND AT B ATKHELA

Copy to :-

- 1- Section Officer (ESTT) Govt: of Khyber Pakhtunkhwa, Population Welfare Department , Peshawar with reference to letter No. cited above for information Please .
- 2- PS to Director General Govt: of Khyber Pakhtunkhwa, Population Welfare Department , Peshawar for information please .
- 3- District Accounts Officer, Malakand for information and necessary action.
- 4- Officer concerned for information and compliance .
- 5- Accounts Assistant local officer for information and necessary action .
- 6- Storekeeper local office for information .

DISTRICT POPULATION WELFARE OFFICER  
MALAKAND AT B ATKHELA

o/e

o/e

Attested

Advocate

(9)

کال رسالہ (ضریحہ)  
 اور غلو میو تو نہیں، Accept کیا گیا

ADP MSU BATKHELA MD - 5124

OFFICE OF THE DISTRICT POPULATION WELFARE MALAKAND AT BATKHELA.

EXPENDITURE STATEMENT FOR THE MONTH OF JUNE, 2016

S.No	Description	Object Code	BPS	No Sacntion Post	Budget for the year 2015-16	Exp: for the Current Month	Previous Exp:	Total Exp:
1	WMO		17	1	0	100000	404838	504838
2	FW-COUNSLLER		11	1	0	30000	152500	182500
3	DRIVER		4	1	0	24000	122400	146400
4	Aya /Helper		1	1	0	24000	122400	146400
	<b>Total Pay</b>				0	178000	802138	980138
	<b>Total Operating Expences</b>				0	0	0	0
	<b>Communication</b>	A032			0	0	0	0
	Postage & Telegraph	A03201			0	0	0	0
	Telephone & T Call	A03202			0	0	0	0
	Courrer Service	A03205			0	0	0	0
	<b>Utilities</b>	A033			0	0	0	0
	Gas	A03301			0	0	0	0
	Water	A03302			0	0	0	0
	Electricity	A03303			0	0	0	0
	Hot & Cool Charges	A03304			0	0	0	0
	<b>Occupancy Cost</b>	A034			0	30000	90000	120000
	Rent of Building	A03402			0	30000	50000	80000
	<b>Travel &amp; Transportation</b>	A038			0	75533	25512	101045
	Travelling Allownce	A03805			0	18190	11810	30000
	Transportation of Goods	A03806			0	10000	0	10000
	POL Charges	A03807			0	36298	13702	50000
	Registration of Vehical	A03603			0	11045	0	11045
	<b>General</b>	A039			0	112000	10000	122000
	Stationery	A03901			0	20000	0	20000
	Printing & Publication	A03902			0	0	10000	10000
	Conference Seminar	A03903			0	0	0	0
	Advertismnt & Publicity	A03907			0	0	0	0
	Cost of Other Store	A03927			0	75000	0	75000
	Foreign Training Course	A03936			0	0	0	0
	Other	A03970			0	17000	0	17000
	<b>Repair &amp; Maintance</b>	A13			0	0	0	0
	Machinery & Epuiment	A13101			0	0	0	0
	Furniture & Fixture	A13201			0	0	0	0
	<b>G.Total Salary &amp; Non Salary</b>				0	395533	927650	1323183

VERIFIED FOR RS 395533/-

DISTRICT POPULATION WELFARE OFFIC  
MALAKAND AT BATKHELA

AGENCY ACCOUNTS OFFICER  
MALAKAND

Attested  
 [Signature]  
 Advocate

Dr. Resign

The DPWO  
MSU Bhatkela

Subject: Resignation from Job  
Respected Sir

It is stated that I am  
going to start my FCPS training for  
1st August 2016. Therefore I will not be  
able to continue my job as WMO in MSU  
Bhatkela.

Kindly accept my resignation and  
arrange replacement. I will be very  
to you for that. Thanking

Thank you

Date: 18th July 2016

Applicant  
Dr. Kiran Kalsoo  
WMO MSU Bhatkela

Attested  
[Signature]  
Advocate

Budget - 2016-2017  
received

(11)

Government of Khyber Pakhtunkhwa  
Directorate General Population Welfare,  
FC Trust Building Sunehri Masjid Road,  
Peshawar Cantt

P-24/c

F.No.3(1)/2016-17/ADP

Dated 6<sup>th</sup> Oct, 2016.

To:

The District,  
Population Welfare Officer,  
Battagram, Dir Upper, Malakand  
and Torghar.

MD 5124  
MSU ADP  
2016-17


Subject: BUDGET ESTIMATES OF ADP PROJECT ESTABLISHMENT OF 04 MSUs

Memo:

I am directed to refer to the subject cited above and to state that Finance Department released 25% funds for ADP Project Establishment of Mobile Service Units in districts Battagram, Dir Upper, Malakand and Torghar for current financial year 2016-17. And enclose herewith Audit Copy, release copy and Budget Estimates for further necessary action.

The expenditure should be restricted to the actual release of ADP during the current financial year 2016-17.

The expenditure involved is debit to the functional object classification 07-Health 074-Public Health 074107-Population Welfare Measures, Fund No.NC-22062(054) during the current financial year 2016-17.

  
(Mohammad Kashi Khan)  
Accounts Officer

Copy to the:-

1. District Accounts Officer, Battagram, Dir Upper, Malakand and Torghar for information and necessary action please.
2. Section Officer (Budget), Population Welfare Department Khyber Pakhtunkhwa Peshawar.
3. P.S to Advisor to Chief Minister for Population Welfare Department Khyber Pakhtunkhwa for information please.
4. P.S to Director General, Population Welfare Department Khyber Pakhtunkhwa Peshawar.

Received on 10/10/2016

Accounts Officer

Attested  
  
Advocate

صرف بریں آئی

(12)

Project ID MD14000452 NC22062  
**BUDGET ESTIMATES OF DISTRICT POPULATION WELFARE OFFICE FOR ADP**  
 074-Population Welfare 074107-Population Welfare Measures Malakand

Object Code	Commitment items (Object Classification)	BPS	Budget Estimates 2016-17
1	2	3	4
	<b>TOTAL SALARY &amp; NON SALARY</b>		2,099,000
A01	<b>EMPLOYEE RELATED EXPENSES</b>		1,366,000
A011	<b>TOTAL PAY</b>		1,366,000
A01106	<b>PAY OF OFFICERS CONTRACT</b>		490,000
	Women Medical Officer/FTO	17/16	490,000
A01156	<b>PAY OF OTHER STAFF CONTRACT</b>		876,000
	Family Welfare Counsellor	11	300,000
	Driver	4	288,000
	Aya	1	288,000
	<b>TOTAL NON SALARY</b>		733,000
A03	<b>OPERATING EXPENSES</b>		653,000
A033	<b>UTILITIES</b>		31,000
A03303	Electricity		20,000
A03304	Hot & Cold Weather Charges		11,000
A034	<b>OCCUPANCY COSTS</b>		120,000
A03402	Rent of Office Building		120,000
A038	<b>TRAVEL &amp; TRANSPORTATION</b>		190,000
A03801	Training Domestic		
A03805	Travelling Allowance (Govt. Servant)		50,000
A03806	Transportation of Goods		30,000
A03807	POL Charges,		110,000
A039	<b>GENERAL</b>		312,000
A03901	Stationery		22,000
A03902	Printing and Publication		40,000
A03907	Advertising & Publicity		20,000
A03927	Purchase of Medicine		200,000
A03936	Foreign/Inland training course fee		
A03970	Others		30,000
A13	<b>REPAIRS AND MAINTENANCE</b>		80,000
A13001	Transport		60,000
A13101	Machinery and Equipment		10,000
A13201	Furniture and Fixture		10,000
	<b>TOTAL SALARY &amp; NON SALARY</b>		2,099,000

Accounts Officer  
 Population Welfare Department  
 Khayber Pakhtunkhwa Peshawar

**Attested**  
*[Signature]*  
**Advocate**

overning manual

- Notification

اعلان تسيروا

13



GOVERNMENT OF KHYBER PAKHTUNKHWA  
POPULATION WELFARE DEPARTMENT  
Chak Abdul Wali Khan Multiplex,  
Civil Secretariat, Peshawar.

Dated Peshawar this 22<sup>nd</sup> September, 2016

**ORDER.**

**NO.SOB(PWD)2-2/ADP/2016-17/:** Sanction of the Government of Khyber Pakhtunkhwa is hereby accorded to the incurrence of expenditure of Rs. 2,000 million released by Finance Department vide letter No. SO(Dev-I)FD/11/1/PW/2016-17 dated 12-07-2016 to the Project "Establishment of Mobile Services Units in Districts Battagram, Dir Upper Malakand & Torghar" ADP No.810 during the current financial year 2016-17 as per breakup attached.

Sector Population Welfare  
Sub Sector Population Welfare  
Sub-Detail Function 074107-Population Welfare Measures  
Fund 00.22062 (054)

S.No	Project ID	Name of Scheme	Object	B.E. 2016-17	75% Released
1.	PS14000452	Establishment of Mobile Services Units in Districts Battagram, Dir Upper Malakand & Torghar	AD 0970	02,000	02,000

The expenditure involved is debitable to the Head of Account 07 Health 074-Public Health 074107-Population Welfare Measures and will be met out within the released budget during the current financial year 2016-17.

SECRETARY  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
POPULATION WELFARE  
DEPARTMENT

Accountant General Khyber Pakhtunkhwa with the clarification that Finance Department authentication is only for the release of funds amounting to Rs.02,000 Million in lump sum. Its further distribution and object wise breakup of utilization as per approved PC-I by competent authority is the wholly-solly responsibility of the Administrative Department. No deviation from Approved PC-I as well as Government's sanction instructions is allowed by Finance Department.

Section Officer (Dev-I)  
Finance Department

Encl: No. NO SOB(PWD)2-2/ADP/2016-17/ Dated Peshawar this 22<sup>nd</sup> September, 2016

1. Accountant General, Khyber Pakhtunkhwa
2. Deputy Director (Audit) Coord, Khyber Pakhtunkhwa Peshawar
3. Officer I/C Provincial Budget Section (Dev-I) Khyber Pakhtunkhwa.
4. Section Officer (Dev-I) Finance Department Khyber Pakhtunkhwa alongwith DDG wise statement of release for punching in the system please
5. Chief (Health) PWD Department
6. Directorate General, Population Welfare Khyber Pakhtunkhwa
7. District Account Officer, Battagram, Dir Upper, Malakand & Torghar.
8. District Population Welfare Officer Battagram, Dir Upper, Malakand & Torghar.
9. PS to Secretary, PWD.

Attested  
Advocate

Accounts Officer  
Finance Department  
Peshawar

SECTION OFFICER (BUDGET)

14

**NOTIFICATION**

Peshawar dated the 09<sup>th</sup> October, 2015

SO(R-VI/E&AD/I-25/2014. The Competent Authority is pleased to revise the pay package portion of Project Policy, partially modified vide this Department's Circular No. SO(R-VI/E&AD/I-25/2007, dated 17<sup>th</sup> October, 2008 as follows:

1	2	3	4	5
S.No	Pay Scale (BPS)	Existing pay (Rs.) (Lower-Upper) Limit	Revised pay (Rs.) (Lower-Upper) Limit	Additional increase be applied to existing employees in addition to their pay not exceeding the upper limit of new Pay Package (Rs.)
1.	01-04	7,000 -10,000	15,000-18,000	5,000
2.	05-10	10,000-15,000	15,000-25,000	8,000
3.	11-15	15,000-25,000	25,000-35,000	8,000
4.	16	30,000-35,000	35,000-45,000	8,000
5.	17	45,000-50,000	70,000-80,000	25,000
6.	18	50,000-75,000	85,000-95,000	30,000
7.	19	75,000-90,000	110,000-120,000	40,000
8.	20	100,000-110,000	120,000-150,000	50,000
9.	21	125,000-150,000	150,000-200,000	60,000
10.	22	150,000-200,000	200,000-250,000	70,000

کلیات  
تعمیرات  
سیاسی ادارہ پشاور  
پشاور  
ان کے لئے  
تعمیرات دی جائے گی

CHIEF SECRETARY,  
KHYBER PAKHTUNKHWA.

**ENDST: NO & EVEN DATE**

Copy is forwarded to:-

1. Addl. Chief Secretary, Govt. of Khyber Pakhtunkhwa, P&D Department.
2. Addl. Chief Secretary (FATA), FATA Secretariat Peshawar.
3. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
4. The Accountant General, Khyber Pakhtunkhwa.
5. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
6. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
7. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
8. All Divisional Commissioners in Khyber Pakhtunkhwa.
9. All Heads of Attached Departments in Khyber Pakhtunkhwa.
10. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
11. All Deputy Commissioners in Khyber Pakhtunkhwa and Political Agents in FATA.
12. The Registrar Peshawar High Court, Peshawar.
13. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
14. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
15. All Additional Secretaries, Deputy Secretaries and Section Officers in Establishment &

**Attested**  
*Mudab*  
**Advocate**

District Population Welfare Office  
Malakand at Barkhela

District	Malakand at Barkhela	Month in which presented	
	Head of Charge	Voucher No.	
Detailed of Nos. of Sub-voucher	Detailed Head of Charge (with description where necessary and quotation of authority where changes requiring special sanction)		Amount

Date	Particulars	Rs.	Paise	Total
9-10-2015 to 31-10-2015	...	16666		16666/-
1-11-2015 to 30-11-2015	...	37500		37500/-
1-12-2015 to 31-12-2015	...	25466		25466/-
1-1-2016 to 31-1-2016	...	25466		25466/-
1-2-2016 to 31-2-2016	...	25466		25466/-
1-3-2016 to 31-3-2016	...	25466		25466/-
1-4-2016 to 31-4-2016	...	25466		25466/-
1-5-2016 to 31-5-2016	...	25466		25466/-
1-6-2016 to 31-6-2016	...	25466		25466/-
1-7-2016 to 31-7-2016	...	25466		25466/-
1-8-2016 to 31-8-2016	...	25466		25466/-
1-9-2016 to 31-9-2016	...	25466		25466/-
1-10-2016 to 31-10-2016	...	25466		25466/-
1-11-2016 to 31-11-2016	...	25466		25466/-
1-12-2016 to 31-12-2016	...	25466		25466/-

Handwritten notes and calculations in the left margin, including the words 'Dated', 'Due', and 'Drawn'. There are several scribbled-out areas and illegible text.

Handwritten notes and calculations in the right margin, including the word 'Amount' and various numerical entries. There are several scribbled-out areas and illegible text.

Dist. Population Welfare Officer  
Malakand at Barkhela

Control Over

... will make payment of this ...

Dr. Selang Bili

Attested  
[Signature]  
Advocate



(17)

15,000/- حساب 50,000/- کا فرق  
میں سے 15 دنوں کے اندر میں 25000/-

رہے

میں سے سی۔ سی۔ خان 10/- ڈاکٹر برین کلثوم نامہ دیکھ کر  
کہ میں نے خلیفہ آفس بطور سے مبلغ 25000/- روپیہ  
باب تنخواہ ارفاق جولائی 2016 سے سیک جولائی 2016  
تا 15 جولائی 2016 تک 15 دن کی تنخواہ نقد  
وصول کیا

ادا کنندہ  
Dy. Commr.

Payment Attested

District Population  
Welfare Officer  
Malakand at Bathela

بہشتیہ  
دعوت کنندہ  
Signal  
03349349165

Attested  
Advocate

18

To THE MANAGER, STATE BANK OF PAKISTAN

Received from the bearer the sum of Rs. 229166/-  
to be credited to Government account under the head  
on account of...

