

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Appeal No. 1077/2015

Date of Institution ... 14.09.2015

Date of Decision ... 03.11.2017

Dinar Wali Khan son of Yaqoob Dinar Khan, R/O village Kroi Shal Gohkir, Post office Drangah Tehsil Mastuj, District, Chitral. ... (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary at Civil Secretariat, Peshawar and 4 others. ... (Respondents)

MR. SYED GHUFRAN ULLAH SHAH, ... For appellant
Advocate

MR. ZIAULLAH, ... For respondents.
Deputy District Attorney

MR. NIAZ MUHAMMAD KHAN, ... CHAIRMAN
MR. GUL ZEB KHAN, ... MEMBER

JUDGMENT

NIAZ MUIHAMMAD KHAN, CHAIRMAN.- Arguments of the
learned counsel for the parties heard and record perused.

FACTS

2. The appellant was removed from service vide order dated 21.04.2015, against which he filed departmental appeal on 13.05.2015 which was not responded to and hence the present service appeal on 14.09.2015. The allegations against the appellant were embezzlement in wheat sale and delayed recovery by putting pressure on government officers.

ARGUMENTS.

3. The learned counsel for the appellant argued that no enquiry was conducted. No charge sheet and statement of allegations were issued to the appellant. That regular enquiry was also not dispensed with; hence the impugned order is not sustainable in the eyes of law.

4. On the other hand, the learned Deputy District Attorney argued that the appellant was heard in person by the competent authority in which he admitted his guilt and also made partial recovery for loss caused to the Government Ex-chequer.

CONCLUSION.

5. Admittedly no charge sheet and statement of allegations were issued to the appellant nor any regular enquiry was conducted by the authority. It is also an admitted position that the competent authority did not dispense with holding of regular enquiry under the rules. The law does not visualize any other method of imposition of penalty except under the E&D Rules nor the authority can impose the penalty on the basis of some alleged affidavit submitted by the appellant or on the basis of any recovery of the embezzled amount.

6. Consequently, the appeal is accepted, the impugned order is set aside and the department is directed to hold denovo proceedings in accordance with rules within a period of four months from the date of receipt of this judgment, failing which the appellant shall be deemed to have been reinstated in service. Parties are left to bear their own costs. File be consigned to the record room.


(NIAZ MUHAMMAD KHAN)
CHAIRMAN



(GUL ZEB KHAN)
MEMBER

ANNOUNCED
03.11.2017

24.05.2017

Clerk of the counsel for appellant and Mr. Kabir Ullah Khattak Assistant AG for the respondent present. Learned Assistant AG requested for adjournment for production of record. To come up for such record and arguments on 19.07.2017 before D.B.

(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

19.07.2017

Appellant in person present. Mr. Abdul Hameed, Senior Clerk alongwith Mr. Muhammad Jan, Deputy District Attorney for the respondents also present. Due to strike of the bar learned for the appellant is not in attendance. Adjourned. To come up for record and arguments on 03.11.2017 before D.B.

(Gul Zeb Khan)
Member

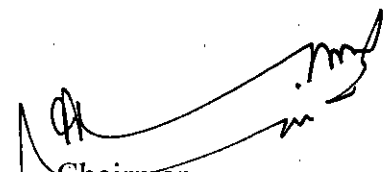

(Muhammad Amin Khan Kundi)
Member

03.11.2017

Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney alongwith Latif Khan, Supdt. and Muhammad Irshad, S.O for the respondents present. Arguments heard and record perused.

This appeal is accepted as per our detailed judgment of today. Parties are left to bear their own costs. File be consigned to the record room.


Member


Chairman

ANNOUNCED
03.11.2017

21.02.2017

Appellant with counsel and Addl: AG alongwith Mr. Muhammad Mahir Khan, Accountant and Mr. Ghulam Rasool, AFC, Chitral for respondents present. Rejoinder submitted. To come up for arguments on 31.03.2017 before D.B.


(MUHAMMAD AAMIR NAZIR)
MEMBER


(AHMAD HASSAN)
MEMBER

31.03.2017

Appellant with counsel and Mr. Ziaullah, GP alongwith Mr. Abdul Hameed, Assistant and Mr. Asad Ur Rehman, Junior Clerk for respondents present. Learned GP requested for adjournment for production of record. Last opportunity granted. To come up for such record and arguments on 24.05.2017 before D.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER


(AHMAD HASSAN)
MEMBER

08.09.2016

Counsel for the appellant and Additional AG for respondents present. Rejoinder submitted, copy whereof handed over to learned Additional AG. To come up for arguments on 12-11-16 before D.B.

Member

Member

17.11.2016

Counsel for the appellant and Addl: AG alongwith Asad Ullah, Junior Clerk for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 18.01.2017.

(ABDUL LATIF)
MEMBER

(PIR BAKHISH SHAH)
MEMBER

18.01.2017

Appellant with counsel and Mr. Asad-ur-Rehman, Junior Clerk alongwith Mr. Muhammad Adeel Butt, Additional AG for respondents present. To come up for arguments 21.02.2017 before D.B alongwith connected service appeal No. 1078/2015.

(AHMAD HASSAN)
MEMBER

(ASHFAQUE TAJ)
MEMBER


10.02.2016

None present for appellant. Addl: A.G for respondents present. Written reply not submitted. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 25.4.2016 before S.B.


Chairman

25.4.2016

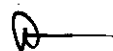
Counsel for the appellant and Mr. Muhammad Mahir, Accountant alongwith Addl: A.G for respondents present. Written reply by respondent No. 3. The learned Addl. AG relies on the same on behalf of respondents No. 1, 2, 4 and 5. Counsel for the appellant submitted application for summary disposal of the appeal. The appeal is assigned to D.B for rejoinder and final hearing for 2.08.2016.


Chairman

02.08.2016

Counsel for the appellant and Addl. AG for respondents present. Counsel for the appellant requested for time to file rejoinder. Request accepted. To come up for rejoinder and arguments on

~~8-9-16~~


Member


Member

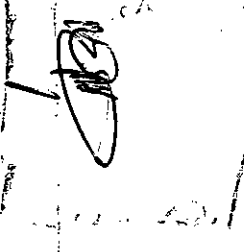
13.10.2015

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Food Grain Inspector when subjected to inquiry on the allegations of corruption and embezzlement and removed from service vide order dated 21.4.2015 regarding which he preferred departmental appeal on 13.5.2015 which was not responded and hence the instant service appeal on 14.9.2015.

That the allegations levelled against the appellant were falls and never established and that the appellant and similarly placed employees were declared innocent in the inquiry. That the departmental inquiry was not conducted in the prescribed manners as no opportunity of hearing was afforded to the appellant nor the witnesses were cross-examined and as such the impugned order is not sustainable in the eye of law.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 24.12.2015 before S.B.

Appellant Deposited
Security & Process Fee




Chairman

24.12.2015

Since 24.12.2015 has been declared as Public Holiday therefore, the case is adjourned to for the same 1.3.2016.





Reader

FORM-A

FORM OF ORDER SHEET

Court _____

Case No. 1077/2015

1	Date of order/ proceedings	Order or other proceedings with signature of Judge/ Magistrate
1.	5.10.2015	<p>The appeal of Mr. Dinar Wali Khan resubmitted to-day by S Ghafarullah Shah, Advocate, may be entered in the institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case be put up before the S.B for preliminary hearing on <u>9-10-15</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	09.10.2015	<p>Counsel for the appellant present. Seeks adjournment. Adjourned to 13.10.2015 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mr. Dinar Wali Khan S/O Yaqub Dinar Khan, R/O village Kroi Shal Gohkir, P/O Drungah Tehsil Mastuj, District Chitral received to-day i.e. on 14.09.2015 is incomplete on the following scores which is returned to him for completion and resubmission within 20 days:-

1. Show cause notice is not attached with the appeal, which may be placed on file.
2. Copy of enquiry report is not attached with the appeal, which may be placed on file.

No. 1415 /ST,

Dated 15/9 /2015

REGISTRAR
KPK SERVICE TRIBUNAL,
PESHAWAR.

MR. Syed Ghufanullah Shah, Advocate
Peshawar.

Respected Sir..

In compliance of objection it is stated that the Show Cause notice is not available with the appellant. The Enquiry report will be submitted through C.M. later on during the proceeding of the case. It is therefore requested to put before the Tribunal with amended form for hearing as an original matter.

[Signature]
Counsel

5/10/2015

BEFORE THE KHYBER PAKHTUNKHUWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. 1077 2015

Dinar Wali Khan

V E R S U S

Government of Khyber Pakhtunkhwa (KPK) through Chief Secretary at
Civil Secretariat Peshawar and others

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	Wakalatnama		✓

Appellant / Petitioner

Through

Syed Ghufraan uliah Shah

(Advocate 22-A Nasir Mansion

Railway Road, Peshawar

Cell No.0334-9185580

BEFORE THE KHYBER PAKHTUNKHUWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1077 2015.

K.P.K. Province
Service Tribunal

Diary No. 1072

Dated 14/09/2015

Dinar Wali Khan S/o Yaqoob Dinar Khan

R/O Village Kroi Shal Gohkir, P. O Drungah Tehsil Mastuj

District Chitral

.....Appellant

Ans

V E R S U S

1. Government of Khyber Pakhtunkhwa (KPK) through Chief Secretary at Civil Secretariat Peshawar.
2. Secretary Food Government of K.P.K at Civil Secretariat Peshawar.
3. Director Food Khyber PukhtunKhuwa Peshawar.
4. District Food Controller Chitral
5. Secretary Finance Government of K.P.K at Civil Secretariat Peshawar

.....Respondents

Appeal U/S 4 of KPK, Service Tribunal Act 1974 against the impugned Order bearing No. 2038/PF-1039 Dated 21-04-2015 issued by Director Food KPK/Respondent No.3; whereby the appellant has been granted major penalty of removal from service along with recovery of Rs.15.47 Million and his departmental representation to Respondent No.2/ Secretary Food Khyber Pukhtonkhwa dated 13-05-2015 has not been responded.

Prayer:

On acceptance of the instant Service Appeal the impugned Order bearing No. 2038/PF-1039 dated 21-04-2015 issued by Director Food

*Filed to-day
14/9/15.*

*be submitted
to-day
5/10/15.*

②

KPK/Respondent No.3 be set aside and the appellant be re instated in service with all back benefits. Any other relief deems just and proper in the circumstances of the case may also granted to the appellant.

Respectfully Sheweth:

Brief facts and grounds giving rise to the instant Service Appeal are as under;

1. That the appellant was firstly appointed as junior clerk at District Administration in the year, 1991 and during his service with the administration department the appellant was also working with food department since, February, 1998 on dual charges. Later on he was adjusted/transferred at food department in the year, 2002 and lastly he was promoted as Food Grain Inspector, BPS-9.
(Copy Service Card is annexed as Annexure "A")
2. That throughout his service the appellant has performed his duty with full devotion, honestly, fairly and without any fear and favour.
3. That on 21-04-2015 vide impugned Order bearing No. 2038/PF-1039 the Director Food Govt of KPK has imposed major penalty of removal from service against the appellant along with recovery of Rs.15.47 Million. **(Copy of impugned Order is annexed as Annexure "B")**
4. That on 13-05-2015 the appellant filed departmental Appeal/Representation to Respondent No.2/ Secretary Food Govt of KPK; against order of his removal from service.
(Copy of Department appeal is annexed as Annexure "C")
5. That along with departmental appeal the appellant also filed an application with effect to suspend operation of the impugned order till disposal of his departmental appeal **(Copy of application is annexed as Annexure "D")**

6. That ultimately matter was handed over to Anti Corruption Esteplishment by Director Food K.P.K vide letter No. 4570/PF-1039 dated 13-06-2014. (Copy of Complaint/letter to ACE annexed as Annexure "E')
7. That there is no iota of evidence to connect the appellant with short comings and resultantly the appellant started recovery from the subject persons and till date Rs. 1,10,95,738/= has been recovered and submitted in Government Treasury through proper Challans (Copies of Treasury Challan annexed as Annexure "F')
8. That till date the appellant has not been responded neither his appeal nor application has been disposed by Respondent No.2 / Secretary Food KPK.
9. That as a matter of right related to terms and condition of civil servant and having no other remedy; the appellant approaches this honourable Tribunal inter alia on the following amongst other;

GROUNDS:

- A. That the impugned removal order issued by Respondent No.3 /Director Food Government of KPK is against the fair administration of Justice because the ground regarding the storage loss of the wheat in the concerned PRCs, specially at PRC Kosht and Gohkir as resulted due to storage at Kacha Godwn and several other reasons considered/proposed ~~by the~~ by the duly constituted Committee of food department vide letter No.SOF (Food Department) 02-28-742 dated 12-12-2012; has not been considered by the Director Food neither the service of the appellant in such Kacha Godwn for 16/17 years and to transfer the appellant before the handing over the huge infested/rejected wheat to the auction committee/authority and get clearance to the extent of relief for the factors beyond his administrative control has been considered before passing impugned order of his removal from service.

- B. That the contents of the removal order to base such recovery as confession is on evasive ground, wrong and void because firstly the appellant is not involved in any embezzlement secondly has made no pre bargain with Anti Corruption Establishment; hence what he has done is that; he has complied the order of recovery to his best possible efforts and assured to take responsibility.
- C. That the second ground of the removal order with effect to alleging to pressurize the competent authority to relax the recovery schedule is also based on surmise and conjecture because with this regard no show cause notice has been issued to the appellant nor the appellant has any connection with notable or politician being a low paid poor employee.
- D. That the appellant has been removed from service in an arbitrary manner because no independent inquiry has been conducted neither the appellant has been heard or given chance to cross examine the witnesses (if any) neither based on any evidence or fact.
- E. That it is pertinent to mention here that the Director Food Department/Respondent No.3 has lodged the complaint vide letter No.4570/PF-1039 dated 13-06-2014 before the Anti Corruption Establishment and has shown himself competent authority for issuing the impugned removal order, therefore on this score alone; the impugned order is required to be set aside as not maintainable.
- F. That the impugned order has been passed against the Civil Service Act,1973, Public Servant Inquires Act,1850, The Pakistan Commission of Inquiries Act,1956 as well as against the Fundamental and Supplementary Rules applicable on the subject. As per rules and procedure where the holding of departmental enquiry side by side with the criminal proceedings may have the effect of impeding the course of justice or of prejudicing the trial the inquiry should be deferred till the termination of criminal proceedings and that if after filing of complaint the Anti Corruption Establishment consider the same as not a case of embezzlement than the Director Food KPK/Respondent No.3 was


(5)

also not to be judge in his own case for the better administration of justice.

