

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

BEFORE: **KALIM ARSHAD KHAN ...CHAIRMAN**
SALAH UD DIN ...MEMBER (Judicial)

Service Appeal No. 170/2022

Date of presentation of appeal.....07.02.2022
Date of Hearing.....06.03.2023
Date of Decision.....06.03.2023

Mr. Mukhtiar Hussain, Sub-Engineer (BPS-11), Office of the Executive Engineer C&W Department, Dir Upper.

.....*Appellant*

Versus

1. **Secretary to the Government** of Khyber Pakhtunkhwa Communications and Works Department, Peshawar.
2. **Chief Engineer(Center)**, Communications and Works Department, Peshawar.
3. **Superintending Engineer**, Communications and Works Circle, Dir Lower.

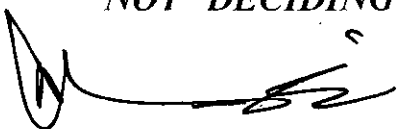
.....(*Respondents*)

Present:

Mr. Kamran Khan,
Advocate.....For the appellant.

Muhammad Adeel Butt,
Additional Advocate GeneralFor respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 13.04.2021 WHEREBY MINOR PENALTIES OF WITHHOLDING OF PROMOTION FOR A PERIOD OF TWO YEARS AND RECOVERIES OF EMOLUMENTS SO RECEIVED HAVE BEEN IMPOSED AGAINST THE APPELLANT AND AGAINST THE INACTION OF THE RESPONDENTS BY NOT DECIDING THE DEPARTMENTAL APPEAL OF



**THE APPELLANT WITHIN THE STATUTORY PERIOD
OF NINETY DAYS.**

JUDGMENT

KALIM ARSHAD KHAN CHAIRMAN: According to the memorandum and grounds of appeal, the appellant was appointed as Road Inspector (BPS-06) in the respondent/department on 11.02.1990; that he at serial No.9 of the joint seniority list of work superintendent, work supervisors and road inspector notified on 01.01.2011 and was in the line of promotion as Sub-Engineer that was why he was appointed as such on acting charge basis (ACB) on 01.04.2011; that the appellant had passed the departmental professional examination; that according to the service rules/structure notified vide notification dated 25.03.2010 the prospect of promotion to the post of sub-engineer is:

""d) five percent by promotion, on the basis of seniority cum fitness, from amongst the work superintendents/work supervisors/road inspectors, with seven years' service as such, having three years diploma of electrical/mechanical technology from a recognized board."

That vide letter dated 27.01.2020 the respondents asked the appellant to provide his diploma in the relevant technology; that vide letter dated 19.03.2021 a show cause notice was issued to the appellant wherein plethora of allegations were leveled against the appellant regarding his provision of fake/bogus diploma and getting benefits therefrom; that the appellant submitted reply and clarified his stance by providing relevant documents; that vide the impugned order dated 13.04.2021 minor penalties of withholding of promotion for a period of two years and recovery of




emoluments so received due to the so called out of turn promotion were imposed upon the appellant; that the appellant filed departmental appeal on 06.05.2021 but no response was given by the respondents within ninety days compelling the appellant to file this appeal on 07.02.2022.

2. On receipt of the appeal and its admission to full hearing, the respondents were summoned. Respondents put appearance and contested the appeal by filing written reply raising therein numerous legal and factual objections. The defence setup was a total denial of the claim of the appellant. It was mainly contended in the reply that the appellant when produced his Diploma of Associate Engineer (DAE) in Electrical Technology, his name was entered in the seniority list of the Work Superintendents, Work Supervisors and Road Inspectors having DAE in Electrical, Mechanical Technology as per the then Appointment/Recruitment Rules, so he was appointed as Sub-Engineer on Acting Charge Basis under the said quota; that during the period he was working as Sub-Engineer on Acting Charge Basis, he intended to take part in the Professional Examination which was pre-requisite for subsequent promotion to the post of Sub Divisional Officer; that the appellant annexed the DAE Civil Technology of the sessions-2018 whereas he produced his DAE in Electrical Technology for the year 2000 and 2004, which were sent to the Board of Technical Education, which declared the same as "bogus/fake" vide letter No.BTE/Cert/Veri/2229 dated 20.02.2009 and letter No.BTE/PA/16536 dated 29.10.2020; that the DAE of the session 2004 was awarded to one Mukhtiar Ali son of Qura Hassan Khan and not to the appellant Mukhtiar Hussain son Baw Jan, which meant that



the appellant got benefit of Acting Charge appointment as Sub-Engineer (BPS-11) on the basis of fake DAE in Electrical Technology in connivance with the then official hands, not in service at present; that the appellant preferred appeal to the Secretary C&W Department to include his name in the seniority list on the basis of his double MA which meant that till 10/2006 he was not possessing DAE in either Civil or Mechanical Technologies; that the appellant himself quoted sub-rule(d) against the post of Sub-Engineer reserved for those Work Superintendents/Work Supervisors & Road Inspectors with seven years' service and having three years Diploma in Electrical/Mechanical Technology and that way he was promoted on regular basis whereas in paragraph 4 the appellant had mentioned DAE Civil Technology of the session-2018; had he been in possession of DAE Civil of the year 2018 he would have been placed in the relevant seniority and should accordingly have been promoted on his turn i.e. the date when he acquired the DAE Civil and not from the list of the officials possessing DAE in Electrical/Mechanical Technology; that on receipt of a complaint, the appellant was asked to furnish original DAE Electrical vide letter No.52-E/332/CEC/C&WD dated 27.01.2020 and a fact finding enquiry was conducted by Engineer Shakir Habib; that the matter for then referred to the Competent Authority Chief Engineer (Center) for taking disciplinary action against the appellant; that the Competent Authority dispensed with the formal enquiry and issued show cause notice providing opportunity of hearing to the appellant; that after receipt of reply the impugned order was passed.

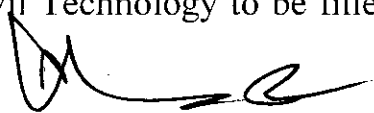


3. We have heard learned counsel for the appellant and learned Additional Advocate General for the respondents.

4. The Learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned Additional Advocate General controverted the same by supporting the impugned order.

5. We summoned the working paper and minutes of the meeting of the Departmental Promotion Committee, vide which the appellant was granted promotion. On perusal of the working paper prepared and sent vide letter No.177-E/994/CEC/C&WD dated 15.11.2019, the name of the appellant figured in item No. II *"PROMOTION OF WORK SUPERINTENDENT/WORK SUPERVISOR/ROAD INSPECTORS HAVINH THREE YEARS DIPLOMA IN ELECTRICAL/MECHANICAL TECHNOLOGY, TO THE CADRE POST OF SUB-ENGINEERS (BS-12)"*.

The very heading enumerated above with capital letters shows that the appellant was proposed under rule 5(d) of the Appointment & Recruitment Rules, 2010, to be considered for promotion to the post of Sub-Engineer (BS-12) against the 5% reserved post to be filled in by promotion on the basis of seniority cum fitness from amongst the Work Superintendent/Work Supervisor/Road Inspector with seven years' service as such having three years diploma in **Electrical/Mechanical Technology** from a recognized Board. And accordingly vide minutes of the DSC meeting held on 20.11.2020, the appellant was considered against item No.II and was promoted on the basis of **DAE Electrical Technology** and not on the basis of DAE Civil Technology to be filled under rule 5(e) of the above rules, as



the appellant could neither be considered nor promoted against the reserved post under rule 5(e) of the rules because he was not on the relevant seniority list of the persons with DAE Civil. It appears that the appellant had misled the authorities and was trying to misinform us also. In the circumstances the impugned action is hardly open to any exception. The learned counsel for the appellant relied on 2020 SCMR 188 titled "*Shams ur Rehman versus Military Accountant General Rawalpindi and another*", wherein it was held that the higher selection grade granted due to fault of the department could not be withdrawn when there was no role of the petitioner in obtaining such post. This case law is inapplicable to the facts of the instant matter as in this case it was the appellant who had been all out to get promotion etc by using all means, thus he had an active role in obtaining the post and the department does not seem to be at any fault.

6. Therefore, this appeal is misconceived and is accordingly dismissed. We direct that costs of this appeal shall follow the result.

7. Before parting with we would like to observe that the attitude of the departmental representative in this appeal is also casual and irresponsible. They did not bother to place on file the relevant record enabling the Tribunal to reach a just and proper conclusion. The Tribunal was constrained to direct the learned Additional Advocate General to requisition the working papers and the minutes of the DSC for perusal and assistance. It was then those were produced and we decided this appeal. Copy of this judgment be sent to the Secretary to the Government of Khyber Pakhtunkhwa C&W




Department, Peshawar for looking into the conduct of the concerned.

Consign.

8. *Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 6th day of March, 2023.*



KALIM ARSHAD KHAN
Chairman



SALAH UD DIN
Member (Judicial)

ORDER

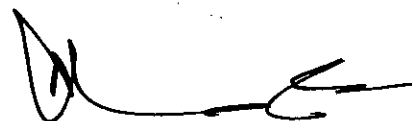
6th Mar, 2023

1. Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

2. Vide our detailed judgement of today placed on file, this appeal is misconceived and is accordingly dismissed. We direct that costs of this appeal shall follow the result.

3. Before parting with we would like to observe that the attitude of the departmental representative in this appeal is also casual and irresponsible. They did not bother to place on file the relevant record enabling the Tribunal to reach a just and proper conclusion. The Tribunal was constrained to direct the learned Additional Advocate General to requisition the working papers and the minutes of the DSC for perusal and assistance. It was then those were produced and we decided this appeal. Copy of this judgment be sent to the Secretary to the Government of Khyber Pakhtunkhwa C&W Department, Peshawar for looking into the conduct of the concerned. Consign.

4. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 6th day of March, 2023.*



(Kalim Arshad Khan)
Chairman




(Salah Ud Din)
Member(Judicial)

15th Nov. 2022 Counsel for the appellant present.

Mr. Muhammad Jan, District Attorney alongwith Naeemul Haq, Budget & Accounts Officer t for the respondents present.

Former requested for adjournment in order to further prepare the brief. Adjourned. To come up for arguments on 11.01.2023 before the D.B.

SCANNED
BY
RASHAWAR


(FAREEHA PAUL)
Member(E)

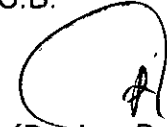

(ROZINA REHMAN)
Member (J)

09.06.2022

Junior to counsel for the appellant present.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General. alongwith Habib Ullah Superintendent for respondents present.

Reply on behalf of respondents was not submitted. Representative of respondents requested for time to submit reply/comments. Opportunity is granted. To come up for reply/comments on 05.07.2022 before S.B.



(Rozina Rehman)
Member (J)

05th July, 2022

Counsel for appellant present. Mr. Naseer ud Din Shah, Assistant AG for respondents present.

Respondents have not submitted written reply/comments. Learned AAG seeks time for submission of written reply/comments. Last chance is given. To come up for written reply/comments on 06.09.2022 before S.B.



(Kalim Arshad Khan)
Chairman.

06 September, 2022

Counsel for the appellant present. Mr. Kabirullah Khattak. Addl. AG alongwith Naseemul Haq, B&AO for the respondents present.

Representative of the respondents submitted reply/comments which is placed on file. To come up for arguments on 15.11.2022 before D.B. P.P is given to the parties.



(Kalim Arshad Khan)
Chairman

21.04.2022

Counsel for the appellant present. Preliminary arguments heard.

SCANNED
KPST
Peshawar

Learned counsel for the appellant while arguing the case at Preliminary hearing, contended that the appellant is aggrieved of the impugned order dated 13.04.2021 whereby minor penalties of withholding of promotion for a period of two year and recovery of emoluments so received as a result of out of turn promotion on the basis of "proved fake documents" were imposed against the appellant. His departmental appeal dated 06.05.2021 was not responded within the stipulated time where-after the service appeal has been instituted invoking the jurisdiction of Service Tribunal ^{under} Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. It was further argued that the appellant was appointed as Road Inspector on 01.04.2011 who acquired Diploma of Associate Engineer during service in 2013 which has been made the basis for awarding him the penalties. No regular enquiry has been conducted against the appellant and no charge sheet/statement of allegations issued to him. The ends of justice have not been met before awarding him the penalty. On the question of limitation i.e about one month, learned counsel for the appellant replied that being a recurring cause and a void order, no limitation runs against it.

The appeal is admitted to regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for submission of reply/comments. To come up for reply/comments on 09.06.2022 before S.B.

Alongwith the service appeal an application for suspension of order dated 13.04.2021 to the extent of recovery of emoluments received so due to the promotion, till final disposal of the appeal. Notice of this application be also issued to the respondents for the date fixed.

(Mian Muhammad)
Member(E)

Rs-500/-
Appellant Deposited
Security & Process Fee

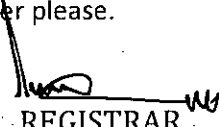
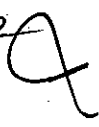

A. J. J. with
25/4/22

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 170/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/02/2022	<p>The appeal of Mr. Mukhtair Hussain presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>01-04-2022</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>01.04.2022</p> <p>Junior of learned counsel for the appellant present. Seeks adjournment on the ground that learned senior counsel is not available today due to some domestic engagement. Adjourned. To come up for preliminary hearing on 21.04.2022 before the S.B.</p> <p style="text-align: right;"> Chairman</p>

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: Murhtiar Hussain v/s C & W Deptt

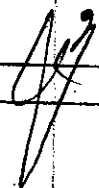
S#	CONTENTS	YES	NO
1	This Appeal has been presented by: <u>Abul Mohammad KTR</u>	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	✓	
26	Whether copies of comments/reply/rejoinder submitted? On _____	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____	✓	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Abul Mohammad KTR

Signature: _____

Dated: _____



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

SERVICE APPEAL NO. 170 /2022

MUKHTIAR HUSSAIN

V/S

C&W DEPTT:

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Dated: ____/.02./2022

APPELLANT

Through:

NOOR MOHAMMAD KHATTAK

ADVOCATE

0345-9383141

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 170 /2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 162

Dated 07/02/2022

Mr. Mukhtiar Hussain, Sub-Engineer (BPS-11),
O/O Executive Engineer C&W Department, Dir Upper

..... APPELLANT

VERSUS

- 1- The Secretary C&W Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Chief Engineer (Centre) C&W Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Superintendent Engineer C&W Circle, Dir Lower.

..... RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 13.04.2021 WHEREBY MINOR PENALTIES OF WITHHOLDING OF PROMOTION FOR A PERIOD OF TWO YEARS AND RECOVERIES OF EMOLUMENTS SO RECEIVED HAVE BEEN IMPOSED AGAINST THE APPELLANT AND AGAINST THE INACTION OF THE RESPONDENTS BY NOT DECIDING THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

That on acceptance of this appeal the impugned order dated 13.04.2021 may very kindly be set aside and the appellant may please be restored/ promoted to his substantive post with all back benefits as well as the recovery may also be declared as illegal and unlawful. Any other remedy which this august Service Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:

- 1- That appellant was appointed as Road Inspector (BPS-06) in the respondents department vide order dated 11.02.1990. Copy of the service book having entry regarding appointment of the appellant is attached as annexureA.
- 2- That appellant was at serial No. 9 of the joint seniority list of work superintendent, work supervisors and road inspector notified on 01.01.2011 and was in line for promotion to the post of sub-engineer, hence the was appointed as Sub-Engineer (BPS-11) on

Filed to day
by
Registrar
7/2/2022

acting charge basis vide order dated 01.04.2011. Copies of the seniority list dated 01.01.2011 and order dated 01.04.2011 are attached as annexure**B&C.**

3- That it is pertinent to mention here that appellant has passed the Departmental Professional Examination and vide office order dated 08.02.2012 the same has been notified. Copy of the order dated 08.02.2012 is attached as annexure**D.**

4- That it is also important to mention here that the appellant has cleared the Diploma of Associate Engineer in the year 2018 from the Khyber Pakhtunkhwa Board of Technical Education. Copy of the diploma is attached as annexure**E.**

5- That according the service rules/ structure notified vide notification dated 25.03.2010 wherein the prospect of promotion to the post of sub-engineer is

d) five percent by promotion, on the basis of seniority cum fitness, from amongst the work superintendents/ work supervisors/ road inspectors, with seven years' service as such, having three years diploma of electrical/ mechanical technology from a recognized board.

