

Before the Khyber Pakhtunkhwa Service Tribunal, Peshawar.

①

S. Appeal No. 2514/21

Pervez Khan -V- Population Welfare Department, GOKPK.

Additional document.

Khyber Pakhtunkhwa
Service Tribunal

Case No. 4916

Dated 18/4/2023

Respectfully Shewth:

The subject appeal is fixed before this august tribunal for today. To further fortify his appeal the appellant add the following documents to his pending appeal.

1. Respondents had preferred appeal before the Peshawar High Court against the judgment dated 01.12.2020 of the Senior Special Judge Anti-Corruption (Provincial) Khyber Pakhtunkhwa, Peshawar. The learned court while perusing official record provided, also annexed to the instant appeal, has dismissed respondents' appeal NO. 21-P/2021 against the Judgment of the Special court vide its judgment dated 12.09.2022 latest and has upheld its judgment. The judgment in hand has discussed all aspects of the case threadbare, repudiated all the 06 charges and exonerated the appellant honorably. Attested copy of the judgment is attached as annex-A.
2. Thus, concurrent judgments of Senior Special Judge Anti-Corruption (Provincial) Khyber Pakhtunkhwa, Peshawar and of the Peshawar High Court in the field, both have repudiated the 06 charges, becoming sole base of the major penalty of compulsory retirement appealed against and pending before this august tribunal.
3. Additionally, the following documents are also attached herewith to include and become part of the appeal pending.
 - a. Letter dated 12/01/2004 of Government of Khyber Pakhtunkhwa in Law Department, advising Local Government Department to wait for the opinion of the Establishment Department KPK in respect of age relaxation in upper age limit of the appellant annex-B.
 - b. Opinion/Advice dated 08.01.2004 of the Government of Khyber Pakhtunkhwa in Establishment Department, allowing 10 years age relation in upper age limit to the appellant annex-C.
 - c. Application dated 16.07.1992 of the appellant surrendering his 1st domicile certificate to the issuing authority through proper channel bearing official diary NO. before acquiring the 2nd one annex-D.

d. Anonymous complaint

PRAYER:

It is humbly requested that the attached 'public documents' may kindly be made part of the pending appeal and considered please.

Pervez Khan
(Appellant)

AFFIDAVIT: Affirmed on oath that contents of the application are correct to the best of my knowledge & belief.



Pervez Khan
(Deponent)

Annex - A

2

IN THE PESHAWAR HIGH COURT, PESHAWAR
(Judicial Department)



Appellate Side _____ Cr. A No. 21P 12020 2021

District	Date of Filing Petition.	Whether filed by appellant in person or by Pleader or Agent	Stamps on Appeal
Peshawar	/ /2020	Advocate-General, Khyber Pakhtunkhwa	Rs.

State through Advocate-General,
Khyber Pakhtunkhwa, Peshawar.

.....Appellant

Versus

Pervez Khan S/O Fateh Khan,
R/O Darmangi Peshawar Palosi, Talarzai,
Rtd: Deputy Director,
Population Welfare Peshawar.

.....Accused/Respondent

APPEAL U/S 417 Cr.P.C AGAINST THE IMPUGNED JUDGMENT/
ORDER DATED 01/12/2020 PASSED BY THE LEARNED
SPECIAL JUDGE, ANTI CORRUPTION, (PROVINCIAL) KHYBER
PAKHTUNKHWA PESHAWAR, WHEREBY HE ACQUITTED THE
ABOVE NAMED ACCUSED/RESPONDENT, VIDE FIR NO.08
DATED 19/11/2013, CHARGED U/S 419/420/468/471-PPC R/W
SECTION 5(2) PC ACT, P.S. ACE DISTRICT PESHAWAR.

PRAYER:-

FILED TODAY
Deputy Registrar
09 JAN 2021

ON ACCEPTANCE OF THIS APPEAL THE IMPUGNED
JUDGMENT/ ORDER PASSED BY THE LEARNED TRIAL COURT
MAY KINDLY BE SET ASIDE AND ACCUSED/RESPONDENT BE
CONVICTED AND SENTENCED IN ACCORDANCE WITH LAW.

GROUND:-

1. That the impugned Judgment/Order of learned trial Court is illegal, against law, facts on record and in contravention of principles of administration of criminal justice hence not tenable.