- G. That the imposed penalty is not only arbitrary and illegal but also harsh and un natural.
- H. That besides the afore mentioned grounds the appellant is a low paid Government servant and source of survival for his whole family including his school going children.
- I. That the acts and omission of respondent is against the NWFP Civil Service Act 1973, Efficiency and Disciplinary Rules and applicable Fundamental and Supplementary Rules.
- J. That the instant appeal relates to terms and conditions of civil servant and this honorable tribunal has been vested with statutory power to entertain the matter.
- K. That any other ground be furnished when ever required for the assistance of this honourable Tribunal in support of the subject appeal with prior permission as required by procedure .

It is, therefore, most humbly prayed that the instant Service Appeal be allowed as prayed for.


Appellant

Through 

Syed Ghufyan Ullah Shah

Advocate Peshawar

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BEFORE THE KHYBER PAKHTUNKHUWA SERVICE
TRIBUNAL PESHAWAR

C.M No.....2015

In

Service Appeal No. _____ 2015

Dinar Wali Khan

V E R S U S

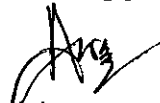
Government of Khyber Pakhtunkhwa (KPK) through Chief Secretary at
Civil Secretariat Peshawar and others

**An application with effect to suspend operation of the impugned
order till final disposal of the subject Service Appeal.**


Respectfully Stated;

1. That the subject Service appeal is filed to day against the impugned order of his Removal from service.
2. That the grounds of the appeal if considered would ensure justice to the appellant.
3. That the appellant has prima facie case, balance of convenience also inclined in his favour and he would cause irreparable loss if the operation of impugned order is not suspended.
4. That the appellant is a low paid employee and to kept him removed from service would also cause financial and family problems for him.

It is, therefore, humbly prayed that the subject application may kindly be allowed as prayed for.


Petitioner

Through


Syed Ghufuran Ullah Shah

(Advocate Peshawar)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. _____ 2015

Dinar Wali Khan

VERSUS

Government of Khyber Pakhtunkhwa (KPK) through Chief Secretary at
Civil Secretariat Peshawar and others

AFFIDAVIT


I, Dinar Wali Khan S/o Yaqoob Dinar Khan R/O Village Kroi Shal Gohkir, P. O Drungah Tehsil Mastuj District Chitral / Appellant; do hereby solemnly verify and declare on Oath that all the contents of the subject appeal along with C.M are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.


Deponent

C.N.I.C No. 15202-0828801-5

Verified by
S. Ghaffarullah Shah
Advocate Peshawar




14-09-2015

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BEFORE THE KHYBER PAKHTUNKHUWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. _____ 2015

Dinar Wali Khan

V E R S U S

Government of Khyber Pakhtunkhwa (KPK) through Chief Secretary at
Civil Secretariat Peshawar and others

ADDRESSES OF PARTIES


APPELLANT;

Dinar Wali S/o Yaqoob Dinar Khan R/O Village Kroi Shal Gohkir, P. O Drungah
Tehsil Mastuj District Chitral

RESPONDENTS;

1. Government of Khyber Pakhtunkhwa (KPK) through Chief Secretary at
Civil Secretariat Peshawar.
2. Secretary Food Government of K.P.K at Civil Secretariat Peshawar.
3. Director Food Khyber PukhtunKhuwa Peshawar.
4. District Food Controller Chitral
5. Secretary Finance Government of K.P.K at Civil Secretariat Peshawar.


Appellant

Through = 

Syed Ghufrān Ullah Shah

Advocate Peshawar

GOVERNMENT OF K P K

سولہویں ایف ایس

FOOD DEPARTEMENT

Name: Dinar Wali Khan
Father: Yaqub Dinar Khan
CNIC #: 15202-0828801-
D.O.B.: 15-02-1968
Mark of I/D (Nil)



Date of Appointment: 09-09-1991

Control Food Controller
NUTRITIONAL
Issuing Authority

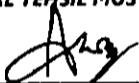
Annexure: A

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**OFFICE OF THE
DISTRICT FOOD CONTROLLER
OFFICE CHITRAL**

PH.NO:0943-412567

**DISTRICT CHITRAL TEHSIL MUSTUJ
VILLAGE GOHKIR**

**Dinar Wali Khan
Food Grain Inspector**



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REGISTERED

(10)

Annexure - B



FOOD DIRECTORATE,
KHYBER PAKHTUNKHWA
PESHAWAR

No. 2036 /PF-1039

Dated 21/04/2015

OFFICE ORDER

Whereas the District Food Controller, Chitral reported vide letters No.1458/1/10-AC dated 03-05-2014, No.1508-12/Dinar Wali FGI dated 04-06-2014, No1586 / Dinar Wali FGI dated 10-06-2014 and No.2138/1/10-AC dated 22-07-2014, that during physical verification a quantity of 5574 bags (557.400 M. Tons wheat valuing Rs.19.5 Million was short detected /shown embezzled against Mr. Dinar Wali FGI. It was also reported that an amount of Rs.8223998/ on account of cost of what/ empty gunny bags recovered and deposited into Government treasury through proper Challan leaving behind, a balance of Rs.11285002/- The official served with last notice by the DFC Chitral along with the directions to deposit the remaining balance into Government treasury and produce Original treasury Challan within one weak time, but the said official was found unable to deposit the outstanding amount.

2 The District Food Controller Chitral has worked out the cost of wheat on the basis of issue price ie. 3500 per bags however the landed cost of the embezzled quantity show come out to be Rs.23.69 Million out of which Rs.8.22 Millions were deposited while Rs.15.47 Millions were still outstanding against him. The DFC Chitral vide letter No. 765/Dinar Wali dated 27-03-2015 shown as additional liability of Rs. 5.96 Million making the total amount worth Rs. 21.43 Million is outstanding..

3 Mr. Dinar Wali FGI was served with Show Cause Notice vide Food Directorate letter No. 6550/PF-1039 dated 06-11-2014 and vide No. 6795/PF-1039 dated 21-11-2014 for appearance before the competent authority along with reply to the Show Cause Notice for personal hearing upon the request of official he was again called for hearing vide letters No. 6946/PF-1039 dated 28-11-2014 and No. 1257/PF-1039 dated 27-02-2015 on 19-03-2015. During personal hearing the official not only confessed the embezzlement but also committed before the authority that he will clear /deposit the balance amount in due course of time. Later on he started submitting application through notables and pressurizing the authorities through political means.

4 Now after full consideration of the case, the said official is held responsible for embezzlement/ misappropriation of wheat stock worth Rs.15.47 Millions on account of cost of wheat /empty gunny bags and guilty of misconduct and hereby awarded with major penalty of removal from service with immediate effect.

5 The embezzlement / misappropriation amount of Rs.15.47 Millions (landed cost) on account of cost of wheat /empty gunny bags will be recovered from his moveable / immoveable property as per Rules.

DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR

Endstt: of even No & Date

Copy is forwarded to:-

- 1 The Deputy Commissioner Chitral.
- 2 The Director Anti-Corruption Establishment Khyber Pakhtunkhwa Peshawar.
- 3 The District Accounts Officer Chitral.
- 4 The District Revenue Officer Chitral.
- 5 The Assistant Director Food Malakand Division at Saidu Sharif Swat.
- 6 The Circle Officer Anti-Corruption Establishment Chitral.
- 7 The District Food Controller Chitral.
- 8 Mr. Dinar Wali FGI Chitral.
- 9 Personal File.

DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR

Received
05/05/2015
Hassan

(11)

6

Annexure "C"

The Secretary Food
Khyber Pakhtunkhwa Peshawar;

Departmental Appeal/Representation against the impugned Order
bearing No. 2038/PF-1036 Dated 21-04-2015 issued by Director Food

KPK:

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Recd on
13/5/15

Say food office

Dy Dir - 1905
13-5-15

Applicant/Appellant

[Signature]

Dinar Wali Khan
Food Grain Inspector Chitral
Cell No. 0340-9846732

(12)

Secretary Food
Khyber Pakhtunkhwa Peshawar;

Departmental Appeal/Representation against the impugned Order bearing No. 2038/PF-1036 Dated 21-04-2015 issued by Director Food KPK; whereby the appellant has been granted major penalty of removal from service.

Prayer;

On acceptance of the instant Departmental Appeal the impugned Order of Director Food KPK be set aside and the appellant be reinstated in service with all back benefits. Any other relief deemed just and proper in the circumstances of the case may also granted to the appellant.

Respected Sir;

Facts and Grounds giving rise to the instant departmental appeal are as under;

1. That the appellant was firstly appointed as junior clerk at District Administration in the year, 1991 and during his service with the administration department the appellant was also working with food department since, February, 1998 on dual charges. Later on he was adjusted/transferred at food department in the year 2002 and lastly he was promoted as Food Grain Inspector, BPS-9.
2. That throughout his service he has performed his duty honestly, fairly and without any fear and favour.
3. That on 21-04-2015 vide impugned Order bearing No. 2038/PF-1036 the Director Food Govt of KPK has imposed major penalty of removal from service against the appellant. (Copy of impugned Order is annexed as Annexure "A")

4. That being aggrieved from the subject removal order and having statutory right the appellant approaches Your good office/competent authority amongst the following other grounds;

GROUNDS:

A. That there is no case of embezzlement established against the appellant where the appellant would have been charged or have miss used his authority as public official or any allegation of illegal gain personally or would have allegation to give illegal benefit to some of his family member or any relative or his life style and movable or immovable properties exceed his means of income. In fact to avoid the expected proceeding against the high ups of the department, the District Food Officer Chitral vide letter bearing No. 210 dated 21-01-2014 asked the appellant to deposit cost of short detected wheat into government treasury otherwise to forward the matter to Anti Corruption/NAB; hence ultimately matter was handed over to Anti Corruption Establishment by Director Food K.P.K vide letter No.4570/PF-1039 dated 13-06-2014 (annexure "B"). That consequently the Anti Corruption Establishment took the cognizance of the matter and started Open Enquiry which resulted to find out that there are outstanding amounts against the incharges sale points, local public and contractors, which are recoverable and recovering, hence there is no iota of evidence to connect the appellant with such short coming and resultantly the appellant started recovery from the subject persons and till date Rs. 1,10,95,738/= (11 Million, 95 thousands, Seven hundred & thirty eight) has been recovered and submitted in Government treasury through proper Challan (Annexure "C"). It is worthy to mention here that the Anti Corruption Establishment has not even registered any case (F.I.R) against the appellant till date because he is innocent and having no concern with such short detection neither the appellant has been stand responsible for such short detection in the physical verification, furthermore the responsibility of the appellant has been specified nowhere in the proceeding.


- B. That beside the afore mentioned ground the factor regarding the storage loss of the wheat in the concerned PRCs, specially at PRC Kost and Gohkir as resulted due to storage at Kacha Godwn and several other reasons considered/proposed (Annexure "D ") by the duly constituted Committee of this office vide letter No.SOF (Food Department) 02-28-742 dated 12-12-2012; has not been considered by the Director Food neither the service of the appellant in such Kacha Godwn for 16/17 years and to transfer the appellant before the handing over the huge infested/rejected wheat to the auction committee/authority and get clearance to the extent of relief for the factors beyond his administrative control has been considered before passing impugned order of his removal from service.
- C. That the contents of the removal order to base such recovery as "confession is on evasive ground, wrong and void because firstly the appellant is not involved in any embezzlement secondly has made no pre bargain with Anti Corruption Establishment; hence what he has done is that; he has complied the order of recovery to his best possible efforts and assured to take responsibility.
- D. That the second ground of the removal order with effect to alleging to pressurize the competent authority to relax the recovery schedule is also based on surmise and conjecture because with this regard no show cause notice has been issued to the appellant nor the appellant has any connection with notable or politician being a low paid poor employee.
- E. That the appellant has been removed from service in an arbitrary manner because no independent inquiry has been conducted neither the appellant has been heard or given chance to cross examine the witnesses (if any) neither based on any evidence or fact.
- F. That it is pertinent to mention here that the Director Food Department has lodged the complaint vide letter No.4570/PF-1039 dated 13-06-2014 before the Anti Corruption Establishment and has shown himself competent authority for issuing the impugned removal order, therefore on this score alone; the impugned order is required to be set aside as not maintainable.

(15)

- G. That the impugned order has been passed against the Civil Service Act,1973, Public Servant Inquires Act,1850, The Pakistan Commission of Inquiries Act,1956 as well as against the Fundamental and Supplementary Rules applicable on the subject. As per rules and procedure where the holding of departmental enquiry side by side with the criminal proceedings may have the effect of impeding the course of justice or of prejudicing the trial the inquiry should be deferred till the termination of criminal proceedings and that if after filing of complaint the Anti Corruption Establishment consider the same as not a case of embezzlement than the Director Food KPK was also not to be judge in his own case for the better administration of justice.
- H. That through the impugned removal order the Director Food Government of KPK has snatched the source of survival of the appellant and his family as well auctioned his uprightnes, integrity and selfness and that's too for no act or omission related to his official authority.
- I. That any other ground be furnished when ever required for the assistance of your good authority in support of his appeal.