That the appellant was qualified on the ibid rules therefore was regularly promoted to the post of Sub-Engineer (BPS-12) vide order dated 25.11.2019 and was posted in the District Chitral. Copies of the service rules and order dated 25.11.2019 are attached as annexure**F & G.**

6- That it is important to mention her that vide letter dated 27.01.2020 the respondents asked the appellant to provide his diploma in the relevant technology. Copy of the letter dated 27.01.2020 is attached as annexure**H.**

7- That vide letter dated 19.03.2021 a show cause notice was issued to the appellant wherein plethora of allegations were leveled against the appellant regarding his provision of fake/ bogus diploma and getting benefits over that diploma. Copy of the show cause notice is attached as annexure**I.**

8- That the appellant submitted a detail reply to the mentioned show cause notice and have clarified his stance as well as provided relevant documents to the competent authority. Copy of the reply is attached as annexure**J.**

9- That appellant was quite hopeful for filling of the complaint/ so called enquiry and exonerating him from the mentioned charges but astonishingly vide impugned order dated 13.04.2021 minor penalties of withholding of promotion for a period of two years and recoveries of emoluments so received due to the so called out

of turn promotion. Copy of the impugned order dated 13.04.2021 is attached as annexure K.

- 10- That feeling aggrieved from the impugned order dated 13.04.2021 the appellant preferred departmental appeal 06.05.2021 but no response has been given by the appellate authority till the expiry of the statutory period of ninety days. Copy of departmental appeal is attached as annexure..... L.
- 11- That appellant, having no other remedy, prefer the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned order dated 13.04.2021 whereby minor penalties of withholding of promotion for a period of two years and recoveries of emoluments so received due to out of turn promotion and fake documents are against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That appellant has not been treated in accordance with law and rules by the respondent Department on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondents acted in arbitrary and mala fide manner by awarding minor penalty of withholding of promotion for a period of two years and the said penalty is strange in law as well.
- D- That no charge sheet and statement of allegation has been served on the appellant prior to the issuance of the impugned order dated 13.04.2021.
- E- That neither show cause nor chance of personal hearing has been provided to the appellant before issuance of the impugned order dated 13.4.2021.
- F- That it is worth to mention here that there is no regular inquiry in the case of the appellant had been conducted and it had been held by the Supreme Court of Pakistan in plethora of cases that no punishment be awarded without conducting regular inquiry.
- G- That the diploma of the appellant is genuine and as such the appellant is entitled for restoration of his promotion order with ll back benefits.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 31.01.2022

APPELLANT

Casul m

MUKHTIAR HUSSAIN

THOROUGH:

NOOR MOHAMMAD KHATTAK

[Signature]

KAMRAN KHAN

[Signature]

SAID KHAN

[Signature]

**UMAR FAROOQ
ADVOCATES**

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____ /2022

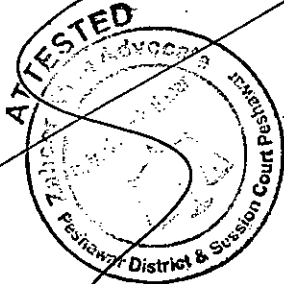
MUKHTIAR HUSSAIN

VS

C&W DEPTT:

AFFIDAVIT

Stated on oath that the contents of the accompanying service appeal are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



Qum
DEPONENT

CERTIFICATE:

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

[Signature]
CERTIFICATION

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M NO. _____ / 2022

IN

APPEAL No. _____ / 2022

MUKHTIAR HUSSAIN

VS

C & W DEPTT:

APPLICATION FOR SUSPENSION OF OFFICE ORDER DATED
13-04-2021 TO THE EXENT OF RECOVERY OF EMOLUMENTS
RECEIVED SO DUE TO THE PROMOTION TILL THE FINAL
DISPOSAL OF THE APPEAL

R/SHEWETH:

- 1- That the above mentioned appeal along with this application has been filed by the appellant before this august service Tribunal in which no date has been fixed so far.
- 2- That applicant filed the above mentioned appeal against the recovery of emoluments so received due to the promotion of the appellant.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned office order dated 13-04-2021 is against the interest of the appellant and there is every hope of success of the appeal .
- 5- That recovery of emoluments from appellant at this critical juncture is utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the respondents may please be restrained not to recover the emoluments received as a result of promotion till the final decision of the appeal.

Dated: 04.02.2022

APPLICANT

Curd _____ m
MUKHTIAR HUSSAIN

THROUGH:

[Signature]
NOOR MOHAMMAD KHATTAK
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2022

MUKHTIAR HUSSAIN

VS

C&W DEPTT:

APPLICATION FOR CONDONATION OF DELAY IN FILING THE ABOVE NOTED APPEAL

R.SHEWETH:

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so far.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:

GROUND OF APPLICATION:

- A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.
- B- That it has been the consistent view of the Superior Courts that cases should be decided on merit rather on technicalities including the limitation. The same is reported in 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing the above noted appeal may please be condoned.

Dated: 04.02.2022

APPELLANT

Coent
MUKHTIAR HUSSAIN

THROUGH:

[Signature]
**NOOR MOHAMMAD KHATTAK
ADVOCATE**

ANNEX A

8

A

9	10	11	12	13		14	15
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Signature and designation of the head of the office or other attesting officer in attestation columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Period	Government to which debitable	Signature of the head of the office or other attesting officer	Reference to any recorded point-in-time of award or praise of the Government of Service
		Appointed as Road Inspector in BPS (6) vide Superintending Engineer Civil Circle Malakand at Swat					
	14/2/90					Executive Engineer Highway Division Timergara	
						Executive Engineer Highway Division Timergara	
	30/11/90	(AN) Annual Increment granted.				Executive Engineer Highway Division Timergara	
	31/5/91	(AN) Pay Revision 1991.				Executive Engineer Highway Division Timergara	
	31/5/91	(AN) Four Advance Increment granted being B.A. (Higher Qualification)				Executive Engineer Highway Division Timergara	

~~ATTESTED~~

ANNEX B (9)

OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR.

40

No. 52-E/ 11 / CE / C&WD

Dated Peshawar the 01 / 01 / 2011

(B)

NOTIFICATION

In pursuance to Rule 5(d) (Engineering Service) of the Notification No. SOE/C&WD/8-12/2009 dated 25-03-2010, Final Seniority List of Work Superintendents / Work Supervisors And Road Inspectors (having 3-years Diploma in Electrical/Mechanical Technology) as stood on 31-12-2010, is hereby notified as under :-

Sl: No	Name of Official	Father's Name	Domicile	Qualification	Date of Birth	Date of Appointment in PWD	Date of Appointment to Present Class	Present Posting	Remarks
1	Mr. Tahir Zaman.	Fazal Rehman	D.I.Khan	(i) Matric (ii) DAE (M) 1990	02-10-1967	30-11-1995	30-11-1995	XEN C&W D.I.Khan	
2	Mr. Tariq Ali.	Mazhar Ali	Abbottabad	(i) Matric (ii) DAE (E) 1998	04-10-1976	03-12-1995	03-12-1995 (Super. Mech. B-11)	XEN C&W Abbottabad	
3	Mr. Zulfiqar Ali.	Rahim Khan	F.R Bannu	(i) B.A (ii) DAE (M) 1983	22-01-1965	13-12-1986 (Driller)	09-09-1995 (Superintendent E&M B-9)	XEN Bldg-1 Peshawar	
4	Mr. Rab Nawaz Khan.	Wazir Muhammad	Mardan	(i) Matric (ii) DAE (M) 1991	02-06-1972	05-06-1994 (Mech. Mistry)	01-11-2000 (Supervisor B-11)	XEN C&W Mardan	
5	Fazli Rabbi.	Ghulam Sarwar	Peshawar	(i) B.A (ii) DAE (M) 1987	20-04-1968	(i) 12-09-1991 (Tracer) (ii) 01-06-1996 (W/Taker) (iii) 01-12-1998 (R/Inspector)	21-12-2001 (Supervisor) 01-12-2001 (W/Supervisor)	XEN C&W Nowshera	
6	Mr. Hidayat Ullah	Habib Ullah	D.I.Khan	(i) Matric (ii) DAE (M) 1985	13-04-1963	07-06-2002	07-06-2002 (Super. scr B-11)	XEN C&W Tank	Previous Service 22-08-1987 to 06-06-2002 as Driller (B-11) with PHE.
7	Mr. Imran Yousaf.	Muhammad Yousaf	Peshawar	(i) Matric (ii) DAE (E) 1991	28-08-1972	15-02-2007	15-02-2007 (W/Supervisor B-11)	XEN PBMC Peshawar	
8	Mr. Muhammad Anwar.	Muhammad Sadiq	D.I.Khan	(i) Matric (ii) DAE (M) 1985	07-02-1964	22-10-1986	22-10-1986 (R/Inspector B-06)	XEN C&W Tank	
9	Mr. Mukhtiar Hussain.	Said Bio Jan	Dir Upper	(i) M.A (ii) DAE (E) 2004	12-03-1965	12-02-1990	12-02-1990 (R/Inspector B-06)	XEN C&W Dir Upper	
10	Mr. Alamgir Khan. ✓	Abdullah Khan	Malakand	(i) B.A (ii) DAE (M) 1988	06-11-1968	29-09-1991	29-09-1991 (R/Inspector B-06)	XEN C&W Malakand	
11	Mr. Asifullah Khan. ✓	Faizullah Khan	D.I.Khan	(i) Matric (ii) DAE (M) 1985	07-04-1965	14-03-1992	14-03-1992 (R/Inspector B-06)	XEN C&W D.I.Khan	

ATTESTED

12	Mr. Sultan Mehmood ✓	Zarif Khan	Kohat	(i) F.A (ii) DAE (E) 1990	07-05-1968	01-08-1992	01-08-1992 (R/Inspector B-03)	XEN C&W Hangu	
13	Mr. Amirullah Khan. ✓	Gul Payozad Khan	Bannu	(i) Matric (ii) DAE (M) 1986	27-03-1967	29-06-1995	29-06-1995 (R/Inspector B-03)	XEN C&W Bannu	
14	Mr. Umar Khitab. ✓	Muhammad Zaman	Bannu	(i) Matric (ii) DAE (E) 1993	10-01-1970	26-09-1995	26-09-1995 (R/Inspector B-03)	XEN C&W Bannu	
15	Mr. Babar Khan. ✓	Zabardast Khan	Kohat	(i) B.A (ii) DAE (E) 1993	01-04-1973	17-09-1996	17-09-1996 (R/Inspector B-03)	XEN C&W Kohat	

(ENGR. USMAN KHAN)
CHIEF ENGINEER (CENTRE)

Copy forwarded to the:-

- 1. Station Officer (Estab) C&W Department Khyber Pakhtunkhwa, Peshawar.
- 2. The Chief Engineers in C&W Department (i/c FATA).
- 3. The Intending Engineer Provincial Building (Const.) C&WD Peshawar.
- 4. The Intending Engineer PBMC, C&W Department Peshawar.
- 5. The Superintending Engineers in C&W Department.
- 6. The Executive Engineers in C&W Department.

(AMINULLAH KHAN)
ADMINISTRATIVE OFFICER

ATTESTED

ANNEX C

OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR.

No. 52-E / 130 / CE / C&WD

Dated Peshawar the 01 / 04 / 2011

OFFICE ORDER

On the recommendations of the Departmental Promotion Committee in its meeting held on 01-03-2011, the following Work Superintendents/Work Supervisors/Road Inspectors (Having 3-years Diploma in Electrical/Mechanical Technology) have been cleared for promotion/appointment to the cadre post of Sub Engineer (B-11), with immediate effect, as noted against each :-

Sl: No.	Name Of Official	Remarks
1.	Mr. Tahir Zaman.	Regular basis.
2.	Mr. Tariq Ali.	Regular basis.
3.	Mr. Zulfiqar Ali.	Regular basis.
4.	Mr. Rab Nawaz Khan.	Regular basis.
5.	Mr. Fazli Rabbi.	Regular basis.
6.	Mr. Hidayat Ullah.	Appointment on acting charge basis.
7.	Mr. Imran-Yousaf.	Appointment on acting charge basis.
8.	Mr. Muhammad Anwar.	Appointment on acting charge basis.
9.	Mr. Mukhtiar Hussain.	Appointment on acting charge basis.
10.	Mr. Alamgir Khan.	Appointment on acting charge basis.
11.	Mr. Asifullah Khan.	Appointment on acting charge basis.
12.	Mr. Sultan Mahmood.	Appointment on acting charge basis.
13.	Mr. Amir Ullah Khan.	Appointment on acting charge basis.
14.	Mr. Umar Khitab.	Appointment on acting charge basis.
15.	Mr. Babar Khan.	Appointment on acting charge basis.

On regular promotion of the officials from Sl: No. 1 to 5, they will be on probation for a period of one year in terms of Section-6(2) of Civil Servants Act, 1973 read with Rule-15(1) of the Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

Consequent upon their promotion as Sub Engineers, their further postings / transfers are hereby ordered, with immediate effect:-

Sl No.	Name Of Official	From	To	Remarks
1.	Mr. Tahir Zaman.	Superintendent Mech.(Working against the post of Sub Engineer in OPS in O/O XEN Highway Division D.I.Khan).	Sub Engineer O/O the XEN Highway Division D.I.Khan.	Against the existing vacancy.
2.	Mr. Tariq Ali.	Superintendent E&M (Working against the post of Sub Engineer in OPS in O/O XEN C&W Division Abbottabad).	Sub Engineer O/O the XEN C&W Division Abbottabad.	Against the existing vacancy.
3.	Mr. Zulfiqar Ali.	Supervisor (Working against the post of Sub Engineer in OPS in O/O XEN Building Division No-1 Peshawar).	Sub Engineer O/O the XEN Building Division No-1 Peshawar.	Against the existing vacancy.
4.	Mr. Rab Nawaz Khan.	Supervisor (Working against post of Sub Engineer in OPS in O/O XEN C&W.Divn: Swabi).	Sub Engineer O/O the XEN C&W Division Swabi.	Against the existing vacancy.
5.	Mr. Fazli Rabbi.	Work Supervisor O/O XEN C&W Division Nowshera.	Sub Engineer O/O the XEN C&W Division Nowshera.	Against the existing vacancy.
6.	Mr. Hidayat Ullah.	Supervisor O/O XEN C&W Division Tank.	Sub Engineer O/O the XEN C&W Division Tank.	Against the existing vacancy.

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Name of Official	From	To	Remarks
1. Mr. Imran Yousof	PBMC C&W-Peshawar Work Supervisor OAO XEN	Sub Engineer, services placed at the disposal of Chief Engineer (FATA) C&W Department Peshawar for further posting	Against the existing vacancy
2. Mr. Muhammad Anwar	Division Tank Road Inspector OAO XEN C&W	Sub Engineer, services placed at the disposal of Chief Engineer (FATA) C&W Department Peshawar for further posting	Against the existing vacancy
3. Mr. Mukhtar Hussain	Road Inspector (Working) against the post of Sub Engineer in O&S in OAO XEN C&W Division (Upper)	Sub Engineer OAO the XEN C&W Division Dr. Upper	Against the existing vacancy
4. Mr. Alamgir Khan	Road Inspector OAO XEN C&W Division (Working)	Sub Engineer OAO the XEN C&W Division Swabi	Against the existing vacancy
5. Mr. Asadullah Khan	Division Dr. Khan Road Inspector OAO XEN C&W	Sub Engineer, services placed at the disposal of Chief Engineer (FATA) C&W Department Peshawar for further posting	Against the existing vacancy
6. Mr. Sultan Mahmood	Division Hangu Road Inspector OAO XEN C&W	Sub Engineer OAO the XEN C&W Division Hangu	Against the existing vacancy
7. Mr. Anwar Ullah Khan	Road Inspector (Working) against the post of Sub Engineer in O&S in OAO XEN C&W Division (Bannu)	Sub Engineer OAO the XEN C&W Division Bannu	Against the existing vacancy
8. Mr. Umar Khalid	Road Inspector OAO XEN C&W Division Bannu	Sub Engineer OAO the XEN C&W Division Bannu	Against the existing vacancy
9. Mr. Babar Khan	Road Inspector OAO XEN C&W Division Kohat	Sub Engineer OAO the XEN C&W Division Hangu	Against the existing vacancy

Note: The concerned Executive Engineers will keep a close watch on the performance of these officials and will submit their interim performance evaluation reports upto 1st July 2011.