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2. That the learned trial court has failed to appreciate the prosecution evidence in its true perspective.
3. That the impugned Judgment/Order of the learned trial Court is the result of mis-reading and non-reading of the prosecution evidence, hence liable to be set aside.
4. That as per record huge loss has been given to Government exchequer and role of accused/respondent in the offence is prima-facie proved through evidence but without any solid reasons the evidence of prosecution has been disbelieved by learned trial Court.
5. That the learned trial Court has illegally based the Judgment on the unproved defense plea and has totally neglected the prosecution evidence that is why has reached to a wrong conclusion.
6. That the offence of the accused/respondent is heinous in nature and is against the public at large as the Government exchequer has been looted through engineered forgery by the accused/respondent.
7. That forgery of accused/respondent is proved through best available evidence as the form of accused/respondent submitted by him before the Public Service Commission was admittedly sent by Public Service Commission to the requisitioned department alongwith recommendation of the accused/respondent and later on the personal file was lost. So the form was also lost and the beneficiary of the said loss is the accused/respondent.
8. That the photo state of form annexed by the accused/respondent with his written statement has been believed as true by learned trial Court in impugned judgment, but it was ignored that the same needed to be proved as a defense plea because the burden of proof shifted to accused/respondent.
9. That yet again the accused/respondent managed to defeat the ends of justice by misleading the Court through the unproved and fake defense plea.


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 Deputy Registrar
 09 JAN 2021

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10. That the facts about obtaining second domicile, Ex-parte decree in fraudulent manner, other jobs without NOC and his termination for particular reasons have been duly proved which is meant to show the character and tendency of the accused/respondent which supports the main charge involved in the case, but the learned trial Court has mis-read the central idea/theme of the case and has wrongly appreciated the fact in issue and relevant facts.
11. That the learned trial Court has extended benefit of minor discrepancies in favour of accused/respondents and nothing material was brought on record.
12. That prosecution has proved the guilt of accused/respondent successfully & discharged its burden through consistent & confidence inspiring evidence.
13. That the impugned Judgment/order of learned trial Court is based on assumptions and presumptions hence liable to be struck down.
14. That other material grounds not specifically mentioned here will be raised at the time of arguments.

It is, therefore, humbly prayed that on acceptance of this appeal the impugned Judgment/Order passed by the learned trial Court may kindly be set aside and accused/respondent be convicted and sentenced in accordance with law.

FILED TODAY
 Deputy Registrar
 09 JAN 2021


 Advocate General, 24/12
 Khyber Pakhtunkhwa,
 Peshawar.

CERTIFIED TO BE TRUE COPY
 Examinet
 Peshawar High Court, Peshawar
 Authenticated Under Article 87 of
 The Constitution of the Islamic Republic of Pakistan Order 1984
 23 FEB 2023

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PESHAWAR HIGH COURT, PESHAWAR

ORDER SHEET



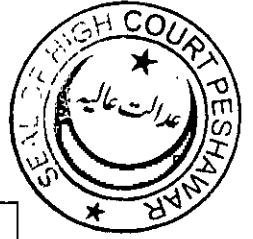
Date of Order or Proceedings	Order or others Proceedings with Signature of Judge
1	2
15.03.2021	<p><u>Cr. A No.21-P/2021.</u></p> <p>Present: Mr. Mujahid Ali Khan, Addl. A.G, for State.</p> <p>*****</p> <p>Send for the record.</p> <p style="text-align: right;"><i>Musarrat Hilal</i> JUDGE</p> <p style="text-align: right;">GENERAL TO BE TRUE COPY Peshawar High Court Peshawar Authenticated Under Article 87 of The Constitution of Pakistan Order 1984 23 FEB 2023</p>

(S.B) (Hon'ble Justice Musarrat Hilal)
A.AH

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PESHAWAR HIGH COURT, PESHAWAR.

FORM OF ORDER SHEET



Date of Order or Proceeding	Order or other proceedings with Signature of Judge
2	3
28.06.2021	<p><u>Cr.A No. 21-P/2021</u></p> <p><u>Present: -</u> Mr. Muhammad Inam Yousafzai, Addl. AG for the State.</p> <p style="text-align: center;">***</p> <p>Record of the case has been received but the learned Addl. AG states that the officials of the concerned branch are not allowing him to peruse the record. Adjournd with the direction to the office to provide a copy of the record to the Advocate General Office on their expenses.</p> <p style="text-align: right;"><i>M.A.K.</i> Senior Puisne Judge</p> <p style="text-align: right;">CERTIFIED TO BE TRUE COPY Examiner Peshawar High Court Peshawar Authorized Under Article 87 of The Constitution of Pakistan Order 1984 23 FEB 2023</p>