**CASH RECEIVED**  
Received from the bearer the sum of Rs. 7000/-  
to be credited to Government account under the head  
on account of...  
Manager

Note - The Bank Agent is instructed to receive money in less than both portion of  
the invoice...  
See reverse.

N.W.F.P. A&T 200

بجو الہ DD ایس من خواجہ علیہ 2015/8/1 کووف 12/2016  
ڈاکٹر کرن ملٹوم کووف 15 دن کی منخواہ مبلغ 2500 روپے  
اور تین ہاتھی مبلغ 229166 روپے واسی جمع کیا گیا۔

District Population  
Welfare Officer  
Malakand at Batkhela

229166  
روپے واسی جمع کیا گیا۔  
2

Attested  
by  
Advocate

۱۳۳

بابت کرایہ فلاحی فریڈریشن کوٹھی رقم حسب - 3000/-  
مبلغ نہ ارفاہ 7/2015 تا 6/2016 مگر 12 ماہ کی کرایہ  
مبلغ 3000/- روپیہ نقد لکھنی آفیس برطانیہ سے  
وہ وصول ہوا

عبدالحمید خان  
عائسہ بیگم عبد الحمید خان، 13/1 خان سیدہ کوٹھی

**PAYMENT ATTESTED**  
Distt: Population Welfare Officer  
MALAKAND (BATKHELA)

**Attested**  
*[Signature]*  
**Advocate**

District	Bill for contingent charges of	Month in which present Payment at treasury .....19														
Head of service	07- Health 074- Public Health Services 107- Population Welfare Measures	Voucher No. .... List of payment for .....19														
Detailed of Nos. Of Sub-voucher	Detailed Head of Charge (with description where necessary and quotation of authority for charges requiring special sanction. A03402- Rent for 7/2015 to 6/2016	Amount														
A03402 Rent A/c	<p>Payment be made to the owner of Building RWG Total on A/c of Rent charges w.e. from 7/2015 to 6/2016 @ Rs. 3000/pm under MD 5058-ADP</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td>Rate</td> <td>Months</td> <td>Total Rs.</td> </tr> <tr> <td>3000</td> <td>x 12</td> <td>= Rs. 36000/-</td> </tr> </table> <p>certificati</p> <p>1- Sanction obtained from the CIA copy attached</p> <p>2- The claim has not been received previously</p> <p>3- All relevant documents attached</p>	Rate	Months	Total Rs.	3000	x 12	= Rs. 36000/-	<table border="1"> <tr> <td>Rs.</td> <td>Ps.</td> <td>Rs.</td> <td>Ps.</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> </tr> </table>	Rs.	Ps.	Rs.	Ps.				
Rate	Months	Total Rs.														
3000	x 12	= Rs. 36000/-														
Rs.	Ps.	Rs.	Ps.													
District Population Welfare Officer Malakand at Batkhela		Rs. 36000/-														

20

N.B. - Treasury officer will make payment of this form but the drawer should be certain to include the detailed Contingent amount of the abstract encashed at the treasury during the month of the Officer"

Attested  
*[Signature]*  
 Advocate

21

Rent Assessment Certificate.

The rent of Rs.3000/- Per Month (Three Thousand Only) for the building owned by Mr. Abdul Jabar S/O Jawab Khan village Toti District Malakand occupied for the F.W.C. Toti.

This Certificate is valid for the year 2015-16 for the period till the building remains in occupation by the concerned office / department and certificate issued as per request of District Population Welfare Officer Malakand at Batkhela No.F.No.3 (15) / Admn: ADP:-2016 dated:- 02-03-2016.

  
SUB DIVISIONAL OFFICER  
C&W SUB DIVISION NO.I MALAKAND

COUNTERSIGNED

  
EXECUTIVE ENGINEER  
C&W DIVISION MALAKAND

**Attested**



**Advocate**

22

OFFICE OF THE PROJECT DIRECTOR ESTABLISHMENT OF 1997  
Ali House, Qafila Road, Tehkal Payan, Peshawar.

F.No.1(3)/PD/FWC/)2015-16

Dated 24<sup>th</sup> June,2016.

SANCTION

Under the power delegated to me vide para-5(xvi) under delegation of financial powers and the Power of Re-Appropriation Rules 2001. Sanction is hereby accorded to the incurrence of an expenditure of Rs.438000/- (Rupees Four hundred and Thirty Eight Thousand only), on account rent of office building DPWO Malakand at Batkhela ADP FWCs in favour of the following FW Centres subject to the completion of all codal formalities reflected in GFR and possession of the building.

S.No.	Name of FW Centre	Period	Per Month	Total
1	FWC Matkani	July, 2015 to June,2016	3500	42000
2.	FWC Kopar Khass	-do-	3500	42000
3.	FWC Totai	-do-	3000	36000
4.	FWC Malakand Khass	-do-	3500	42000
5.	FWC Batkhela Upper	-do-	5000	60000
6.	FWC Dheri Alladand	-do-	5000	60000
7.	FWC Inzargai Agra	-do-	3000	36000
8.	FWC Totkai Shaheed Batkhela	-do-	5000	60000
9.	FWC Dheri Julagram	-do-	5000	60000
			Total:-	Rs.438000/-

The expenditure involved may be charged from the Major Function 07-Health 074-Public Health Services 074107-Population Welfare Measures (Development Expenditure) under Object A03402-Rent of building for the current financial year 2015-16.

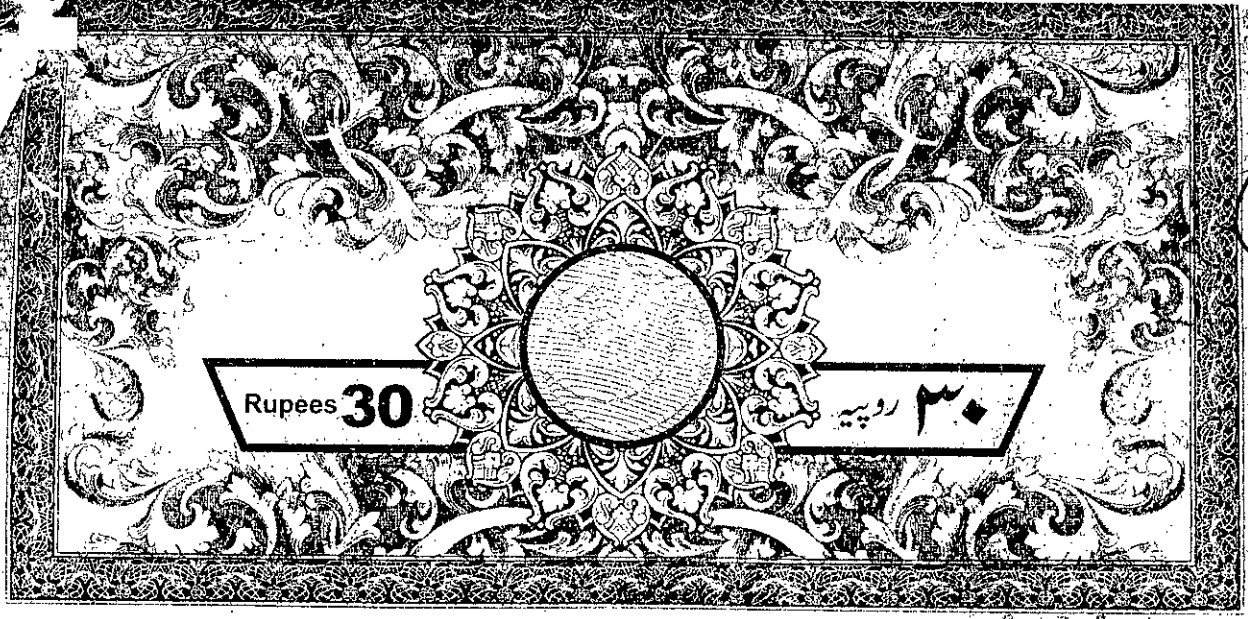
Project Director

Copy to the:-

1. District Accounts Officer Malakand for information please.
2. The District Population Welfare Officer, Malakand at Batkhela for information with reference to his letters No.2 (5)/Acctt:-2010 dated 21-05-2016.
3. P.S to Director General, Population Welfare Department Khyber Pakhtunkhwa

**Attested**  
*[Signature]*  
**Advocate**

*[Signature]*  
**( Noor Afzal )**  
Project Director



LEASE DEED

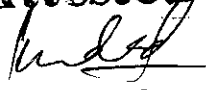
THIS INDENTURE MADE and entered in to Malakand on this day 1-7-2015  
between Mr / Mrs/ Miss Abdul jabar S/o Jawab Khan resident  
of Village Toti, District Malakand here-in-after referred to as the  
'LESSOR' (which expression shall unless repugnant to the context, mean and include his heirs  
assignes, executors, administrator and legal representatives), on the one part and the Government of  
K.P.K, Population Welfare Department here-in-after referred to as the 'LESSEE' on the other part.

2- WHEREAS the said lessor is the owner of the building named \_\_\_\_\_  
constructed on plot No. \_\_\_\_\_ here-in-after to us the 'PREMISES' and  
has agreed to give to the Population Welfare Department of the Government of KP/K on the said  
premises particulars of which and list of fixture and fittings contained in which are given in the  
schedule annexed.

3- AND WHEREAS THE lessee has agreed to take the said premises on lease for the  
Period specified in clause 4 below.

NOW, THEREFORE THIS INDENTURE WITNESSETH and pursuant to this agreement  
and in consideration of the rent herein specified and of the covenant and conditions herein contained,  
the lessor does hereby grant and demise in to the Lease the said premises for a period of 3 year  
with effect from the date on which vacant possession of the premises is handed over to the lessee.  
Provided that the period of the lessee extended for a further period of one year on the same terms and  
condition if the lessee notifies the lessors three months prior to the termination of the lease, otherwise  
the lease shall terminate automatically.

5- The rent of the premises shall be Rs. 3000/-  
per month only. Per month inclusive of the rent of fittings and fixture and shall be paid as follows.  
The rent will be paid on monthly basis either within the quarter for which it relates it relates or  
within thirty days of the expiry of each quarter, PROVIDE that if the amount of advance rent  
specified at above, a sum of \_\_\_\_\_ being equal to one month's rent of the premises shall be held by  
the lessee in reserve until the end of the lease period to be used by him in case the lessor fails to carry  
out repairs etc, as provided for in, this agreement after he has served with a notice of 30-days in  
writing. Provided further that if any of this reserve amount remains unspent after meeting such  
charges. It shall be paid by the lessee after expiry of lease period and in case Lessee is obliged to  
incur expenses in excess of the reserve amount it shall be recoverable from the lessor. Provided  
further that the lessee shall have to render an account to the lessor of the expenditure incurred of  
the expenditure incurred on repairs etc, on this behalf.

**Attested**  
  
**Advocate**

6- THE LESSOR hereby covenants with the lessee as follows :-  
 i. The lessor shall pay all rents, taxes and assessments including urban property tax as assessed and levied on the said premises by Govt: or municipal authority or other local, provincial or central authority.

ii. The lessor shall provide electricity / Gas connection where available to all the premises of the demised premises. The aforesaid rent includes rent for these fixture and fittings and shall not claim rent separately for them.  
 iii. The necessary repairs and colour washing of the inside and out side of the premises shall be done out by the lessor once every twelve month failing which the work will be done out at his cost by the lessee after giving 30-days notice and the expenditure involved shall be met / deducted from the rent.  
 iv. After the expiry of the lease period the lessor shall take over peaceful possession of the premises if desired by the lessee. If the lessor fails to do so the lessee shall appoint a chowkidar in the premises at the lessor's cost.

7- THE LESSEE does hereby covenant with the lessor as follows :-

i. The lessee shall not carry out any alterations of addition to the premises or demolish any part thereof without the consent of the lessor in writing except non-structural work including partitioning false ceiling minor repairs to sanitary water & electrical which shall be the responsibility of lessee.  
 ii. After the expiry of the lease period, the lessee shall deliver peaceful and vacant possession of the said premises in the original condition subject to the normal wear and tear.

The lessee shall be responsible for payment of charges on account of consumption of electricity, gas, water and conservancy charges during the subsistence of the lease. AND it is also hereby covenanted between the lessor and lessee as follows :-  
 i. If any part of the said premises or any part thereof is destroyed or damaged by fire, earthquake, war, civil disturbance or any other natural calamity or due to faulty construction so as to make it unfit for further tenancy the lease shall stand terminated at once. Provided that if the premises are partially damaged, the lease shall be terminable on the part of lessee by 30-days notice. Provided further that the lessee's opinion that the premises or part thereof have become unfit for further tenancy shall be final.  
 ii. Letters addressed to any duly appointed attorney of the lessor shall be deemed to have been addressed to the lessor himself.

The lessee as well as the lessor do hereby commit themselves not to dispute or raise any objection to the agreed amount of rent and the terms and conditions of this lease throughout the lease period. In the event of any dispute between the lessor and lessee in such matter as colouring, washing and repairs to the premises, termination of lease or of unadjusted portion of advance rent if any in respect of any other clause of this agreement, the matter shall be referred to the Director General Govt. KPK, PWD, being the sole Arbitrator, whose award in this behalf shall be final and binding on both the lessor and the lessee.

The lessor hereby guarantees that he is the owner of the premises and agrees to indemnify the lessee against any claim, for rent or possession of the premises that may be made by any person other than the lessor. All the losses and damages, if any incurred by the lessee in this respect shall be open by the lessor.

IN WITNESS WHEREOF the lessor and the lessee have executed this INDENTURE and hereunto subscribe their names and set their respective seal as of the date first above written.