(Engr. Muhammad Ijaz Yousof)
CHIEF ENGINEER (CENTRE)

- Copy forwarded to the -
- 1) Secretary to Govt of Khyber Pakhtunkhwa C&W Dept. Peshawar.
 - 2) Accountant General Khyber Pakhtunkhwa Peshawar.
 - 3) All Chief Engineers in C&W Department (w/ FATA).
 - 4) Superintending Engineer C&W Circles (Concerned).
 - 5) Executive Engineers C&W Divisions (Concerned).
 - 6) District/Agency Accounts Officers (Concerned).
 - 7) Officials Concerned.
 - 8) Case Files No. 18-E-177-E.

CHIEF ENGINEER (CENTRE)

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Sl No.	Name Of Official	From	To	Remarks
7	Mr. Imran, Yousaf.	Work Supervisor O/O XEN PBMC C&WD Peshawar.	Sub Engineer, services placed at the disposal of Chief Engineer (FATA) C&W Department Peshawar, for further posting.	Against the existing vacancy.
8	Mr. Muhammad Anwar.	Road Inspector O/O XEN C&W Division Tank.	Sub Engineer, services placed at the disposal of Chief Engineer (FATA) C&W Department Peshawar, for further posting.	Against the existing vacancy.
9	Mr. Mukhtiar Hussain	Road Inspector (Working against the post of Sub Engineer in OPS in O/O XEN C&W Division Dir Upper).	Sub Engineer O/O the XEN C&W Division Dir. Upper.	Against the existing vacancy.
10	Mr. Alamgir Khan.	Road Inspector O/O XEN C&W Division Malakand.	Sub Engineer O/O the XEN C&W Division Swabi.	Against the existing vacancy.
11	Mr. Asifullah, Khan.	Road Inspector O/O XEN C&W Division D.I. Khan.	Sub Engineer, services placed at the disposal of Chief Engineer (FATA) C&W Department Peshawar, for further posting.	Against the existing vacancy.
12	Mr. Sultan Mahmood.	Road Inspector O/O XEN C&W Division Hangu.	Sub Engineer O/O the XEN C&W Division Hangu.	Against the existing vacancy.
13	Mr. Amir Ullah Khan.	Road Inspector (Working against the post of Sub Engineer in OPS in O/O XEN Building Division Bannu).	Sub Engineer O/O the XEN Building Division Bannu.	Against the existing vacancy.
14	Mr. Umar Khitab.	Road Inspector O/O XEN C&W Division Bannu.	Sub Engineer O/O the XEN Highway Division Bannu.	Against the existing vacancy.
15	Mr. Babar Khan.	Road Inspector O/O XEN C&W Division Kohat.	Sub Engineer O/O the XEN C&W Division Hangu.	Against the existing vacancy.

Note: The concerned Executive Engineers will keep a close watch on the performance of these officials and will submit their interim performance evaluation reports upto 1st July 2011.

(Engr. Muhammad Ijaz Yousafzai)
CHIEF ENGINEER (CENTRE)

Copy forwarded to the :-

- 1) Secretary to Govt. of Khyber Pakhtunkhwa C&W Deptt: Peshawar.
- 2) Accountant General Khyber Pakhtunkhwa Peshawar.
- 3) All Chief Engineers in C&W Department (i/c FATA).
- 4) Superintending Engineers C&W Circles (Concerned).
- 5) Executive Engineers C&W Divisions (Concerned).
- 6) District/Agency Accounts Officers (Concerned). *DAO Din upper*
- 7) Officials Concerned.
- 8) Case Files No. 18-E / 177-E.

(Signature)
CHIEF ENGINEER (CENTRE)

ATTESTED

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D.

ANNEX D

OFFICE ORDER

The following Assistant Engineers/Sub Engineers of the Communication & Works Department, are hereby declared to have passed the Departmental Professional Examination held on 27th-29th December 2011 :-

S.No	Name of Candidate	Roll No	Designation	Present Posting	Remarks
1	2	3	4	5	6
1	Mr. Hafeez-ur-Rehman	E-01	Sub Engineer	Civil Secretariat Peshawar.	Passed
2	Muhammad Naeem	E-04	Sub Engineer	C&W Division Mansehra	Passed
3	Israr Ahmed	E-06	Sub Engineer	C&W Division Mansehra	Passed
4	Mr. Azmatullah	E-08	SDO	Sub Division Mirali	Passed
5	Obaidullah	E-13	Sub Engineer	C&W Division Karak	Passed
6	Khaliq Afzal	E-23	Sub Engineer	Building Division NWA	Passed
7	Mr. Sajjad Haider Jun	E-24	SDO	C&W Division Swat	Passed
8	Inayatullah Khan	E-26	SDO	C&W Division FR Tunk	Passed
9	Muhammad Arif	E-29	SDO	C&W Division Chitral	Passed
10	Muhammad Niaz	E-32	Sub Engineer	C&W Division Abbottabad	Passed
11	Muhammad Shahid	E-33	SDO	C&W Division Tank	Passed
12	Rab Nawaz Khan	E-47	Sub Engr.	C&W Division Upper Dir	Passed
13	Mukhtiar Hussain	E-48	Sub Engr.	C&W Division Upper Dir	Passed
14	Mr. Saad Saleem	E-49	Sub Engr.	C&W Division Kohistan	Passed
15	Mr. Hayat Ullah Jan	E-50	Sub Engr.	C&W Division Lakki Marwat	Passed
16	Mr. Mohammad Iqbal	E-51	Sub Engr.	C&W Division Lakki Marwat	Passed
17	Sarfraz Alam	E-52	Sub Engr.	C&W Division Upper Dir	Passed
18	Fazal Kareem	E-54	SDO	C&W Hangu	Passed
19	Babar Khan	E-57	Sub Engr.	Division Hangu	Passed
20	Irshad Ahmad Khan	E-61	Sub Engr.	BUILDING DIVISION PESHAWAR.	Passed
21	Munaf Ahmad Tariq	E-65	Sub Engr.	C&W DIVISION SWABI	Passed
22	Muhammad Yur Khan	E-69	SDO	C&W Division Upper Dir	Passed
23	Fazal Amin	E-72	Sub Engr.	Buldg Division Bajaur	Passed
24	Muhammad Shafiq	E-73	SDO	PHA Swat	Passed
25	Said Atiq-ur-Rehman	E-74	SDO	PHA Swat	Passed
26	Khadim Hussain	E-75	Sub Engr.	C&W Division Upper Kuram	Passed
27	Nisar Ali	E-76	Sub Engr.	C&W Division Upper Kuram	Passed
28	Islam-ud-Din	E-77	Sub Engr.	PHA Swat	Passed
29	Samiullah	E-79	Sub Engr.	C&W Division Kohat	Passed
30	Maqbool Hussain	E-80	Sub Engr.	C&W Division Karak	Passed
31	Naimatullah Khan	E-81	Sub Engr.	C&W Division Lakki Marwat	Passed
32	Noor-ul-Amin	E-82	Sub Engr	Building Division II Peshawar	Passed
33	Zahoor Elahi Baig	E-83	SDO	O/O Chief Engineer Norht	Passed
34	Sam-ud-Din	E-86	Sub Engineer	PHA South Kohat	Passed
35	Abid Ali	E-87	SDO	Building Division II Peshawar	Passed

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ANNEX E

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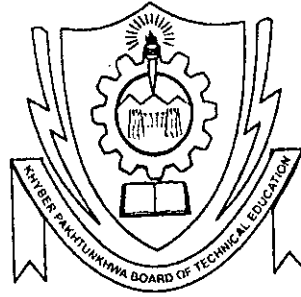
Roll No

578724

035501

Serial No.

Khyber Pakhtunkhwa Board of Technical Education



PESHAWAR (PAKISTAN)

DIPLOMA OF ASSOCIATE ENGINEER

Civil Revised 2013

Session Supplementary 2018

Certified that Mr/Miss. MUKHTIAR HUSSAIN
Son/Daughter of SAID BAW JAN
Registration No. AIP/TBI/CT/15-68264
of SHER GARH POLYTECHNIC INSTITUTE SHER GARH

has passed the Diploma of Associate Engineer CIVIL REVISED 2013
Examination held by the Khyber Pakhtunkhwa Board of Technical Education, Peshawar in the month
of November 2018

He/She secured 2459 Marks out of 3450 and has been placed in
Grade A

In recognition thereof, this
Diploma of Associate Engineer

is awarded to him/her at Peshawar on the 12Th day of February 2019

ASSISTANT SECRETARY

Asstt. Distt. Edu. Officer
(M) Dir Upper

SECRETARY

This Diploma is issued without any alteration or eraser

ATTESTED

ANNEX - F

IS

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EXTRAORDINARY

REGISTERED NO. P.III

GOVERNMENT



GAZETTE

P

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, MONDAY, 15TH APRIL, 2019.

GOVERNMENT OF NWFP
COMMUNICATION & WORKS DEPARTMENT

NOTIFICATION

Dated: 25th March, 2010.

No.SOE/C&WD/8-12/2009.— In pursuance of the provisions contained in sub rule (2) of Rule-3 of the NWFP Civil Servants (Appointment, Promotion and Transfer) Rules, 1989 and in supersession of all previous rules, issued in this behalf, the Communication & Works Department in consultation with establishment Department and Finance Department hereby lays down, the method of recruitment, qualification and other conditions specified in columns 3 to 5 of the Appendix to this Notification which shall be applicable to posts in column 2 of the said Appendix.

Secretary to Govt of NWFP
Communication & works Department.

~~ATTESTED~~

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1174 KHYBER PAKHTUNKHWA GOVERNMENT GAZETTE, EXTRAORDINARY, 15TH APRIL, 2019

APPENDIX

1. ENGINEERING SERVICE

Sl. No.	Nomenclature of Post	Minimum Qualification Required for Appointment/ Promotion	Age Limit	Method of Recruitment
1	2	3	4	5
1.	Chief Engineer	-	-	Bye selection, on merit from amongst Superintending Engineers/ Principal Design Engineers, with at least 17 (seventeen) years of service in BPS-17 and above, possessing Degree in B.E/B.Sc Engineering (Civil) from a recognized University.
2.	Superintending Engineer/ Principal Design Engineer	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the Executive Engineers/ Design Engineers/ Senior Engineers/ Research Officers with at least 12 (twelve) years of service in BPS-17 and above, possessing Degree in B.E/ B.Sc Engineering (Civil/ Mechanical/ Electrical) from a recognized University.
3.	Executive Engineer/ Design Engineer/ Senior Engineer/ Research Officer	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Divisional Officers/ Assistant Engineers/ Junior Engineers/ Assistant Research Officers, possessing Degree in B.E/ B.Sc Engineering (Civil/Mechanical/Electrical) from a recognized University, with at least 5 (five) years service as such, and have passed the Professional Examination as prescribed in B&R Code.
4.	Sub-Divisional Officer/ Assistant Engineer/ Junior Engineer/ Assistant Research Officer	Degree in BE/B.Sc. Engineering (Civil/ Mechanical/ Electrical) from a recognized University.	21 – 32 Years	a) Sixty five percent (65%) by initial recruitment; b) Twenty percent (20%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Engineers who hold a Diploma of (Civil, Mechanical or Electrical) and have passed Departmental Professional Examination, with 10 (ten) years' service as such; c) Eight percent (8%) by promotion, on the basis of seniority-cum-fitness from amongst the Sub-Engineers who possessed degree of B.E/B.Sc Engineering (Civil, Mechanical or Electrical) at the time of their joining service and have passed Departmental Professional Examination with 05 (five) years' service as such; d) Three and half percent (3.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Engineers who acquired Degree of B.E or B.Sc Engineering (Civil, Mechanical or Electrical) during service and have passed Departmental Professional Examination with 05 (five) years' service as such; and e) Three and half percent (3.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Sub-Engineers having Degree of B.Tech (Hons) and have passed Departmental Professional Examination with 05 (five) years' service as such

NTV/STW

Sl. No.	Nomenclature of Post	Minimum Qualification Required for Appointment/Promotion	Age Limit	Method of Recruitment
1	2	3	4	5
				f) Note: The seniority in all cases shall be determined from the date of initial appointment.
5.	Sub-Engineer	Diploma of Associate Engineering (Civil/Electrical/Mechanical) from a recognized Board of Technical Education	18 - 30 Years	<p>a. Seventy Five percent (75) by initial recruitment.</p> <p>b. Five percent (5%) by promotion, on the basis of seniority-cum-fitness from amongst the Work Superintendents/ Work Supervisors/ Surveyors, with five years service as such, having three years Diploma of Associate Engineering in Civil Technology from a recognized Board.</p> <p>Note-1: For the purpose of promotion, joint seniority list of Works Superintendents, Supervisors and Surveyors with reference to their regular appointment to the post shall be maintained or in case the two dates are similar, the official in BS-11 shall rank senior</p> <p>c. Five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Road Inspectors, with seven years service as such, having three years Diploma of Associate Engineering in Civil Technology, from a recognized Board;</p> <p>d. Five percent (5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Work Superintendents/ Work Supervisors/ Road Inspectors, with seven years service as such, having three years Diploma of Electrical/ Mechanical Technology from a recognized Board;</p> <p>Note-2: For the purpose of promotion, joint seniority list of Works Superintendents/ Work Supervisors & Road Inspectors, with reference to their regular appointment to the post shall be maintained. In case the two dates are similar, the official in BS-11 shall rank senior.</p> <p>e. Two point five percent (2.5%) By Transfer from amongst the Draftsman with seven years service as such, having Diploma in Civil/Electrical/Mechanical Technology, from a recognized Board.</p> <p>f. Two point five percent (2.5%) by promotion, on the basis of seniority-cum-fitness, from amongst the Tracers with ten years service as such, having Diploma in Civil/Electrical/Mechanical Technology from recognized Board; and</p> <p>g. Five percent (5%) by promotion, from amongst the Work Superintendents/ Work Supervisors/ Road Inspectors, who have passed "B" Grade Departmental Examination with seven years service as such;</p> <p>Note-3: For the purpose of promotion, joint seniority list of Works Superintendents/ Work Supervisors & Road Inspectors, with reference to their regular</p>

ATTACHED

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Sl. No.	Nomenclature of Post.	Minimum Qualification Required for Appointment/Promotion	Age Limit	Method of Recruitment
1	2	3	4	5
				<p>appointment to the post shall be maintained. In case the two dates are similar, the official in BS-11 shall rank senior.</p> <p>Note-4: (i) If no suitable candidate is available for transfer, as prescribed in sub clause (e) then the vacancy shall be filled in by way as prescribed in sub-clause (b); and</p> <p>(ii) If no suitable candidate is available for promotion, as prescribed in sub clause (f), then the vacancy shall be filled in by way as prescribed in sub clause (c);</p>
6.	Work-Superintendent/ Work Supervisor	a. Secondary School Certificate from a recognized Board; and b. Diploma of Associate Engineering in Civil Technology from the Board of Technical Education	18-30 Years	By Initial Recruitment
7.	Surveyor	a. Secondary School Certificate from a recognized Board; and b. Diploma of Associate Engineering in Civil Technology from the Board of Technical Education	18-30 Years	By Initial Recruitment
8.	Road-Inspector	Diploma of Associate Engineering in Civil Technology from a recognized Board of Technical Education	20-30 Years	a) Fifty percent (50%) by Initial Recruitment AND b) Fifty percent (50%) by promotion, on basis of seniority-cum-fitness, from amongst Work Munshies with at least ten years service as such
9.	Work Munshi	Secondary School Certificate from a recognized Board.	20-30 Years	By Initial Recruitment
10.	Principal Consulting Architect			By promotion, on the basis of seniority-cum-fitness, from amongst the Senior Architects with at least 12 (twelve) years in BS-17 and above.
11.	Senior Architect			By promotion, on the basis of seniority-cum-fitness, from amongst the Junior