It is, therefore, humbly requested to allow the subject departmental appeal as prayed for.

Appellant


Dinar Wali Khan
Food Grain Inspector
Chitral

Dated: 13-05-2015

The Secretary Food
Khyber Pakhtunkhwa Peshawar;


AN APPLICATION WITH EFFECT TO SET ASIDE
OPERATION OF THE IMPUGNED ORDER TILL
FINAL DISPOSAL OF THE SUBJECT
DEPARTMENTAL APPEAL OR TILL MATURITY
OF HIS CASE BEFORE THE KPK SERVICE
TRIBUNAL.

Respectfully Stated;

1. That the subject Departmental appeal is filed to day against the impugned order of his Removal from service.
2. That the grounds of the appeal if considered would ensure justice to the appellant.
3. That the appellant is a low paid employee and to kept him removed from service would also cause financial and family problems for him.

It is, therefore, humbly prayed to accept as prayed for.

Appellant


Dinar Wali Khan
Food Grain Inspector
Chitral

17

Annexure "E"

FOOD DIRECTORATE
KHYBER PAKHTUNKHWA,
PESHAWAR

No. 4570 / 13-1039

Dated 13/08/2014

To,

The Director Anti Corruption,
Establishment, Government of
Khyber Pakhtunkhwa,
Peshawar.

Subject: RECOVERY OF GOVERNMENT DUES AGAINST MR. DINAR WALI FOOD
GRAIN INSPECTOR GENERAL

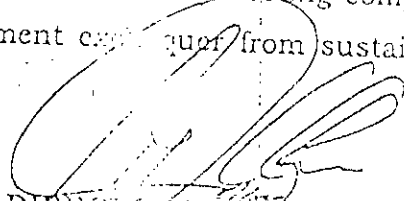
The District Food Controller, Chitral reported vide letters No.1458/1/10-
ac DATED 03-05-2014, No.1500/13/Dinar Wali FGI dated 04-06-2014, No.1586/Dinar
Wali FGI dated 10-06-2014 and No.2138/1/10-AC dated 22-07-2014. Copy enclosed.

2 The District Food Controller, Chitral reported that during physical
verification carried out in the current financial year a quantity of 5574 bags (557.400
M. Tons wheat valuing Rs.19509000/- was short detected against Mr. Dinar Wali
Foodgrain Inspector Incharge of PRC Gohkir/Kosht and Terich. The recovery process
immediately started and in amount of Rs.8223998/- on account of cost of what/ empty
gunny bags recovered from the official and deposited into Government treasury
through proper Challan leaving behind, a balance of Rs.11285002/- The accused
official was served last notice by the DFC Chitral with the objection to deposit the
remaining balance into Government treasury and produce Original treasury Challan
within one week time, but he was unable to deposit the outstanding amount.

3 The District Food Controller Chitral has worked out the cost of wheat on
the basis of issue price i.e. 3500/- per bags however the landed cost of the embezzled
quantity at the present rate comes out to be Rs.23.69 Million out of which the accused
has deposited Rs.8.22 Millions while Rs.15.47 Millions are still outstanding against
him.

4 The official has been given ample time to deposit the outstanding
liabilities due against him but he failed to comply with.

5 It is therefore requested to investigate the matter for affecting complete
recovery from the official so as to save the Government exchequer from sustaining
huge financial loss.


DIRECTOR FOOD
KHYBER PAKHTUNKHWA,
PESHAWAR.

*He/acid
P/s: Keepo all the record ready in the subject case
to be investigated by Anti-corruption Establishment*

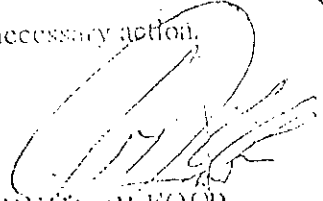
8/14

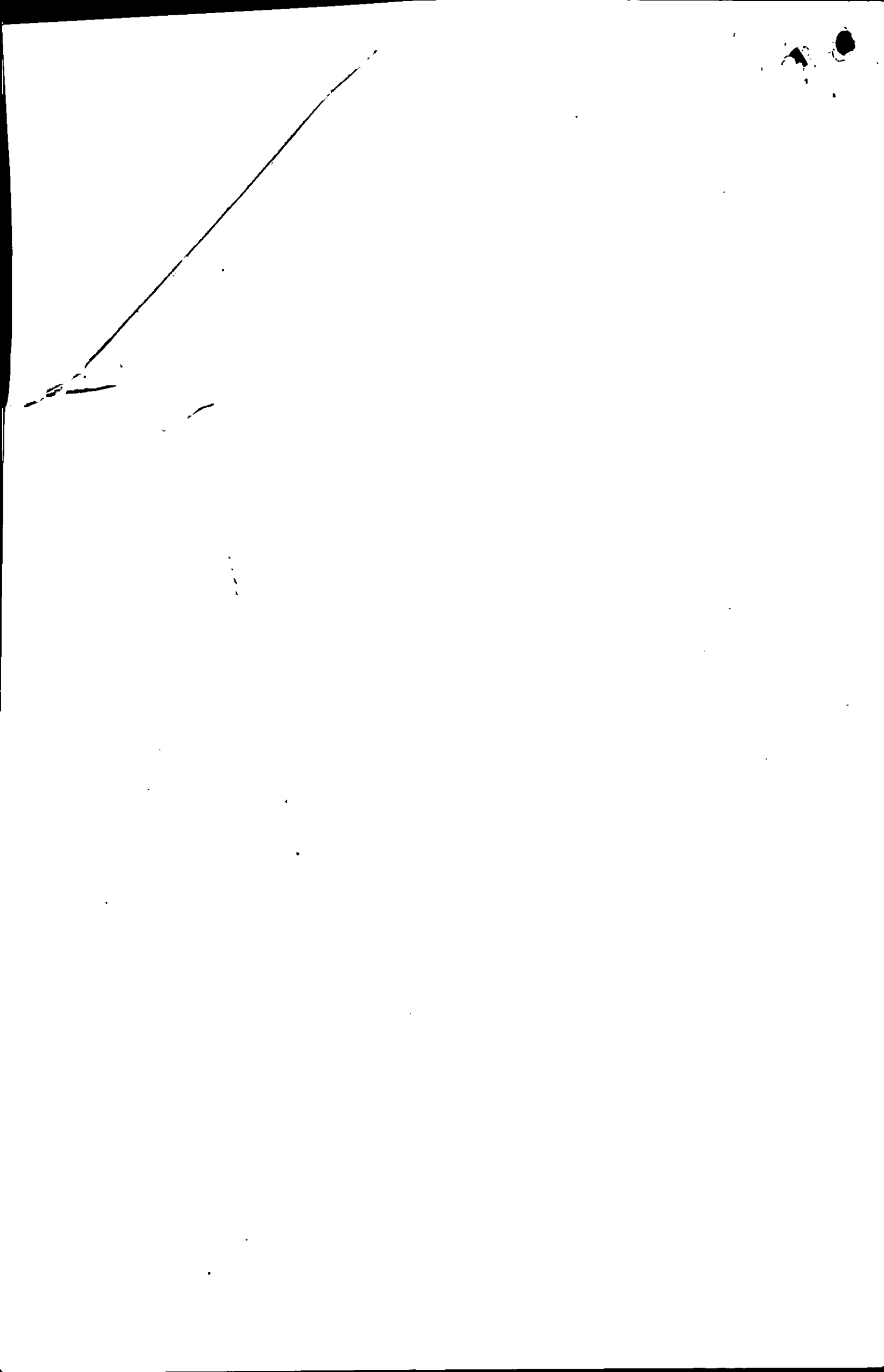
4

Endorsement No. & Date Given

Copy is forwarded to

- 1) PS to Minister Food for information of the Minister Food Khyber Pakhtunkhwa
- 2) PS to Secretary Food for information with reference to his directives.
- 3) The Assistant Director Food Malakand Division at Saidu Sharif Swat.
- 4) The Circle Officer Anti-Corruption Establishment Chitral for information & necessary action.
- 5) The District Food Controller, Chitral for information & necessary action.


 DIRECTOR FOOD
 KHYBER PAKHTUNKHWA,
 PESHAWAR.



19

CHALLAN NO.

Annexure F

Challan of Cash paid in to State Bank of Pakistan, Peshawar

(Wheat Sugar)

Wheat

To be filled by the Parallel

(Recovery)

To be filled in by the Department Officer or Treas.

By whom tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per kg		
1	2	3	4	5	6	7
		Wheat	43 BAGS			
		Wheat	4300 KGS			
		Rate	@ Rs 33.75			
		Moisture				
		Barley				
		Gram				
		Total			Rs. 145125	

Dinaw Wali

FGI, PRC Tarich

DPC Chitrad

Rs. 145125 = 43 bags @ Rs 33.75 = 145125

1. 1120-STR- Outlay

1121-STR- Sugar

(c) 1120-STR- Others

In word (Rupees)

One lakh forty two thousand one hundred and twenty five

Received Payment (Rupees)

Account of

28/4/2015

State Bank of Pakistan Peshawar

MANAGER

Treasurer

27 APR 2015

28 APR 2015

Receve

Receved by

CHALLAN No

(23)

(Wheat/Sugar)

Wheat

CL-1009

Challan of Cash paid in the State Bank of Pakistan, Pakistan.

To be filled by the Retailer (Recovery)

To be filled in by the Department Officer or Treasury

By whom received	Name and designation of drawee	Particulars			Amount
		Name of commodity	Weight	Rate per Kg.	
		Wheat	300 Bags	33175	
		Wheat	30000 Kgs		
		Rate			
					1012500

COLLOI Kler

OFFICE

Dunay Waly
F91 PRC KOSHT
DFC Chitral

1012500
Rs 1012500

In words (figures)
Thousand Rupees
Ten Lacs Twelve thousand only

09 JAN 2015

MANAGER

State Bank of Pakistan

CHALLAN NO. **26**

Challan of Cash paid in to State Bank of Pakistan, Peshawar

(Wheat/Sugar)

CL 4009

Wheat

To be filled by the Retailer

To be filled in by the Department Officer or Treasurer

(Recovered)

Director, PRC
FCI PRC, Gorkher

AFC Chitral

COLLECTOR
Head of Major

By whom tendered	Name and designation of where the money is paid	Particulars			Amount	To be filled in by the Department Officer or Treasurer
		Name of commodity	Weight	Rate per Kg		
1	2	3	4	5	6	7
		Wheat	128	EQ Brg's		1120-STR Quilty
		Wheat		@ Rs 125	16000	1121-STR
		Rice				1123-STR
		Maida				1120-STR
		Barley				
		Gram				

In word (Rupees)

Fifteen thousand

Account No. Dated

11/2015

Controller of Peshawar

MANAGER
State Bank of Pakistan Peshawar

Secretary Officer Peshawar

09/11/2015

28

4009. CHALLAN No.

Challan of Cash paid into State Bank of Pakistan, Peshawar.

(Wheat Sugar)

E.G. Bays

To be filled by the Remitter

To be filled in by Department Officer, Treasury.

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate		
1	2	3	4	5	6	7
		Wheat	15	Rs 125	1875	1. 1120—STR—Outlay
		Wheat Atta				(a) 1121—STR—Wheat
		Rice				(b) 1122—STR—Sugar
		Maida				(c) 1129—STR—Others
		Barley				
		Grain				
Total					Rs 1875	2.

Name of Remitter: Dinar Wali, Depot Holder

Address: PRC Gohkin

Name of Beneficiary: Chawal

Received by: Cashier

In words (Rupees)

Received Payment (Rupees)

() Dated

Controller of National

State Bank of Pakistan

Treasury Officer, Peshawar

27/10/1974

CL 4009

CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

Wheat

To be filled by the Remitter

(Recovery)

To be filled in by the Department Officer or Treasury.

By whom Tended	Name and designation in whose behalf money is paid	Particulars			Amount	To be filled in by the Department Officer or Treasury.
		Name of commodities	Quantity	Rate per Kg.		
1	2	3	4	5	6	7
Name: Dinar Wali Ward: No. 1 PRC Kosh Control of Rationing, Peshawar.	Name: Dinar Wali Ward: No. 1 PRC Kosh Control of Rationing, Peshawar.	Wheat	30 Bags	Rs. 3000	Rs. 3000	1. 1120-STR- Outlay (a) 111-STR-Wheat (b) 112-STR-Sugar (c) 1129-STR-Other
		Wheat Atta	3000 kg	Rs. 33.75	Rs. 101250	
		Rice				
		Maka				
		Barley				
Total Rs. 101250/-						

In words (Rupees)

Two Lakhs One Thousand

Received Payment (Rupees) Treasurer.

Account no. Dated

27/11/27/10

Controller of Rationing, Peshawar

MANAGER, State Bank of Pakistan, Peshawar. Treasury Officer, Peshawar.

30

CS&PD. NW. 1-1420 Dist. Food. 100-28-5-91-(10)

Account - II.

CHALLAN No.

(Wheat Sugar).

4400

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter (Receiver)

To be filled in by the Department Officer or Treasury.

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head	
		Name of commodities	Weight	Rate per unit			
1	2	3	4	5	6	7	
Name: Dinar wal, Depot Holder Ward: FGI PRC Kasht Controller of Rationing, Peshawar.	Name: Chitral Controller of Rationing, Peshawar.	Wheat	30 Bays			1. 1120-STR- Outlay	
		Wheat Atta			3750	(a) 1121-STR-Wheat	
		Rice					
		Maida					
		Barley					(b) 1123-STR-Sugar
		Gum					(c) 1129-STR-Other
		Total		3750		2. <i>Ans</i>	

In words: *Three thousand Seven hundred and Fifty* Rupees

Received Payment (Rupees) *3750* Account at *...*

MANAGER, State Bank of Pakistan, Peshawar.

Treasury Officer, Peshawar.

27/10/14

27/10/14

15/2/14

CHALLAN No. (Wheat Sugar).