M.Fiaz

S.B

Hon'ble Mr. Justice Rooh-ul-Amin Khan, Senior Puisne Judge

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PESHAWAR HIGH COURT, PESHAWAR

ORDER SHEET



Date of Order or Proceedings	Order or others Proceedings with Signature of Judge
1	2
10.12.2021	<p><u>Cr. A No.21-P/2021.</u></p> <p>Present: Ms. Abida Safdar, Assistant A.G, for State.</p> <p>*****</p> <p>Seeks time to further prepare the case.</p> <p>Allowed. Adjourned to a date in office.</p> <p><i>Musarrat</i> JUDGE</p> <p>CERTIFIED TO BE TRUE COPY Examiner Peshawar High Court Peshawar Authorised Under Article 87 of The Constitution of Pakistan Order 1984 23 FEB 2023</p>

(S.B) (Hon'ble Justice Musarrat Hilal)
A.All

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PESHAWAR HIGH COURT, PESHAWAR
FORM OF ORDER SHEET

Date of Order or Proceedings 1	3
	2
28.03.2022	<p><u>Cr.A No.21-P/2021.</u></p> <p>Present: Mr. Muhammad Inam Khan Yousafzai, AAG for the State-appellant.</p> <p>****</p> <p>Seeks time to go through the record. Adjourned to a date in office.</p> <p>JUDGE</p> <p>CERTIFIED TO BE TRUE COPY Examiner Peshawar High Court Peshawar Authorized Under Article 87 of The Qanun-e-Shahadat Order 1984 23 FEB 2023</p>

"Inam"

(SB) Mr. Justice Ishtiaq Ibrahim, HJ



**JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, PESHAWAR
(Judicial Department)**

Cr.A No.21-P/2021

JUDGMENT

Date of hearing: 12.09.2022.

Appellant: (State) by Mr. Muhammad Bashir Naveed, AAG.

Respondent: (In Motion)

ISHTIAQ IBRAHIM, J.- This criminal appeal u/s 417

Cr.P.C is directed against the judgment dated

01.01.2020 rendered by the learned Special Judge,

Anti-Corruption (Provincial), Khyber Pakhtunkhwa,

Peshawar, whereby the respondent/accused has been

acquitted of the charge in case F.I.R No.08 dated

19.11.2013 registered under section 419/420/468/471

PPC read with section 5 (2) of Prevention of Corruption

Act, Police Station (Anti-Corruption Establishment),

Peshawar.

2. Brief facts as glean out from the record are that

the Population Welfare Department, Khyber

Pakhtunkhwa, vide letter dated 25.01.2003 had

requested the Secretary Public Service Commission for

recruitment of as many as 137 seats/posts in different

categories including the posts of Deputy Director (Non-

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Technical) (BPS-18). The Public Service Commission had initiated the recruitment process with Advertisement No.2 of 2003 in the Daily Newspapers. Accused Pervez Khan was amongst the candidates for the post of Deputy Director (Non-Technical) (BPS-18) and on recommendation of the Commission he was appointed on 29.09.2004. A complaint before the President of Pakistan with copies to others was filed against Pervez Khan on various allegations. The Population Welfare Department Khyber Pakhtunkhwa vide Notification No.SOE/PWD/1-61/PF dated 19.02.2011 had constituted two members committee comprising of Mr. Noor Afzal Khan, BPS-19, DPWO, Kohat and Mr. Muhammad Haleem (BPS-18), Deputy Director (Admn) to investigate the complaint. The said committee in its findings had held that the accused had obtained two domiciles, one from District Peshawar and second from FATA, Khyber Agency and used the latter at the time of his recruitment as Deputy Director/DPWO (BPS-18), had tampered his MA Economic Degree by showing it as second division in application Form submitted before Public Service Commission in order to make him eligible for the said post, had fraudulently obtained ex-

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parte decree from the Court by concealing the dismissal of his previous suit and appeal for the correction of his date of birth, resultantly had obtained age relaxation for the said post and that he had served in different institutions/organizations without getting NOC from his parent department. The committee also recommended the dismissal of accused from the service and for recovery of the salaries from him.