REVISION
 11/11/2018

Sl. No.	Nomenclature of Post	Minimum Qualification Required for Appointment/Promotion	Age Limit	Method of Recruitment
1	2	3	4	5
				Architects with a least 5 (five) years service as such.
12.	Junior Architect	Bachelor's Degree in Architecture from Higher Education Commission's recognized University/ College/ Institute	2 - 30 Years	By Initial Recruitment
13.	Chief Draftsman (Architect)			By promotion, on the basis of seniority-cum-fitness, from amongst the Architectural Assistants, with at least 5 (five) years service as such.
14.	Architectural Assistant			By promotion, on the basis of seniority-cum-fitness from amongst the Senior Architectural Draftsman/ Senior Computer Aided Design (CAD) Operator, with at least 3 (three) years service as such.
15.	Senior Architectural Draftsman/ Senior Computer Aided Design (CAD) Operator	<p>a) Three years Diploma in Architectural Technology from recognized Institute/ Board of Technical Education with AutoCAD knowledge.</p> <p>OR</p> <p>b) Two years Certificate Course in Civil Draftsmanship from a recognized Institute/ Board of Technical Education with AutoCAD knowledge.</p>	18 - 30 Years	<p>a) Fifty percent (50%) by Initial Recruitment; and</p> <p>b) Fifty percent (50%) by promotion, on the basis of seniority-cum-fitness, from amongst the Junior Architectural Draftsman/ Junior Computer Aided Design (CAD) Operator, with at least 5 (five) years service as such.</p>
16.	Junior Architectural Draftsman/ Junior Computer Aided Design (CAD) Operator	Two years Certificate Course in Civil Draftsmanship from recognized Institute/ Board of Technical Education with AutoCAD knowledge.	18 - 30 Years	By Initial Recruitment
17.	Administrative Officer/			By promotion, on the basis of seniority-cum-fitness, from amongst the

ATTESTED

Sl. No.	Nomenclature of Post	Minimum Qualification Required for Appointment/ Promotion	Age Limit	Method of Recruitment
1	2	3	4	5
	Budget & Accounts Officer			Superintendents, with at least 5 years service as such.
18.	Superintendents.		-	By Promotion, on the basis of seniority-cum-fitness, from amongst Assistants and Senior Scale Stenographers with at least five years service as such. Note: For the purpose of promotion, a joint seniority list of Assistants and Senior Scale Stenographers will be maintained. If the date of appointment of both the officials is the same, then Assistant will rank senior.
19.	Divisional Accounts Officer		-	By Transfer from Audit Department
20.	Senior Scale Stenographer	a. Bachelor's Degree/ B-Com from a recognized University; AND b. A speed of 100 words per minute in short hand in English and 40 words per minute in English typing.	18-30 Years	By promotion, on the basis of seniority-cum-fitness, from amongst the Stenographers (Junior) with at least five years services as such.
21.	Assistant	Second Class Bachelor's Degree from a recognized University	21-32 Years	a. Twenty Five percent (25%) by Initial Recruitments; and b. Seventy five percent (75%) by promotion, on the basis of seniority-cum-fitness, from amongst the Accounts Clerks/ Senior Clerks, with at least five years service as such. Note: For the purpose of promotion a joint seniority list of Accounts Clerks and Senior Clerks shall be maintained.
22.	Stenographer (Junior)	a. Intermediate/ D-Com from arecognized Board; b. A speed of 50 words per minute in Short hand in English and 35 words per minute in English typing; and c. Computer knowledge of MS Word and	18-30 years	By Initial Recruitment.

ATTESTED

Sl. No.	Nomenclature of Post	Minimum Qualification Required for Appointment/Promotion	Age Limit	Method of Recruitment
1	2	3	4	5
		Excel		
23.	Accounts Clerk/ Senior Clerk	-	-	a) By promotion, on the basis of seniority-cum-fitness, from amongst the Junior Clerks, with at least three years service as such.
24.	Junior Clerk	i. Secondary School Certificate from arecognized Board; and ii. A speed of 30 words per minute in English typing	18 – 30 Years	a. Eighty percent (80%) by Initial Recruitment; AND b. Twenty percent (20%) by promotion, from amongst the Daftaries, Record Lifters, Naib Qasids, Chowkidars, and other equivalent posts who have been Secondary School Examination and are under 45 years of age and have at least two years service as such in the Department. <u>Note: For the purpose of promotion, there shall be maintained a joint seniority list of Daftaries, Record Lifters, Naib Qasids, Chowkidars, with reference, to the date of regular appointment to the post or that of acquiring the Secondary School Certificates, which ever is later; provided that if two dates are the same, the person older in age or having longer service, whichever is more beneficial to him, shall rank senior.</u>
25.	Driver	Possessing a valid LTV/HTV Driving License with five years experience, having Primary/ Middle Standard qualifications	21 – 35 Years	By Initial Recruitment
26.	Datary/ Record Lifter/ Dafadar	Literate/Middle, preference will be given to Ex-Service Man	18 – 35 Years	By promotion, from amongst the Naib Qasids/ Chowkidars, having Middle Standard qualification
27.	Naib Qasid	Middle Standard qualification	18 – 35 Years	By Initial Recruitment
28.	Chowkidar	Literate/ Primary Standard qualification	18 – 35 Years	By Initial Recruitment



OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR

No. 177-E / 1037 / CEC / C&W

Dated Peshawar the 25 / 11 / 2019

OFFICE ORDER

On the recommendations of Departmental Promotion/ Selection Committee in its meeting held on 20/11/2019, the following Road Inspector (BS-07)/ Superintendent E&M (BS-10) (having 03-Years Diploma in Electrical/ Mechanical Technology) have been cleared for promotion to the Cadre post of Sub-Engineers (BS-12) in C&W Department on regular basis with immediate effect: -

- 1) Mr. Mukhtiar Hussain = On Regular Basis
2) Mr. Bilal Khan = On Regular Basis

2- The aforesaid officials will be on probation for a period of one year, in terms of Section 6(2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15(1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

3- Consequent upon above promotion as Sub-Engineers, the posting/ transfer of the following officials of C&W Department is hereby ordered, in the public interest with immediate effect:-

Sl No.	Name of officials	From	To	Remarks
1.	Mr. Mukhtiar Hussain Sub-Engineer (BS-12)	Road Inspector (Acting Charge Sub-Engineer) O/O XEN C&W Division Chitral Lower	Sub-Engineer O/O XEN C&W Division Chitral Lower	Existing Vacancy
2.	Mr. Bilal Khan Sub-Engineer (BS-12)	Superintendent (E&M) (Acting Charge Sub-Engineer) O/O XEN C&W Division Abbottabad	Sub-Engineer O/O XEN C&W Division Abbottabad	Existing Vacancy

CHIEF ENGINEER (CENTRE)

Copy forwarded to the:-

- 1- Accountant General Khyber Pakhtunkhwa.
- 2- Chief Engineer (North) C&W Department Peshawar.
- 3- Chief Engineer (East) C&W Department Abbottabad.
- 4- Superintending Engineers C&W Circle Dir Lower at Timergrah/ Abbottabad.
- 5- Executive Engineer C&W Division Chitral Lower/ Abbottabad.
- 6- Section Officer (Estb) C&W Department Peshawar/ Member DPC.
- 7- Administrative Officer (North) C&W Department Peshawar/ Member DPC.
- 8- District Accounts Officers, District Chitral Lower/ Abbottabad.
- 9- Officials concerned.

CHIEF ENGINEER (CENTRE)

ANNEX H

23 H



OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PUKHTUNKHWA, PESHAWAR

No. 52-E / 332 / CEC / C&WD

Dated Peshawar the 27 / 01 / 2020

To

Mr. Mukhtair Hussain
Sub-Engineer C&W Division
Chitral.

Subject:

PROVISION OF DIPLOMA OF ASSOCIATE ENGINEER (ELECTRICAL)

It is to state that this office received a complaint against you, wherein it is reported that you have been promoted from lower post to the post of Sub-Engineer on the bogus Diploma.

You are in the knowledge that at the time of reservation of percentage quota to Work Superintendent, Work Supervisor and Road Inspectors, possessing Diploma qualifications/DAE (Electrical/Mechanical) your name was included in the seniority list on the basis of DAE (Electrical) and now you have been promoted to the post of Sub-Engineer as such.

Despite hectic efforts, DAE in your name is not found in the record of this office.

You are therefore directed, to immediately furnish your DAE in original for the satisfaction of the undersigned.

Note the required Diploma shall be furnished/produced within a period of one week without fail. In case of non-response the department will be at liberty to initiate action as per rules /regulations of the government.

CHIEF ENGINEER CENTER

Copy to the.

1. Chief Engineer (North) C&W Department Peshawar.
2. Superintendent Engineer C&W Circle, Dir Lower.
3. Executive Engineer C&W Division Chitral, for their information.

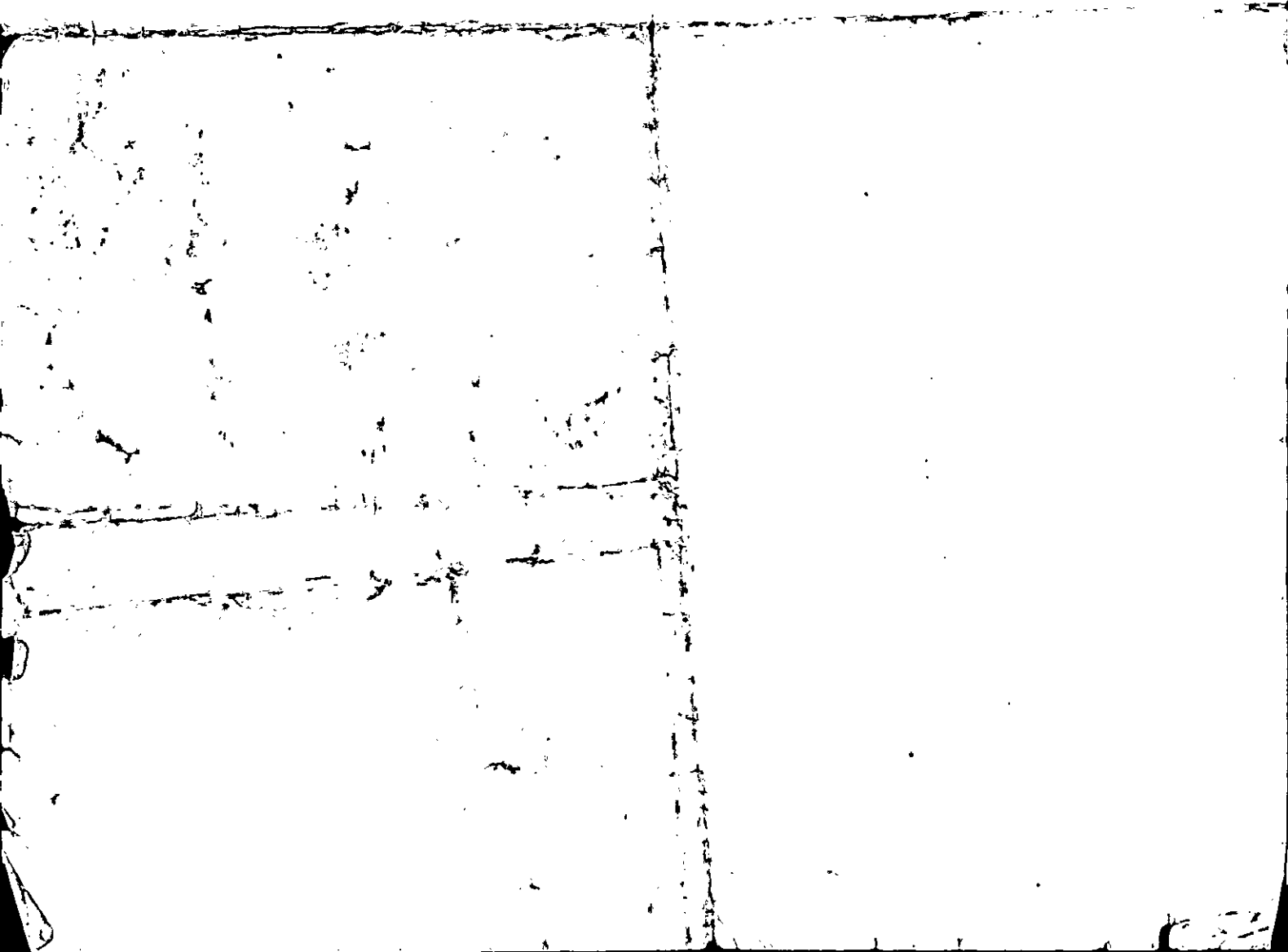
The Executive Engineer Chitral shall ensure that the said official is not assigned the developmental work till he supply his DAE, Diploma Certificate and its verification.

CHIEF ENGINEER CENTER

ATTESTED



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ANNEX I (24)

OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR

No. 52-E / 720 / CEC / C&WD

Dated Peshawar the 19 / 03 / 2021

To

Mr. Mukhtiar Hussain
Sub-Engineer
O/O Executive Engineer
C&W Division Dir Upper

SUBJECT SHOW CAUSE NOTICE

A Show Cause Notice regarding production/ submission of bogus Diploma, is enclosed herewith / served upon you.

Your reply to the said Show Cause Notice shall reach the undersigned within 07-days of its receipt. In-case of non-compliance, it will be presumed that you have no defence to make and in that case, ex-parte action will be taken accordingly.

DA/As above

M. T. Ali
CHIEF ENGINEER (CENTRE)

Copy forwarded to the: -

1. Chief Engineer (North), C&W Department Peshawar.
2. Superintending Engineer C&W Circle Dir Lower at Timergrah.
3. Engr. Shakir Habib, Inquiry Officer/ Superintending Engineer C&W Circle Peshawar w/r to his memo No.2455/43-SE dated 18/01/2021.
4. Executive Engineer C&W Division Dir Upper alongwith a copy of Show Cause Notice for his office record & further necessary action.
5. District Accounts Officer, District Dir Upper.

DA/As above

For Sl. No.4

CHIEF ENGINEER (CENTRE)

TESTE

SHOW CAUSE NOTICE

25

I, Engr. Muhammad Tariq Chief Engineer (Centre) C&W Department Peshawar, Khyber Pakhtunkhwa as Competent Authority, under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011, do hereby serve you, Mr. Mukhtiar Hussain S/O Said Bawjan Sub-Engineer O/O Executive Engineer C&W division Dir Upper as follows: -

- 1 (i) That in August, 2006, C&W Department (the then Works & Services) incepted the Service Rules for the post of Sub-Engineer, where 25% quota was reserved, by Promotion amongst the Superintendent Works, Supervisors, Surveyors and Road Inspectors, with 05-years service as such, having Minimum qualification for appointment by Promotion, Diploma of Associate Engineers from a recognized Institute in CIVIL TECHNOLOGY".
- (ii) That, you preferred Departmental Appeal to the Secretary C&W (W&S) directly on 06/10/2006 against the seniority notified by this office vide No.52-E/2178/CE/W&SD dated 28/09/2006 with the stance that "you have Double MA qualification & 18-years service at your credit. Having no face/ merit, no action was taken thereupon as the rules were clear and you were not possessing DAE (Civil) till 10/2006.
- (iii) Later in September, 2008 the 25% quota as reserved (refer to Para-1 (i) was further distributed whereby 05% quota by Promotion was fixed for the Work Superintendents, Work Supervisors and Road Inspectors with 07-Years service as such, having three years DAE (Electrical/ Mechanical Technology) from a recognized Institute.
- (iv) That on the said amendments / reservation of 05% quota for DAE (Electrical/ Mechanical) you supplied copy of your DAE (Electrical) under Roll No.19746, Session 2004 (Annual) Diploma awarded under Sl. No.13215, which was sent to the Board of Technical Education Hayatabad Peshawar for verification.
- (v) That the Assistant Secretary Board of Technical Education Peshawar vide letter No.BTE/Cert/Veri/2229 dated 20/02/2009 declared the DAE to Mukhtiar Hussain S/O Said Bawjan Roll No.19746 Session 2004 (A) "Totally Bogus".
- (vi) That you did not stopped your efforts, you then supplied another photocopy of the DAE (Electrical) duly checked & verified against Roll No.38091, Session-2000 (Annual) having its Serial No.873 through Assistant Secretary (Certificate) Board of Technical Education letter No.BTE/Cert/Veri/1388 dated 24/03/2011.
- (vii) That by this way of means, your name was enrolled in the seniority list as maintained in Para-1(iii) above, those having DAE (Electrical/ Mechanical) Technology.
- (viii) On the bifurcation of PHE and C&W into Independent Departments, the Department consolidated the Service Rules for Engineering Groups vide Notification No.SOE/C&WD/8-12/2009, dated 25/03/2020, restricting to that one, 5% quota by promotion as expressed at Para-1(iii) above at sub clause-5(d), so your name was appearing at Sl. No.9 of the seniority notified vide No.52-E/11/CE/C&WD dated 01/01/2011.