CHALLAN No. (Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter (Recovery) Department Officer or Treasury.

To be filled by the Remitter (Recovery) Department Officer or Treasury.

Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
	Name of commodities	Weight	Rate per kg.		
Controller of Rationing, Peshawar	Wheat	30 EG BAGS	Rs. Paise	3750	1. 1120—STR—Outlay
	Wheat Atta	@ Re 125/-			
	Rice				
	Maize				
	Barley				
	Gram				
	Total			Rs 3750/-	

By whom tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per kg.		
Dinan wal Depot Holder Ward FSI Pre Qotit	Controller of Rationing, Peshawar	Wheat	30 BAGS	Rs. Paise	101250	1. 1120—STR—Outlay
		Wheat Atta	3000 KG			
		Rice	@ Re 33.75 =			
		Maize				
		Barley				
		Gram				
	Total			Rs 101250/-		

In words (Rupees) Three thousand Seven hundred and fifty
 Received Payment (Rupees) _____ Dated 24/9/14
 Controller of Rationing, Peshawar.
 MANAGER, State Bank of Pakistan, Peshawar.
 Treasury Officer, Peshawar.

In words (Rupees) One lac one thousand two hundred and fifty
 Received Payment (Rupees) _____ Dated 24/9/14
 Controller of Rationing, Peshawar.
 MANAGER, State Bank of Pakistan, Peshawar.
 Treasury Officer, Peshawar.

Received By Cash

32

Food Account—II.

4009

CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter

(Recovery)

To be filled in by the Department Officer or Treasury

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Code of Account Major Head
		Name of commodities	Weight	Rate per Kg.		
1.	2.	3.	4.	5.	6.	
Name: Dinar Wali Ward: F.G. PRC Kohin Controller of Rationing, Peshawar.	D.P.C. Chitral	Wheat	30 Bags		Rs. 101250	120—STR—Outlay
		Wheat Atta	3000 kg.			
		Rice				
		Maize				
		Barley				
		Gram				
			Total	Rs. 101250		

ACR
1121
1123
1129

(a) 1121—STR—Wheat
(b) 1123—STR—Sugar
(c) 1129—STR—Others
29 AUG 2014

In words (Rupees)

One lakh one thousand two hundred and fifty only

Received Payment (Rupees)

Treasurer

Account no.

Dated

Controller of Rationing, Peshawar.

MANAGER, State Bank of Pakistan, Peshawar.

Treasury Officer, Peshawar.

Food Account—II.

CL 4009

CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Resmitter

(Recovered)

To be filled in by the Department Officer or Treasury Officer

By whom Tended	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account (Major or Head)	
		Name of commodities	Weight	Rate per Kg.			
1	2	3	4	5	6		
Name: Dimay wal Depot Holder Ward: FGI PRC Gorkhin Controller of Rationing, Peshawar. D.F.C. Chitrad		Wheat	30 EG Bags			1120—Wheat	
		Wheat Atta	@	Rs 125/-	= 3750/-	(a) 1121—STR—Wheat	
		Rice					
		Maize					
		Barley					(b) 1123—STR—Sagat
		Gram					(c) 1125—STR—Others
				3750/-			
				Rs 3750/-			

In words (Rupees) Three thousand Seven hundred & fifty only

Received Payment (Rupees) _____ Dated _____

Treasurer. _____

MANAGER, State Bank of Pakistan, Peshawar. _____

Treasury Officer, Peshawar. _____

1120—Wheat
1121—STR—Wheat
1123—STR—Sagat
1125—STR—Others
2. 29/8/04

34

Food Account—II.

CL-4009

CHALLAN No. *Wheat* (Wheat Sugar)

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter					To be filled in by the Department Officer or Treasury			
By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head		
		Name of commodities	Weight	Rate per Kg.				
1	2	3	4	5	6			
Name: <i>Duman Wali</i> Ward: <i>F-41 PRC Washt</i> Controller of Rationing, Peshawar. <i>APE Chitrad</i>		Wheat	<i>15 Bags</i>		Rs.	<i>50625</i>	<i>1101</i>	
		Wheat Atta	<i>1500kg</i>		Paisa			
		Rice						
		Maiza						
		Barley						
		Gram						
		Total						

In words (Rupees)

Fifty thousand six hundred and twenty five only

Received Payment (Rupees)

Account No.

Dated

29/8/2014

Controller of Rationing, Peshawar.

MANAGER, State Bank of Pakistan, Peshawar.

Signature of Manager
 9 AUG 2014
 State Bank of Pakistan, Peshawar

(35)

Food Account—II.

U-4009. CHALLAN No.

EG Bags (Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Recipient

(Recovered)

To be filled in by the Department Officer or Treasury

By whom Tenders	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head	
		Name of commodities	Weight	Rate per Kg.			
1	2	3	4	5	6		
Name: Dinar Wali Ward: F41 PRC Kosht Controller of Rationing, Peshawar.	DRC Chitral	Wheat	15 EG Bags	125	1875	(a) 1121—STR—Wheat	
		Wheat Atta	@ Rs	125	1875	(b) 1123—STR—Sugar	
		Rice					(c) 1129—STR—Others
		Mazak					
		Barley					
		Grain					
				1875			
				100 total	Rs 1875		

In words (Rupees)

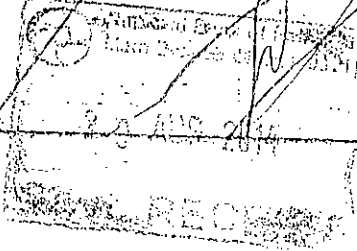
Received Payment (Rupees) Treasurer.

Account at () Dated:

29/8/2011

Controller of Rationing, Peshawar.

MANAGER, State Bank of Pakistan, Peshawar. Treasury Officer, Peshawar.



Food Account—II.

el 4009 CHALLAN No.

(Wheat Sugar)

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter (Recovery)					To be filled in by the Department Officer or Treasury	
By whom tendered	Name and designation on whose behalf money is paid	Particulars			Head of Account Major Head	Account No.
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	7
Name: Dinar Wali Ward: F.C.I. P.C. Gohar Designation: Deputy Hoiler District: Peshawar	Controller of Rationing, Peshawar	Wheat	50 Bags		Rs.	1. 1120—STR—Outlay
		Wheat Atta	5000 kg		Paisa	(a) 1121—STR—Wheat
		Rice	Rs 33.75	168750		(b) 1123—STR—Sugar
		Maiza				(c) 1129—STR—Others
		Barley				
		Gram				
		Total		Rs 168750/-		2.

ORIGINAL

01101

In words (Rupees)

Received Payment (Rupees) Treasurer.

Dated

District Food Controller, Peshawar.

MANAGER, State Bank of Pakistan, Peshawar.

Treasury Officer, Peshawar.

Received By: Basir

20 JUL 2008

4/7/2008

Name: Dinar Wali
Ward: F.C.I. P.C. Gohar
Designation: Deputy Hoiler
District: Peshawar

Controller of Rationing, Peshawar

Wheat 50 Bags
Wheat Atta 5000 kg
Rice Rs 33.75
Maiza
Barley
Gram
Rs 168750/-
one lakh sixty eight thousand seven hundred and fifty

1. 1120—STR—Outlay
(a) 1121—STR—Wheat
(b) 1123—STR—Sugar
(c) 1129—STR—Others
2.

37

CHALLAN NO. *EG Bys*
(Wheat-Sugar)

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Recmitter *(Recovery)*

To be filled in by the Department Officer or Treasury.

ORIGINAL

By whom Tended	Name and designation on whose behalf money is paid	Particulars			Rate per Kg	Amount	Account Major Head			
		Name of commodities	Weight							
1	2	3	4	5	6	7				
<i>Dinar wali</i> Ward <i>FGI</i> <i>FC</i> <i>Gokin</i>	<i>Controller of Rationing, Peshawar.</i>	Wheat	<i>50</i>	<i>EG Bys</i>	<i>Rs.</i>	<i>2</i>	<i>1. 1120-STR- Outlay</i>			
		Wheat Atta	<i>@</i>	<i>Rs 125/-</i>	<i>6250/-</i>			<i>(a) 1121-STR-Wheat</i>		
		Rice							<i>(b) 1123-STR-Sugar</i>	
		Maize								<i>(c) 1129-STR-Others</i>
		Barley								
		Gram								
		Total	<i>Rs 6250/-</i>							

In words (Rupees) *Six thousand two hundred and fifty only*
Received Payment (Rupees) *Six thousand two hundred and fifty only*
Treasurer.

(Signature)
District Food Controller,
Controller of Rationing,
Peshawar.

MANAGER,
State Bank of Pakistan, Peshawar.
Treasury Officer, Peshawar.

Received by Cash

38

Form-11.

224009

CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter (Recovered)

To be filled in by the Department Officer or Treasury.

By whom Tenders	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	7

ORIGINAL

Co. 1101

Name: Dinar wahi
 Ward: FSI FRC koshu

Deport Holder
 Controller of Rationing, Peshawar
 AFE District

Wheat	50 Bags	Rs.	Paisa	
Wheat Atta	5000 kgs			
Rice	@ Rs 33.75	168750		
Maida				
Barley				
Gram				
Total		Rs 168750		

- 1. 1120-STR- Outlay
- (a) 1121-STR- Wheat
- (b) 1123-STR- Sugar
- (c) 1129-STR- Others

In words (Rupees)

Received Payment (Rupees)

Treasurer.

One Lac Sixty eight thousand Seven hundred and fifty

Account of

7/12/54

Strict Food Controller,
 Controller of Rationing,
 Peshawar.

MANAGER,
 State Bank of Pakistan, Peshawar.
 Treasury Officer, Peshawar.

38

Account—II.

CHALLAN No. (Wheat-Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Recmitter (Recovery) To be filled in by the Department Officer or Treasury.

By whom tendered	Name and designation on whose behalf money is paid	Particulars			Rate per Kg.	Weight	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg.			
1	2	3	4	5	6	7	
Name: Dinay Wali Ward: 151 PRC Koshur Deputy Hoilder	Controller of Rationing, Peshawar. DTE Chitral	Wheat	50	125/-	6250/-	1. 1120-STR- Outlay	
		Wheat Atta	@	125/-	6250/-	(a) 1121-STR-Wheat	
		Rice					(b) 1123-STR-Sugar
		Maize					(c) 1129-STR-Others
		Barley					
		Gram					
		Total		Rs 6250/-		2.	

ORIGINAL

in words (Rupees) Six thousand two hundred and fifty only

Received Payment (Rupees) Account No. Date

District Food Controller, Controller of Rationing, Peshawar.

MANAGER, State Bank of Pakistan, Peshawar. Treasury Officer, Peshawar.

Handwritten signatures and dates, including 24/7/2004.

40

Food Account II

CL4009

CHALLAN No

(Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Retailer (Recovery)

To be filled in by the Department Officer or Treasury

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	7
		Wheat	100 Baga	Rs. 337500		1120-STR-Gullay
		Wheat Atta	10000 kg	@ Rs 33.75		
		Rice				
		Maida				
		Barley				
		Grain				
				Total Rs 337500		

201101

Head of Account Major Head

ORIGINAL

Name: Dinar Wali

Ward: FC-1 Peshawar

Name: D. C. Chitral

Signature

337500

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

Signature

In word (Rupees)

Three Lacs Thirty Seven thousand five hundred

Received Payment (Rupees)

Account No

23/6/2014

Controller of Retention Peshawar

MANAGER State Bank of Pakistan Peshawar

Treasury Officer, Peshawar

23/06/14

Booni B...

23 JUN 2014

23 JUN

RECEIVED

41

Food Account II

24009

ECRags

CHALLAN No

(Wheat/Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Retailer (Recovery)

To be filled in by the Department Officer or Treasury

2

Dinax wali
FRI PRC Gowkin

REC Chitral

By whom Tenders	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg		
1	2	3	4	5	6	7
		Wheat	100	ECRags		CO 1171
		Wheat Atta		@ Rs 125	12500	
		Rice				
		Maida				
		Barley				
		Gram				
		Total			12500	

ORIGINAL

(A) 1121-STR-Wheat
(b) 1123-STR-Sugar
(c) 1129-STR-Others

In word (Rupees) Twelve thousand five hundred only

Received Payment (Rupees) 12500/-

Account No. 23/6/2014

[Signature]
Controller of National Peshawar

MANAGER
State Bank of Pakistan Peshawar
Treasury Officer, Peshawar

23/06/14

[Large scribbled signature]
23/06/14

42

Food Account II

CH009

CHALLAN No

(Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Remitter (Recovery) To be filled in by the Department Officer or Treasury

3

By whom tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	7
Name: Dinar Wali Ward: FGI Pk Kosht.	Name: Chitral	Wheat	100 Bags	Rs. 337.50	337500	1. 1120-STR- Outlay
		Wheat At.	10000 kg			
		Rice				
		Maize				
		Bajra				
		Grain				
		Total			337500	(a) 1121-STR-Wheat (b) 1122-STR-Sugar (c) 1120-STR-Other

ORIGINAL

In word (Rupees) Three Lacs Thirty thousand five hundred

Received/Payment (Rupees) 337500/-

Controller of Rationing Peshawar

MANAGER State Bank of Pakistan Peshawar Treasury Officer Peshawar

23/8/14

23/6/2014

43

Code Account #

CL4009

29 Bags (Wheat Sugar)

CHALLAN No

Challan of Cash paid in to State Bank of Pakistan, Peshawar

4

To be filled in by the Department Officer or Treasury

To be filled by the Recipient

By whom tendered	Name and designation on whose behalf money is paid	Particulars			Amount	7
		Name of commodity	Weight	Rate per Kg		
1	2	3	4	5	6	7
Name: Dinax Wal Designation: Cashier F.S.I. PRC Kasut AFC Chitral	AFC Chitral	Wheat	100	29 Bags	Rs 12500	1. 1120-STR- Outlay (a) 1121-STR-Wheat (b) 1123-STR-Sugar (c) 1129-STR-Other
		Wheat				
		Atta				
		Rice				
		Maida				
		Barley				
Gram						

CO 1171

Head of Account Major Head

ORIGINAL

In Word (Rupees)

Received Payment (Rupees)

Dated

Accountant

Controller of Rationing Peshawar

MANAGER State Bank of Pakistan Peshawar Treasury Officer, Peshawar

23/06/14

23/06/14

Stamp and signature area

44

Food Account II

Mc II
Asst. Treasury Officer
Chitral

CHALLAN No. (Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Retailer CL 4009

To be filled in by the Department Officer or Treasury

By whom Tenderec	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	7
Name of Retailer Depart Holder 30/11/14 DRC 2014	Name and designation on whose behalf money is paid DRC Chitral	Wheat	910 E.C. B.S. @ Rs. 125 / B.S. 51250	Rs. 51250	Rs. 51250	1. 1120-STR-Outlay (A) 1121-STR-Wheat (b) 1123-STR-Sugar (c) 1129-STR-Others
		Wheat Atta				
		Rice				
		Maiza				
		Barley				
		Gram				
Total				51250	2	

In word (Rupees)

Received Payment (Rupees)

Account nt.