3. The Chief Minister Khyber Pakhtunkhwa had appointed Mr. Waqar Ayub Senior Member Board of Revenue as inquiry officer to conduct departmental proceedings against accused which was accordingly done and the accused was found guilty and recommended for dismissal. However in departmental appeal his dismissal was converted into compulsory retirement. The Section Officer (Establishment) Population Welfare Department, Peshawar, vide letter No.SOE (PWD) 1-61/12/Vol-V/13920 dated 19.01.2013 had referred the matter to the Director Anti-Corruption Establishment for criminal proceedings against the accused and after inquiry the case was registered against the accused.

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4. After completion of investigation, complete challan was put in Court. The learned trial Court after complying with the provision u/s 241-A Cr.P.C, charge sheeted the accused, to which he pleaded not guilty and claimed trial, hence, the prosecution was directed to produce evidence in support of its case. The prosecution in order to substantiate charge against the accused produced and examined 13 witnesses. After closing of prosecution evidence the statement of the accused was recorded u/s 342 Cr.P.C wherein he denied the allegation and claimed his innocence however he neither wished to be examined on Oath nor desired to produce evidence in his defense. After hearing the arguments, the learned trial Court while extending the benefit of doubt in favour of accused Pervez Khan, acquit him from the charges leveled against him vide judgment dated 01.12.2020, hence, this appeal by the State.

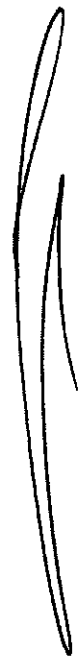


5. Arguments heard and record gone through.

6. Record would show that the respondent/accused has been charged with the allegations that he had succeeded in getting his job as Deputy Director, Non-Technical (BPS-18) by making tampering in his

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application to the extent of MA Economics Degree by showing it as passed in 2nd Division instead of 3rd Division. While contrary, it is the stance of the accused that he never claimed his MA Economic Degree as Second Division and he had mentioned it as Third Division in his application form. Asmat Jan, Office Assistant, Degree Section, University of Peshawar appeared before the Court and examined as PW-8. He produced the Gazette Book of the University of Peshawar of MA Economic (Final) Annual Examination 1984 in which the accused appeared with roll No.6467 and secured 386 marks and passed his MA Economic in third division. The copy of Gazette Book is Ex.PW8/1. It is pertinent to mention that the accused had admitted that he had passed his MA Economic in third division. The question is that whether the accused during submission of his Form before the Public Service Commission had mentioned his MA Economic degree "Second Division" on the basis of which he was appointed on the subject post or not. In this respect the prosecution produced Faheemullah Khan, Senior Law Officer, Khyber Pakhtunkhwa Public Service Commission and examined as PW-11. He produced the copy of recommendation of



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the Commission as Ex.PW11/2, the descriptive sheet along with experience sheet of the candidates including Pervez Khan at serial No.4 as Ex.PW11/3 and Ex.PW11/4 in which his qualifications are mentioned. The descriptive sheet shows that the marks of MA Economic are mentioned as 495/1100 in the descriptive sheet which came to 2nd division. The marks of Matric, FA and BA are typed one while the marks of MA Economic are written with hand writing which creates reasonable doubt that why the marks of MA Economic are mentioned with handwriting. Waqar Ayub (PW-7) during departmental proceeding conducted by him had provided the detail of qualifications of the accused through a letter from Deputy Secretary, Public Service Commission to the Secretary Board of Revenue and Estate Department Peshawar which is Ex.PW7/1 according to which the accused was also having the degree of M.Sc in Rural Development. The seniority list of the accused Ex.PW4/D-4 is also available on file wherein his name is mentioned at serial No.13 with qualifications of M.Sc/LL.B. The prosecution while placing reliance on the statement of PW7 and on his report Ex.PW7/1 during departmental proceedings

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argued that the accused was appointed on the basis of his MA Economic degree which was tempered one, however, the report Ex.PW7/1 during departmental proceedings is not equal to the evidence required in a criminal case as the standard of proof in departmental proceedings and in criminal case are totally different. In the departmental proceedings the evidence is always considered on the balance of probability while in criminal case standard of proof is that the prosecution shall prove its case behind any shadow of reasonable doubt. Therefore, the writing of marks of MA Economic Degree with pen and non-mentioning of other qualification of accused in descriptive sheet creates doubt in the prosecution case. Admittedly the original application "Form" submitted by the accused before the Public Service Commission while applying for the said post is not available with the Commission as the same were sent to the requisitioned department, admitted by PW-11. Though the copy of the application "Form" of accused is available on file which is Ex.PW4/D-1 wherein his MA Economic is mentioned as "Third Division" and in his qualification his M.Sc in Rural Development from University of Sindh is also



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mentioned. Therefore, in presence of two degrees, one of MA Economic in 3rd division and second M.Sc in Rural Development, it is not obvious that whether the accused was appointed on the basis of M.Sc in Rural Development or on the basis of MA Economic by showing it to be passed in 2nd division which creates reasonable doubt in the prosecution case.