WITNESS  
 1- Fazal Syed  
 2- Sterno  
 1- Rahman woodood  
 2- J. Clerk

Witnessed by  
 1- [Signature]  
 2- [Signature]  
 Advocate

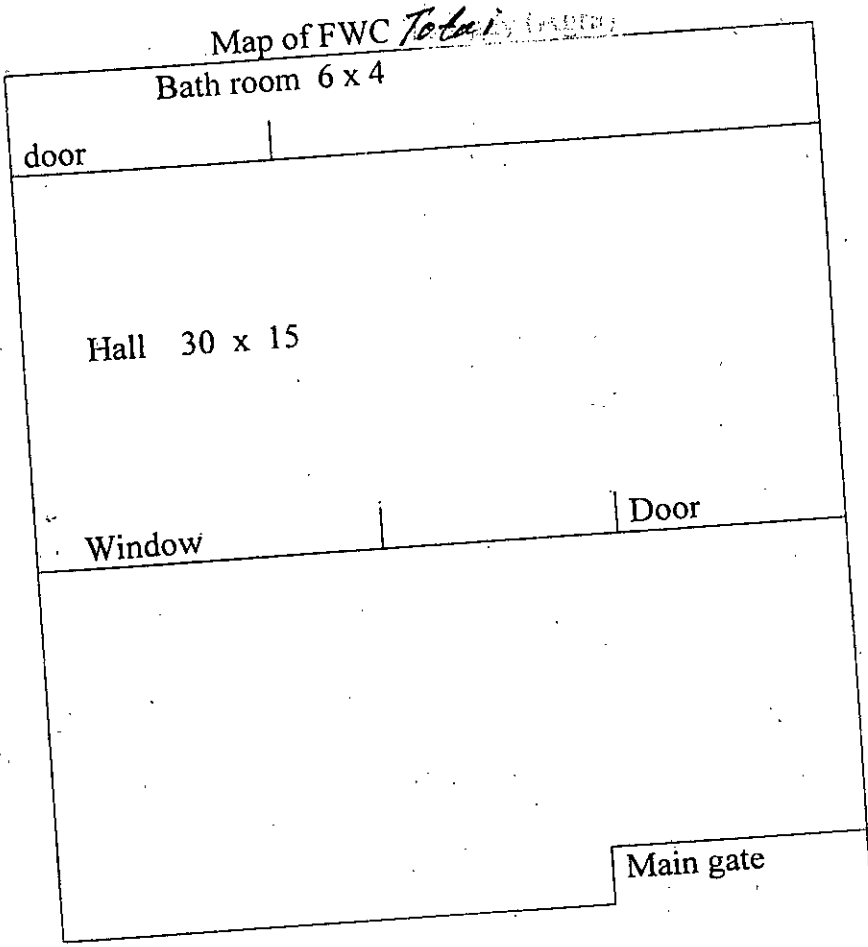
Lessee  
 Address

8  
 Iqbal Hussain  
 Stamp Vendor  
 District Office of Batakoba  
 District Office of Batakoba  
 District Office of Batakoba  
 District Office of Batakoba

2019/12/12  
 2019/12/12  
 2019/12/12  
 2019/12/12  
 2019/12/12

Lessor  
 Address  
 2019/12/12  
 2019/12/12





*[Signature]*  
District Population  
Welfare Officer  
Malakand at Batkhela

Attested  
*[Signature]*  
Advocate

رسید

بابت نہ ایہ غلامی مرتبہ تمنا نہ خاص سن ۱۹۶۱ء  
۵۰۰۰ روپے کا ایک نو از فام جو (دئی) ۲۰۱۲ء تا جون ۲۰۱۶ء  
۱۲ ماہ تک علی مرتبہ بلانہ ۶۰۰۰ روپے

پرنسپل آفسر ہیلتھ سے وصول تیرا رسیم (۱۰۰ روپے)

ماتہ فکان افسر صحت و لا شریعی سہلہ  
تمنا نہ خاص

PAYMENT TESTED  
Disin Population Welfare Office  
MALAKAND (BATKHELA)

Attested  
*[Signature]*  
Advocate

T 12713  
10/6/2016

GS & PD-NWFP-1844 F.S. 15000 P. OF 100-1.3.70

MD 5868-ADP PWC  
PID 14000451-A1247

Genl. General No. ....  
District Population Welfare Officer  
Malakand at Bafkhera  
Abstract Contingent Bill No. ....

Valo 30203133

Detail bill sent for counter signature on .....

District	Bill for contingent charges of 17- Health 974- Public Health Service 974107- Population Welfare Measures Head of service	Month in which present Payment at treasury .....19
W/O		Voucher No. .... List of payment for .....19

Detailed of Nos. Of Sub-voucher	Detailed Head of Charge (with description where necessary and quotation of authority for charges requiring special sanction. A03402- Rent for 7/2015-2016	Amount			
		Rs.	Ps.	Rs.	Ps.

A03402 Rent  
Payment be made to the  
owner of Building PWC Chanda  
Khasra under MD 5868-ADP PWC

Rate: Rs = 5000  
Period: 4 1/2  
Total Cost: Rs = 60000/-

- Certification
1. Sanction obtained from the CIA copy attached
  2. The claim has not been received previously
  3. All relevant documents

Attested  
[Signature]  
Advocate

District Population Welfare Officer  
Malakand at Bafkhera  
Carried over

Rs = 50000

Rent Assessment Certificate.

28

The rent of Rs.5000/- Per Month (Five Thousand Only) for the building owned by Mr. Afzal Husain S/O Sher Ali village Thana District Malakand occupied for the F.W.C.Thana.

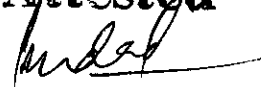
This Certificate is valid for the year 2015-16 for the period till the building remains in occupation by the concerned office / department and certificate issued as per request of District Population Welfare Officer Malakand at Batkhela No.F.No.3 (15) / Admn: ADP:-2016 dated:- 02-03-2016.

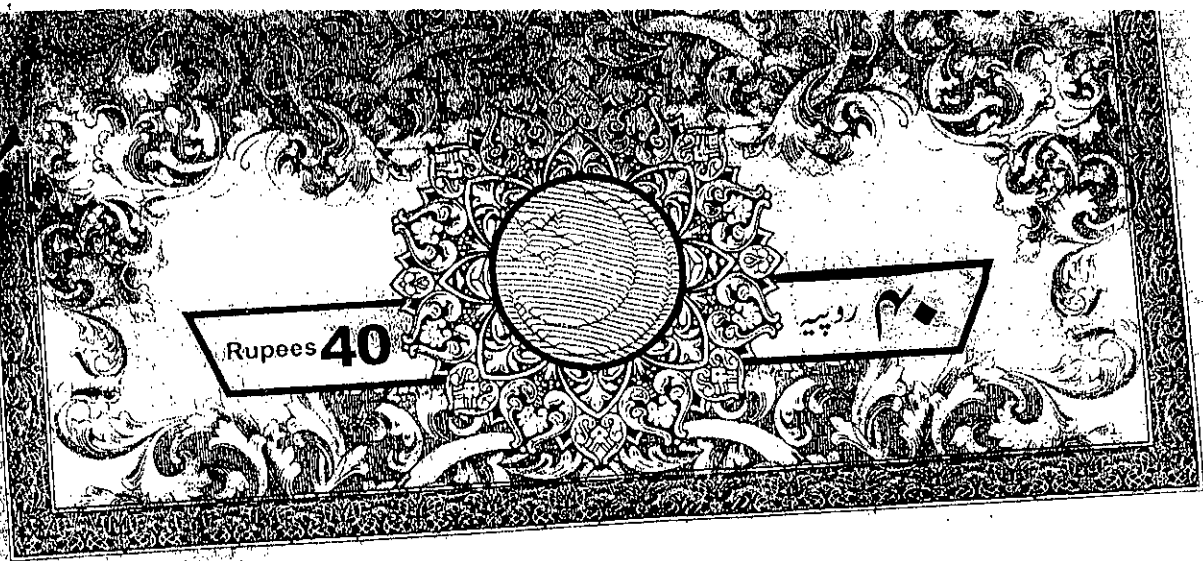
  
SUB DIVISIONAL OFFICER  
C&W SUB DIVISION NO.I MALAKAND

COUNTERSIGNED

  
EXECUTIVE ENGINEER  
C&W DIVISION MALAKAND

Attested

  
Advocate



LEASE DEED

THIS INDENTURE MADE and entered in to Malakand on this day 1-7-201  
between Mr / Mrs/ Miss Amjed shahid Kelani Chowdhury here-in-after referred to as the <sup>resident</sup>  
of Amjed shahid Kelani Chowdhury here-in-after referred to as the  
'LESSOR' (which expression shall unless repugnant to the context, mean and include this heirs  
assignes, executors, administrators and legal representatives), on the one part and the Government  
K.P.K, Population Welfare Department here-in-after referred to as the 'LESSEE' on the other part

2- WHEREAS the said lessor is the owner of the building named \_\_\_\_\_  
constructed on plot No. \_\_\_\_\_ here-in-after to as the 'PREMISES'  
has agreed to give to the Population Welfare Department of the Government of KPK on the  
premises particulars of which and list of fixture and fittings contained in which are given in  
schedule annexed.

3- AND WHEREAS THE lessee has agreed to take the said premises on lease for  
Period specified in clause 4 below.

NOW, THEREFORE THIS INDENTURE WITNESSETH and pursuant to this agree-  
and in consideration of the rent herein specified and of the covenant and conditions herein contain-  
the lessor does hereby grant and demise in to the Lease the said premises for a period of 3  
with effect from the date on which vacant possession of the premises is handed over to the lessee  
Provided that the period of the lessee extended for a further period of one year on the same terms  
condition if the lessee notifies the lessors three months prior to the termination of the lease, that  
the lease shall terminate automatically.

5- The rent of the premises shall be Rs. 7000/-  
per month only. Per month inclusive of the rent of fittings and fixture and shall be paid as follow  
The rent will be paid on monthly basis either within the quarter for which it relates it relates to  
within thirty days of the expiry of each quarter. PROVIDE that if the amount of advance rent  
specified at above, a sum of \_\_\_\_\_ being equal to one month's rent of the premises shall be held  
the lessee in reserve until the end of the lease period to be used by him in case the lessor fails to  
out repairs etc, as provided for in this agreement after he has served with a notice of 10 days in  
writing. Provided further that if any of this reserve amount remains unspent after meeting such  
charges. It shall be paid by the lessee after expiry of lease period and in case Lessee is obligate  
incure expenses in excess of the reserve amount it shall be recoverable from the lessee from the  
further that the lessee shall have to render an account to the lessor of the expenditure incurred  
the expenditure incurred on repairs etc, on this behalf.

**Attested**  
*[Signature]*  
**Advocate**

No. \_\_\_\_\_ Date \_\_\_\_\_  
محکمہ چارٹرڈ سٹیٹس ڈیپارٹمنٹ صوبہ پنجاب  
افضل صیغہ ڈسٹریکٹ مالکانہ ایجنڈ سٹیٹس محکمہ (پرنٹنگ ڈویژن)

other local, provincial or central authority.  
The lessor shall provide electricity / Gas connection where available at the demised premises. The aforesaid rent includes rent for these fixtures and shall not claim rent separately for them.  
iii necessary repairs and colour washing of the inside and out side of the premises shall be carried out by the lessor once every twelve month failing which the work shall be carried out at his cost by the lessee after giving 30-days notice and the expenditure involved shall be met / deducted from the rent.  
iv After the expiry of the lease period the lessor shall take over peaceful possession of the premises if desired by the lessee. If the lessor fails to do so the lessee shall put chowkidar in the premises at the lessor's cost.  
7- THE LESSEE does hereby covenant with the lessor as follows :-  
i The lessee shall not carry out any alterations of addition to the premises or do any part thereof without the consent of the lessor in writing except non-structural repair including portioning false ceiling minor repairs to sanitary water & electricity which shall be the responsibility of lessee.  
ii After the expiry of the lease period, the lessee shall deliver peaceful and vacant possession of the said premises in the original condition subject to normal wear and tear.  
iii The lessee shall be responsible for payment of charges on account of consumption of electricity, gas, water and conservancy charges during the subsistence of the lease.  
8 i AND it is also hereby covenanted between the lessor and lessee as follows :-  
if the said premises or any part thereof is destroyed or damaged by fire, earthquake, civil disturbance or any other natural calamity or due to faulty construction so as to make it unfit for further tenancy the lease shall stand terminated at once. Provided if the premises are partially damaged, the lease shall be terminable on the part thereof by 30-days notice. Provided further that the lessee's opinion that the premises thereof have become unfit for further tenancy shall be final.  
ii Letters addressed to any duly appointed attorney of the lessor shall be deemed to have been addressed to the lessor himself.  
9 The lessee as well as the lessor do hereby commit themselves not to dispute or raise any objection to the agreed amount of rent and the terms and conditions of this lease throughout the lease term. In the event of any dispute between the lessor and lessee in such matter as colouring, repairs to the premises, termination of lease or of unadjusted portion of advance rent and repairs to the premises, the matter shall be referred to the Director Govt. of KPK, PWD, being the sole Arbitrator, whose award in this behalf shall be final and binding on both the lessor and the lessee.  
10 The lessor hereby guarantees that he is the owner of the premises and agrees to indemnify the lessee against any claim for rent or possession of the premises that may be made by any person other than the lessor. All the losses and damages, if any incurred by the lessee in this respect shall be met by the lessor.

11 IN WITNESS WHEREOF the lessor and the lessee have executed this INDENTURE and hereinto subscribe their names and set their respective seal as of the date first above written

WITNESS

1- Fazal Saad Javed  
2- [Signature]  
1- Rahman uradood  
2- J. K. [Signature]

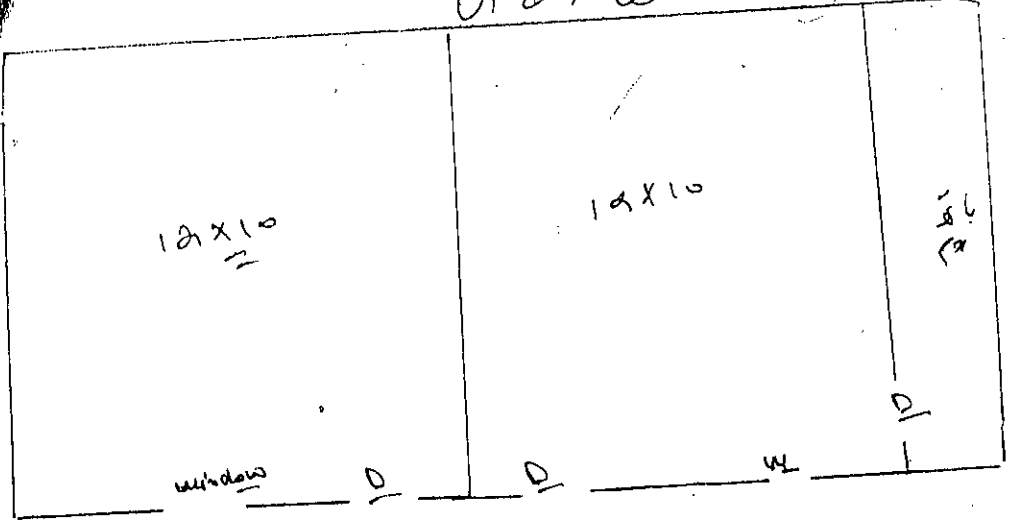
Lessee [Signature]  
District Population Welfare Officer  
Seal [Stamp]  
Malakand at Batkhel.