Dated

Controller of Rationing Peshawar

MANAGER
State Bank of Pakistan Peshawar
Treasury Officer, Peshawar

09/15/14
01/14

45

APR 11

CL 4009

Particulars

Asst. Treasury Officer
Chitral

CHALLAN No. 1 (Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Reraiter Wheat To be filled in by Department Office Treasury

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head	
		Name of commodities	Weight	Rate per Kg.			
1	2	3	4	5	6	7	
Depositor holder B.T. Q. 3000 3000	ذات النسيئة ذات النسيئة	Wheat	410	Rs. 7	Rs.	1. 1120-STR- Outlay	
		Wheat Atta	41000	Rs.			
		Rice		Rs-33.75/kg.			(A) 1121-STR-Wheat
		Maize					
		Barley	41000	$33.75 = 1383750/2$			(B) 1123-STR-Sugar
		Grain				(C) 1129-STR-Others	
		Total		1383750/-			

Received Payment (Rupees) _____) Dated 11/4/11

Account for _____

MANAGER
State Bank of Pakistan Peshawar
Treasurer Officer, Peshawar

Controller of Rationing
Peshawar

29/5/11

Food Account II

CL 4009

(Recovery)

CHALLAN No

Challan of Cash paid in to State Bank of Pakistan, Peshawar

Wheat Sugar

To be filled by the Rerailler

To be filled in by the Department, Officer or Treasury

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	
Name Ward Dinar wali Fq: Pcc Koshk DTC Chitral	Depot Holder	Wheat	80 Bafs		Rs. Paice	1. 1120-STR-
		Wheat Atta	8000 Kgs			
		Rice	@ Rs 33.75 = 27000/-			
		Maiza				
		Barley				
		Gram				
		Total				

Stamp: State Bank of Pakistan, Peshawar
 Date: 30 MAY 2014
 (A) 1121-STR-Wheat
 (B) 1123-STR-Sugar
 (C) 1127-STR-Others

In word (Rupees) Two Lacs Seventy thousand only
 Received Payment (Rupees) _____) Dated _____
 Account nt. _____

Controler of Rationing Peshawar
 30/5/2014
 MANAGER
 State Bank of Pakistan Peshawar
 Treasury Officer, Peshawar

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Food Account II

CL4009

(Recovery)

CHALLAN No

(Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Retailer						To be filled in by the Department Officer or Treasurer
By whom Tendereea	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	7
Name Dinax Wali Ward F.S. P.C. KOSHT.	AFC Chitral	Wheat	80	EQB/RS	Paisa 10000/-	1. 1120-STR- Outlay
		Wheat Atta	125	=		
		Rice				
		Maiza				
		Barley				
		Gram				
Total					Rs 10000/-	2.

Stamp: State Bank of Pakistan
 (A) 1121-STR-Wheat
 30 MAY 2014
 (b) 1123-STR-Sugar
 (c) 1129-STR-Others

In word (Rupees) Ten thousand only
 Received Payment (Rupees) _____) Dated _____
 Account nt. _____

Controller of Rationing Peshawar
 30/5/14
 MANAGER
 State Bank of Pakistan Peshawar
 Treasury Officer, Peshawar

Food Account_II

224009

(Recovery)

CHALLAN No. (Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Reraitter						To be filled in by the Department Officer or Treasury	
By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head	
		Name of commodities	Weight	Rate per Kg.			
1	2	3	4	5	6		
Name: Dinar Wali Depot Holder Ward: F-11 PCC Gohkari	AFCO Districtal	Wheat	90 Bags		Rs.	1. 1120-STR- Outlay	
		Wheat Atta	9000 KGS				
		Rice					
		Maize					
		Bailey					
		Gram					
				Total	Rs. 303750/-		

Stamp: State Bank of Pakistan, Peshawar
 (A) 1121-STR-Wheat
 30 MAY 2014

(b) 1123-STR-Sugar
 (c) 1125-STR-Others

In word (Rupees) Three Lacs and fifty thousand seven hundred and fifty only
 Received Payment (Rupees) _____ Dated _____
 Account nt. _____

Controller of Rationing Peshawar 30/5/14
 MANAGER
 State Bank of Pakistan Peshawar
 Treasury Officer, Peshawar

(59)

Food Account II

CL 4002

(Recovery)

CHALLAN NO. 1171

(Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar.

To be filled by the Retailer					To be filled by the Department Officer or Treasury	
By whom Tendereea	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	7
Name: Dinar Wali Ward: FSI PCC Gohkhar Depot Holder: FSI Chitral		Wheat	90	125	11250	1. 1120-STR- Outlay (A) 1121-STR-Wheat 0 MAY 2014 (b) 1123-STR-Sugar (c) 1124-STR-Other
		Wheat Atta				
		Rice				
		Maize				
		Barley				
		Gram				
		Total		Rs 11250/-		

In word (Rupees)

Received Payment (Rupees)

Account no.

Eleven thousand two hundred

Controller of Rationing Peshawar

MANAGER
State Bank of Pakistan Peshawar
Treasury Officer, Peshawar

30/5/2014

(50)

Food Account—II.

CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter
To be filled in by the Department Officer or Treasury.

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account - Major Head
		Name of commodities	Weight	Rate		
1	2		3	4	5	7

Name: Dinar Wali
 Depot Officer
 Ward: F.C.I. Peshawar

Control of Rationing, Peshawar.
 F.C.I. Controller

Wheat	100	Bags				
Wheat Atta	1000	Kgs				
Rice	3375					
Maiza						
Barley						
Gram						
			Total	Rs. 337500		

1120-STR-- Outlay
 1121-STR-- Wheat
 (b) 1123-STR-- Sugar
 (c) 1129-STR-- Others

In words (Rupees) Seven thousand three hundred and fifty only
 Received Payment (Rupees) _____ Account at _____ Dated 28/4/2014
 Treasurer _____

MANAGER, State Bank of Pakistan, Peshawar.
 Treasury Officer, Peshawar.
 29/4/14

(5)

Food Account—II.

CHALLENGE No. CL4009 (Wheat Sugar)

Recovered

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter

To be filled in by the Department Officer or Treasury.

By whom tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head	
		Name of commodities	Weight	Rate per Rs.			
1	2	3	4	5	6	7	
Name: Dinar Wali, Depot Holder Ward: FSI PRC Kohat Controller of Rationing, Peshawar.	DCC Chitrad	Wheat	70 Bys	Rs. 337.50	236250	1. 1120-STR-Outlay (a) 1121-STR-Wheat (b) 1123-STR-Sugar (c) 1129-STR-Others	
		Wheat & Co	7000 kgs	@ Rs 33.75	236250		
		Rice					
		Maize					
		Barley					
		Gram		Rs 236250			
		Total		Rs 236250			

ORIGINAL

5

Co 1101

In words (Rupees)

Two Lacs and thirty six thousand five hundred and fifty

Received Payment (Rupees)

Treasurer.

Signature of Treasurer

Controller of Rationing, Peshawar.

MANAGER, State Bank of Pakistan, Peshawar.

Treasury Officer, Peshawar.

Large handwritten scribbles and signatures at the bottom of the page.

Reloading

CHALLAN No. *CL4009* (Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter						To be filled in by the Department Officer or Treasury.
By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Account	Head of Account Major Head
		Name of commodities	Weight	Rate per unit		
1	2	3	4	5	6	7
<i>Dinas Wali Depot Holder</i> <i>F.G.I. Peshawar</i>	<i>Controller of Rationing, Peshawar.</i>	Wheat	<i>100</i>	<i>Rs 125</i>	<i>12500</i>	<i>1120-STR-Outlay</i> <i>(a) 1121-STR-Wheat</i> <i>(b) 1123-STR-Sugar</i> <i>(c) 1129-STR-Others</i>
		Wheat Atta				
		Rice				
		Maida				
		Barley				
		Gram				
		Total			<i>Rs 12500</i>	

ORIGINAL

In words (Rupees) *twelve thousand*

Received Payment in Rupees _____
 Treasurer. _____
 Account no. _____
 Date _____
 Signature: _____
 Title: _____
 Date: *29/4/14*

MANAGER, Bank of Pakistan, Peshawar.

Department Officer, Peshawar.

53

Food Account—II.

GS&I O. NWFP.—14207 (Food 2000) 760 (100—28-5-9)—(10)

~~Receipt~~

CHALLAN No. CLL008 (Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter

To be filled in by the Department Officer or Treasury.

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head	
		Name of commodities	Weight	Rate per ^{kg}			
1	2			5	6	7	
Name: <u>Dinar Wali</u> Ward: <u>FSI PRC Kasht</u> Deport Holder	Controller of Rationing, Peshawar. <u>Ace Chitral</u>	Wheat	<u>70</u>	<u>ESBys</u>	Paisa	1. 1120—STR—Outlay	
		Wheat Atta	<u>@ least</u>			(a) 1121—STR—Wheat	
		Rice			<u>8750</u>		(b) 1123—STR—Sagar
		Maiza					(c) 1129—STR—Others
		Barley					
		Gram					
		Total				<u>8750</u>	2. <u>Asa</u>

ORIGINAL

In words (Rupees) Eight thousand Seven

Received Payment (Rupees) Eight thousand Seven
Treasurer. [Signature]

MANAGER,
State Bank of Pakistan, Peshawar.
Treasury Officer, Peshawar.

29/9/2014

(3)

Food Account II

CL4009

(Recovery) SHALLAN No.

Wheat (Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Drawer

To be filled in by the Department Officer or Treasurer

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	To be filled in by the Department Officer or Treasurer	
		Name of Commodi- ties	Weight	Rate per unit			
1	2	3	4	5	6	7	
Name: Dinar Wali Ward: F.91 P.C. Kosht. District: D.F.C. Chitral	D.F.C. Chitral	Wheat	100 Bags	Rs. 337500	Rs. 337500	1. 1120-STR- Outlay	
		Wheat Ata	10000 KG	@ Rs. 33.75	337500	(a) 1121-STR-Wheat	
		Rice					
		Macha					(b) 1123-STR-Sugar
		Barley					(c) 1123-STR-Other
				Total	Rs. 337500		

Stamp: 27 MAR 2014

In word (Rupees)

Received Payment (Rupees)

Account no.

Seven three lacs thirty thousand five hundred and 27/3/2014

District Officer
Contracting
Peshawar

State Bank of Pakistan Peshawar
Treasury Officer, Peshawar

SS

Food Account II

CL 4009 (Recovery)
CHALLAN No

EQ. Bags
(Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Retailer					To be filled in by the Department Officer or Treasury	
By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodity	Weight Kg.	Rate Kg.		
1	District Accounts Officer Chitral		4	5	6	CO 171
Name: Dinar Wali Ward: FQI Pk Gorkis	DFC Chitral	Wheat Wheat Alla Rice Maza Barley Gram	100 EQ. Bags @ Rs 125/-	Rs. 12500/-	Rs. 12500/-	1. 1125-STR- Outlay (A) 1121-STR-Wheat (B) 1123-STR-Sugar (C) 1124-STR-Others

Received by
District Accounts Officer
Chitral
27/3/2014

In word (Rupees) Twelve thousand
Received Payment (Rupees) five hundred only.
Account nt.

Controlled by
District Accounts Officer
Peshawar
27/3/2014
MANAGER
State Bank of Pakistan Peshawar
Treasury Officer, Peshawar

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Food Account II

(Recovery)

CB 4009

CHALLAN No

Wheat
(Wheat Sugar)

Challan of Cash paid into State Bank of Pakistan, Peshawar

ORIGINAL

To be filled by the Retailer

To be filled in by the Department Officer or Treasury

By whom tendered	Name and designation on whose behalf money is paid	Particulars			Amount	To be filled in by the Department Officer or Treasury
		Name of commodity	Weight	Rate per kg		
1	District Accounts Officer Chitral	3	4	5	6	7
Name: Dinar Wali Ward: FGI RC Gulkar District: DFC Chitral	District Accounts Officer Chitral	Wheat	100 Bms		Rs.	1. 1120-STR- Outlay
		Wheat Aith	10000 kg			
		Rice	@ Rs 33.75	33750/-		(a) 1121-STR-Wheat
		Maize				
		Barley				
						(b) 1123-STR-Sugar
						(c) 1129-STR-Other
				Total	Rs 337500/-	

National Bank of Pakistan
2 MAR 2014
RECEIVED BY

In word (Rupees) Three Lacs thirty seven thousand five hundred only
Received Payment (Rupees) _____
Account nt.