~~TESTED~~

- (ix) That in the DPC meeting held on 01/03/2011, your case alongwith others, having 03-years DAE (Electrical/ Mechanical) qualification, you were cleared/ recommended for appointment on Acting Charge Basis vide order No.52-E/130/CEC/C&WD dated 01/04/2011. And on regular basis vide order No.177-E/1037/CEC/C&WD dated 25/11/2019.
- (x) That one, Mr. Shehryar Sabir lodged a complaint to Secretary C&W and the Chief Engineer (Centre) C&W as well about your Diploma qualifications.
- (xi) That this office taken up the case with the Board of Technical Education twice, but the Board authorities were asking to supply/ produce original Diploma And DMCs for which you were issued numerous letters but with no response and result, so vide letter No.52-E/332/CEC/C&WD dated 27/01/2020, the Executive Engineer C&W Division Chitral was directed to ensure that the said official is not assigned the Developmental Works till he supply his DAE (Electrical) and its verification.
- (xii) That on your neglectic attitude, Engr. Shakir Habib Superintending Engineer C&W Circle Peshawar could not conduct the fact finding inquiry appointed vide letter No.52-E/340/CEC/C&WD dated 08/10/2020 as you were asked vide letters dated 19/10/2020, 09/11/2020, 20/11/2020 and 10/12/2020 to furnish the Original DAE and DMCs but you badly failed to respond.
- (xiii) That, instead to have attended the office of SE C&W Circle Peshawar, you manavoured and represented before the Chief Engineer (North) C&W Department vide your application dated 17/09/2020, against the said letter dated 27/01/2020, where you were estopped to handle the developmental works with XEN C&W Division Chitral.
- (xiv) That the O/O Chief Engineer (North) also processed your case with the Controller of Examination, Board of Technical Education vide memo No.97/10-E dated 26/10/2020.
- (xv) That Controller of Examination Board of Technical Education Khyber Pakhtunkhwa vide letter No.BTE/PA/16536 dated 28/10/2020, declared that the DMCs i.e 399383 (1st year), 399385 (2nd year) and 399389 (3rd year) supplied by you, "are Fake". They further expressed that the DMCs with their Serial Nos were issued to Mr. Mukhtiar Ali S/O Qura Hassan Khan as a regular student of Govt College of Technology, SWAT, who have passed the DAE (Electrical) Annual Examination 2000 under roll No.38091, awarded Diploma under Serial No.4955. In the concluding para of letter dated 28/10/2020, apprised that "it has come to the surface that the provided documents i.e DAE/ DMCs are "totally Fake"".

2. Going through the aforesaid informations and knowledge, the undersigned as Competent Authority is of the opinion that there are sufficient proof and grounds for initiating proceedings against you, as defined in Rule-5(a) read with Rule-7 of the E&D Rules, 2011 by dispensing with the Regular Inquiry due to your established Charge/ Conduct/ Attempts and Acts, am, satisfied that you have committed the "Guilt of Mis-Conduct"/ Deceiving the Authority. Forgery and availing the benefits as Sub-Engineer on the forged, fake and Bogus documents of DAE (Electrical).

ATTESTED

3. As a result thereof, I, as Competent Authority, have tentatively decided to impose upon you the Major Penalty of "Compulsary retirement" UNDER Rule-4 of the E&D Rules, 2011.
4. You are therefore, served with this "SHOW CAUSE NOTICE" as to why the aforesaid Penalty should not be imposed upon you.
5. If, no reply to this Show Cause Notice is received within 07-days, but not more than 15-days of its receipt/ delivery, it will be presumed that you have no defence to put in and in that case, Ex-Parte action shall be taken against you.
5. Either you desire to be heard in person, then may intimate in your reply to the aforesaid Show Cause Notice.

M Tariq
(Engr. Muhammad Tariq)
Chief Engineer (Centre)
C&W Department Peshawar

ATTESTED

To,

The Chief Engineer (Center)
C&W Department, Peshawar.

Subject: **REPLY TO SHOW CAUSE NOTICE**

Dear Sir,

It is with great honor to state that I have been served with a show cause notice duly signed by your good self vide Communication No. 52-E/720/CEC/C&WD, dated: 19-03-2021, containing tentative major penalty of "Compulsory Retirement" with further directions to furnish my reply within 07 days after the receipt of the letter. My reply to the show cause notice may be considered sympathetically as under:

- i. The undersigned was appointed in the Communication & Works Department as Road Inspector (BPS-06) and was posted in Highway Division Timergara, Dir Lower on 11-02-1990, during my service, I have enhanced my education qualification and got BA and MA Degrees which improve my efficiency in the Department. Subsequently, I have also qualified the required departmental examinations, i.e: Professional Examination (DPE), Grade - B & A examination.
- ii. On the basis of my experience as Road Inspector, highly educationally qualified skill, my position of Road Inspector was evaluated as Sub Engineer through proper Departmental Promotion Committee under the Chairmanship of the then Chief Engineer (Center), and I was appointed on acting charge basis on 01-04-2011 as Sub Engineer.
- iii. After due course of time, I have also obtained Diploma in Associate Engineering (Civil) properly from the Board of Technical Education which is available on the official record of the Chief Engineer (Center) office.
- iv. The undersigned have been allegedly un-intentionally shown in the office record having Diploma in other disciplines, whereas, the undersigned is eligible for promotion from the specific reserve quota of Diploma Holders Road Inspectors as I have qualified my DAE (Civil) in 2018, on the basis of my vast experience /

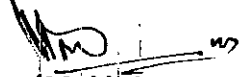
~~ATTESTED~~

length of service, I am otherwise eligible for promotion from this quota as Sub Engineer as subsequent to the post of Assistant Engineer on the basis of seniority cum fitness, the undersigned totally opted to withdraw and offer my unconditional apology from the other disciplines Diplomas if available on my record.

- v. Sir, I have more than 31 years service at my credit, my annual confidential reports are free from adverse entries, I am otherwise eligible for the post of Sub Engineer / Assistant Engineer out of the reserved quota exists in the recruitment rules of the Department, therefore, the show cause notice served upon me, may be reconsidered and on the basis of my un-blameworthy service record, which needs/required to be withdrawn please.

I view of the above, my detail reply it is humbly prayed that on the basis of my good performance / satisfactory record, being qualified person for the post of Sub Engineer / Assistant Engineer, I may please be given an opportunity to serve the Department for the rest of 4 years service remaining and the Show Cause Notice issued to me, may kindly be withdrawn, please.

Yours Sincerely,


(Mukhtiar Hussain)
Sub Engineer
O/O Executive Engineer
C&W Division Dir Upper

~~ATTESTED~~



Resd K

OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR

No. 74-E / 916 / CEC / C&WD

Dated Peshawar the 13 / 04 / 2021

30

OFFICE ORDER

ANNEX K

1. ✓ WHEREAS, Mr. Mukhtiar Hussain, Sub-Engineer C&W Department, presently posted in the O/O Executive Engineer C&W Division Dir Upper was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, on the serious charges of Forgery and availing the benefits of promotion as Sub-Engineer on the basis of fake & bogus documents of DAE (Electrical) in violation of law and rules which being out of turn promotion is void ab initio".

2. AND WHEREAS, a fact finding inquiry was conducted by Engr. Muhammad Arif Khan, Superintending Engineer C&W Circle Dir Lower, and the charges were proved.

3. And whereas the undersigned being competent authority issued a Show Cause Notice under R 5(1)(a) read with Rule 7 of Khyber Pakhtunkhwa, Government Servants (Efficiency & Discipline) Rules, 2011 whereby regular inquiry was dispense with as sufficient material was available against him which was duly replied by him however his reply was not satisfactory. Thereafter on dated 06-04-2021 he was provided opportunity of personal hearing which he availed however he failed to discard the charges.

4. NOW THEREFORE, the undersigned being Competent Authority after going through the inquiry report as well as material available on record, the explanation of the accused official and personal hearing is satisfied that the charges levelled against him is proved beyond any shadow of doubt therefore, I being competent authority has been pleased to revert you to your original post of Road Inspector and in exercise of powers under Rule-4 (1)(a) (ii) and (iii) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, "impose the minor penalties of withholding of Promotion for a period of 02-Years" and "recovery of emoluments received as a result of out of turn promotion on the basis of the proved fake documents" upon Mr. Mukhtiar Hussain, Sub-Engineer.

CHIEF ENGINEER (CENTRE)

Copy to the:-

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Chief Engineer (North) C&W Department, Peshawar with reference to his letter No. 347/10-E dated 28-01-2021.
3. Superintending Engineer C&W Circle, Dir/ Inquiry Officer.
4. Superintending Engineer C&W Circle, Peshawar with reference to his No. 2455/43-SE dated 18-01-2021.
5. Executive Engineer C&W Division, Dir Upper with the direction to ensure recovery of emoluments as mentioned above. Necessary entries in the Service Book may also be recorded to the above effect.
6. District Accounts Officer, District Dir Upper.
7. Official concerned.


CHIEF ENGINEER (CENTRE)

ATTESTED

L ANNE L

31

To
The Secretary to Govt of Khyber Pakhtunkhwa
C&W Department, Peshawar

Subject: Departmental Appeal against office Order No.74-E/916/CEC/C&WD dated 13.04.2021 issued by CE (Centre) C&W Peshawar

Respected Sir,

With reference to CE (Centre) C&W Peshawar letter bearing No.74-E/916/CEC/C&WD dated 13.04.2021, vide which penalties of withholding of promotion for a period of 02 years and recovery of emoluments received as a result of out of promotion have been served upon the undersigned (copy enclosed).

In this regard it is submitted that the undersigned initially inducted in the C&W Department as Road Inspector (BS-06) and further posted in O/O XEN Highway Division Timergara Dir Lower vide order dated 11.02.1990. During the service, I have obtained Bachelor Degree as well as M.A, which are beneficiary to the C&W Department. Moreover, I have also passed departmental professional Exam, beside B-Grade Examination gradually in the Department.

On the basis of my experience as Road Inspector, highly educationally qualified skill, my position of Road Inspector was evaluated as Sub Engineer through proper departmental promotion committee under the chairmanship of the then Chief Engineer (Centre) C&W Peshawar, and I was appointed on acting charge basis on 01.04.2011 as Sub Engineer. After due course of time, I have also obtained Diploma in Associate Engineering (Civil) properly from the Board of Technical Education which is available on the official record of the Chief Engineer (Centre) C&W office.

The illegally have been alleged un-intentionally shown in the office record having Diploma in other disciplines, whereas, the undersigned is eligible for promotion from the specific reserve quota of Diploma Holders Road Inspectors ad I have qualified my DAE (Civil) in 2018, on the basis of my vast experience/length of service, I am otherwise eligible for promotion this quota as

~~ATTESTED~~

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Sub Engineer as subordinate to the post of Assistant Engineer on the basis of an-conditional fitness the undersigned totally optioned to withdraw and offer my record. I have more than 31 years service at my credit. my annual confidential reports are free from adverse entries. I am otherwise eligible for the post of Sub Engineer/Assistant Engineer out of the reserved quota exists in the recruitment rules of the department, therefore, the served penalty upon the undersigned is not justified nor justice with a civil servant who was eligible for promotion on the basis of prescribed qualification which is still exist in the service rules of C&W Department.

In this connection, Secretary C&W Department is appellate authority and empowered under sub rule-1 of Rules 17 of E&D Rules, 2011, which may be perused is as under:

- (a) Uphold the order of penalty and reject the appeal or Review petition; or
- (b) Set-aside the orders and exonerate the accused; or
- (c) Modify the orders or reduce the penalty.

In view of my above detail reply, it is humbly prayed that on the basis of my good performance/satisfactory record, being qualified person for the post of Sub Engineer/Assistant Engineer, the imposed penalty may kindly be withdrawn for which I shall be obliged.

Yours, Faithfully

(Makhtar Hussain)
Sub Engineer
C&W Division Dr Upper

Dated: 06/05/2021

ATTACHED

Sub Engineer as subsequent to the post of Assistant Engineer on the basis of seniority-cum-fitness, the undersigned totally optioned to withdraw and offer my un-conditional apology from the other disciplines Diplomas if available on my record. I have more than 31 years service at my credit, my annual confidential reports are free from adverse entries, I am otherwise eligible for the post of Sub Engineer/Assistant Engineer out of the reserved quota exists in the recruitment rules of the department, therefore, the served penalty upon the undersigned is not justified nor justice with a civil servant who was eligible for promotion on the basis of prescribed qualification which is still exist in the service rules of C&W Department.


In this connection, Secretary C&W Department is appellate authority and empowered under sub rule-1 of Rules 17 of E&D Rules, 2011, which may be perused is as under:

- (a) Uphold the order of penalty and reject the appeal or Review petition; or
- (b) Set-aside the orders and exonerate the accused; or
- (c) Modify the orders or reduce the penalty.

In view of my above detail reply, it is humbly prayed that on the basis of my good performance/satisfactory record, being qualified person for the post of Sub Engineer/Assistant Engineer, the imposed penalty may kindly be withdrawn for which I shall be obliged.

Yours' Faithfully

Dated: 06/05/2021


(Mukhtiar Hussain)
Sub Engineer
C&W Division Dir Upper

~~ATTESTED~~

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO: _____ OF 2022

Mukhtiar Hussain (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

C 1 W Deptt. (RESPONDENT)
(DEFENDANT)

I/We Mukhtiar Hussain

Do hereby appoint and constitute **NOOR MUHAMMAD KHATTAK Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2022

CLIENTS

ACCEPTED

NOOR MUHAMMAD KHATTAK

KAMRAN KHAN

SAID KHAN

HAIDER ALI

&
KHANZAD GUL
ADVOCATES

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.170/ 2022

Mr. Mukhtiar Hussain, Sub Engineer (Reverted)
To the Parent Post of Road Inspector (BPS-07)
C/O Executive Engineer C&W Division Dir Upper

.....**Appellant**

Versus

1. The Secretary to Govt of Khyber Pakhtunkhwa C&W Department, Peshawar.
2. The Chief Engineer (Centre) C&W Department Peshawar.
3. The Executive Engineer C&W Circle, Dir Lower.

.....**Respondents**

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5	Departmental Appeal of the Appellant dated 06.10.2006	III	11-12
6	Complaint dated 30.12.2019 lodged by Mr. Sheheryar Sabir President C&W Provincial & Maintenance Association Khyber Pakhtunkhwa	IV	13
7	Chief Engineer (Centre) C&W Department letter No.52-E/332/CEC/C&WD dated 27.01.2020	V	14
8	Chief Engineer (Centre) C&W Department letter NO. 52-E/340/CEC/C&WD08.10.2020	VI	15
9	Superintending Engineer C&W Circle Peshawar letter No. 2455/43-SE dated 18.01.2021	VII	16
10	Chief Engineer (Centre) C&W Department letter NO. 52-E/796/CEC/C&WD 01.04.2021	VIII	17
11	Chief Engineer (North) C&W Department Peshawar letter no. 347/10-E dated 28.01.2021	IX	18-27
12	Application of Mukhtiar Hussain received vide XEN C&W Division Dir Upper letter No. 218/2-E dated 15.07.2021.	X	28-29

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
Service Appeal No. 170 of 2022

①

Mr. Mukhtiar Hussain, Sub-Engineer (Reverted),
to the Parent Post of Road Inspector (BPS-07)
O/O Executive Engineer C&W Division, Dir Upper.

APPELLANT

VERSUS

1. The Secretary C&W Department, Khyber Pakhtunkhwa, Peshawar.
2. The Chief Engineer (Centre) C&W Department, Khyber Pakhtunkhwa, Peshawar.
3. The Superintending Engineer C&W Circle, Dir Lower.

RESPONDENTS

REPLY OF OFFICIAL RESPONDENTS

Respectfully Sheweth!