Lessor [Signature]  
Address Amjed shahid Bakhori  
T. Z. [Signature]

Attested  
[Signature]  
Advocate

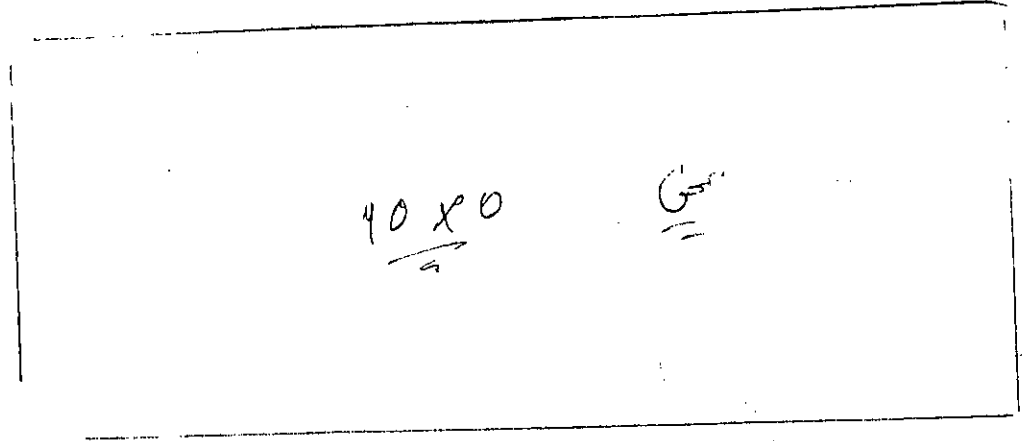
31

18x10



10x24

10x10

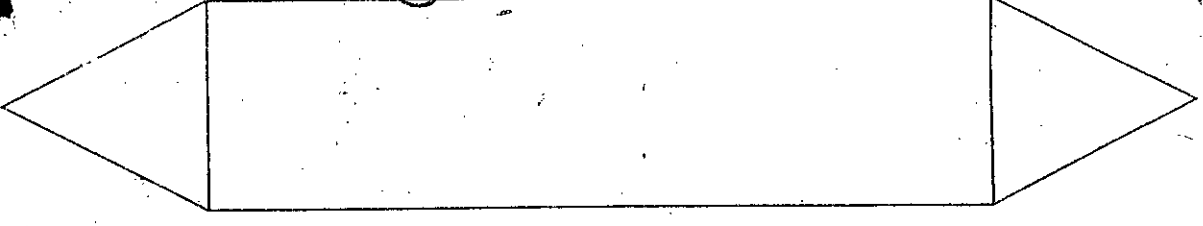


قانونی مشورہ اور اس کی بنیاد پر عمل کرنا۔

*[Handwritten signature]*

**Attested**  
*[Handwritten signature]*  
**Advocate**

بعدالت حسین کھنجر خان کے سرویس کے سبب سے کھنجر خان کے سرویس



منجانب اسلام آباد

مورخہ 3 ستمبر 2019ء

مقدمہ سرویس اسٹیشن منیجر 1073/1518

پہلی ایڈریس صیغہ شریف اسلام آباد  
زیر دفعہ ادفعات جرم

### باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ آن مقام **منیجر** کیلئے **مسٹر اعجاز خان** سے مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ بر حلف دینے جواب دہی اور قبیل دعویٰ اور خوبصورت ڈگری کرانے اجراء اور وصولی چیک و روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زر اس پر دستخط کرنیکا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ اپیل کی برآمد اور منسوخی اور وائر کرنے، اپیل نگرانی و نشانی و پیروی کرنے کا اختیار ہوگا۔ اور یہ صورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختیار قانونی کراپنے ہمراہ یا اپنی بجائی تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہونگے۔ اور اسکا ساختہ پرواختہ منظور و قبول ہوگا۔ اور دوران ان مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا۔ اس کے مستحق وکیل صاحب موصوف ہونگے۔ نیز بقایا و خرچہ کی وصولی کرنے کا اختیار حاصل ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے۔ کہ پیروی مقدمہ مذکورہ کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

Ahmed Ali

200

المقوم

العبد گواہ شہد العبد

بمقام کیلئے منظور ہے۔



## Inquiry Report

Subject: Disciplinary Action against Mr. Ahmad Ali (BS-17) DPW Officer Malakand and Mr. Saeed Ur Rehman Accountant DPW Office Malakand

### Background:

The undersigned was appointed as inquiry officer by the competent authority under Khyber Pakhtunkhwa government service (Efficiency & Discipline Rules 2011) vide Population Welfare Department letter no. SOE(PWD) 1-16/2015/PF/915-21 dated: 12/09/2017 (Annex-I), to conduct inquiry against Mr. Ahmad Ali DPW Officer Malakand and Mr. Saeed Ur Rehman Accountant DPW Office Malakand, for the charges mentioned in the charge sheet (Annex-II). The same are reproduced below.

- a) You have unlawfully drawn and misappropriated Rs. 254,166/- as an arrear of salary at the enhanced rate Rs. 75,000/- PM instead of the permissible rate of Rs. 50,000/- PM for the period from 09-10-2015 to 15-07-2016 in the name of Dr. Kiran Kalsoom, WMO, I/c MSU Batkhela;
- b) You have embezzled the amount of Rs. 96,000/- on account of hiring charges of FWC Thana & FWC Totay;
- c) You have misappropriated government funds of Rs. 4,175,380/- in violation of GFR, Delegation of Financial Powers & KPPRA Rules during the financial year 2014-15 & 2015-16.

### Inquiry Proceedings:

On Receipt of letter for inquiry from Population Welfare Department, as required under the rules, the accused officers/Officials submitted their written reply to the charge sheets (Annex-III & IV). Thereafter, the accused officer/officials and departmental representative along with relevant record were summoned for recording their statements on 15-09-2017.

- i. Responding to the charge one regarding misappropriation of amount to the tune of Rs. 254,166/- as an arrear of salary in the case of Dr. Kiran Kalsoom, the accused were of the view that Dr. Kiran Kalsoom was appointed under the ADP MSU Batkhela and she was paid from ADP MSU Batkhela since her appointment in August 2015. To this point, the departmental representative informed that Dr. Kiran Kalsoom was a fixed pay employee, appointed on the current side. Hence, he denied the statement of the accused. Further, Perusal of the appointment order of the said doctor (Annex-V) revealed that she was a fixed pay employee as there was no mention of the word project or ADP in the said order.
- ii. Moreover, enhancement in the pay of an employee requires approval of the competent authority. However, the accused have failed to obtain the same in the instant case and the amount drawn as arrears to the tune of Rs. 254,166/- in lieu of enhancement of pay of the said doctor by the accused is clear violation of the rules. Although the said amount was deposited in the government ex-chequer later on, however, it does not absolve the accused of malafide intentions.

- iii. Responding to charge two in the charge sheet, wherein the amount to the tune of Rs. 96,000/- was pointed out misappropriated in the fact finding inquiry; the accused have submitted a document containing approval of the competent authority for rent charges to the tune of Rs. 438,000/- (Annex-VI). In the said document, approval was given to the rent charges of Rs. 36,000/- for FWC Totay building. However, the remaining Rs. 60,000/- out of Rs. 96,000/- in the said charge is still unjustified for hiring FWC.Thana without seeking approval from the competent authority. In this regard, the accused were inquired for the requisite documents of FWC Thana to know whether the said building was functional and any services were provided to the public; however they failed to produce any evidence in the matter.
- iv. As per charge three, wherein an amount to the tune of Rs. 4,175,380/- has been pointed out misappropriated by the accused as indicated in the fact finding inquiry (Annex-VII); the following are the details of the irregular expenditure of the amount of Rs. 4,175,380/- as worked out in the said inquiry:

S. No	Nomenclature	Irregular expenditure during 2014-15	Irregular expenditure during 2015-16	Total irregular expenditure
01	Rent Charges		1,060,000	1,060,000
02	Printing Charges	210,000	290,000	500,000
03	Seminar Charges	50,000	60,000	110,000
04	Exhibition Charges		30,000	30,000
05	Purchase of Computer Hardare		200,000	200,000
06	POL Charges	650,000	520,300	1,170,300
07	Repair of Transport, Hardware, Furniture & Fixture, Machinery & Equipment	404,800	344,460	749,200
08	IRC Payment	155,820	200,000	355,820
	Total	1,210,620	2,415,050	4,175,380

- v. In response to charge three, the accused have produced a document containing approval of the competent authority of Rs. 438,000/- against serial no. 1 in the above table, wherein irregular expenditure to the tune of Rs. 10,60000/- has been alleged against the accused (Annex-VI).
- vi. All the available record and the written statements of the accused have been perused in detail. Being category III officer, the district population officer Malakand (accused) has violated GFR, delegation of financial power & KPPRA rules. The accountant Mr. Saeed Ur Rahman (co-accused) is equally responsible for not properly assisting his officer. They both have failed to follow the requisite procedure as required under the relevant rules while expanding public money. However, after carrying out the expenditures; they used to seek ex-post facto sanction from the competent authority which is still pending in some instances. Resultantly, the different expenditures for rent charges, printing charges, seminar charges etc, incurred in the absence of the requisite approval to the tune of Rs. 3,737,380/- have been pointed out as irregular expenditures.

Findings:

After having thoroughly gone through the available record of the case, perusing the evidence in the form of documents as presented by the accused and the statements in their defense as submitted by the accused, the findings are given below:

- An amount to the tune of Rs. 254,166/- was illegally drawn through DDO cheque for further payment to Dr. Kiran Kalsoom by the accused which was later on deposited in the government ex-chequer.
- No sanction has been obtained for the amount of Rs. 60,000/- for payment of rent for FWC building Thana.
- Amount of Rs. 3,737,380/- has been misappropriated by the accused, which contains irregular expenditure for different purposes in violation of GFR & Delegation of Financial Powers.
- It has been observed with the great concern that no proper office record has been maintained by the concerned department.
- Communication gap and lack of coordination of the administrative department, the directorate and District Population Welfare office Malakand has been observed in the entire inquiry. It appears that the directorate does not bother to visit their district office Malakand regularly. The official business is running without observing the due codal formalities, which has ultimately resulted in the above mentioned irregularities.

Conclusion:

It is concluded that:

- a) Charge No. 1 stands proved.
- b) Charge No. 2 to the tune of Rs. 60,000/- stands proved against the accused.
- c) Charge No. 3 to the tune of Rs. 3,737,380/- stands proved against the accused.

Certificate:

It is certified that the inquiry report consists of 03 pages and Annexure I to VII. Each page of the inquiry report is duly signed by the undersigned.

  
Zahid Pervez

Deputy Director, Independent Monitoring Unit,  
E&SED / Inquiry Officer



GOVERNMENT OF KHYBER PAKHTUNKHWA,  
POPULATION WELFARE DEPARTMENT  
02<sup>nd</sup> Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

Dated Peshawar the 15<sup>th</sup> October, 2018

NOTIFICATION

No. SOE (PWD) 1-16/2015/PF/4057-66 Consequent upon acceptance of Review Petition by the Appellate Authority, the major penalty of "Removal from Service" imposed upon Mr. Saeed-ur-Rehman, Jr. Clerk, District Population Welfare Office, Malakand issued vide this Department's Notification of even number dated 08-05-2018 is converted into minor penalty "withholding of two increments for a period of one year", with immediate effect, subject to fulfillment of all codal formalities.

SECRETARY  
GOVT. OF KHYBER PAKHTUNKHWA  
POPULATION WELFARE DEPARTMENT

Endst: No. SOE (PWD) 1-16/2015/PF/4057-66 Dated: 15<sup>th</sup> October, 2018.

Copy forwarded for information & necessary to the: -

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa, Peshawar.
2. Accountant General, Khyber Pakhtunkhwa, Peshawar.
3. Director General Population Welfare Department, Peshawar.
4. PS to Govt. of KPK, Establishment Department, Peshawar.
5. PSO to Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
6. PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.
7. District PW-Officer, Malakand.
8. District Accounts Officer, Malakand.
9. Mr. Saeed-ur-Rehman, Jr. Clerk, DPW Office, Malakand.
10. Master file.

SECTION OFFICER (ESTT)  
Phone No. 091-9223623

GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE GENERAL POPULATION WELFARE  
Plot No. 18, Sector E-8, Phase-VII, Hayatabad, Peshawar  
\*\*\*\*\*

Dated Peshawar the 14 /06/2019.

**OFFICE ORDER**

**F.No.4 (5)/2019/HR/Admn:** - The following postings/transfers are hereby ordered with immediate effect in best interest of public till further orders.

S.No	Name & Designation	From.	To	Remarks
1	Mr. Ajmali Khan Senior Clerk BPS-14	DPW-Office, Charsadda	Directorate General PW, Peshawar	Upon promotion vide office order of even number dated 21.05.2019, against the vacant post.
2	Mr. Said Akbar Senior Clerk BPS-14	DPW-Office, Swat	DPW-Office, Swat	Upon promotion vide office order of even number dated 24.05.2019, against the vacant post.
3	Mr. Sadat Khan Senior Clerk BPS-14	DPW-Office, Tank	DPW-Office, Tank	Upon promotion vide office order of even number dated 24.05.2019, against the vacant post of Junior Scale Stenographer (BPS-14).
4	Mr. Niamat Ullah Senior Clerk BPS-14	DPW-Office, Lakki Marwat	DPW-Office Lakki Marwat	Upon promotion vide office order of even number dated 24.05.2019, against the vacant post of Supervisor BPS-14.
5	Mr. Zewar Hussain Shah Senior Clerk BPS-14	DPW-Office, Battagram	DPW-Office, Battagram	Upon promotion vide office order of even number dated 24.05.2019, against the vacant post of Junior Scale Stenographer (BPS-14).
6	Mr. Fazal e Ghaflar Senior Clerk BPS-14	DPW-Office, Buner	DPW-Office, Swat	Upon promotion vide office order of even number dated 24.05.2019, against the vacant post of Assistant BPS-16 in his own pay scale.
7	Mr. Nazir Ahmad Senior Clerk BPS-14	DPW-Office, Tank	DPW-Office, Tank	Upon promotion vide office order of even number dated 24.05.2019, against the vacant post of Supervisor (BPS-14).
8	Muhammad Nazik Senior Clerk BPS-14	DPW-Office, Haripur	DPW-Office, Haripur	Upon promotion vide office order of even number dated 24.05.2019 against the vacant post of Junior Scale Stenographer ( BPS)-14
9	Muhammad Afzal Senior Clerk BPS-14	DPW-Office, Karak	DPW-Office, Bannu	Upon promotion vide office order of even number dated 24.05.2019, against the vacant post.
10	Muhammad Saleem Fatmi Senior Clerk BPS-14	Directorate General PW, Peshawar	Directorate General PW, Peshawar	-do-
11	Muhammad Ramzan Senior Clerk BPS-14	DPW-Office, D.I Khan	DPW-Office, D.I Khan	-do-
12	Mr. Saeed Ur Rahman Senior Clerk BPS-14	DPW-Office, Malakand	RTI Malakand	-do-
13	Mr. Zahid Zaman Senior Clerk BPS-14	DPW-Office, Abbottabad	DPW-Office, Abbottabad	Upon promotion vide office order of even number dated 24.05.2019,

				already working against the said post.
14	Mian Zabardast Junior Clerk, PBS-11, Adjusted against the post of Senior Clerk, BPS-14	DPW-Office, Swat	DPW-Office, Swat	Against the vacant post of Junior Scale Stenographer BPS-14 in his own pay scale vice S.No 02
15	Mr. Touqeer Hassan, Accounts Assistant BPS-12, adjusted against the post of Senior Clerk, BPS-14	DPW-Office, D.I Khan	DPW-Office, D.I Khan	Against the vacant of supervisor (BPS-14) in his own pay and scale to vacate the post for the original incumbent Vice No. 11
16	Mr. Sajjad Ahmad Projectionist BPS-13, adjusted against the post of Senior Clerk BPS-14	RTI, Malakand	RTI, Malakand	Against the vacant of Junior Scale Stenographer (BPS-14) in his own pay and scale to vacate the post for the original incumbent Vice No. 12

(Director General)  
Population Welfare Department

Copy forwarded to:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar
2. All Directors, PWD, KP Peshawar.
3. Principal RTI Malakand.
4. Section Officer (Estt. ; ) PWD, KP, Peshawar.
5. District Population Welfare Officer, Charsadda, D.I Khan, Bannu, Kohat, Karak, Swat, Malakand, Haripur, Tank, Buner, Battagram, and Lakki Marwat,
6. District Accounts Officers Charsadda, Bannu, D.I Khan, Bannu, Kohat, Karak, Swat, Tank, Buner, Haripur, Battagram, Malakand and Lakki Marwat,
7. Accounts Officer (Local), PWD, Peshawar.
8. Assistant Director (Admn) PWD for Updation of seniority list of the respective cadre.
9. PS to Secretary, PWD, Khyber Pakhtunkhwa Peshawar.
10. PS to Director General PWD, Khyber Pakhtunkhwa Peshawar.
11. HR Assistant (Admn Section) PWD, Peshawar.
12. Officials concerned.
13. Personal file of the officials concerned.
12. Master File.
13. F.No. 1 (4)/2018/Admn.