Signature: Asad
Manager
State Bank of Pakistan Peshawar
Treasury Officer, Peshawar
27/3/2014

(57)

Food Account II

CL4009

(Recovery)
CHALLAN No

EC Brgs
(Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Retailer

To be filled in by the Departmental Officer or Treasury Officer

By whom Tendered	Name and description on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	7
Dinar Wali DPC Chitral	District Accounts Officer Chitral	Wheat	100	ES Brgs		1. 1120-STR- Outlay
		Wheat Atta Rice Maize Barley Gram	Rs 125/-	12500/-		(A) 1121-STR-Wheat (B) 1123-STR-Sugar (C) 1129-STR-Others
			Total	Rs 12500/-		

Dinar Wali
DPC Chitral

DPC Chitral

Stamp: 27 MAR 2011

In word (Rupees) Twelve thousand and five hundred only.

Received Payment (Rupees)

Account no.

Signature: [Signature]
District Food Controller
Chitral
Controller of Issuing
Peshawar

MANAGER
State Bank of Pakistan Peshawar
Treasury Officer, Peshawar

27/3/2011

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Food Account—II.

CL4009

(Recovery)
CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Resmitter						To be filled in by the Department Officer or Treasury.	
By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head	
		Name of commodities	Weight	Rate per Kg.			
1	2	3	4	5	6	7	
Name: Dinesh Wali Ward: FSI BRC Gokair Deport Head:	Controller of Rationing, Peshawar. D.F.C. Chitral	Wheat	120	Bags	Rs. 100	1 1120--STR-- Outlay	
		Wheat Atta	12000	Kg		(a) 1121--STR--Wheat	
		Rice					(b) 1123--STR--Sugar
		Maida					(c) 1129--STR--Others
		Barley					
		Gram					
				Total	Rs. 40500/-	2.	

In words (Rupees)

Four Lacs and Fifty Thousand

Received Payment (Rupees)

Thomas (Signature)
Treasurer

Dated

Account of

Controller of Rationing, Peshawar.

MANAGER,
State Bank of Pakistan, Peshawar.
Treasury Officer, Peshawar.

20 FEB 1956

58

Food Account--II.

CL4009

CHALLAN No. (Recovery) (Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Recmitter					To be filled in by the Department Officer or Treasury.	
By whom tendered	Name and designation on whose behalf money is paid	Particulars			ACCOUNT District Chitral	Head of Account Major Head
		Name of commodities	Weight	Rate per kg.		
1	2	3	4	5	6	7
Name: Dinar wali Ward: P.G.I. PRC Gorkin Deputy Holder: Controller of Rationing, Peshawar. D.F.C. Chitral		Wheat	120	125	15000/-	1120-STR--Gulley
		Wheat Atta				(a) 1121-STR--Wheat
		Rice				(b) 1123-STR--Sugar
		Maida				(c) 1129-STR--Others
		Barley				
		Gram				
				Total	Rs. 15000/-	

In words (Rupees)

Fifteen thousand only

Received Payment
Treasurer:

State Bank of Pakistan
Account No. 262/2014
Dated 26 FEB 2014
RECEIVED

Controller of Rationing,
Peshawar.

MANAGER,
State Bank of Pakistan, Peshawar.
Treasury Officer, Peshawar.

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Food Account--II.

14009

(Recovered)
CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Peshawar.

To be filled by the Retailer					To be filled in by the Department Officer or Treasury.		
By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Head of Account Major Head		
		Name of commodities	Weight	Rate per Kg.			
1	2	3	4	5	6	7	
Name: <i>Dinar Wali</i> Designation: <i>Deport Holder</i> Ward: <i>891 PCC Kohat</i> Controller of Rationing, Peshawar.	<i>AFC Chitral</i> Controller of Rationing, Peshawar.	Wheat	100	Bags	Pausa	1. 120-STR-Daily	
		Wheat Atta	10000	KGS		(a) 121-STR-Wheat	
		Rice					(b) 123-STR-Sugar
		Maida					(c) 129-STR-Other
		Barley					
		Gram					
				Total	Rs. 337500/-		

In words (Rupees) *Three Lacs thirty Seven thousand five hundred*

Received Payment (Rupees) _____

Treasurer: _____

Controller of Rationing, Peshawar
 MANAGER,
 State Bank of Peshawar,
 Treasury Officer, Peshawar.

26/2/2007

Food Account - II.

(Recovery)
CHALLAN No. (Wheat Sugar).
 Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Permitter						To be filled in by the Department Officer or Treasury.	
By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head	
		Name of commodities	Weight	Rate per Kg			
1	2	3	4	5	6	7	
Name: Dinesh Wahi Designation: Deputy Hoiser Ward: FCI, PRC, Kohat Controller of Rationing, Peshawar.	A. F. Chitral	Wheat	70 BMS	Rs. 33.75	236250	1. 1120-STR- Outlay	
		Wheat Atta	2000 KGS			(a) 1121-STR-Wheat	
		Rice					
		Maida					(b) 1123-STR-Sugar
		Barley					(c) 1129-STR- Others
		Total			236250		

In words (Rupees) **Two Lacs Thirty Six Thousand two hundred and fifty**

Received Payment (Rupees) _____ Dated **28/1/2011**

Treasurer. _____

MANAGER
 State Bank of Pakistan, Peshawar.
 Treasury Officer, Peshawar.

(63)

Food Account-11.

CHALLAN No. (Recovered) (Wheat Sugar).
Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled in by the Remitter					To be filled in by the Department Officer or Treasury.	
By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head
		Name of commodities	Weight	Rate Per Kg		
1	2	3	4	5	6	7
Name: Dinax Wahi Ward: FCU PCC & KOSHA Department Holder	Controller of Rationing, Peshawar. A. S. Chitral	Wheat	70	125	8750	1. 1120-STR- Outlay
		Wheat Atta				(a) 1121-STR-Wheat
		Rice				(b) 1123-STR-Sugar
		Maida				(c) 1129-STR-Others
		Barley				
				8750		2.
				Total	8750	

In words (Rupees)

Eight thousand Seven

Received Payment (Rupees)

Account no. 28/1/2014

Date

MANAGER,
State Bank of Pakistan, Peshawar.
Treasury Officer, Peshawar.

Controller of Rationing,
Peshawar.

20 JAN 2014

65

Food Account - II

CHALLAN No. Wheat (Wheat-Sugar)

To be paid into State Bank of Pakistan, Peshawar.

Issued by the Registrar

To be filled up by the Department Officer or Treasury.

Recovered

ACCOUNT II

Name of the person by whom tendered	Name and designation on whose behalf money is paid	Particulars	Weight	Rate per unit	Total Amount Major Head
1	2	3	4	5	6
Name: <u>Dinakar Wadi</u> Designation: <u>Deputy Director</u> Ward: <u>F-91 PRC Koshla</u>	Controller of Rationing, Peshawar <u>P.T.C. Chitral</u>	<u>80 Bags</u> <u>8000 KGS</u> <u>@ Rs. 33.75 = 270000/-</u>			Rs. 270000/- 1120-STR- Outlay 1121-STR- Wheat 1122-STR- Sugar 1129-STR- Others

in words (Rupees) Two Lacs Seventy
thousand only

Received Payment for Food account at Peshawar on 16/1/2014

Treasurer

Signature of Controller of Rationing, Peshawar
 16/1/2014
 MANAGER, State Bank of Pakistan, Peshawar
 Treasury Officer, Peshawar.

16 JAN 2014

Fond Account—II

CHALLENGE No. Wheat (Wheat Sugar)

of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Receiver

To be filled by the Department Officer or Treasury.

By whom Tendered	Name and designation or whole money paid	Particulars			Amount in ACCOUNT	Head of Account Major Head
		Name of commodities	Weight	Rate per Kg		
		Wheat	100 BAGS	Rs. 3375		1. 1120—STR—Outlay
			10000 KGS			(a) 1121—STR—Wheat
				@ Rs. 33.75 = 337500		(b) 1123—STR—Sugar
				337500		(c) 1129—STR—Others
				Total Rs. 337500		

Name Dinax Wally Depot Holder
 Ward FGI PRE. Gohkay

Controller of Rationing, Peshawar
A. C. QURESHI

In words (Rupees) Three Lacs thirty seven thousand five hundred
 Received Payment of Rupees _____ Dated _____
 Treasurer, _____

Three Lacs thirty seven thousand five hundred

Controller of Rationing, Peshawar
16/1/2014
 MANAGER, State Bank of Pakistan, Peshawar
 Treasury Officer, Peshawar.

16 JAN 2014

68

Food Account II

L4009 (Recovery)

CHALLAN No. (Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Retailer						To be filled in by the Department Officer or Treasury	
By whom Tenderec	Name and designation on whose behalf money is paid	Particulars			Amount	Head of Account Major Head	
		Name of commodities	Weight	Rate per Kg.			
1	2	3	4	5	6	7	
Name: Dinar Wali Ward: FSN. PCC Gohkair	Depot Holder: PE Chitral	Wheat	60 BAGS	Rs.	Paisa	1. 1120-STR- Outlay	
		Wheat Atta	6000 KGS				
		Rice	3375	202500			(A) 1121-STR-Wheat
		Maiza					(b) 1123-STR-Sugar
		Barley					(c) 1129-STR-Others
		Gram					
Total				202500			

In word (Rupees)

Received Payment (Rupees)

Two hundred and fifty thousand only
28/1/2014

Account nt.

) Dated

Controller of Rationing Peshawar
28/1/14
MANAGER
State Bank of Pakistan Peshawar
Treasury Officer Peshawar

Food Account II.

69
C-4009 (Recovery)

CHALLAN No. 10 (Wheat Sugar)

Challan of Cash paid in to State Bank of Pakistan, Peshawar

To be filled by the Retailer

To be filled in by the Department Officer or Treasury

By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	7
		Name of commodities	Weight	Rate per Kg.		
1	2	3	4	5	6	7
Name: Dineez Wadi Ward: FCA, PRC Goshkin	AFC District	Wheat	10 EC BAG	Rs. 7500	Paise	1. 1120-STR- Outlay (A) 1121-STR-Wheat 21 JAN 2014 (b) 1123-STR-Sugar (c) 1124-STR-Others 28/1/14
		Wheat				
		Maize				
		Barley				
		Gram				
		Total	Rs. 7500			

In word (Rupees)

Received Payment (Rupees)

Account no.

) Dated

28/1/2014

Controller of Rationing Peshawar

MANAGER
State Bank of Pakistan Peshawar
Treasury Officer, Peshawar

Food Account—II.

2009

(Recovery)
CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter

To be filled in by the
Department Officer or
Treasury.

By whom rendered	Name and designation on whose behalf money is paid	Particulars			Amount	To be filled in by the Department Officer or Treasury.
		Name of commodities	Weight	Rate per kg.		
1	2	3	4	5	6	7
FSI PRC Kohat	AFC Chitral Controller of Rationing, Peshawar.	Wheat	199	Rs. 34.00	673110/-	1. 1120--STR-- Outlay (a) 1121--STR--Wheat (b) 1123--STR--Sugar (c) 1129--STR--Others
		Wheat Atta	19944	Rs. 33.75		
		Rice				
		Maida				
		Barley				
		Gram				
		Total		Rs. 673110/-		

ACCOUNT
District Accounts Officer,
Chitral
1101

In words (Rupees) Six Lacs Seventy three thousand one hundred and ten only
Received Payment (Rupees) Account No. Dated 10/12/2013

Controller of Rationing,
Peshawar.

MANAGER,
State Bank of Pakistan, Peshawar,
Treasury Officer, Peshawar.

10/12/2013

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L-11.

L 4005

(Recovery)
CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Remitter					To be filled in by the Department Officer or Treasury.	
Name and designation in whose behalf money is paid	Particulars			Rate per Kg.	Amount	Head of Account for Head
	Name of commodities	Weight				
2	3	4	5	6	7	
Controller of Rationing, Peshawar.	Wheat	199	ESB	Paisa	1. 1120-STR- Outlay	
	Wheat Atta				(a) 1121-STR--Wheat	
	Rice				(b) 1123-STR--Sugar	
	Maida				(c) 1129-STR--Others	
	Barley					
			Total	Rs 2487.5	2.	

ACCOUNT
District Account
Chitral
1171

Controller of Rationing, Peshawar.

Twenty four thousand and seventy five
Account No. 12/2013
Dated: five
MANAGER,
State Bank of Pakistan, Peshawar.
Treasury Officer, Peshawar.

27 DEC 2013

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Food Account—11.

CL-4089

Recovery
CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

Wheat

To be filled by the Controller						To be filled in by the Department Officer in Treasury	
By whom tendered	Name and designation on whose behalf money is paid	Particulars			Amount	ACCOUNT	
		Name of commodities	Weight	Rate per Kg.			
1	2	3	4	5	6	7	
Name: Dinos Wali Ward: F.G.I. P.C. Tarsich Controller of Rationing, Peshawar.	A.C. Chitral	Wheat	200 Bags	Rs.	Pass	1. 1120—STR—Wheat Outlay	
		Wheat Atta	20000 Kgs				
		Rice	@ R. 3375 =	675000			(a) 1121—STR—Wheat
		Maida					
		Barley					(b) 1123—STR—Sugar
		Grain					(c) 1129—STR—Others
Total				Rs. 675000			

In words (Rupees) Six Lacs Seventy five thousand only.

Received Payment (Rupees) _____ Dated: 27/12/2013

Signature of Controller of Rationing, Peshawar.

MANAGER, State Bank of Pakistan, Peshawar. Treasury Officer, Peshawar.

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Food Account—II.

CL4009

(Recovery)

CS&PD, NWFI--1420 Dir. Food 2000 P. of 100-28-5-91-(10)

CHALLAN No.

(Wheat Sugar).

Challan of Cash paid into State Bank of Pakistan, Peshawar.