PRELIMINARY OBJECTIONS

- i. That the Appellant has got no cause of action.
- ii. That the Appeal is incompetent and is not maintainable in its present form.
- iii. That the Appellant is estopped by his own conduct to bring the present appeal.
- iv. That the Appellant has no locus standi.
- v. That the Appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- vi. That the Appeal is time barred.
- vii. The Appellant has not come to the Court with clean hands.
- viii. The instant Service Appeal against the Respondent No.1 and 2 is incompetent.

ON FACTS

1. Pertains to office record.
2. In fact, the Appellant when produced his Diploma of Associate Engineer (DAE) in Electrical Technology, his name was included in the seniority list maintained in respect of Work Superintendents, Work Supervisors, and Road Inspectors having DAE in Electrical, Mechanical Technology as per the then Appointment/Recruitment Rules, so he was appointed as Sub-Engineer on Acting Charge basis under the said quota.
3. As replied in above Para-2, when he was working as Sub-Engineer on Acting Charge basis, he intended to take part in the Professional Examination which in fact, is a pre-requisite for subsequent elevation to the post of Sub-Divisional Officers as per the Departmental Rules. The result of Pass/Fail compartment was notified accordingly.



4. The documents as Annexed-E with this Appeal defines his Diploma in Civil Technology of the Session-2018, whereas he produced his DAE in Electrical Technology for the year 2000 and 2004, which in fact, were sent to the Board of Technical Education who declared both of them as "Bogus/Fake" vide their letter No.BTE/Cert/Veri/2229, dated 20-02-2009 (Annexure-I) and letter No.BTE/PA/16536, dated 29-10-2020 (Annexure-II). The Diploma of the Session-2004 was stated to be awarded to one Mr. Mukhtiar Ali S/O Qura Hassan Khan (not to the appellant Mukhtiar Hussain S/O Said Baw Jan) meaning thereby that the Appellant got benefit of Acting Charge appointment as Sub-Engineer (BPS-11) on the basis of, "Fake/Bogus" DAE (in Electrical Technology) in connivance with the then official hands (who at the present are not in service). It is further added that on 06-10-2006 (Annex-III), the Appellant preferred Departmental Appeal to the Secretary-G&W-to-include his name in the-seniority list on the basis of his double MA, means till then i.e. 10/2006, he was not possessing DAE either Civil or Electrical, which he later on obtained in Session-2000 and Session-2004 as well for his personal gain and benefit.

5. Correct to the extent of quoting of Sub Rule(d) against the post of Sub-Engineer as reserved to those Work Superintendents/ Work Supervisors & Road Inspectors with Seven-years Service, having 03-years Diploma in Electrical/Mechanical Technology and by this way he was promoted on regular basis, whereas the Appellant in Para-4 of the instant Appeal has mentioned DAE Civil Technology of the Session-2018. If he was possessing the DAE (Civil) of the year, 2018, then he would have to be placed in the relevant seniority and should have to be promoted on his turn i.e. the date when he acquired the DAE Civil and not from the list of the officials possessing DAE in Electrical/Mechanical Technology.

- 3
6. Actually on receipt of complaint (Annex-IV), the Appellant was asked to furnish and produce original DAE (Electrical) vide letter No.52-E/332/CEC/C&WD, dated 27-01-2020 (Annex-V) as he was promoted from the category under Clause (d) of the Service Rules reserved thereto as the verified/un-verified Diploma(s) were not existing in the office record, perhaps after availing the benefit of promotion, the office hands (the then) had removed the same in the connivance with the Appellant. So after complaint, its procurement and further verification was felt necessary but to say with great regret, the Appellant did not furnish the said Diploma. Thereafter for the Fact Finding Inquiry, Engr. Shakir Habib, Superintending Engineer C&W Circle, Peshawar was assigned the task vide letter No.52-E/340/CEC/C&WD, dated 28-10-2020 (Annex-VI), who exhausting all means of correspondence with the Appellant submitted report vide letter No.2455/43-SE, dated 18-01-2021 (Annex-VII) stating that Mr. Mukhtiar Hussain, Sub-Engineer O/O Executive Engineer C&W Chitral, time and again was directed vide memo(s) noted above to provide original Diploma and DMCs etc but he not only failed to furnish the requisite documents but also did not give any response to the correspondence. He lastly proposed to initiate Formal Inquiry against Mukhtiar Hussain, Sub-Engineer.
 7. In light of the Fact Finding Inquiry conducted by Superintending Engineer C&W Circle, Dir Lower, Engr. Muhammad Arif, the Chief Engineer (North) reported the matter to the competent authority (Chief Engineer (Centre) for taking appropriate disciplinary action against the appellant. The competent authority (Respondent No.2) in light of sufficient Proofs/grounds felt no need for Formal Inquiry and straightaway issued a Show Cause Notice to the Appellant under Rule-5(a) read with Rule-7 of the E&D Rules, 2011, thus dispensing with the regular Inquiry due to the established attitude/conduct of the Appellant as expressed in Para-1(i) to (XV) of the Show Cause Notice. In the ibid Show Cause Notice, the accused (Appellant) was given proper opportunity of personal hearing.
 8. Correct to the extent of submitted reply to the Show Cause Notice. In Para-iii & iv of the reply, he has admitted that he obtained DAE (Civil) in 2018, but allegedly un-intentionally shown in the office record having Diploma in OTHER Discipline. The Appellant further confessed that, "The undersigned totally opted to withdraw and offer my un-conditional apology from the other discipline Diplomas, if available on my record". Thus the benefit, he availed on the fake DAE in Electrical Technology by producing the DAE (Electrical) of the Session-2000 and Session-2004 is totally illegal and unlawful.

9. Incorrect. How the Appellant assumes, surety of filing the complaint or so called Inquiry or Exoneration from the established/proved charges as described in Para-1(i) to (XV). Instead to have issued major penalty "Removal from Service" or "Compulsory Retirement", the Competent Authority (the then Chief Engineer (Centre) imposed, Minor Penalties:-
- a) of withholding of promotion for a period of 02-years and
 - b) recovery of emoluments received as a result of out of turn promotion on the basis of the proved fake documents.

As per bar contemplated under Section-4(b)(ii) of the Service Tribunal Act, 1974, the case of Appellant against the minor penalties cannot be entertained.

10. Incorrectly stated, preferred departmental appeal on 06-05-2021 against the impugned order of minor penalty dated 13-04-2021. In other words, if it is so assumed, then the statutory period of 90-days got expired on 03-08-2021 (from 06/05/2021 to 03/08/2021=90-days). In fact, the filing of instant Service Appeal before the Tribunal on 31-01-2022 is badly time-barred by 181-days (approx., 06-months later).
11. The serious guilt/forgery and deceiving the Government to avail the un-due advantage/benefit malafidly on his part in collusion with the office hands does not allow him for any further compensation. In fact, the Appellant despite serious/fake and forgery, has been awarded very minor penalties instead to have awarded "dismissal from the service".

GROUNDS


- A- Incorrect. The background and comprehensive reply is made in the above paras of reply.
- B- Incorrect/baseless. The Authority after going into details of the case complied with, the Rules/Regulations in true letter and spirit.
- C- The same reply as narrated in Para-A & B, above.
- D- Incorrectly assumed. No need was felt to issue him Charge Sheet & Statement of Allegations in light of valid proof of forgery and report of Technical Board, Peshawar. The Authority was completely satisfied to dispense with the Formal/Regular Inquiry under Section-5(a) read with Section-7 of Efficiency & Discipline Rules, 2011, because sufficient grounds and proved mis-conduct on the part of Appellant were available to issue him with the SHOW CAUSE NOTICE directly under the prevalent Laws/Rules/Regulations.

- 5
- E- Incorrect. In Para-7 of the Service Appeal, Petitioner himself confessed about the Show Cause so how he states that neither Show Cause was issued to him. So far the question of personal hearing is concerned, he was given the opportunity of personal hearing in the Show Cause Notice issued vide letter No.52-E/796/CEC/C&WD, dated 01-04-2021 (Annex-VIII) which he had availed and thereafter Minor Penalties were imposed, refer to Para-4 of the Penalty orders dated 13-04-2021, which is sufficient in this case.
- F- Incorrect presumption of the Appellant. The Rule-5(a) read with Rule-7 of the Efficiency & Discipline Rules, 2011 stipulates the procedure where the guilt is found/proved beyond any Shadow of doubt, further course of action, shall be taken by suspending the regular Inquiry. In this case, a Fact Finding Inquiry was conducted by Engr. Muhammad Arif, Superintending Engineer C&W Circle, Dir Lower whose report, received through Chief Engineer (North) Memo No.347/10-E, dated 28-01-2021 is Annexed-IX.
- G- Incorrect, the fake Diploma in Electrical Technology on the basis of which he had been given the benefit of Promotion cannot be termed as genuine for Pay Scale and further benefits. The reports of the Board of Technical Education as cited in Para-4 above are ample proof of the forgery on part of the Appellant.
- H- In light of the record/documents and the reluctance to respond to the Fact Finding Inquiry officer as mentioned in Para-6, it was the Appellant himself who was maneuvering to drop the case against him, so not entitled to give him any further benefit on this score only. Besides, he himself has given in writing that his name may be included in the list of those Work Superintendents/ Work Supervisors & Road Inspectors who passed "B-grade Examination (Annex-X).

In the light of above stated facts, it is prayed that the instant Appeal being devoid of merits may graciously be dismissed with cost against the Appellant.


Secretary C&W Department
Respondent No.1


Chief Engineer (Centre)
Respondent No.2


Superintending Engineer
C&W Circle Dir Lower.
(irrelevantly impleaded)

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.191/ 2022

Service Appeal No.170/ 2022

Mr. Mukhtiar Hussain, Sub Engineer (Reverted)

To the Parent Post of Road Inspector (BPS-07)

C/O Executive Engineer C&W Division Dir Upper

.....**Appellant**

Versus

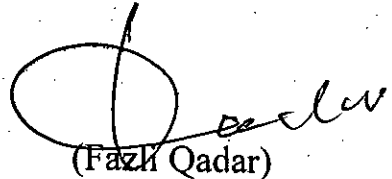
1. The Secretary to Govt of Khyber Pakhtunkhwa C&W Department, Peshawar.
2. The Chief Engineer (Centre) C&W Department Peshawar.
3. The Executive Engineer C&W Circle, Dir Lower.

.....**Respondents**

AFFIDAVIT

I, Fazli Qadar, Superintendent, Office of the Chief Engineer (Centre) C&W Department, do hereby solemnly affirm and state on Oath that the whole contents of this comments are true and correct to the best of my knowledge and belief that nothing has been concealed from this Khyber Pakhtunkhwa Service Tribunal Peshawar.

Deponent



(Fazli Qadar)

Superintendent

O/O Chief Engineer (Centre)
C&W Department Peshawar



① Annex-I

⑦

N.W.F.P. Board of Technical Education
22, Sector B-I, Phase V, Hayatabad, Peshawar.

No: BTE/Cert/Veri/ 2229

Dated: 20/12/2008

C.E. W&S Dept.
Diary No. <u>413</u>
Date <u>23-02-09</u>
Case No.
C.E. W&S
Director H.O.
Subject:
Architect
By: Director
A.O.
B&AO
C.D.

Mr. Aminullah Khan,

Admin officer

Chief Engineer Works & Services Deptt.
NWFP

VERIFICATION

Reference your letter No. 52-E/SS/CE/W&SD

14/12/08

Photo copies of Diploma in Associate Engineer DMC's / Diploma of the following persons are returned herewith duly verified by the Board record to be genuine: 24/02/09

S.No	Name	Father's Name	Roll No.	Exam
1.	Ibad ur Rehman	H. Sher Alam	14118	M790
2.	Gohar Zaman	Gul Zaman	31692	M790
3.	Javid Ahmed Shah	Syed Amir Ahmed Shah	8832	S191
4.	Sham-ud Rehman	Arsala Khan	9769	S191
5.	Abid Ali Shah	Saeed Ahmad Shah	11088	M705
6.	Tahir Zaman	Fazal Rehman	13002	M790
7.	Rab Nawaz Khan	Wazir Mullah	9777	S191

8. Fazli Rabbi
 9. Hidayatullah Khan
 10. Imran Yousaf
 11. Muhammad Anwar
 12. Afangir Khan
 13. Asif Ullah Khan
 14. Sultan Mahmood
 15. Amir Ullah
 16. Umar Khetab
 17. Babar Khan
- Ghulam Sarwar 8679 S187
 Habibullah Khan 1396 M85
 Muhammad Yousaf 18547 S191
 Muhammad Saddiq 1397 M85
 Abdull Khan 2605 M85
 Faiz Ullah Khan 3892 M85
 Zafiq Khan 9607 S190
 Haji Gul Pigo Zad 4051 M86
 Mullah Zaman Khan 8864 M791
 Zahardast Khan 26883 M793

The DAE Diplomas of Mr. Sher Zaman S/O Mirza Khan Roll No. Session 1987 and Mr. Mukhtiar Hussain S/O Said Bio Jan Roll No. Session A/04 are totally Bogus and have no concern to this Board

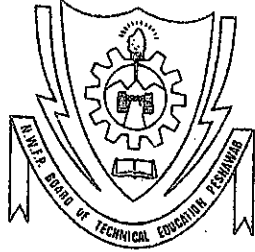
ASSISTANT SECRETARY
Asst. Secretary
N.W.F.P. Board of Technical Education, Peshawar.

Serial.No. 13450

Roll No. 14745

8

NWFP BOARD OF TECHNICAL EDUCATION



PESHAWAR (PAKISTAN)
Diploma of Associate Engineer
Year 2004
(Annual / Supplementary)

Certified that Mr. / Miss. MURTIHAR HUSSAIN
Son / Daughter of Mr. SAID BLO JAN
Registration No. GPI-PNG-E-5722-04
Of GOVT POLYTECHNIC INSTITUTE SWAT
has passed the diploma of Associate Engineer ELECTRICAL Technology
Examination held by the M.W.F.P. Board of Technical Education, Peshawar, in the month
of MAY
He / She secured 2310 Marks out of 3550 and has been placed in
Grade B

In recognition thereof, this

Diploma of Associate Engineer

is awarded to him / her at Peshawar on the 17TH day of JUNE 2007


ASSISTANT SECRETARY


SECRETARY

This certificate / diploma is issued with out any aliteration or erasure.



AD.
put up.

Annex-II

(9)

KHYBER PAKHTUNKHWA BOARD OF TECHNICAL EDUCATION
Plot # 22, SECTOR B-1, PHASE - 5, HAYATABAD, PESHAWAR
Phone No. 091-9217410, 9217440, 9217441

No. BTE/PAI 16536

Dated: 26/10/2020

To

Muddassir Anwar,
Administrative Officer, Chief Engineer (North),
Commutation & Works Department, Govt of Khyber Pakhtunkhwa Peshawar

Subject: - Verification of DAE (Civil) & DMCs (Electrical).

I am directed to refer your Letter No. 97/10-E dated 26/10/2020 noted subject and to state that the DMCs of 3rd year Diploma of Associate Engineer issued to Mr. Mukhtiar Hussain Sub-Engineer of your Department under Roll. No 578724, Registration No AIP/TBI/CT/15-68264 passed in DAE (Supply) 2018 in Civil Technology are genuine and found verified as per record of this Board. DMC of 1st, 2nd & 3rd year of the said exam duly verified after due process are enclosed herewith.

With regard to the detail of verification of DMCs (1st, 2nd and 3rd year) of DAE Electrical Technology, I am to inform you that as per actual record of this Board the serial number of the DMCs i.e 399383 (1st year), 399385 (2nd year) and 399389 (3rd year) submitted by Mr. Mukhtiar Hussain S/O Said Bawa Jan for the purpose of verification are fake. I am further to state that DMCs with their serial No as cited above were issued to Mr. Mukhtiar Ali S/O Qura Hassan Khan, who was a regular student of Government College of Technology Swat and registered with KP BTE under Registration Number GPI/MNG/E/96-7113 has passed the DAE Annual Exam 2000, under Roll. No 38091 by securing 1751 marks out of 3300 marks. The said candidate was accordingly awarded Diploma under Serial 4955.

With regard to the matter of verification of DMCs of DAE Electrical in respect of Mr. Mukhtiar Hussain S/O Bawa Jan of your department and after thorough checking the BTE Secrecy record / result registers, it has come to the surface that the provided copies of DMCs by the said official are totally fake, forged and fabricated. The matter has brought into the notice of the Competent Authority of the KP BTE who have given direction to investigate the matter through a high powered committee about the issuance of verification of the above mentioned fake DMCs of DAE Electrical Technology in respect of the above named official of your Department.