*Dawar*  
14/6

Assistant Director (HR)

d. Withd

Allegation on

Major penalty was awarded

(i) Inquiry was not properly conducted

Proper procedure was not adopted.

(ii) Issue is overpayment to doctor  
Apprt. was DDO

p. 18 and as per record lady doctor  
Rejoinder - redeposited the excess amount through  
bank draft.

2 ملازمین کے دوران دوران  
نیا۔ اس کی فراہمی  
دوسری ایجنسی سے  
میل کے لئے انٹرنیٹ کا  
Renou

تعمیراتی کام کے لئے  
Rejoinder کے لئے

Other allegations were dropped  
by department.

Allegation as per

P. 10, (ii) (iii) were withdrawn

ان کے لئے ایجنسی سے فراہمی کے لئے

...cation.

Attorney

Lady doctor was on fixed  
She was given/paid excess amount  
Deputy Dissection monitoring unit conducted  
enquiry

Inquiry is P. 15 — ~~the~~ Copies of  
Full inquiry has not been placed  
on file. Appnt. has placed on file.

انکوائری رپورٹ آف ایس پی 15 پر فیکس کیا گیا ہے۔ ڈاکٹر کی فیکسڈ پورٹ  
14-1-2014ء کو ایس ایف ڈی، ایس ایف ڈی، ایس ایف ڈی اور ایس ایف ڈی  
کو بھیج دی گئی ہے۔ ڈاکٹر کی فیکسڈ پورٹ، ایس ایف ڈی، ایس ایف ڈی اور  
ایس ایف ڈی کے ذریعے ایس ایف ڈی کو بھیج دی گئی ہے۔

Inquiry report is in default  
Illegality were committed.



**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

S.A NO: 1073/2018

Put up to the worthy chairman  
with relevant appeal.

Ahmad Ali

Versus

Chief Minister KPK



13/12/2021

**Application for transfer of titled Service Appeal  
from Camp Court Swat to Principal Seat at  
Peshawar.**

Allowed as requested  
next date at  
Peshawar 28/12/21  
13/12/2021

**Sheweth:**

1. That the titled Service Appeal is pending adjudication before Camp Court Swat, wherein no date of hearing has been fixed yet.
2. That the applicant has assailed his removal from service in the titled Service Appeal way back in the year 2018 but the same has not yet been disposed off/decided despite lapse of more than three years.
3. That in stated service appeal, all the proceedings have been completed only final arguments remains to be heard.
4. That the applicant is the sole earner of bread for his entire family and he is jobless since his removal, the transfer of

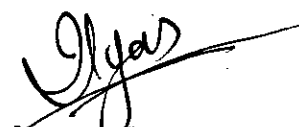
stated service appeal from Camp Court Swat to Principal Seat is cry of the hour.

5. That the respondents are also based in Peshawar and hearing of instant appeal at principal seat will be proper and just on this score alone.
6. That there is no legal impediment in allowing the transfer of case from Camp Court Swat to Peshawar.
7. That the case file reveals that since long the service appeal is pending adjudication which is best example of justice delayed justice denied.

It is, therefore, most humbly prayed that on acceptance of the application, the service appeal may kindly be transferred from Camp Court Swat to Peshawar for hearing of final arguments.

  
Appellant

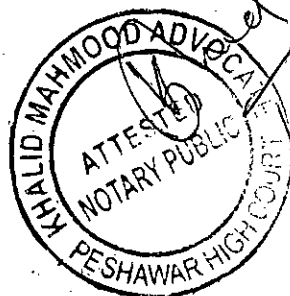
Through

  
**Akhtar Ilyas**  
Advocate High Court.

Dated: 09.09.2021

**AFFIDAVIT**

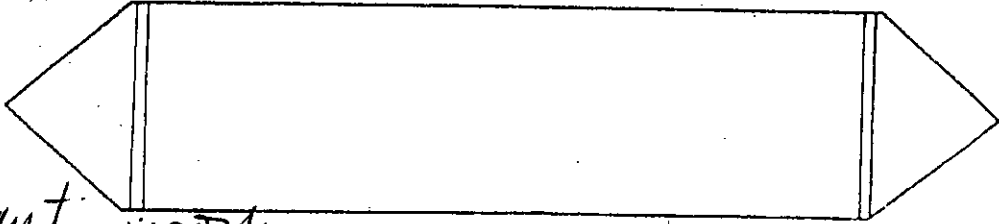
I, Ahmad Ali Ex-District Public Welfare Officer, Malakand, do hereby solemnly affirm that contents of the Application are true and correct.



  
Deponent

1530768882033

بعدالت خیریتون خواستوں پر قبول شدہ



Appellant 2021ء پنجاب

الحمد علی بنام حکومت

S.A 1073/2018

مقدمہ  
مقابلہ  
دعویٰ  
جزم

باعث تحریر آئندہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ  
آن مقام ریا اور کیلئے احمد علی کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
وکیل صاحب کو راضی نامہ کرنے و تقرر ثنالت فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک رو پیہا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ  
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جہانہ التوائے مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکور کریں۔ لہذا وکالت نامہ لکھد یا کہ سندر ہے۔

المرقوم 09 ماہ ستمبر 2021ء

*(Signature)*

الحمد علی (Appellant)

1530768882033

کے لئے منظور ہے۔

شاہ

بمقام

Accepted  
20/9/21



Government of Khyber Pakhtunkhwa  
Elementary & Secondary Education Department  
(Independent Monitoring Unit)



Ref No. IMU/E&SE/2-1/2017-18/A-980

Dated: 6-12-2017

To,

Section Officer (Estt)  
Population Welfare Department  
Govt. of Khyber Pakhtunkhwa

Subject:

DISCIPLINARY ACTION AGAINST MR. AHMAD ALI (BS-17) DPW OFFICER, MALAKAND AND MR. SAEED-UR-REHMAN, ACCOUNTANT DPW OFFICE, MALAKAND

Reference to your letter no. SOE (PWD) 1-16/2015/PF/915-21 dated: 12/09/2017, enclosed please find herewith the Inquiry Report in original consisting of three pages and seven annexures and duly signed by the undersigned for perusal of the competent authority please.

*[Handwritten signature]*  
07/12/17

*[Handwritten signature]*  
Deputy Director  
Independent Monitoring Unit, E&SED  
Inquiry Officer

Copy to:

1. Director General, PWD Peshawar.
2. P.S to Chief Secretary, Khyber Pakhtunkhwa.
3. P. S to Secretary, PWD, Khyber Pakhtunkhwa Peshawar, Departmental Representative
4. Mr. Muhammad Wali, Director (A&P), PWD, Peshawar.
5. P.A to Advisor to CM for PWD, Khyber Pakhtunkhwa Peshawar.

4817  
07-12-2017

*[Handwritten signature]*  
8-12-17

*[Handwritten signatures and dates]*  
8/12/17  
8/12/17

Deputy Director  
Independent Monitoring Unit, E&SED  
Inquiry Officer

FOOD

## Inquiry Report

Subject: Disciplinary Action against Mr. Ahmad Ali (BS-17) DPW Officer Malakand and Mr. Saeed Ur Rehman Accountant DPW Office Malakand

### Background:

The undersigned was appointed as inquiry officer by the competent authority under Khyber Pakhtunkhwa government service (Efficiency & Discipline Rules 2011) vide Population Welfare Department letter no. SOE(PWD) 1-16/2015/PF/915-21 dated: 12/09/2017 (Annex-I), to conduct inquiry against Mr. Ahmad Ali DPW Officer Malakand and Mr. Saeed Ur Rehman Accountant DPW Office Malakand, for the charges mentioned in the charge sheet (Annex-II). The same are reproduced below.

- a) You have unlawfully drawn and misappropriated Rs. 254,166/- as an arrear of salary at the enhanced rate Rs. 75,000/- PM instead of the permissible rate of Rs. 50,000/- PM for the period from 09-10-2015 to 15-07-2016 in the name of Dr. Kiran Kalsoom, WMO, I/c MSU Batkhela;
- b) You have embezzled the amount of Rs. 96,000/- on account of hiring charges of FWC Thana & FWC Totay;
- c) You have misappropriated government funds of Rs. 4,175,380/- in violation of GFR, Delegation of Financial Powers & KPPRA Rules during the financial year 2014-15 & 2015-16.

### Inquiry Proceedings:

On Receipt of letter for inquiry from Population Welfare Department, as required under the rules, the accused officers/Officials submitted their written reply to the charge sheets (Annex-III & IV). Thereafter, the accused officer/officials and departmental representative along with relevant record were summoned for recording their statements on 15-09-2017.

- i. Responding to the charge one regarding misappropriation of amount to the tune of Rs. 254,166/- as an arrear of salary in the case of Dr. Kiran Kalsoom, the accused were of the view that Dr. Kiran Kalsoom was appointed under the ADP MSU Batkhela and she was paid from ADP MSU Batkhela since her appointment in August 2015. To this point, the departmental representative informed that Dr. Kiran Kalsoom was a fixed pay employee, appointed on the current side. Hence, he denied the statement of the accused. Further, Perusal of the appointment order of the said doctor (Annex-V) revealed that she was a fixed pay employee as there was no mention of the word project or ADP in the said order.
- ii. Moreover, enhancement in the pay of an employee requires approval of the competent authority. However, the accused have failed to obtain the same in the instant case and the amount drawn as arrears to the tune of Rs. 254,166/- in lieu of enhancement of pay of the said doctor by the accused is clear violation of the rules. Although the said amount was deposited in the government ex-chequer later on, however, it does not absolve the accused of malafide intentions.

- 2
- iii. Responding to charge two in the charge sheet, wherein the amount to the tune of Rs. 96,000/- was pointed out misappropriated in the fact finding inquiry; the accused have submitted a document containing approval of the competent authority for rent charges to the tune of Rs. 438,000/- (**Annex-VI**). In the said document, approval was given to the rent charges of Rs. 36,000/- for FWC Totay building. However, the remaining Rs. 60,000/- out of Rs. 96,000/- in the said charge is still unjustified for hiring FWC Thana without seeking approval from the competent authority. In this regard, the accused were inquired for the requisite documents of FWC Thana to know whether the said building was functional and any services were provided to the public; however they failed to produce any evidence in the matter.
- iv. As per charge three, wherein an amount to the tune of Rs. 4,175,380/- has been pointed out misappropriated by the accused as indicated in the fact finding inquiry (**Annex-VII**); the following are the details of the irregular expenditure of the amount of Rs. 4,175,380/- as worked out in the said inquiry:

S. No	Nomenclature	Irregular expenditure during 2014-15	Irregular expenditure during 2015-16	Total irregular expenditure
01	Rent Charges		1,060,000	1,060,000
02	Printing Charges	210,000	290,000	500,000
03	Seminar Charges	50,000	60,000	110,000
04	Exhibition Charges		30,000	30,000
05	Purchase of Computer Hardare		200,000	200,000
06	POL Charges	650,000	520,300	1,170,300
07	Repair of Transport, Hardware, Furniture & Fixture, Machinery & Equipment	404,800	344,460	749,200
08	IRC Payment	155,820	200,000	355,820
	Total	1,210,620	2,415,050	4,175,380

- v. In response to charge three, the accused have produced a document containing approval of the competent authority of Rs. 438,000/- against serial no. 1 in the above table, wherein irregular expenditure to the tune of Rs. 10,60,000/- has been alleged against the accused (**Annex-VI**).
- vi. All the available record and the written statements of the accused have been perused in detail. Being category III officer, the district population officer Malakand (accused) has violated GFR, delegation of financial power & KPPRA rules. The accountant Mr. Saeed Ur Rahman (co-accused) is equally responsible for not properly assisting his officer. They both have failed to follow the requisite procedure as required under the relevant rules while expending public money. However, after carrying out the expenditures; they used to seek ex-post facto sanction from the competent authority which is still pending in some instances. Resultantly, the different expenditures for rent charges, printing charges, seminar charges etc, incurred in the absence of the requisite approval to the tune of Rs. 3,737,380/- have been pointed out as irregular expenditures.

## Findings:

After having thoroughly gone through the available record of the case, perusing the evidence in the form of documents as presented by the accused and the statements in their defense as submitted by the accused, the findings are given below:

- An amount to the tune of Rs. 254,166/- was illegally drawn through DDO cheque for further payment to Dr. Kiran Kalsoom by the accused which was later on deposited in the government ex-chequer.
- No sanction has been obtained for the amount of Rs. 60,000/- for payment of rent for FWC building Thana.
- Amount of Rs. 3,737,380/- has been misappropriated by the accused, which contains irregular expenditure for different purposes in violation of GFR & Delegation of Financial Powers.
- It has been observed with the great concern that no proper office record has been maintained by the concerned department.
- Communication gap and lack of coordination of the administrative department, the directorate and District Population Welfare office Malakand has been observed in the entire inquiry. It appears that the directorate does not bother to visit their district office Malakand regularly. The official business is running without observing the due codal formalities, which has ultimately resulted in the above mentioned irregularities.

## Conclusion:

It is concluded that:

- a) Charge No. 1 stands proved.
- b) Charge No. 2 to the tune of Rs. 60,000/- stands proved against the accused.
- c) Charge No. 3 to the tune of Rs. 3,737,380/- stands proved against the accused.

## Certificate:

It is certified that the inquiry report consists of 03 pages and Annexure I to VII. Each page of the inquiry report is duly signed by the undersigned.

  
Zahid Pervez

Deputy Director, Independent Monitoring Unit,  
E&SED / Inquiry Officer



GOVERNMENT OF KHYBER PAKHTUNKHWA,  
POPULATION WELFARE DEPARTMENT

02<sup>nd</sup> Floor, Abdul Wali Khan Multiplex, Civil Secretariat, Peshawar

No. SOE (PWD) 1-16/2015/PF/9/5-21  
Dated Peshawar the 12<sup>th</sup> September, 2017

To

Mr. Zahir Pervez (PAS BS-18),  
D.M.O. I.M.U, Elementary & Secondary Education Deptt:  
Khyber Pakhtunkhwa, Peshawar.

Subject: - DISCIPLINARY ACTION AGAINST MR. AHMAD ALI (BS-17) DPW OFFICER, MALAKAND AND MR. SAEED-UR-REHMAN, ACCOUNTANT DPW OFFICE, MALAKAND

Dear Sir,

I am directed to refer to the subject noted above and to state that the competent authority i.e. the Chief Secretary, Khyber Pakhtunkhwa has been pleased to order disciplinary proceedings against Mr. Ahmad Ali (BS-17) posted as District Population Welfare Officer, Malakand and Mr. Saeed-ur-Rehman, Accountant / Accounts Assistant (BS-11), DPW Office, Malakand.

The competent authority has been pleased to appoint you as Inquiry Officer to scrutinize the conduct of the aforesaid accused officer / official vis-à-vis the attached statement of allegations / charge sheet and desired that the Inquiry Officer shall take further necessary action and submit report within 30 days in accordance with the provisions of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011.

Mr. Muhammad Wali, Director (A&P), Directorate General PW is hereby nominated as Departmental Representative to assist the inquiry officer.

Yours faithfully,

Encls: As above.

SECTION OFFICER (ESTT)

Copy to the:-

1. Director General, PWD Peshawar.
2. PS to Secretary, PWD, Khyber Pakhtunkhwa, Peshawar.
3. Mr. Muhammad Wali, Director (A&P), PWD, Peshawar with the request to assist the inquiry officer.
4. PA to Advisor the CM for PWD, Khyber Pakhtunkhwa, Peshawar.
5. Mr. Ahmad Ali, DPWO, Malakand alongwith copy of charge sheet / statement of allegations.
6. Mr. Saeed-ur-Rehman, Accountant / Accounts Assistant C/o DPW Office, Malakand with a copy of charge sheet / statement of allegations.