To be filled by the Recmitter					To be filled in by the Department Officer or Treasury.	
By whom Tendered	Name and designation on whose behalf money is paid	Particulars			Amount	To be filled in by the Department Officer or Treasury.
		Name of commodities	Weight	Rate per Kg.		
1.	2.	3.	4.	5.	6.	7.
Name: Dinar Wali Ward: P.S.I. Peshawar Controller of Nationalizing, Peshawar	A. J. Chaudhary	Wheat	2500	Rs 125	Rs 250000	1. 1120-STR- Outlay
		Wheat Atta				(a) 1121-STR- Wheat
		Rice				(b) 1123-STR- Sugar
		Maida				(c) 1129-STR- Others
		Barley				
		Grain				
Total					Rs 250000	2.

ACCOUNT
District Accounts Officer
Chitral 1171

In words (Rupees)

Twenty five thousand only

Received Payment (Rupees) Treasurer.

Account nt.

Dated

22/12/2023

MANAGER, State Bank of Pakistan, Peshawar.
Treasury Officer, Peshawar.

Controller of Nationalizing, Peshawar.

<p>ایڈووکیٹ/دستخط: بارکول ابار ایسوسی ایشن نمبر: رابطہ نمبر: 984734-0842</p>		<p>پشاور بار ایسوسی ایشن، خیبر پختونخواہ</p>

بعدالت جناب:

<p>منجانب: اسد اللہ</p> <p>دستخط و مہر: اسد اللہ</p>	<p>دعویٰ: علت نمبر: مورثہ: جرم: تھانہ:</p>
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باعتبار آئینہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی وجواب دہی کاروائی متعلقہ
 ان مقام کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وہکیل صاحب کو
 راضی نامہ کرنے و تقرر حالت و فیصلہ برطاعت دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں مدد تخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری بکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کاروائی کے واسطے اور وہکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہو گا اور صاحب
 مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ مدد اختہ منظور و قبول ہوگا دوران مقدمہ
 میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا وہ وہکیل موصوف وصول کرنے کا حقدار ہوگا کوئی تاریخ پیشی مقام
 دورہ یا حد سے باہر ہو تو وہکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: آئی آر 1419/2015

_____ واہ شد _____
 مقام کے لئے منظور ہے۔

Attested & Accepted

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Appeal No.1077/2015

Mr. Dinar Wali Khan S/O Yaqoob Dinar Khan,
R/O Village Kroi Shal Gohkir, P.O Drungah Tehsil
Mastuj District Chitral.

Appellant

Versus

1 Government of Khyber Pakhtunkhwa, (KPK) through
Chief Secretary at Civil Secretariat Peshawar.

2 Secretary Food
Government of Khyber Pakhtunkhwa,
at Civil Secretariat Peshawar.

Respondents

3 Director Food,
Khyber Pakhtunkhwa, Peshawar

4 District Food Controller Chitral.

5 Secretary Finance Government of KPK at Civil
Secretariat Peshawar.

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS

NO. 01 TO 05

Respectfully Sheweth

Preliminary objections.

1. That the appeal is not maintainable as it is not in proper form.
2. That the appellant is estopped to file the present Appeal.
3. That the appellant has got no cause of action against the respondents.
4. That the issue invoked in present appeal is purely administrative and needs to be dealt with as such.
5. That the appeal is time barred.
6. That the appellant has not come to the court with clean hands. Material facts have been concealed from this Honourable Court. Thus, the appellant is not entitled to the relief prayed for
7. That the appellant has got no locus standi to prefer the appeal against respondents.
8. That the appellant is neither aggrieved person nor does he has locus standi to file the instant Appeal.
9. That all the grounds raised by the appellant in the present appeal have been agitated in the already subjudice writ petition, hence the appeal is liable to be dismissed with cost.

ON FACTS:

1. Due to abolition of posts at District Administration Chitral, Mr. Dinar Wali Secretary Union Council Khost District Chitral adjusted as Foodgrain Supervisor in Food Department Chitral vide Office Order No.2706-16/G-12-Swat dated 15-02-2002. He was promoted to the post of Foodgrain Inspector vide Office Order No.8030/G-275-DPC dated 08-04-2010
2. The District Food Controller, Chitral reported vide letters No.1458/1/10-AC dated 03-05-2014, No.1508-12/Dinar Wali FGI dated 04-06-2014, No.1586 / Dinar Wali FGI dated 10-06-2014 and No.2138/1/10-AC dated 22-07-2014, that during physical verification a quantity of 5574 bags (557.400 M. Tons wheat valuing Rs.19.5 Million was short detected /shown embezzled against Mr. Dinar Wali FGI. It was also reported that an amount of Rs.8223998/ on account of cost of wheat/ empty gunny bags recovered and deposited into Government treasury through proper Challan leaving behind, a balance of Rs.11285002/- The official served with last notice by the DFC Chitral along with the directions to deposit the remaining balance into Government treasury and produce Original treasury Challan within one week time, but the said official was found unable to deposit the outstanding amount.

The District Food Controller Chitral has worked out the cost of wheat on the basis of issue price ie. 3500 per bags however the landed cost of the embezzled quantity come out to be of Rs.23.69 Million out of which Rs.8.22 Millions were deposited while Rs.15.47 Millions are still outstanding against him. The DFC Chitral vide letter No. 765/Dinar Wali dated 27-03-2015 shown as additional liability of Rs. 5.96 Million thus making the total liability of Rs. 21.43 Million against the appellant.

Mr. Dinar Wali FGI was served with Show Cause Notice vide Food Directorate letter No. 6550/PF-1039 dated 06-11-2014 and vide No. 6795/PF-1039 dated 21-11-2014 for appearance before the competent authority along with reply to the Show Cause Notice for personal hearing upon the request of official he was again called for hearing vide letters No. 6946/PF-1039 dated 28-11-2014 and No. 1257/PF-1039 dated 27-02-2015 on 19-03-2015. During personal hearing the official not only

confessed the embezzlement but also committed before the authority that he will clear /deposit the balance amount in due course of time. Later on he started submitting application through notables and pressurizing the authorities through political means. After full consideration of the case, the said official has been held responsible for embezzlement/ misappropriation of wheat stock worth Rs.15.47 Millions on account of cost of wheat /empty gunny bags and guilty of misconduct and awarded with major penalty of removal from service with vide Office Order No.2036/PF-1039 dated 21-04-2015

3. As per reply given at Para-02 above.
4. As per reply given at Para-02 above. However on Departmental Appeal to the respondent No. 02 i.e Secretary Food Khyber Pakhtunkhwa, against order of his removal from service, the case was under process in Admn: Department the appellant has filed Appeal No. 1077/2015, in the Service Tribunal Khyber Pakhtunkhwa, Peshawar.
5. As per reply given at Paras-02 and 04 above.
6. The District Food Controller, Chitral reported vide letters No.1458/1/10-ac dated 03-05-2014, No.1508-12/Dinar Wali FGI dated 04-06-2014, No1586/Dinar Wali FGI dated 10-06-2014 and No.2138/1/10-AC dated 22-07-2014 that during physical verification carried out in the financial year a quantity of 5574 bags (557.400 M. Tons wheat valuing Rs.19509000/ was short detected against Mr. Dinar Wali Foodgrain Inspector Incharge of PRC Gohkir/Kosht and Terich. An amount of Rs.8223998/ on account of cost of wheat/ empty gunny bags recovered from the official and deposited into Government treasury through proper Challan leaving behind, a balance of Rs.11285002/- The accused official was served last notice by the DFC Chitral with the direction to deposit the remaining balance into Government treasury and produce Original treasury Challan within one weak time, but he was unable to deposit the outstanding amount.

The District Food Controller Chitral has worked out the cost of wheat on the basis of issue price ie. 3500 per bags however the landed cost of the embezzled quantity at the present rate comes out to be Rs.23.69 Million out of which the accused has deposited Rs.8.22 Millions while Rs.15.47 Millions are still outstanding against him.

The official has been given ample time to deposit the outstanding liabilities due against him but he failed to comply with. Therefore the Anti Corruption Establishment Government of Khyber Pakhtunkhwa has been requested vide letter No.4570/PF1039 dated 13-08-2014 to investigate the matter for affecting complete recovery from the official so as to save the Government exchequer from sustaining huge financial loss. But No response from Anti Corruption Establishment in the subject case has been received till date.

7. As per reply given at Paras-02-06 above.
8. As per reply given at Paras-02-06 above.
9. The appellant has got no cause of action to file instant appeal.

GROUNDS.

- A. Incorrect. As per reply given at Para-02-06 of the facts.
- B. Incorrect. As per reply given at Para-02-06 of the facts.
- C. Incorrect. As per reply given at Para-02-06 of the facts
- D. Incorrect. As per reply given at Para-02-06 of the facts.
- E. Incorrect. As per reply given at Para-02-06 of the facts.
- F. Incorrect. The plea taken by the appellant is not correct .Departmental proceedings and judicial proceeding can run parallel to each other against an accused in terms of Government of Khyber Pakhtunkhwa Establishment Department circular letter No. SOR-II (S&GAD) 5 (29) / 86 (KC) dated 08-01-1990. ^{As per} The two proceedings are to be perused independent of each other and it is not necessary to pend departmental proceedings till the finalization of judicial proceedings which also includes criminal proceedings. In this case particularly in the departmental proceedings the accused has admitted the crime i.e embezzlement of wheat costing Rs.21.43 million through an affidavit duly signed by witness. So in such circumstances the evidences of the departmental inquiry and its outcomes are very much relevant for criminal proceedings as well. Therefore, it is quite clear that the main purpose of the appellant is to use it as ground to weaken the criminal case or to prolong the same. The intention of the appellant being mala fide is, therefore, liable to be rejected.
- G. Incorrect. The District Food Controller, Chitral reported vide letters No.1458 / 1/10-AC dated 03-05-2014, No.1508-12 / Dinar Wali FGI dated 04-06-2014, No1586 / Dinar Wali FGI dated 10-06-2014 and No.2138 /1/ 10-AC dated 22-07-2014 that during physical verification carried out in the financial year a quantity of 5574 bags (557.400 M. Tons,

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wheat valuing Rs.19509000/ was short detected against Mr. Dinar Wali Foodgrain Inspector Incharge of PRC Gohkir/Kosht and Terich. An amount of Rs.8223998/ on account of cost of wheat/ empty gunny bags recovered from the official and deposited into Government treasury through proper Challan leaving behind, a balance of Rs.11285002/- The accused official was served last notice by the DFC Chitral with the direction to deposit the remaining balance into Government treasury and produce Original treasury Challan within one week time, but he was unable to deposit the outstanding amount.

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The official has been given ample time to deposit the outstanding liabilities due against him but he failed to comply with. Therefore the Anti Corruption Establishment Government of Khyber Pakhtunkhwa has been requested vide letter No.4570/PF1039 dated 13-08-2014 to investigate the matter for affecting complete recovery from the official so as to save the Government exchequer from sustaining huge financial loss. But No response from Anti Corruption Establishment in the subject case has been received till date.

- H. As per reply given at Para-F of the ground.
- I. Incorrect. As per reply given at Para-02-06 of the facts.
- J. The appellatant has got no cause of action to file instant appeal.
- K. The respondent seek permission to raise additional grounds at the time of arguments.

The appeal having no legal footing may, therefore, be dismissed with cost please.

RESPONDANTS

Ali

Government of Khyber Pakhtunkhwa, (KPK)
through Chief Secretary at Civil Secretariat Peshawar.

Emat

Secretary Food
Government of Khyber Pakhtunkhwa,
at Civil Secretariat Peshawar.

[Signature]

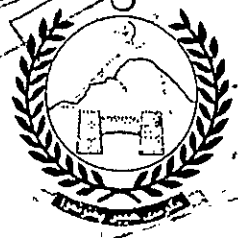
Director Food,
Khyber Pakhtunkhwa, Peshawar

[Signature]
District Food Controller
Chitral.

[Signature]

Secretary Finance
Government of KPK
at Civil Secretariat Peshawar.

[Signature]



ESTA CODE

**ESTABLISHMENT CODE KHYBER PAKHTUNKHWA
(REVISED EDITION) 2011**

**A COMPENDIUM OF LAWS, RULES AND INSTRUCTIONS
RELATING TO THE TERMS AND CONDITIONS
OF PROVINCIAL CIVIL SERVANTS**

**COMPILED BY;
(O&M) SECTION,
ESTABLISHMENT & ADMINISTRATION DEPARTMENT**

- 217
- (7) The enquiry proceedings once started should be held without interruption, as far as possible, on day to day basis.
 - (8) On receipt of the enquiry report the case should be processed expeditiously.
 - (9) It should be impressed upon the Enquiry Officer that the quality of work produced by him will reflect on his efficiency, which will be recorded in his ACR.
 - (10) The initiating officer should record his assessment of the Enquiry Officer's performance in the ACR.

(Authority: Circular letter No. SOR.II (S&GAD)3(4)/78, dated 3rd October, 1984)

Stoppage of increment under Government Servants (Efficiency & Discipline) Rules, 1973

Instances have come to the notice of the Government where the penalty of stoppage of increment under the NWFP Government Servants (Efficiency & Discipline) Rules, 1973, has been imposed on Government Servants, who have reached the maximum of the pay scale, thus making the penalty ineffective. I am accordingly directed to request that the competent authorities may, in future, kindly keep in view the stage of the pay scale at which a Government servant is drawing pay before imposing the penalty of stoppage of increment on him under the above rule.

(Authority: Circular letter No. SOR.II (S&GAD)5(29)/86, dated 27th December, 1986).

Departmental Proceedings vis-a-vis Judicial Proceedings.

The question as to whether or not a departmental inquiry and judicial proceedings can run parallel to each other against an accused officer/official has been examined in consultation with the Law Department.

2. It is hereby clarified that Court and Departmental proceedings may start from an identical charge(s) and can run parallel to each other. They can take place simultaneously against an accused on the same set of facts and yet may end differently without affecting their validity. Even departmental inquiry can be held subsequently on the same charges of which Government servant has been acquitted by a Court. The two proceedings are to be pursued independent of each other and it is not necessary to pend departmental proceedings till the finalization of judicial proceedings.