The above report is submitted for further necessary action at your part. Moreover, this Board will also share with your Department the findings and recommendations of the Enquiry Committee when finalized by the Committee, which is being constituted shortly.

Controller of Exams

Enclosed: -

1. 1st, 2nd & 3rd year photocopies of fake DMCs of Electrical Technology.
2. Photocopy of DAE Civil Diploma duly verified after due process.
3. 1st, 2nd & 3rd year Photo copies of DMCs of Civil Technology duly verified after due process.

S. No. 873

Roll No. 38091

N.W.F.P. Board of Technical Education



PESHAWAR - PAKISTAN
Diploma of Associate Engineer

SESSION 2000

(ANNUAL/SUPPLEMENTARY)

This is to certify that

Mr./Mrs. Mr. MUKHTIAR FUSSAIN
Son/Daughter of Mr. SALIM BAWJAN
Registration No. GPI/SWT/E/96-7113
of GOVT. POLYTECHNIC INSTITUTE SWAT.

has passed the Diploma of Associate Engineer Electrical
Technology, Examination held by the N.W.F.P., Board of Technical Education,
Peshawar, in the month of June, 2002

He/She secured 1751 Marks out of 3300 and has been placed
in Grade 'B'

In recognition thereof, this
DIPLOMA OF ASSOCIATE ENGINEER

is awarded to him / her at Peshawar
on the 5th day of Nov. 02.

Yousuf Ali
ASSISTANT SECRETARY
N.W.F.P. Board of Technical
Education, Peshawar

[Signature]
SECRETARY
N.W.F.P. Board of Technical
Education, Peshawar

THIS CERTIFICATE IS ISSUED WITHOUT ANY ALTERATION OR ERASURE

[Signature]
22/03/11

[Signature]

DEPARTMENTAL APPEAL AGAINST THE SENIORITY ORDER
NO.52-E/2178/CE/W&SD DATED 28.09.2006

To
The Secretary to Government of NWFP,
Works and Services Department, Peshawar

Respected Sir,

The appellant submits as under:

1. That the Petitioner was appointed as Road Inspector in the year, 1990 12-3-90
2. That the Petitioner is working as Road Inspector since 12-3-1990
3. That the Petitioner had passed examination of _____ in the year _____ and also possess Double M.A higher qualification.
4. That the Petitioner is a qualified person and completed about 18 years service without blame.
5. That the Petitioner is eligible for the said seniority and without showing any reason favourable persons were mentioned in the list while the eligible and rightful employees were ignored.
6. That the Petitioner is entitled for the promotion and his name was intentionally left from the list.
7. That the Petitioner is senior and qualified and also possess required qualification and are entitled for the post of Sub Engineer.
8. That under the law and justice, it is the responsibility of the authority to accommodate and award the right to rightful persons.

It is, therefore, humbly requested that the said order of promotion No. 52-E/2178/CE/W&SD dated 28-09-06 be set aside and the Petitioner name be included in the Seniority List and be promoted to the post of Sub Engineer.

6.10.2006
Your obedient servant,

MUKHTIAR Hussain s/o
Said Bawjan village Rehankot
Dist Dir upper.
works and Services Dept Dist
upper

15534
15/10
20/10

CRP

M2
20/10

GOVERNMENT OF NWFP
WORKS & SERVICES DEPARTMENT

NO. SOE-I/W&S/11-268(00)
Dated Peshawar, the October 19, 2006

Page 11
20/10/06

To

The Chief Engineer,
Works & Services Peshawar.

Subject:- Departmental Appeal against the Seniority Order No. 52-E/2178/
CE/W&SD dated 28.9.2006

I am directed to refer to the subject noted above and to enclose herewith a copy of an appeal of Mr. Mukhtar Hussain s/o Said Bawjan Road Inspector dated ^{6.10.06} 7 for further necessary action under the existing rules & policy.

(ARSHAD KHAN AFRIDI)
SECTION OFFICER (ESTT-I)

2006
21/11
C.E. W&S
Director H.Q.
Architect
Gen. Director
S.O.
Secy
C.O.

40

52/B

بخدمت جناب چیف انجینئر صاحب سنٹر

محکمہ C & W خیبر پختونخواہ، پشاور

درخواست برائے برگس ڈپلومہ پر مختیار حسین سب انجینئر

عنوان:-

کے خلاف کاروائی۔

سائل حسب ذیل عرض گزارت ہے۔

جناب عالی!

گزارش کی جاتی ہے کہ ذرائع سے معلوم ہوا ہے کہ کچھ دنوں پہلے مختیار حسین روڈ انسپکٹر کو برگس ڈپلومہ پر سب انجینئر کی پوسٹ پر ترقی دی گئی ہے جو آجکل چترال میں ڈیوٹی سرانجام دے رہا ہے۔

لہذا آپ جناب سے درخواست ہے کہ ڈپلومہ کی فوراً تصدیق کی جاوے تاکہ محکمہ C&W بدنامی سے بچ سکے۔

آپ صاحب سے امید ہے کہ Verification کے بعد قانونی کاروائی کی جائی۔ بصورت دیگر سائل نیب اور اینٹی کرپشن اور عدالتی چارہ جوئی کا حق محفوظ رکھتا ہے۔

الرقوم:- 30/12/2019

الحیدر

نامزد صدر شہر یار صابر

سی اینڈ ڈبلیو ایئرپرائٹل اینڈ مینٹیننس ایسوسی ایشن خیبر پختونخواہ۔

کاپی برائے ضروری کاروائی:-

۱۔ جناب وزیر اعلیٰ خیبر پختونخواہ۔

۲۔ جناب منسٹر IC&W کبر ایوب صاحب خیبر پختونخواہ۔

۳۔ جناب چیف سیکرٹری صاحب خیبر پختونخواہ۔

۴۔ جناب سیکرٹری C&W صاحب خیبر پختونخواہ۔

۵۔ جناب چیف انجینئر صاحب (نارتھ ایسٹ امرتسار) محکمہ C&W خیبر پختونخواہ۔

۶۔ جناب جملہ پرنسپل انجینئر صاحب C&W خیبر پختونخواہ۔ (PBMC)

۷۔ جناب ایگزیکٹو انجینئر صاحب C&W خیبر پختونخواہ۔ (PBMC)

C.E. (E) Dept.
146
30/12/19

Supdt (E)

Discun.

31/12



OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PUKHTUNKHWA, PESHAWAR

No. 52-E / 332 / CEC / C&WD

Dated Peshawar the 27 / 01 / 2020

To

Mr. Mukhtair Hussain,
Sub-Engineer C&W Division
Chitral.

Subject:

PROVISION OF DIPLOMA OF ASSOCIATE ENGINEER (ELECTRICAL)

It is to state that this office received a complaint against you, wherein it is reported that you have been promoted from lower post to the post of Sub-Engineer on the bogus Diploma.

You are in the knowledge that at the time of reservation of percentage quota to Work Superintendent, Work Supervisor and Road Inspectors, possessing Diploma qualifications/DAE (Electrical/Mechanical) your name was included in the seniority list on the basis of DAE (Electrical) and now you have been promoted to the post of Sub-Engineer as such.

Dispite, hectic efforts, DAE in your name is not found in the record of this office.

You are therefore directed, to immediately furnish your DAE in original for the satisfaction of the undersigned.

Note the required Diploma shall be furnished/produced within a period of one week without fail. In case of non-response the department will be at liberty to initiate action as per rules /regulations of the government.

OK
@ CHIEF ENGINEER CENTER

Copy to the:

1. Chief Engineer (North) C&W Department Peshawar.
2. Superintending Engineer C&W Circle, Dir Lower.
3. Executive Engineer C&W Division Chitral, for their information:-

The Executive Engineer Chitral shall ensure that the said official is not assigned the developmental work till he supply his DAE Diploma Certificate and its verification.

CHIEF ENGINEER CENTER

OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR

No. 52-E / 340 / CEC / C&WD

Dated Peshawar the 8 / 10 / 2020

To

Engr. Shakir Habib
Superintending Engineer
C&W Circle Peshawar

SUBJECT: VERIFICATION OF DIPLOMA OF ASSOCIATE ENGINEER (ELECTRICAL) IN RESPECT OF MR. MUKHTIAR HUSSAIN SUB-ENGINEER O/O XEN C&W DIVISION LOWER CHITRAL

On the complaint of Mr. Shehryar Sabir nominated President of C&W Operational & Maintenance Association Khyber Pakhtunkhwa dated 30/12/2019, against the diploma of Mr. Mukhtiar Hussain Sub-Engineer O/O XEN C&W Division Lower Chitral (Flag-A), the same was forwarded for verification to the Board of Technical Education Khyber Pakhtunkhwa which was returned with the remarks that original diploma & DMCs may be provided enabling them to verify the same.

Mr. Mukhtiar Hussain Sub-Engineer was directed by this office to produce the same.

The duplicate DMCs & verified photocopy of diploma provided by Mr. Mukhtiar Hussain, Sub-Engineer has been forwarded to Board of Technical Education Khyber Pakhtunkhwa Peshawar, however, the same has again been returned unverified for want of the original Diploma/ DMCs.

In light of the above, you are hereby appointed to conduct fact finding inquiry and furnish report within 15-days of the receipt of this order so as to proceed further in the matter.

Photocopies of correspondence made on the above subject are enclosed herewith for ready reference.

Submitted to
DA/As above
Supt
to P.U. draft addressed to Mr. Mukhtiar Hussain to provide all original documents to be original diploma, original DMCs alongwith *14-16-20* days
S.R.
CHIEF ENGINEER (CENTRE)



OFFICE OF THE SUPERINTENDING ENGINEER
C&W CIRCLE PESHAWAR

Annex-VII

No. 2415 ⁴³ SE DATED: 18/12/2020

16

To ✓
The Chief Engineer (Centre),
C&W Department Peshawar.

SUBJECT:- VERIFICATION OF DIPLOMA OF ASSOCIATE ENGINEER (ELECTRICAL) IN RESPECT OF MR. MUKHTIAR HUSSAIN SUB ENGINEER O/O THE EXECUTIVE ENGINEER C&W DIVISION LOWER CHITRAL.

Reference:-
1. Your office letter No.52-E/340/CEC/C&WD, dated 08/10/2020.
2. This office letter No.2059/43-SE, dated 19/10/2020.
3. This office letter No.2171/43-SE, dated 09/11/2020.
4. This office letter No.2223/43-SE, dated 20/11/2020.
5. This office letter No.2334/43-SE, dated 10/12/2020.

It is submitted that Mr. Mukhtiar Hussain Sub Engineer attached to the office of Executive Engineer C&W Division Lower Chitral was time and again directed vide above noted correspondences, addressed to him with copy thereof to your office, to provide all original documents i.e Original Diploma, Detailed Marks Certificate and brief statement highlighting all aspects of the matter, but he not only failed to furnish the same, but also did not give any response to this correspondence, so as to enable this office to proceed further in the matter.

In view of the above position, this office is unable to proceed the Inquiry in the absence of original documents, therefore the documents received with your letter under reference, are returned herewith with the request to initiate formal inquiry against Mr. Mukhtiar Hussain Sub Engineer.

DA/As above.


SUPERINTENDING ENGINEER

Copy to :-

- 1- The Executive Engineer C&W Division Lower Chitral for information.
- 2- Mr. Mukhtiar Hussain Sub Engineer C/O Xen C&W Division Lower Chitral.

SUPERINTENDING ENGINEER

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21-01-2021 52-E

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OFFICE OF THE CHIEF ENGINEER (CENTRE)
Communication & Works Department
KHYBER PAKHTUNKHWA PESHAWAR

No. 52-E / 796 / CEC / C&WD

Dated Peshawar the 01 / 04 / 2021

To

Mr. Mukhtiar Hussain
Sub-Engineer
O/O Executive Engineer
C&W Division Dir Upper

Subject: PERSONAL HEARING.

Reference: Your reply to the Show Cause Notice dated nil received in office on 31/03/2021

With reference to your reply to the show cause notice, you are hereby directed to attend the office of undersigned on 06/04/2021 (Tuesday) at 11:00 (A.M.) for personal hearing, so as to proceed further in the matter.


CHIEF ENGINEER (CENTRE)
S/C

Copy forwarded to the:-

1. Chief Engineer (North), C&W Department Peshawar.
2. Superintending Engineer C&W Circle Dir Lower at Timergrah.
3. Engr. Shakir Habib, Inquiry Officer/ Superintending Engineer C&W Circle Peshawar.
4. Executive Engineer C&W Division Dir Upper.

/

CHIEF ENGINEER (CENTRE)

CHIEF ENGINEER (NORTH)
COMMUNICATION & WORKS DEPARTMENT
GOVT. OF KHYBER PAKHTUNKHWA, PESHAWAR

New Building C&W Department Khyber Road Peshawar.
PH:091-9210456 FAX 091-9212429 E-Mail: cnwnorth@gmail.com

No 347/10-E Dated: 28/01/2021

To

The Chief Engineer (Centre),
C&W Department Peshawar.

Subject:

**INQUIRY AGAINST FAKE DAE (ELECTRICAL) IN RESPECT
OF MR. MUKHTIAR HUSSAIN, SUB ENGINEER, C&W
DIVISION DIR UPPER.**

Reference:

Your office letter No. 52-E/332/CEC/C&WD, dated 27-01-2020.

Enclosed find herewith the Fact Finding Inquiry Report conducted through Engr. Muhammad Arif Khan, Superintending Engineer (BS-18), C&W Circle, Dir Lower regarding the subject cited above alongwith its attachments, which is self explanatory. Further, appropriate necessary action in the matter may please be taken at your end being appointing authority under the E&D Rules, 2011 against the official involved in light of the recommendation of the Inquiry Officer. Mr. Mukhtiar Hussain, Sub Engineer is presently attached to the office of the Executive Engineer, C&W Division, Dir Upper.

DA/As above.

(Engr. Muhammad Uzair)
Chief Engineer (North)

Copy is forwarded to the:-

1. Superintending Engineer, C&W Circle, Dir Lower w/r to above for information.
2. P.S to Secretary, Communication and Works Department, Peshawar for information.

Chief Engineer (North)

C.E. C&W Deptt. (Centre)
Sl. No. <u>671</u>
Date <u>28/01/2021</u>
Class No.
C.E. (C&W) <u>Ch</u>
S.E. (C&W)
D.E. (C&W)
T.O.
A.O.
D&AO
C.D.

40
m.p. in light
of the inquiry report.
Ch

Confidential

(13)

FACT FINDING INQUIRY.

SUBJECT:- INQUIRY AGAINST FAKE DAE (ELECTRICAL) IN RESPECT OF MR. MUKHTIAR HUSSAIN SUB-ENGINEER C&W DIVISION CHITRAL (LOWER)

AUTHORIZATION :-

The undersigned has been appointed as Inquiry Officer for conduction of Fact Finding Inquiry in the subject matter vide Chief Engineer (North) C&W Department Khyber Pakhtunkhwa Peshawar No.117/15-E dated 04/11/2020.

BACK GROUNDS.

As evident from Chief Engineer (Centre) C&W Department Khyber Pakhtunkhwa Peshawar letter No.52/-E/332/CEC/C&WD dated 27/01/2020 (**Copy enclosed as annexure-A**) that a complaint regarding bogus Diploma of DAE (Electrical Technology) was received to his office on the basis of which Mr. Mukhtiar Hussain was promoted from the post of Road Inspector to the Post of Sub-Engineer (BS-12) and the official was served a notice for provision of DAE (Electrical Technology) vide No. referred above. On receipt of DMCs (Electrical Technology), a Diploma and DMCs of (Civil Technology). The Chief Engineer (North) C&W Department Khyber Pakhtunkhwa Peshawar forwarded the relevant documents in respect of the official to the Controller, Board of Technical Education Khyber Pakhtunkhwa Peshawar for verification and authentication vide his No.97/10-E dated 26/10/2020 (**Copy enclosed as Annexure -B**). Accordingly the concerned Authority communicated the verification of the said documents vide his No.BTE/PA/16536 dated 29/10/2020 (**Copy enclosed as annexure-C**) showing therein that the DMCs of 3rd year Diploma of Associate Engineer (Civil) issued to Mr. Mukhtiar Hussain Sub-Engineer under Roll No.578724, Registration No.AIP/TBI/CT/15-68264 passed DAE (Supply)2018 in Civil Technology are **Genuine** and duly verified **WHILE DMCs (1st year, 2nd year and 3rd year) of DAE Electrical Technology were found FAKE.** Therefore, on provision of fake Electrical Diploma the Chief Engineer (North) C&W Department nominated the undersigned to conduct fact finding inquiry in the subject matter.