With the direction to appear before the inquiry officer for the purpose of inquiry proceedings as and when required.

SECTION OFFICER (ESTT)



## CHARGE SHEET

I, Muhammad Azam Khan, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, hereby charge you, Mr. Ahmad Ali, District Population Welfare Officer, (BS-17) Malakand, as follows:

That you while posted as DPW Officer, Malakand, committed the following Irregularities:-

- (a) You have unlawfully drawn and misappropriated Rs. 254166/- as an arrear of salary at the enhanced rate Rs. 75000/- PM instead of the permissible rate of Rs. 50,000/- PM for the period from 09-10-2015 to 15-07-2016 in the name of Dr. Kiran Kalsoom, WMO, I/c MSU Batkhela;
- (b) You have embezzled the amount of Rs. 96,000/- on account of hiring charges of FWC Thana & FWC Totay;
- (c) You have misappropriated government funds of Rs. 4175380/- in violation of GFR, Delegation of Financial Powers & KEPPRA Rules during the financial year 2014-15 & 2015-16.

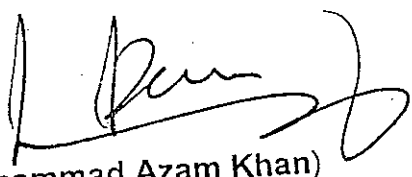
2. By reason of the above, you appear to be guilty of misconduct under Rule-3 of the Govt. of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified under Rule 4 of the rules ibid.

3. You are, therefore, required to submit your written defence within seven (07) days of the receipt of this charge sheet to the Inquiry Officer/Inquiry Committee, as the case may be.

4. Your written defense, if any, should reach the Inquiry Officer/Inquiry Committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

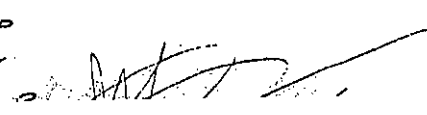
5. Intimate whether you desire to be heard in person.

6. A statement of allegations is enclosed.

  
(Muhammad Azam Khan)  
Chief Secretary, Khyber Pakhtunkhwa  
(Competent Authority)

6/9/17

(iv) LEAVE: - You will not be entitled to any kind of leave during the contract period. However, gazetted holidays and casual leave @ 3 days per month during the contract period will be allowed.

798 STENO  
EST  


## CHARGE SHEET

I, Muhammad Azam Khan, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, hereby charge you, Mr. Saeed-ur-Rehman, Accounts Assistant/Accountant (BS-11) District Population Welfare Officer, Malakand, as follows:

That you while posted as Accounts Assistant/Accountant, DPW Office, Malakand, committed the following irregularities:-

- (a) You have unlawfully drawn and misappropriated Rs. 254166/- as an arrear of salary at the enhanced rate Rs. 75000/- PM instead of the permissible rate of Rs. 50,000/- PM for the period from 09-10-2015 to 15-07-2016 in the name of Dr. Kiran Kalsoom, WMO, I/c MSU Batkhela;
- (b) You have embezzled the amount of Rs. 96,000/- on account of hiring charges of FWC Thana & FWC Totay;
- (c) You have misappropriated government funds of Rs. 4175380/- in violation of GFR, Delegation of Financial Powers & KEPPRA Rules during the financial year 2014-15 & 2015-16.

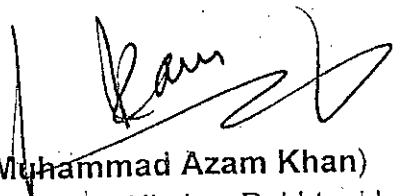
2. By reason of the above, you appear to be guilty of misconduct under Rule-3 of the Govt. of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified under Rule 4 of the rules ibid.

3. You are, therefore, required to submit your written defence within seven (07) days of the receipt of this charge sheet to the Inquiry Officer/Inquiry Committee, as the case may be.

4. Your written defense, if any, should reach the Inquiry Officer/Inquiry Committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

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

6. A statement of allegations is enclosed.

  
(Muhammad Azam Khan)  
Chief Secretary, Khyber Pakhtunkhwa  
(Competent Authority)

period. However, gazetted holidays and casual leave @ 3 days per month during the contract period will be allowed.

Diary No. 798 STENO  
FOR  
U.R.

## DISCIPLINARY ACTION

I, Muhammad Azam Khan, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, am of the opinion that Mr. Ahmad Ali, District Population Welfare Officer, (BS-17) Malakand, has rendered himself liable to be proceeded against, as he committed the following acts/omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

### STATEMENT OF ALLEGATIONS


- i. You have unlawfully drawn and misappropriated Rs. 254166/- as an arrear of salary at the enhanced rate Rs. 75000/- PM instead of the permissible rate of Rs. 50,000/- PM for the period from 09-10-2015 to 15-07-2016 in the name of Dr. Kiran Kalsoom, WMO, I/c MSU Batkhela;
- ii. You have embezzled the amount of Rs. 96,000/- on account of hiring charges of FWC Thana & FWC Totay;
- iii. You have misappropriated government funds of Rs. 4175380/- in violation of GFR, Delegation of Financial Powers & KEPPRA Rules during the financial year 2014-15 & 2015-16.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/inquiry committee, consisting of the following is constituted under Rule -10(1) (a) of the ibid rules.

- i. Mr. Zakir Pervez, DMO IMU ETSE
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

3. The Inquiry Office/Inquiry Committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused; record its findings and make, within 30 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the Inquiry Officer/Inquiry Committee.

  
(Muhammad Azam Khan)  
Chief Secretary, Khyber Pakhtunkhwa  
(Competent Authority)

6/9/11

period. However, if  
contract period will be allowed.

Diary No. 779 STENO  
FOR  
W.R.

## DISCIPLINARY ACTION

I, Muhammad Azam Khan, Chief Secretary, Khyber Pakhtunkhwa, as Competent Authority, am of the opinion that Mr. Saeed-ur-Rehman, Accounts Assistant/Accountant (BS-11) District Population Welfare Officer, Malakand, has rendered himself liable to be proceeded against, as he committed the following acts/omissions, within the meaning of Rule-3 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011.

### STATEMENT OF ALLEGATIONS

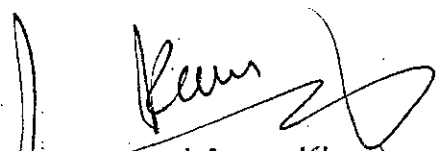
- i. You have unlawfully drawn and misappropriated Rs. 254166/- as an arrear of salary at the enhanced rate Rs. 75000/- PM instead of the permissible rate of Rs. 50,000/- PM for the period from 09-10-2015 to 15-07-2016 in the name of Dr. Kiran Kalsoom, WMO, I/c MSU Batkhela;
- ii. You have embezzled the amount of Rs. 96,000/- on account of hiring charges of FWC Thana & FWC Totay;
- iii. You have misappropriated government funds of Rs. 4175380/- in violation of GFR, Delegation of Financial Powers & KEPPRA Rules during the financial year 2014-15 & 2015-16.

2. For the purpose of inquiry against the said accused with reference to the above allegations, an inquiry officer/inquiry committee, consisting of the following is constituted under Rule -10(1) (a) of the ibid rules.

- i. Mr. Zahir Parvez, DMO IMU GISE
- ii. \_\_\_\_\_
- iii. \_\_\_\_\_

3. The Inquiry Office/Inquiry Committee shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused; record its findings and make, within 30 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the Inquiry Officer/Inquiry Committee.

  
(Muhammad Azam Khan)  
Chief Secretary, Khyber Pakhtunkhwa  
(Competent Authority)

Government Servants (Efficiency & Discipline) Rules, 2011 will not be adopted.

(iv) LEAVE: - You will not be entitled to any kind of leave during the contract period. However, gazetted holidays and casual leave @ 3 days per month during the contract period will be allowed.

MAR 2016

ڈی ایم او آئی ایم یو الیمنٹری اینڈ سیکنڈری ایجوکیشن ڈیپارٹمنٹ

محکمہ بہبود آبادی KPK پشاور لیٹر نمبر: SOE (PWD) 1-16/2015/PF/915-21 تاریخ پشاور: 12 ستمبر 2017 کے مطابق میرے خلاف چارج شیٹ کے جوابات مندرجہ ذیل ہے

چارج نمبر 1- رقم مبلغ -/254166 روپے بابت تنخواہ اور باقیاجات ڈاکٹر کرن کلثوم؟

جواب:- ڈاکٹر کرن کلثوم نے سسرٹری محکمہ بہبود آبادی کے آرڈر کے مطابق ضلع دفتر کو رپورٹ کی۔ زبردستی نے انکی کی پوسٹنگ ADP بٹ حیلہ MSU میں کی (Annexure A) ضلعی آفس ان کو باقاعدگی سے تنخوائیں بحساب ماہانہ -/50,000 روپیہ دیتی رہی پھر 18-07-2016 ڈاکٹر صاحبہ نے نوکری سے استعفیٰ دیا (Annexure B) زبردستی کو سال 2016-17 کی بجٹ کاپی موصول ہوئی بجٹ کاپی کے ساتھ اضافی تنخواہ کی کاپی لگی ہوئی ہے (Annexure C) پھر ایک دن MSU ADP کے تمام سٹاف نے میٹنگ کے دوران مجھے کہا کہ ہمارے تنخوائیں بھڑگی ہے لہذا ہمیں اپنی تنخوائیں بمعہ بقایاجات از 9-10-2015 سے ادا کی جائے اس طرح انکی تنخوائیں بنا دی گئی اور DAO آفس ملاکنڈ میں جمع کی گئی ڈاکٹر صاحبہ کی تنخواہ کی بل مبلغ -/254166 روپے پاس ہوئی (Annexure D) پھر بذریعہ خط نمبر admin 2015 (8)-1 مورخہ 07-12-2016 معلوم ہوا کہ ڈاکٹر صاحبہ کی تنخواہ صرف پچاس ہزار روپیہ ہی ہے (Annexure E) ڈاکٹر صاحبہ کی اضافی تنخواہ حق نہیں بنتی اس لئے ان کو -/50,000 کی تنخواہ کی حساب سے صرف -/25000 ہزار روپیہ 15 دن کی تنخواہ دیا ہے (Annexure F)

ڈاکٹر صاحبہ کی بقایا رقم مبلغ 229166 روپیہ واپس حکومت کے خزانے میں جمع کیا ہے (Annexure G)۔  
چارج نمبر 2- مبلغ -/96000 روپیہ بابت کرایہ فلاحی مرکز تھانہ اور ٹوٹی؟

جواب:- (i) رقم مبلغ 36000 روپیہ بحساب 3000 ماہانہ کرایہ مالک مکان عبدالجبار ولد جواب خان کو ماہ 7-2015 سے لیکر جون 2016 تک کرایہ دیا اور ان سے رسید لیا ہے اور زبردستی نے پیمنٹ اسٹیڈ کیا ہے (Annexure H)۔

(ii) اس طرح رقم -/60,000 روپیہ مالک مکان تھانہ سنٹر افضل حسین ولد شیر علی کو ماہ جولائی 2015 تا جون 2016

ادا کی گئی ہے پے منٹ اسٹیڈ رسید منسلک ہے۔ (Annexure I)

احمد علی ضلع آفیسر محکمہ بہبود آبادی ضلع ملاکنڈ بمقام بٹ حیلہ

20-9-2017

Government servants (Efficiency & Discipline) Rules, 2011 will not be adopted.

(iv) **LEAVE:** - You will not be entitled to any kind of leave during the contract period. However, gazetted holidays and casual leave @ 3 days per month during the contract period will be allowed.

STENO

10  
10/8/15  
A11072.A

Dated Peshawar the, 20<sup>th</sup> August, 2015.

To

Dr. Kiran Kalsoom w/o Dr. Zia Ur Rehman,  
Mohallah Syed Abad, Dheri Alladand,  
District, Malakanad, KPK.

Subject: - APPOINTMENT OF WOMEN MEDICAL OFFICERS (MSU)  
ON FIXED SALARY PACKAGE @ Rs. 50,000/- P.M.

In response to your application for appointment as Women Medical Officer in the MSU under fixed salary package of Rs. 50,000/- per month, followed by interview, recommendations of the Departmental Selection Committee and with approval of the competent authority, you are offered appointment on fixed salary, referred to above, on purely contract basis subject to medical fitness, and production of a certificate from at least a BPS-17 gazetted officer regarding your good moral character. TORs / Job description of the post is attached. The terms and conditions of contract appointment would be as under:-

(i) PAY: - Lump sum package is of Rs. 50000/- p.m. No other allowance such as medical, conveyance and daily allowance while conducting camps would be allowed. However for additional duties including training assigned as and when deputed, you will be entitled to draw normal TA/DA like other Women Medical Officers of the regular cadre equivalent to BPS-17.

(ii) CONTRACT DURATION: - The contract appointment will be initially from the date of its commencement up to 30-06-2016 i.e. for a period of one year unless terminated earlier in accordance with the terms and conditions. The period of contract is extendable by the Population Welfare Department Khyber Pakhtunkhwa for another term of contract for a period of one year subject to condition that your conduct and performance were found good and satisfactory. The appointment being purely on fixed monthly package (Rs. 50000/- P.M) and station specific, is non transferable.

(iii) POOR PERFORMANCE / ABSENCE FROM DUTY: - Your services are liable to be terminated on account of poor performance, undesirable conduct and unauthorized / willful absence from duty for a period of more than one week. For this purpose the procedure as laid down in Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 will not be adopted.

(iv) LEAVE: - You will not be entitled to any kind of leave during the contract period. However, gazetted holidays and casual leave @ 3 days per month during the contract period will be allowed.

20 STENO  
2015

*[Handwritten signature]*

(vi) MEDICAL FACILITY: - NO medical facility other than what is

admissible,  
(vii) MATERNITY LEAVE: - Will be permissible to you only for 45 days on full pay from the date of confinement in the Government Hospital.

(viii) TERMINATION OF CONTRACT: - Your appointment during the period of contract shall be liable to termination on 15 days notice from either side or payment of one month pay in lieu thereof, without assigning any reasons.

(ix) SENIORITY / PENSION: - Contract appointment will neither confer upon you any right for regular appointment to the same or any other post nor the services will be counted towards seniority. The service rendered under the present contract shall not qualify you for pension or gratuity.

(x) RESIGNATION FROM SERVICE: - In case of resignation from service, you will be bound to give 15 days notice to the Secretary, Population Welfare Department Khyber Pakhtunkhwa through DPWO prior to the date of relinquishing the charge. In case 15 days notice is not given, you will deposit an amount equivalent to one month's salary.

(xi) INITIAL TRAINING: - One month training in Family Planning, Reproductive Health, Community Mobilization, working with the community, Asepsis, counseling IUCD Insertion and contraceptive technology at Regional Training Institute and RHSC-A Training Centre has been specifically designed for you, which will make you competent to conduct camps in the rural areas and which will be arranged in due course of time and you will have to undergo the same as compulsory.

If you accept this offer of contract appointment, then you should report for duty to DPWO, Malakand within a period of 15 days failing which it will be construed that the offer of contract appointment is not acceptable to you and will be treated as cancelled.

  
SECTION OFFICER (ESTT)

Copy to the:-

1. PS to Advisor for Chief Minister for PW, Khyber Pakhtunkhwa.
2. PS to Secretary, Population Welfare Department, Khyber Pakhtunkhwa, Peshawar.
3. District Population Welfare Officer, Malakand.
4. District Account Officer, Malakand.
5. PA to Director General, PWD, KPK, Peshawar.