3. It may also be clarified that Court Proceedings also include criminal proceedings pending against a civil servant.

4. The above instructions may please be brought to the notice of all concerned.

(Authority: Circular letter No. SOR.II (S&GAD)5(29)/86(KC), dated 8.1.1990)

(1)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Re In;
Service Appeal No. 1077/2015

Dinar Wali Khan

V E R S U S

**Government of Khyber Pakhtunkhwa (KPK) through Chief Secretary at
Civil Secretariat Peshawar and others**

REPLICATION TO REPLY OF RESPONDENTS

Respectfully Sheweth:

Replication on behalf of appellant is submitted as under;

Answer to Preliminary Objections:

All the 9 preliminary objections induced by respondents are in correct because no reason in support of the same has ever given why the appeal is not been based on facts, why he has not come to this honourable tribunal with clean hands, what are the material facts which the appellant has tried to concealed from this honourable Tribunal, how the appeal of the appellant is time barred, why his appeal is not maintainable and how this honourable court has no jurisdiction to entertain this service appeal. Through the formatted preliminary objection it has been tried to avoid their responsibilities with effect to assure the appellant his basic right of appeal against their un just and malafide impugned orders.

ON FACTS:

1. Para No.1 of the Comment is correct.
2. Para No.2 of the comment is totally denied while contents of Para No.2 of the Service Appeal is admitted as correct because from first notice to the final proceeding all the acts of respondents remained void, illegal, biased, arbitrary and one sided . Furthermore the respondents totally ignored reports of facts finding committee with effect to disposal of infested and poor quality wheat at District Chitral. (Copy of Committee Report is annexed as Annexure "A")
3. Para No.3 of the comment needs no reply.

4. Para No.4 of the comment is also in correct because the appellat remained awaited for the result of departmental appeal till final days of statutory period but respondent failed to decide the same according to law and rules applicable on the subject.
5. Para No.5 of the comment needs no reply.
6. Para No.6 of the comment is repetition of Para No.2 of the comments, hence needs no reply.
7. Para No.7 of the appeal has not been replied by the respondents, therefore no replication.
8. Para No.8 of the comments is in correct while Para of the appeal is correct.
9. Para No.9 of the comment has already been replied in preliminary objection.

REPLICATION ON GROUNDS:

A) Not correct, Para of ground of appeal is correct. All the reasons have been given on the grounds of appeal.

B) Not correct, Para of ground of appeal is correct.

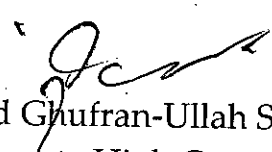
C) Not correct, Para of ground of appeal is correct.

Grounds D to K of reply are not admitted while grounds of appeal are admitted as correct and is being relied.

Therefore, it is, most humbly prayed that the instant replication be accepted in the subject Service Appeal.

Appellant

Through


Syed Ghufuran-Ullah Shah
Advocate High Court
Peshawar.

3

BEFORE THE KHYBER PAKHTUNKHUWA SERVICE TRIBUNAL
PESHAWAR

Re In;
Service Appeal No. 1077/2015

Dinar Wali Khan

V E R S U S

**Government of Khyber Pakhtunkhwa (KPK) through Chief Secretary at
Civil Secretariat Peshawar and others**

AFFIDAVIT:

I, Dinawar Wali Khan S/o Yaqub Dinar Khan R/o Kroi Shal Gohkir, Tehsil Mastuj, District Chitral, Appellant, do hereby solemnly affirm and declare on Oath that the contents of the replication in subject appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this honourable Tribunal.

[Signature]

Deponent

C.N.IC No. 15202-0828801-5

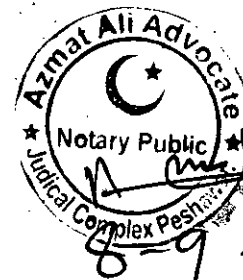
Dated: 8th September, 2016

Verified by:

[Signature]

Syed Ghufraan Ullah Shah
Advocate, Peshawar

ATTESTED



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(47) Annexure - A

SS

Report of the committee constituted by Secretary Food vide Notification No.SOF(Food Deptt) 2-28/742 Dated 12/12/2012. and No.SOF (Food Deptt)2-28/395 dated 29/04/2012 for disposal of infested and poor quality wheat at District Chitral.

DH

1. Preamble

A committee comprising Assistant Director Food Malakand Division at Swat Chairman, Mr.Ashfaq Rasool, Section Officer (HR) Law Deptt: govt: of KPK Member, Mr. Jan Muhammad Distt: Director Agriculture Distt: Chitral Member, Mr.Abdul Akram Additional Asstt: Commissioner II Chitral Member, Mr. Mohammad Iqbal Budget Officer VII Finance Deptt: govt: of KPK Member, Regional Audit Officer, Food Directorate Peshawar Member, was constituted vide the above notifications with the TOI to suggest "Ways and Means" for disposal of infested wheat and determine the condition and accumulation of wheat stock at District Chitral.

2. Proceedings

A meeting of the committee was called on 27/08/2013 in the office of D.F.C Chitral for proceeding in the matter. The committee started its function on 27/08/2013 to 04/09/2013 and visited various PR Centres/Sale points of Distt: Chitral as per the following detail.

27/08/2013	Dresh, madaklasht, Arrandu, Ursoon, Domel,
28/08/2013	Gobore, Susoom, Arkari, Shoghore
29/08/2013	Reshun, Kuragh, Booni, Sonoghore & Parwak
30/08/2013	Mastuj, Brep, Bang Yarkhoon, Yarkhoonlasht, Laspur
31/08/2013	Shagram, Mulkoh, Terich
01/09/2013	Khot, Rech, Verkop, Madak, Kushum
02/09/2013	Kosht, Gohkir, Oveer, Golain

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The reason of infestation/poor quality wheat stocks

4. The following table shows wheat quota supplied to Chitral from 2003 to 2013

S.No	Year	Wheat quota supplied (M.tons)
1	2003-04	18000.000
2	2004-05	28510.000
3	2005-06	30000.000
4	2006-07	28447.000
5	2007-08	30000.000
6	2008-09	30989.000
7	2009-10	40612.000
8	2010-11	5400.000
9	2011-12	10000.000
10	2012-13	14800.000

5. The wheat stocks (infested/poor quality/rejected by the people of Chitral) have been accumulated over a period of 10 years, resultantly has lost weight and its fitness for human consumption. Extremely bad storage conditions have aggravated the situation which was beyond control of Food Department Chitral. Under warmer climatic condition in sub Division Chitral i.e. PR Centers Drosh, Gang, Domel, Arrandu, Ayun and some PR Centers of Sub Division Mastuj, where the temperature are mild and humid coupled with long storage period which provided safe heaven to store grains insects/pest which inflicted colossal wheat grain losses. The situation would have not been so grave if the disposal has been made earlier i.e. on yearly basis. Around 32 PR Centers and 75 sale points are beyond the effective administrative control of the available 16 Food grain supervisors, 3 Food Inspectors & 2 AFCs. It is to mention here that at present only 9 food grain supervisors are working at

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00 0000 during 5/2011 and 6/2011.

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Chitral and the remaining FGS from down District do not take interest in running the stores which are located at far - flung areas where the concept of public transport as per pattern of down Districts is not available. Moreover no residential accommodation is available to shelter the staff of down District to be deputed there. Almost all the sale points are in kacha structures and are being run by private persons. Often rain water and snow enter the premises of these sale points which results in deterioration of the wheat stocks. Besides, insects, rats and pests also have aggravated the situation. Fumigation of wheat stocks in those PR Centers and sale points also cannot effectively be carried out as the same cannot be got air tight which is a pre-requisite for effective fumigation of wheat stocks. The practice of pick and choose of wheat bags also prevails in District Chitral, resultantly the people do not purchase poor quality wheat and reject the same. Political interference also paves the way for the rejection as political leaders of District Chitral politicize the poor quality wheat and instigate the people for not purchasing the same. Due to the opening of Lowari tunnel, the local people of Chitral and Drosh prefer to buy fine quality atta viz-a-viz government wheat. As a result the local market of chitral and Drosh and some parts of Sub Division Mastuj flooded with fine quality atta, therefore, the Govt wheat stocks can not be issued in time.

6. The empty gunny bags accumulated since 1982 also provided an opportunity to insects and pest breed which attack the wheat stocks which are lying within one room side by side. The above table shows that gradually the demand of wheat in Chitral has slashed from 40,000 M.ton to 14,800M.ton irrespective of the fact that local population has increased.

7. The committee also met with MNA Chitral Shahzada Iftikharud Din who put forward the views of the general public regarding the

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92.87% during 5/2011 and 6/2011.

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Infested/poor quality/rejected wheat by the people of Chitral during his visits in the election campaign. He pointed out that the protests and objections, on the wheat stock, have been incorporated by him in his two diaries. He also stated that he will report the same to Director Food and higher authorities, of Food Department separately.

8. Recommendations:

The following tables shows infested wheat stocks accumulated over of period of ten years the poor quality of wheat stocks rejected by the people of Chitral.

Statement showing infested wheat stock and poor quality wheat at various PR Centres and Sale Points at District Chitral.

S.No	Name of PR Centres	Name Sale Points	Structure of Godown	Quantity infested (Bags 100 kg)	Poor quality of wheat (Bags 100 kg)
1	2	3	4	5	6
1	Arrindu	--	Paeka	--	60
2	Domel	--	Kaeha	210	--
3	Drosh	--	Paek	790	1610
4	Gang	--	Paek	400	120
5	Ursoon	--	Kaeha	--	90
6	Madak Lashé	Birga Nisar	Kaeha	--	220
7	Ayun	--	Paeka	700	373
8	Bumbarate	Rumbor, Birir, Shekhanandeh	Kaeha	--	924
9	Damin	--	Paeka	5505	1495
10	Shoghore	--	Paeka	--	500
11	Susoom	Madashil, Kiar, Parsamp, Brashgram	Kaeha	150	890
12	Arkati	Oveer, Pesh, Shali, Momi	Kaeha	400	1410
13	Lutkoh	--	Paeka	--	1418
14	Gohore	Barzun, Begusht, Parbag	Kaeha	--	362
15	Gullen	Bermoph, Gi, Payeen	Kaeha	25	25
16	Reshan	--	Paeka	345	408

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92.87% during 5/2011 and 6/2011. all of sudden the average dropped by

(28)

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17	Kuragh	--	Paeka	100	70
18	Booni	Avi lasht	Paeka	--	230
19	Sonoghore	Miragram, Parwak	Kacha	70	317
20	Mastuj	--	Paeka	82	92
21	Laspur	Sor, Laspur	Kacha/Paeka	200	619
22	Bang/Brep	Chapali, Chuineh, Brep, Istaeh, Khotanlasht, Khurzh, Dizg, Mehting, Pashk, Miragram, Bang Payeen, Bang Bafa	Kacha	325	1404
23	Yarkhoon Lasht	Shost, Dobargar, zhupu, Sholkoeh, Power, Duser, Power II	Kacha	50	332
24	Broghil	--	Kacha	60	--
25	Oveer	Riri payeen, bala, barum payeen, bala, Shabronz, Nichagh, Pasti, Pakhturi	Kacha	250	2211
26	Gohkir	Loun, Dronnagh	Kacha	45	305
27	Koshf	--	Kacha	63	338
28	Mulkoh	--	Paeka	90	371
29	Kushum	--	Kacha	--	200
30	Terich	Warimoon, Zondrangram, Persing, Longol, Loukoh, Nichagh	Kacha	152	384
31	Turkoh	Rayeen, verkop, istaro, Madak, Nishko	Kacha/Paeka	215	1065
32	Reeh	1 sale points	Kacha	--	1249
33	Khot	Porkhot, Rabat, Jankushum, yakhdiz, melp, melp bala, payeen	Kacha	166	1166
Total:-				10373	20158


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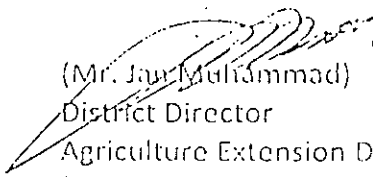
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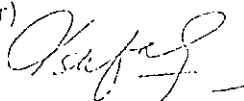
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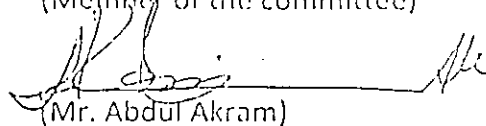
The committee recommends that the infested wheat at column No. 5 and 75% of the reportedly rejected/poor quality wheat stocks as per column No. 6 of the above table be auctioned on "as is and where is basis" and the remaining 25% of the reportedly/rejected/poor quality wheat be segregated from the stocks and be sold to the general public as 25% of the same is fit for human consumption. The report is submitted for further necessary action please.

1. 
(Mr. Abdul-Jalil)
Asstt: Director Food Malakand Divn:
(Chairman of the Committee)

2. 
(Mr. Jawid Muhammad)
District Director
Agriculture Extension District Chitral
(Member)

3. 
(Mr. Ashfaq Rasool)
Section Officer (HR) Law Deptt: Govt:
Of K.P.K (Member of the Committee)

4. 
(Mr. Mohammad Iqbal)
Budget Officer-VII
Finance Deptt
(Member of the committee)

5. 
(Mr. Abdul Akram)
Additional Asstt: Commissioner-II
Chitral. (Member of the Committee)

6. Regional Audit Officer,
Food Directorate K.P.K Peshawar
(Member of the Committee)

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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No 2499 /ST

Dated 20 /11/2017

To

The Director Food,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: **JUDGEMENT IN APPEAL NO. 1077/15, MR.DINAR WALI KHAN.**

I am directed to forward herewith a certified copy of Judgment dated 03/11/2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

Dr. Saadullah
REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR. *D/c*