INQUIRY PROCEEDING:-

On receiving the above order, the undersigned asked Executive Engineer, C&W Division Lower Chitral for provision of Service Book, Service History and detail of emoluments etc through special Messenger vide this office No.1312/8-M dated 16/11/2020 (**Copy enclosed as annexure-D**) Moreover this office also approached to the Controller of Examination and Board of Technical Education Khyber Pakhtunkhwa Peshawar for Re-Verification of DAE Civil, DMCs and DMCs of Electrical vide this office No.1319/8-M dated 17/11/2020 (**Copy enclosed as annexure-E**) In response of this office No. as above the Controller of Examination communicated the verification of the relevant documents vide his letter No.BTE/PA/16548 dated 24/11/2020 (**Copy enclosed as annexure-F**) as per detail given Below:-

S.No.	Roll No.	Session	Technology	Remarks.
1	20248	S/1996	Electrical 1st Year	FAKE
2	29984	A/1999	Electrical 2 nd year	FAKE
3	38091	A/2000	Electrical 3 rd Year	FAKE
4	484523	S/2018	Civil 1st Year	GENUINE
5	518552	S/2018	Civil 2 nd Year	GENUINE
6	578724	S/2018	Civil 3 rd Year	GENUINE
7	578724	S/2018	Diploma in Civil Technology 3 rd year bearing S.No.035501	GENUINE

The Executive Engineer, C&W Division Lower Chitral also provided the Service Book (in original) and Service History of the official vide his No.9011/5-E dated 7/12/2020 alongwith abortive emolument detail received in this office on 15/12/2020 vide this office Diary No.8126/8-M dated 15/12/2020 (Copy enclosed as annexure-G1 G2 & G3).

CHECKING AND SCRUTINY OF SERVICE BOOK AND OTHER DOCUMENTS

1. Mr. Mukhtiar Hussain S/O Said Bawjan was appointed as Road Inspector (BPS-06) in the office of Executive Engineer Highway Division Timergara vide Superintending Engineer C&W Circle Malakand at Swat office order No.2641-42/64-E dated 11/2/1990 and at the time of recruitment the official had got his Education upto Intermediate (FA). However the official augmented his Education as BA & MA for which he was benefited in shape of Advance Increments which were admissible at that time.
2. The Service Book and the enclosed papers attached therein further revealed that the official has also passed the Department Professional and B-Grade Examination as well, as per detail Below:-

S.No.	Nomenclature of Examination	Result declaration No. & date.
1	Departmental Professional Examination.	Vide CE (Centre) C&W Department KP Peshawar No.57-G/260/CE/C&WD datede 8/2/2012.
2	Department (B-Grade) Exam	Vide Chief Engineer (Centre) C&W Department KPK Peshawar No.57-

		G/583/CEC/C&WD dated 23/10/2013.
--	--	----------------------------------

3. The official was promoted as Sub-Engineer BPS-11 (on acting charge) on the basis of having 3-year Diploma in Electrical Technology vide Chief Engineer (Centre) C&W Department Khyber Pakhtunkhwa Peshawar No.52-E/130/CE/C&WD dated 01/4/2011 (Copy enclosed as annexure-H) and was later on promoted on regular basis vide Chief Engineer (Centre) C&W Department Khyber Pakhtunkhwa Peshawar office order No.177-E/1-37/CEC/C&WD dated 25/11/2019. (Copy enclosed as annexure-I)
4. The Chief Engineer (Centre) serviced a notice to the official vide his No.52-E/332/CEC/C&WD dated 27/1/2020 for provision of Diploma of Associate Engineer (Electrical) on the basis of which Mr. Mukhtiar Hussain Sub-Engineer was promoted (Copy enclosed as annexure-J).
5. The official provided the photo copies of DAE Civil alongwith DMCs and DMCs Electrical to the office of Chief Engineer (North) C&W Department Khyber Pakhtunkhwa Peshawar on 17/9/2020 (Copy enclosed as annexure-K).
6. The Chief Engineer (North) C&W Department forwarded the relevant documents to the Controller, of Examination, Board of Technical Education, Khyber Pakhtunkhwa Peshawar vide No.97/10-E dated 26/10/2020 (Copy enclosed as annexure-L) and accordingly the Board verified the same DAE, DMC Civil and DMCs Electrical and declared the DMCs Electrical as Fake while the DAE & DMCs (Civil) were declared as GENUINE.

FINDING:-

Going through all the relevant record and keeping in view verification from the Board of Technical Education Peshawar which clearly reveals that the official has deceived the Higher Ups for obtaining Pre-mature promotion on the basis of Fake DAE (Electrical).

RECOMMENDATIONS:-

The official may be reverted to his previous post i.e Road Inspector and the emolument etc he obtained on promotion as Sub-Engineer may be recovered from him. Moreover, the Department may consider his promotion in turn on the basis of Seniority-cum-Fitness as the official has passed his Departmental professional Examination, Departmental (B-Grade) and Examination and DAE (Civil Technology) as well which every is earlier.

2. The Department may further declared it mandatory "that verification of Education Qualification and dossier etc" from the concerned Board/ University of the Officers/officials prior to their recruitment/promotion in C&W Department, so as to avoid any anomaly and irregularity in this regard in future.

~~_____~~
Egr: Muhammad Arif Khan,
Enquiry Officer,
Superintending Engineer (BS-18)
C&W Circle Dir Lower.



Confidential.

OFFICE OF THE
SUPERINTENDING ENGINEER
C & W CIRCLE DIR LOWER AT TIMERGARA

120

Annex-B

23

To,

NO. 1319/8m DATED 17/11/2020.

The Controller of Examination,
Board of Technical Education,
Khyber Pakhtunkhwa, Peshawar.

SUBJECT:- Inquiry against Fake DAE (Electrical) in Respect of Mr. Mukhtiar Hussain Sub-Engineer C&W Division Chitral(Lower)
Sub-Head:- RE-VERIFICATION OF DAE CIVIL AND DMCs(ELECTRICAL) IN RESPECT OF MR. MUKHTIAR HUSSAIN S/O SAID BAW JAN.

The undersigned has been appointed as Inquiry Officer by the Chief Engineer (North) C&W Department Khyber Peshawar vide No.117/15-E dated 04/11/2020(Copy enclosed) for probing into the matter of Fake DAE (Electrical) and its effect on the official concerned at the time of his appointment and promotion under the rules.

Therefore, photo copies of the following documents of the official concerned are submitted herewith for **RE-VERIFICATION** at your earliest and return please.

S.No.	DAE/DMC	Roll No.	Session.
1	DMC DAE (Electrical)(1st Year)	20248 ✓	1996(Supply)
2	DMC DAE (Electrical)(2 nd year)	29984 ✓	1999 (Annual).
3	DMC DAE(Electrical) (3 rd year)	38091 ✓	2000(Annual)
4	DAE(Civil)	578724 ✓	2018(Supply)
5	DMC DAE (Civil) (1 st year)	484523 ✓	2018 (Supply)
6	DMC (Civil) (2 nd year)	518552 ✓	2018 (Supply)
7	DMC (Civil) (3 rd year)	578724 ✓	2018 (Supply)

It is therefore, requested that the authenticity of the above mentioned documents may please be re-verified and communicate to this office as the finalization of the Inquiry is of time bound and must be submitted to the Competent Authority within the assigned period of 15-days.

Matter requires your prompt action and earliest consideration please.


SUPERINTENDING ENGINEER

Copy forwarded to:-
1. The Chief Engineer (North) C&W Department Khyber Pakhtunkhwa Peshawar w/r to above for information please.

SUPERINTENDING ENGINEER



KHYBER PAKHTUNKHWA BOARD OF TECHNICAL EDUCATION

Plot # 22, SECTOR B-1, PHASE - 5, HAYATABAD, PESHAWAR

Phone No. 091-9217410, 9217440, 9217441

Annex - R

(24)

No. BTE/PAI 16548

Dated: 24/11/2020

To

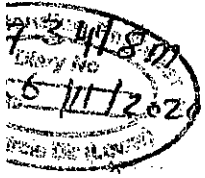
The Superintending Engineer,
C & W Circle Dir Lower at Timergara.

Subject: - Verification of DAE Civil and DMCs Electrical in respect of
Mr. Mukhtiar Hussain S / O Said Baw Jan.

Reference your Letter No. 1319/8M dated 17/11/2020 on the subject cited above.

In this regard, DMCs in Civil and Electrical Technology of the above name
official of your Department checked again as per detail given below.

S. No	Roll. No	Session	Technology	Remarks
1	20248	S/1996	Electrical 1st Year	Fake
2	29984	A/1999	Electrical 2 nd year	Fake
3	38091	A/2000	Electrical 3 rd year	Fake
4	484523	S/2018	Civil 1st Year	Genuine
5	518552	S/2018	Civil 2 nd year	Genuine
6	578724	S/2018	Civil 3 rd year	Genuine
7	578724	S/2018	Diploma in Civil Technology 3 rd year bearing Sr. No 035501	Genuine



Subdt -
Pud m' aalu
26/11/2020

Controller of Exams

C.C.:-

1. PS to Chairman BTE Peshawar.
2. PA to Secretary BTE Peshawar.

Ammed-61

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Ammed-61 (25)



OFFICE OF THE EXECUTIVE ENGINEER
COMMUNICATION & WORKS DIVISION LOWER CHITRAL
GOVERNMENT OF KHYBER PAKHTUNKHWA

No. 9011/15-E

Dated: 7/12/2020

To:

The Superintending Engineer,
C&W Circle Dir Lower at Timegara.

SUBJECT: INQUIRY AGAINST FAKE DAE (ELECTRICAL) IN RESPECT OF MR. MUKHTIAR HUSSAIN SUB ENGINEER C&W DIVISION CHITRAL (LOWER).

Reference: Your office letter No. 1312/8-M dated 16-11-2020.

Refer to the subject cited above and to state that the emolument of pay and allowances of the above named official for the period from 1-03-2019 to 31-10-2020 is work out which come to Rs. 230318/- (statement attached) and remaining period from 1-4-2011 to 28-2-2019 is relate to Xen C&W Division Dir Upper, therefore the same may be asked from Xen Dir Upper. Original service book along with S/statement are attached for further necessary action please.

816/8M
15/12/2020


EXECUTIVE ENGINEER

DUE DRAWN OF PAY & ALLOWANCES IN RESPECT OF MR. MUKHTIAR HUSSAIN
Sub Engineer BPS-11. W.E.F 01-01-2019 TO 30-10-2020.

	Due	Drawn	Difference	Month	Total	
Pay	01-01-2019 to 30-11-2019	29900	37320	-7420	11.00	-156530
	1/12/2019 to 31-10-2020	30510	37320	-6810	11.00	
TOTAL						
HRA	01-01-2019 to 31-10-2020	1589	1961	-372	22.00	-8184
TOTAL						
C.A	01-01-2019 to 31-10-2020	1932	2856	-924	22.00	-8184
TOTAL						
UAA	01-01-2019 to 31-10-2020					-20328
TOTAL						
AR 2010		1700	1700	0	22.00	0
	01-01-2019 to 31-10-2020	700	813	-113	22.00	-2486
TOTAL						
AR 2011						-2486
	01-01-2019 to 31-10-2020	478	563	-85	22.00	-1870
TOTAL						
AR-2012						-1870
	01-01-2019 to 31-10-2020	2401	2873	-472	22.00	-10384
TOTAL						
AR-2013						-10384
	01-01-2019 to 31-10-2020	2990	3636	-646	22.00	-14212
TOTAL						
AR-2014						-14212
	01-01-2019 to 31-10-2020	2990	3732	-742	22.00	-16324
TOTAL						
GRAND TOTAL						-230318 ✓


Executive Engineer,
C&W Division Chitral.

Annex-I 16 Annex-K

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(2)

CE (North) & W Deptt:
Dairy No. 1055
Date: 17/09/20
Case No:
CE (N):
SE (H.Q.):
D.E (R & B)
D.E (Tech)
A.O
B & AO
C.D
Dairy No: <i>[Signature]</i>

To,

The Chief Engineer (North),
C&W Department, Peshawar.

Subject: **APPEAL FOR POSTING.**

R/Sir,

I am working as Sub- Engineer in Office of the C&W Department since 2011 and currently I am posted C&W Division Lower Chitral. Due to union activities a complaint was launched by Mr. Shehreyar Plumber Office of the XEN PBMC Peshawar. The supervision of works were withdrawn from the undersigned by the Administrative Officer till the submission of my Diploma and subsequently the same were submitted but till no action has been taken.

The following testimonials are once again submitted for verification from Assistant Secretary (Secrecy) BTE Peshawar.

1. Photocopy of Original Certificate DAE (Civil).
2. Photocopy of DMC of DAE (Civil).
3. Photocopy of DMC of DAE (Electrical).
4. Copy of the F.I.R for misplacing of original certificate of DAE (Electrical).

It is therefore requested that till the verification of testimonials, I may be re-instated as Sub Engineer.

Dated: 17/09/2020.

AO

CE (North) & W Deptt:
Dairy No.
Date:
Case No:
CE (N):
SE (H.Q.):
D.E (R & B)
D.E (Tech)
Sub. 17/9

Sincerely Yours'

[Signature]
(MUKHTIAR HUSSAIN)

[Handwritten note:] Pl. send it Technical Board concerned for verification.

OFFICE OF THE EXECUTIVE ENGINEER
COMMUNICATION & WORKS DIVISION UPPER DIR
PH & Fax #0944-880836 E-mail: xencwddirupper31@gmail.com

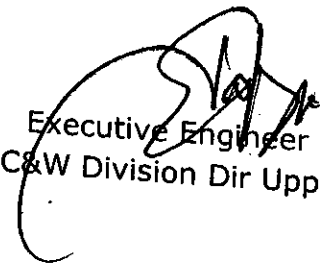
Annex X
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CS
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Dated 15/07/2021

The Chief Engineer (Centre)
C&W Department Peshawar.

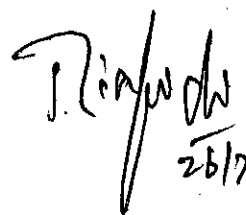
Through
Subject: **PROPER CHANNEL.**
INCLUSION OF NAME OF MR. MUKHTIAR HUSSAIN IN SENIORITY LIST
OF ROAD INSPECTOR.

Application received from Mr. Mukhtiar Hussain regarding inclusion of his Name in Seniority List of Road Inspector is sent herewith along with relevant documents for favor of proper necessary action please.


Executive Engineer
C&W Division Dir Upper

C.E. C&W Deptt. (Centre)	
Dairy No	196
Date	23/7/2021
Cass No	
C.E. Caw	
S.E. (H.O)	
D.E. (Bar)	
T.O	
A.O.	
B&AO	
C.D.	

Supdt (E)
Put up note for CE (C) seeking
permission for the same.


25/7/21

To

29

The Chief Engineer (Centre)
C&W Department,
Peshawar.

THROUGH PROPER CHANNEL

SUBJECT INCLUSION OF MY NAME IN THE SENIORITY LIST OF ROAD INSPECTOR

Sir,


It is submitted that I have been reverted from the post of Sub Engineer to Road Inspector vide office order No.74-E/916/CEC/C&WD, dated 13-04-2021.

I have already passed "B Grade" Examination on 23-10-2013 (Copy for result declared vide office order No.57-G/583/CEC/C&WDm dated 23-10-2013 is enclosed herewith).

It is, therefore requested that my name may kindly be inserted in the Seniority List of Road Inspector who have passed B Grade Examination. Kindly refer to rule 5(g) of C&W Department Recruitment Rules 2010.

Thanking you.

Yours obediently,


(MUKHTIAR HUSSAIN)
ROAD INSPECTOR
O/O XEN C&W DIVN.
UPPER DIR