SECTION OFFICER (ESTT)

12

OFFICE OF THE  
DISTRICT POPULATION WELFARE OFFICER  
MALAKAND AT B ATKHELA

\*\*\*\*\*

F.No.3(1)/Admn-2015

Dated Batkhela , the 29 /08/2015

OFFICE ORDER

In compliance with Secretary to , Government of Khyber Pakhtunkhwa Population Welfare Department , Peshawar letter No. SOE(PWD)4-43/2015/PV/WMO/5388-9 Dated 20<sup>th</sup> August , 2015 regarding appointment of Women Medical Officers (MSU) on fixed salary package @ Rs. 50000.00 pm .

Dr. Kiran Kalsoom , submitted her arrival report for duty on dated 29<sup>th</sup> August , 2015 and subsequently taken on the staff strength of MSU project , Batkhela from the date of her arrival report. She is further directed to take over the charge of Mobile Service Unit , Batkhela immediately under intimation to this office .

*de*

DISTRICT POPULATION WELFARE OFFICER  
MALAKAND AT B ATKHELA

Copy to :-

- 1- Section Officer (ESTT) Govt: of Khyber Pakhtunkhwa, Population Welfare Department , Peshawar with reference to letter No. cited above for information Please .
- 2- PS to Director General Govt: of Khyber Pakhtunkhwa, Population Welfare Department , Peshawar for information please .
- 3- District Accounts Officer, Malakand for information and necessary action.
- 4- Officer concerned for information and compliance .
- 5- Accounts Assistant local officer for information and necessary action .
- 6- Storekeeper local office for information .

*de*

DISTRICT POPULATION WELFARE OFFICER  
MALAKAND AT B ATKHELA

*de*



ADP MSU BATKHELA MD - 5124

OFFICE OF THE DISTRICT POPULATION WELFARE MALAKAND AT BATKHELA.

EXPENDITURE STATEMENT FOR THE MONTH OF JUNE, 2016

S.No	Description	Object Code	BPS	No Saction Post	Budget for the year 2015-16	Exp: for the Current Month	Previous Exp:	Total Exp:
1	WMO		17	1	0	100000	404838	504838
2	FW-COUNSLLER		11	1	0	30000	152500	182500
3	DRIVER		4	1	0	24000	122400	146400
4	Aya /Helper		1	1	0	24000	122400	146400
	<b>Total Pay</b>				<b>0</b>	<b>178000</b>	<b>802138</b>	<b>980138</b>
	<b>Total Operating Expenses</b>				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	Communication	A032			0	0	0	0
	Postage & Telegraph	A03201			0	0	0	0
	Telephone & T Call	A03202			0	0	0	0
	Courrer Service	A03205			0	0	0	0
	Utilities	A033			0	0	0	0
	Gas	A03301			0	0	0	0
	Water	A03302			0	0	0	0
	Electricity	A03303			0	0	0	0
	Hot & Cool Charges	A03304			0	0	0	0
	Occupancy Cost	A034			0	30000	90000	120000
	Rent of Building	A03402			0	30000	50000	80000
	Travel & Transportation	A038			0	75533	25512	101045
	Travelling Allownce	A03805			0	18190	11810	30000
	Transportation of Goods	A03806			0	10000	0	10000
	POL Charges	A03807			0	36298	13702	50000
	Registration of Vehical	A03603			0	11045	0	11045
	General	A039			0	112000	10000	122000
	Stationery	A03901			0	20000	0	20000
	Printing & Publication	A03902			0	0	10000	10000
	Conference Seminar	A03903			0	0	0	0
	Advertismnt & Publicity	A03907			0	0	0	0
	Cost of Other Store	A03927			0	75000	0	75000
	Foreign Training Course	A03936			0	0	0	0
	Other	A03970			0	17000	0	17000
	Repair & Maintance	A13			0	0	0	0
	Machinery & Epuitment	A13101			0	0	0	0
	Furniture & Fixture	A13201			0	0	0	0
	<b>G.Total Salary &amp; Non Salary</b>				<b>0</b>	<b>395533</b>	<b>927650</b>	<b>1323183</b>

VERIFIED FOR RS 395533/-

DISTRICT POPULATION WELFARE OFFIC MALAKAND AT BATKHELA

AGENCY ACCOUNTS OFFICER MALAKAND

Annex B

The DPWO  
MSU Batches

Malakand

Subject: Resignation from Job  
Respected Sir,

It is stated that I am  
going to start my FCPS training for  
1st August 2016. Therefore I will not be  
able to continue my job as WMO in MSU  
batches.

Kindly accept my resignation and  
arrange replacement. I will be very thankful  
to you for that.

Thank you

Date: 18th July 2016

Applicant  
Dr. Kiran Kalsoo  
WMO Men 25th /

15

P-24/c

Government of Khyber Pakhtunkhwa  
Directorate General Population Welfare,  
FC Trust Building Sunehri Masjid Road,  
Peshawar Cantt

F.No.3(1)/2016-17/ADP

Dated 6<sup>th</sup> Oct., 2016.

To:

The District,  
Population Welfare Officer,  
Battagram, Dir Upper, Malakand  
and Torghar.

MD 5124  
MSU ADP  
2016-17

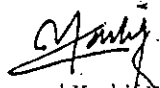
Subject:- BUDGET ESTIMATES OF ADP PROJECT ESTABLISHMENT OF 04 MSUs

Memo:

I am directed to refer to the subject cited above and to state that Finance Department released 25% funds for ADP Project Establishment of Mobile Service Units in districts Battagram, Dir Upper, Malakand and Torghar for current financial year 2016-17. And enclose herewith Audit Copy, release copy and Budget Estimates for further necessary action.

The expenditure should be restricted to the actual release of ADP during the current financial year 2016-17.

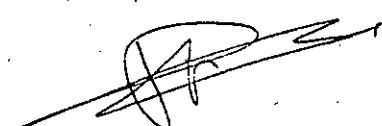
The expenditure involved is debit to the functional object classification 07-Health 074-Public Health 074107-Population Welfare Measures, Fund No.NC-22062(054) during the current financial year 2016-17.

  
(Mohammad Khashi Khan)  
Accounts Officer

Copy to the:-

1. District Accounts Officer, Battagram, Dir Upper, Malakand and Torghar for information and necessary action please.
2. Section Officer (Budget), Population Welfare Department Khyber Pakhtunkhwa Peshawar.
3. P.S to Advisor to Chief Minister for Population Welfare Department Khyber Pakhtunkhwa for information please.
4. P.S to Director General, Population Welfare Department Khyber Pakhtunkhwa Peshawar.

Received on 10/10/2016

  
Accounts Officer

24 Project ID MD14000452 NC22062  
 GET ESTIMATES OF DISTRICT POPULATION WELFARE OFFICE FOR ADP  
 with 074-Population Welfare 074107-Population Welfare Measures Malakand

*Prast*

Object Code	Commitment items (Object Classification)	BPS	Budget Estimates 2016-17
1	2	3	4
	<b>TOTAL SALARY &amp; NON SALARY</b>		<b>2,099,000</b>
A01	<b>EMPLOYEE RELATED EXPENSES</b>		<b>1,366,000</b>
A011	<b>TOTAL PAY</b>		<b>1,366,000</b>
A01106	<b>PAY OF OFFICERS CONTRACT</b>		<b>490,000</b>
	Women Medical Officer/FTO	17/16	490,000
A01156	<b>PAY OF OTHER STAFF CONTRACT</b>		<b>876,000</b>
	Family Welfare Counsellor	11	300,000
	Driver	4	288,000
	Aya	1	288,000
	<b>TOTAL NON SALARY</b>		<b>733,000</b>
A03	<b>OPERATING EXPENSES</b>		<b>653,000</b>
A033	<b>UTILITIES</b>		<b>31,000</b>
A03303	Electricity		20,000
A03304	Hot & Cold Weather Charges		11,000
A034	<b>OCCUPANCY COSTS</b>		<b>120,000</b>
A03402	Rent of Office Building		120,000
A038	<b>TRAVEL &amp; TRANSPORTATION</b>		<b>190,000</b>
A03801	Training Domestic		
A03805	Travelling Allowance (Govt. Servant)		50,000
A03806	Transportation of Goods		30,000
A03807	POL Charges,		110,000
A039	<b>GENERAL</b>		<b>312,000</b>
A03901	Stationery		22,000
A03902	Printing and Publication		40,000
A03907	Advertising & Publicity		20,000
A03927	Purchase of Medicine		200,000
A03936	Foreign/Inland training course fee		
A03970	Others		30,000
A13	<b>REPAIRS AND MAINTENANCE</b>		<b>80,000</b>
A13001	Transport		60,000
A13101	Machinery and Equipment		10,000
A13201	Furniture and Fixture		10,000
	<b>TOTAL SALARY &amp; NON SALARY</b>		<b>2,099,000</b>

*[Signature]*  
 Accounts Officer  
 Population Welfare Department  
 Khyber Pakhtunkhwa Peshawar

2. Deputy Director (Audit) Coord. Khyber Pakhtunkhwa.
3. Officer I/C Provincial Budget Section 640 the Dir Upper Paktunkhwa.
4. Section Officer (Drvl) Finance Department Khyber Pakhtunkhwa alongwith DDG wise statement of release for punching in the system please.
5. Chief (Health) P&D Department.
6. Directorate General, Population Welfare Khyber Pakhtunkhwa.
7. District Account Officer, Battagram, Dir Upper, Malakand & Torghar.
8. District Population Welfare Officer Battagram, Dir Upper, Malakand & Torghar.
9. PS to Secretary, PWD.

*[Signature]*  
 Accounts Officer  
 Population Welfare Department  
 Khyber Pakhtunkhwa Peshawar

*[Signature]*  
 SECTION OFFICER (BUDGET)

**NOTIFICATION**Peshawar dated the 09<sup>th</sup> October, 2015

TR-AD/1-25/2014. The Competent Authority is pleased to revise the pay portion of Project Policy, partially modified vide this Department's Circular TR-VIII & AD/1-25/2007, dated 17<sup>th</sup> October, 2008 as follows:

S.No	2 Pay Scale (BPS)	3 Existing pay (Rs.)  (Lower-Upper) Limit	4 Revised pay (Rs.)  (Lower-Upper) Limit	5 Additional increase be applied to existing employees in addition to their pay not exceeding the upper limit of new Pay Package (Rs.)
		7,000-10,000	15,000-18,000	5,000 ✓
	33-34	10,000-15,000	15,000-25,000	8,000 ✓
	35-10	15,000-25,000	25,000-35,000	8,000
	11-15	30,000-35,000	35,000-45,000	8,000
	16	45,000-50,000	70,000-80,000	25,000
	17	50,000-75,000	85,000-95,000	30,000
	18	75,000-90,000	110,000-120,000	40,000
	19	100,000-110,000	120,000-150,000	50,000
	20	125,000-150,000	150,000-200,000	60,000
	21	150,000-200,000	200,000-250,000	70,000
	22			

CHIEF SECRETARY,  
KHYBER PAKHTUNKHWA.

**ENDST. NO & EVEN DATE**

Copy is forwarded to:-

1. Addl. Chief Secretary, Govt. of Khyber Pakhtunkhwa, P&I Department.
2. Addl. Chief Secretary (FATA), FATA Secretariat Peshawar.
3. The Senior Member Board of Revenue, Khyber Pakhtunkhwa.
4. The Accountant General, Khyber Pakhtunkhwa.
5. ~~All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.~~
6. The Principal Secretary to Governor, Khyber Pakhtunkhwa.
7. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
8. All Divisional Commissioners in Khyber Pakhtunkhwa.
9. All Heads of Attached Departments in Khyber Pakhtunkhwa.
10. All Autonomous/Semi Autonomous Bodies in Khyber Pakhtunkhwa.
11. All Deputy Commissioners in Khyber Pakhtunkhwa and Political Agents in FATA.
12. The Registrar Peshawar High Court, Peshawar.
13. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
14. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
15. All Additional Secretaries, Deputy Secretaries and Section Officers in Establishment &

Contract Contingent Bill No. 100  
Detail Bill sent for counter signature on 12/11/2015

District Population

WFO 20203/33

Welfare Officer

Malakand at Bathkela

Month in which present

Payment at treasury

District

Detailed of  
Ses Of  
Sub-voucher

Detailed Head of Charge (with description where necessary and quotation of authority for charges requiring special sanction)

Voucher No. 1074584  
Date of payment for 15-7-2016

Amount

Ac 1156 - Fixed Pay

Ac 1156  
Fixed Pay

Payment must be made to WFO on 15-7-2016 under MD 512  
A/C of arrears from 9-10-2015

Rs. Rs.  
1074584  
16666/-

Date	Due	Drawn	Difference	Remarks	Amount
9-10-2015	R 66666	R 50000	R 16666		16666/-
31-10-2015					20000/-
1-11-2015					37500/-
30-6-2016					
1-7-2016	37500			certificate	254166/-
15-7-2016					

1- The arrears of WFO from 9-10-2015 to 30-6-2016 are Rs. 254166/-  
2- The claim has not been drawn  
3- NIC copy attached with N.I. 2500/-  
4- I.D.D. 7-12-2015 108/-  
5- I.D.D. 19-11-2015 108/-  
6- I.D.D. 19-11-2015 108/-  
7- I.D.D. 19-11-2015 108/-  
8- I.D.D. 19-11-2015 108/-  
9- I.D.D. 19-11-2015 108/-  
10- I.D.D. 19-11-2015 108/-  
11- I.D.D. 19-11-2015 108/-  
12- I.D.D. 19-11-2015 108/-  
13- I.D.D. 19-11-2015 108/-  
14- I.D.D. 19-11-2015 108/-  
15- I.D.D. 19-11-2015 108/-  
16- I.D.D. 19-11-2015 108/-  
17- I.D.D. 19-11-2015 108/-  
18- I.D.D. 19-11-2015 108/-  
19- I.D.D. 19-11-2015 108/-  
20- I.D.D. 19-11-2015 108/-  
21- I.D.D. 19-11-2015 108/-  
22- I.D.D. 19-11-2015 108/-  
23- I.D.D. 19-11-2015 108/-  
24- I.D.D. 19-11-2015 108/-  
25- I.D.D. 19-11-2015 108/-  
26- I.D.D. 19-11-2015 108/-  
27- I.D.D. 19-11-2015 108/-  
28- I.D.D. 19-11-2015 108/-  
29- I.D.D. 19-11-2015 108/-  
30- I.D.D. 19-11-2015 108/-  
31- I.D.D. 19-11-2015 108/-  
32- I.D.D. 19-11-2015 108/-  
33- I.D.D. 19-11-2015 108/-  
34- I.D.D. 19-11-2015 108/-  
35- I.D.D. 19-11-2015 108/-  
36- I.D.D. 19-11-2015 108/-  
37- I.D.D. 19-11-2015 108/-  
38- I.D.D. 19-11-2015 108/-  
39- I.D.D. 19-11-2015 108/-  
40- I.D.D. 19-11-2015 108/-  
41- I.D.D. 19-11-2015 108/-  
42- I.D.D. 19-11-2015 108/-  
43- I.D.D. 19-11-2015 108/-  
44- I.D.D. 19-11-2015 108/-  
45- I.D.D. 19-11-2015 108/-  
46- I.D.D. 19-11-2015 108/-  
47- I.D.D. 19-11-2015 108/-  
48- I.D.D. 19-11-2015 108/-  
49- I.D.D. 19-11-2015 108/-  
50- I.D.D. 19-11-2015 108/-  
51- I.D.D. 19-11-2015 108/-  
52- I.D.D. 19-11-2015 108/-  
53- I.D.D. 19-11-2015 108/-  
54- I.D.D. 19-11-2015 108/-  
55- I.D.D. 19-11-2015 108/-  
56- I.D.D. 19-11-2015 108/-  
57- I.D.D. 19-11-2015 108/-  
58- I.D.D. 19-11-2015 108/-  
59- I.D.D. 19-11-2015 108/-  
60- I.D.D. 19-11-2015 108/-  
61- I.D.D. 19-11-2015 108/-  
62- I.D.D. 19-11-2015 108/-  
63- I.D.D. 19-11-2015 108/-  
64- I.D.D. 19-11-2015 108/-  
65- I.D.D. 19-11-2015 108/-  
66- I.D.D. 19-11-2015 108/-  
67- I.D.D. 19-11-2015 108/-  
68- I.D.D. 19-11-2015 108/-  
69- I.D.D. 19-11-2015 108/-  
70- I.D.D. 19-11-2015 108/-  
71- I.D.D. 19-11-2015 108/-  
72- I.D.D. 19-11-2015 108/-  
73- I.D.D. 19-11-2015 108/-  
74- I.D.D. 19-11-2015 108/-  
75- I.D.D. 19-11-2015 108/-  
76- I.D.D. 19-11-2015 108/-  
77- I.D.D. 19-11-2015 108/-  
78- I.D.D. 19-11-2015 108/-  
79- I.D.D. 19-11-2015 108/-  
80- I.D.D. 19-11-2015 108/-  
81- I.D.D. 19-11-2015 108/-  
82- I.D.D. 19-11-2015 108/-  
83- I.D.D. 19-11-2015 108/-  
84- I.D.D. 19-11-2015 108/-  
85- I.D.D. 19-11-2015 108/-  
86- I.D.D. 19-11-2015 108/-  
87- I.D.D. 19-11-2015 108/-  
88- I.D.D. 19-11-2015 108/-  
89- I.D.D. 19-11-2015 108/-  
90- I.D.D. 19-11-2015 108/-  
91- I.D.D. 19-11-2015 108/-  
92- I.D.D. 19-11-2015 108/-  
93- I.D.D. 19-11-2015 108/-  
94- I.D.D. 19-11-2015 108/-  
95- I.D.D. 19-11-2015 108/-  
96- I.D.D. 19-11-2015 108/-  
97- I.D.D. 19-11-2015 108/-  
98- I.D.D. 19-11-2015 108/-  
99- I.D.D. 19-11-2015 108/-  
100- I.D.D. 19-11-2015 108/-

District Population  
Welfare Officer  
Malakand at Bathkela

District Population  
Welfare Officer

(Annex D)

POST BOX NO. 235  
FC Trust Building Sunehri Masjid Road,  
Peshawar Cantt. Ph: 091-9211536-38  
\*\*\*\*\*

F.No.1 (8)/2015/Admn /SB 83-26  
Peshawar the 27/12/2016


To

The District,  
Population Welfare Officer,  
Malakand.

Subject:- **RESIGNATION**

I am directed to refer to your letter No. 3 (1)/Admn-2016 dated 26.10.2016 on the above noted subject and to state that Dr. Kiran Kalsoom, was appointed as WMO, (MSU) on fixed salary package @ 50,000/- per month. However, bill for salary in respect of the said WMO attached with your above quoted letter shows that she has been paid 75,000/- per month.

In light of the above, you are directed to recover the over payment from Dr. Kiran Kalsoom, WMO (MSU) at the earliest possible and certificate in this respect be sent to this office to proceed further in the matter.

  
Deputy Director (Admn)

Copy forwarded to the:-

1. Section Officer (Estt), w/r to this office letter of even No. dated 01.09.2016.
2. PS to Director General, PWD, Peshawar Cantt.
3. PS to Director General, PWD, Peshawar Cantt.

D/office work dis

*necessary action please*  
Use card for attached with

(Amovk F)

21

میں مسمیٰ سیاہ خان 10/10 ڈاکٹر برین مکتوم نامہ دیکھ کر

کہ میں نے پہلی آفس بٹھانے سے مبلغ 25000 روپے

بابت تنخواہ اڑھائی جولائی 2016 سے 15 جولائی 2016

تک 15 جولائی 2016 کو 15 دن کی تنخواہ نقد

موصول کیا گیا

ادا کنندہ  
Dy. Commr.

Payment Attestell

بہشتیہ  
دھرم چند  
Sijal

03349349165

District Population  
Welfare Officer  
Malakand at Batakela



To THE MANAGER, STATE BANK OF PAKISTAN  
This portion to be transmitted by the Bank Agent to the Treasury Officer in support of the credit in his daily account

To THE MANAGER, STATE BANK OF PAKISTAN

Received from the bearer the sum of Rs. 229,166/-  
dated the 12th day of 19

to be credited to Government account under the head  
on account of over payment

Manager

Received from the bearer  
dated the 12th day of 19

the sum of Rs. 7,10,000/-  
to be credited to Government account under the head

on account of Fixed Salary of Dr. Karim Khusro, over payment

Manager

Note - The Bank Agent is instructed not to receive money unless both portion of the invoice are carefully and clearly filled in.

See reverse.

N.W.F.P. A&T 200

بھولہ DD ایف من خواہندہ 2015/8) 1 صرف 12/7/2016  
ڈاکٹر کرن ملٹوم کو صرف 15 دن کی منگواہ مبلغ = 25000 روپے  
دور تیار ہونے پر مبلغ = 229,166 روپے واپس لے لیا گیا۔

District Population Welfare Officer  
Malakand at Batkhela

(Annex H)

سید

بابت گرانہ فلاں فرسٹ ٹوٹی ٹی ٹی  
 مبالغہ از قلم 7/2015 تا 6/2016 مگر 12 ماہ کی پٹر کہیں  
 مبلغ 3000/- روپیہ نقد اپنی آفتاب کے ذریعہ  
 و وصول 6/2016

عبدالحمید خان  
 خان عکرم خان عبدالحمید خان و 3-1 خان سید

PAYMENT ATTESTED

Distt: Population Welfare Officer  
MALAKAND (BATKHEI)

Detail bill sent for counter signature on .....

23

District	Bill for contingent charges of	Month in which present Payment at treasury ..... 19									
Wile	07- Health 074- Public Health Services Head of service 107- Population Welfare Measures	Voucher No. <u>1109</u> List of payment for 19									
Detailed of Nos. Of Sub-voucher	Detailed Head of Charge (with description where necessary and quotation of authority for charges requiring special sanction. A03402- Rent for 7/2015 to 6/2016	Amount									
A03402 Rent A.C.F	<p>Payment be made to the creator of building PWG Total on A.C.F Rent charges w.e. from 7/2015 to 6/2016 @ Rs. 3000/pm under MD 5068-ADD</p> <table border="1" data-bbox="470 847 1332 1021"> <thead> <tr> <th>Rate</th> <th>Months</th> <th>Total Rs.</th> </tr> </thead> <tbody> <tr> <td>3000</td> <td>x 12</td> <td>= Rs. 36000/-</td> </tr> </tbody> </table> <p>certificate No. 1274192 Sanction obtained from the CIA copy attached The claim has not been received previously Add relevant documents attached</p>	Rate	Months	Total Rs.	3000	x 12	= Rs. 36000/-	Rs.	Ps.	Rs.	Ps.
Rate	Months	Total Rs.									
3000	x 12	= Rs. 36000/-									
District Population Welfare Officer Malakand at Batkhela		Carried over		Rs. 36000/-							

N.B. - Treasury officer will make payment of this bill but the drawer should be certain to include the detailed Contingent amount of the abstract encashed at the treasury during the month "District Population Welfare Officer only the Malakand at Batkhela" Officer"

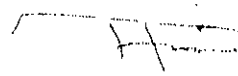
20  
Rent Assessment Certificate.

The rent of Rs.3000/- Per Month (Three Thousand Only) for the building owned by Mr. Abdul Jabar S/O Jawab Khan village Toti District Malakand occupied for the F.W.C. Toti.

This Certificate is valid for the year 2015-16 for the period till the building remains in occupation by the concerned office / department and certificate issued as per request of District Population Welfare Officer Malakand at Batkhela No.F.No.3 (15) / Admn: ADP:-2016 dated:-02-03-2016.

  
SUB DIVISIONAL OFFICER  
C&W SUB DIVISION NO.1 MALAKAND

COUNTERSIGNED

  
EXECUTIVE ENGINEER  
C&W DIVISION MALAKAND

21

OFFICE OF THE PROJECT DIRECTOR ESTABLISHMENT OF 1000 FWCs  
Ali House, Qafila Road, Tehkal Payan, Peshawar.

F.No.1(3)/PD/FWC/2015-16

Dated 24<sup>th</sup> June, 2016.

SANCTION

Under the power delegated to me vide para-5(xvi) under delegation of financial powers and the Power of Re-Appropriation Rules 2001. Sanction is hereby accorded to the incurrence of an expenditure of Rs.438000/- (Rupees Four hundred and Thirty Eight Thousand only), on account rent of office building DPWO Malakand at Batkhela ADP FWCs in favour of the following FW Centres subject to the completion of all codal formalities reflected in GFR and possession of the building.

S.No.	Name of FW Centre	Period	Per Month	Total
1	FWC Matkani	July, 2015 to June, 2016	3500	42000
2.	FWC Kopar Khass	-do-	3500	42000
3.	FWC Totai	-do-	3000	36000
4.	FWC Malakand Khass	-do-	3500	42000
5.	FWC Batkhela Upper	-do-	5000	60000
6.	FWC Dheri Alladand	-do-	5000	60000
7.	FWC Inzargai Agra	-do-	3000	36000
8.	FWC Totkai Shaheed Batkhela	-do-	5000	60000
9.	FWC Dheri Julagram	-do-	5000	60000
			Total:-	Rs.438000/-

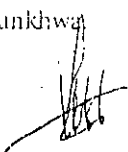
The expenditure involved may be charged from the Major Function 07-Health 074-Public Health Services 074107-Population Welfare Measures (Development Expenditure) under Object A03402-Rent of building for the current financial year 2015-16.

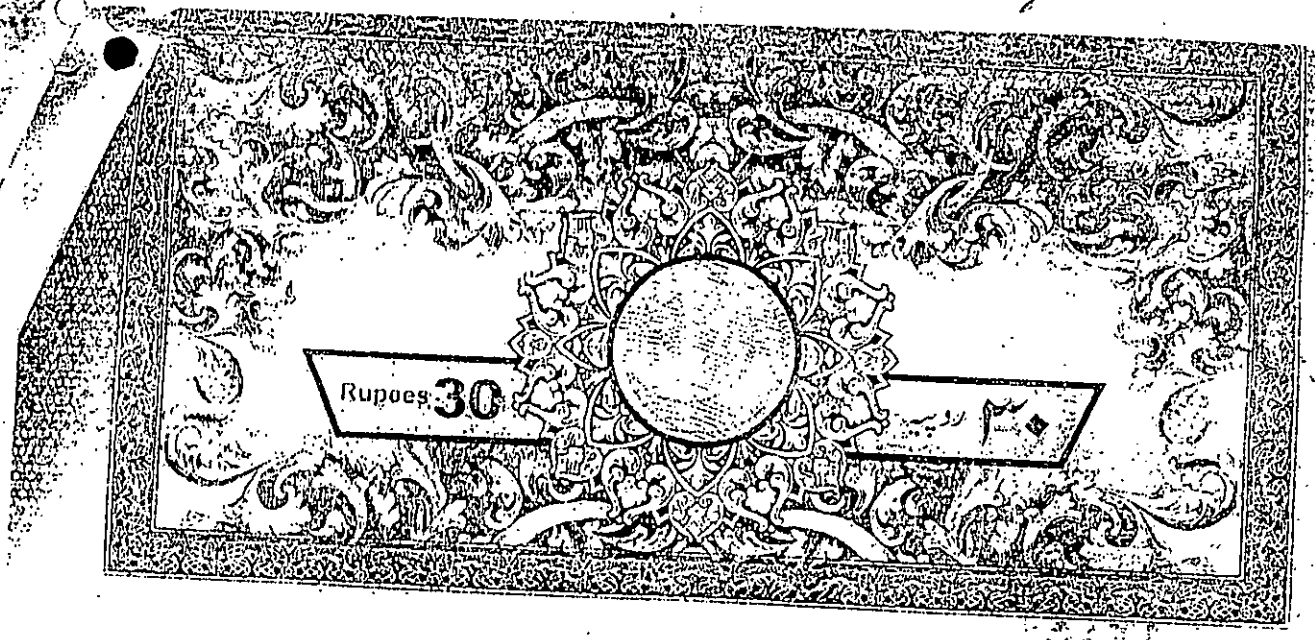
/

Project Director

Copy to the:-

1. District Accounts Officer Malakand for information please.
2. The District Population Welfare Officer, Malakand at Batkhela for information with reference to his letters No.2 (5)/Acctt:-2010 dated 21-05-2016.
3. P.S to Director General, Population Welfare Department Khyber Pakhtunkhwa

  
(Noor Afzal)  
Project Director



LEASE DEED

THIS INDENTURE MADE and entered in to Malakand on this day 1-7-2015 between Mr / Mrs / Miss Abdul jabar s/o Jawab Khan resident of village Toti, District Malakand here-in-after referred to as the 'LESSOR' (which expression shall unless repugnant to the context, mean and include this lessee, assigns, executors, administrator and legal representatives), on the one part and the Government of K.P.K, Population Welfare Department here-in-after referred to as the 'LESSEE' on the other part.

2- WHEREAS the said lessor is the owner of the building named \_\_\_\_\_ constructed on plot No. \_\_\_\_\_ here-in-after to us the 'PREMISES' and has agreed to give to the Population Welfare Department of the Government of KP/K on the said premises particulars of which and list of fixture and fittings contained in which are given in the schedule annexed.

3- AND WHEREAS THE lessee has agreed to take the said premises on lease for the Period specified in clause 4 below.

NOW, THEREFORE THIS INDENTURE WITNESSETH and pursuant to this agreement and in consideration of the rent herein specified and of the covenant and conditions herein contained, the lessor does hereby grant and demise in to the Lease the said premises for a period of 3 year with effect from the date on which vacant possession of the premises is handed over to the lessee. Provided that the period of the lessee extended for a further period of one year on the same terms and condition if the lessee notifies the lessors three months prior to the termination of the lease, otherwise the lease shall terminate automatically.

5- The rent of the premises shall be Rs. 3000/- per month only. Per month inclusive of the rent of fittings and fixture and shall be paid as follows. The rent will be paid on monthly basis either within the quarter for which it relates it relates to, within thirty days of the expiry of each quarter. PROVIDE that if the amount of advance rent specified at above, a sum of \_\_\_\_\_ being equal to one month's rent of the premises shall be held by the lesser in reserve until the end of the lease period to be used by him in case the lessor fails to carry out repairs etc, as provided for in, this agreement after he has served with a notice of 30-days in writing. Provided further that if any of this reserve amount remains unspent after meeting such charges. It shall be paid by the lessee after expiry of lease period and in case lessee is obliged to incur expenses in excess of the reserve amount it shall be recoverable from the lessor. Provided further that the lessee shall have to render an account to the lessor of the expenditure incurred of the expenditure incurred on repairs etc, on this behalf.