7. The second allegation against the accused is that he had obtained two domiciles, one from District Peshawar and the other from Khyber Agency in fraudulent manner. The prosecution alleged that the accused used the domicile of Khyber Agency for getting the seat of Deputy Director Non-Technical (BPS-18) and for obtaining age relaxation in order to make him eligible for the said post. The prosecution has produced Nazar Hussain Shah, Education Clerk, Deputy Commissioner Office, District Khyber and examined as PW-9. He produced the relevant register according to which his name is entered at serial No.646 dated 25.07.1992 (Ex.PW9/1). He has also produced the letter No.4(9) 2011/Admn dated 12.02.2011 regarding re-verification of the domicile of accused received from Assistant Director, Admn, Directorate General

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Population Department (Ex.PW9/2). PW-9 in his cross examination stated correct that after due verification by four elders and Tehsildar regarding the particulars of the applicant, the APA and Political Agent issued the domicile. He has further stated that the inquiry report was based on the fact that three out of four elders were died before the inquiry and one of the elder has given the statement to the effect that he had verified the accused on the request of his friend. PW-9 in his examination-in-chief has also stated that the accused could not be traced on the given address and was not known to the resident of that area. Thus it was established that the accused had obtained his domicile fraudulently. The requirement for getting second domicile is that a person who wants to get second domicile shall surrender his first domicile to the Deputy Commissioner concerned who issued the first domicile. In this regard the accused has address letter to the Deputy Commissioner Peshawar available on file for surrender of his domicile of District Peshawar. It is the duty of the Deputy Commissioner to pass an order on the letter addressed to him for cancelation of domicile of the accused. The accused could not be expected to prove that whether his first domicile was cancelled or not. It is



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evident from Ex.PW11/2 that no zonal allocation was involved in the subject seat being Grade-18 post as such all the five posts were to be filed purely on merit basis and the accused at serial No.2 to the merit list and was appointed as Deputy Director Non-Technical, therefore, the allegations of the prosecution that the accused had used the domicile of FATA for securing his job is without substance. Similarly the accused had obtained age relaxation on the basis of domicile from Khyber Agency is also devoid of any merit, as the age relaxation of 10 years was given to the accused on the basis of his previous government service vide letter dated 08.01.2004 of the Establishment Department Khyber Pakhtunkhwa addressed to the Secretary, Local Government and Rural D and Development, the copy of which was endorsed to the Commission as admitted by PW-11 in his cross examination.



8. So far as the allegation against the accused that he had obtained exparte Court decree in fraudulent manner for changing his date of birth from 20.04.1958 by dismissal of his previous suit and appeal for the same relief is concerned, the documents produced by PW-6 shows that the date of birth of accused was changed to

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13.12.1963 after fulfillment of legal formalities in the consequence of Court decree. However, so far as obtaining of exparte decree in civil case for changing the date of birth of accused is concerned, it was obtained through Court judgment, on the basis of which correction to the extent of date of birth in SSC certificate and in his CNIC was made.

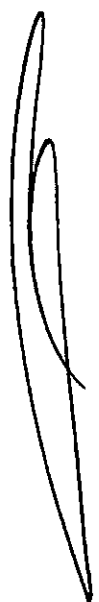
9. The other allegation of the prosecution against the accused is that while in service of Population Welfare Department he had served in Planning Commission of Pakistan, Ghulam Ishaq Khan (GIK) Institute of Engineering Science & Technology and in Association of Rural Development without obtaining N.O.C from his parent department and during the said period he was also getting salary from government against the original seat and also received remuneration from the said organization. In this regard the prosecution produced Farman Ali, Clerk of Ghulam Ishaq Khan (GIK) Institute of Engineering Science & Technology District Swabi and examined as PW-5. He produced the appointment order of accused Ex.PW5/2, joining report Ex.PW5/3 and notice of resignation of accused Ex.PW5/4. Hazoor Bux Mahar, Deputy Chief, Ministry

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[The text in this block is extremely faint and illegible due to the quality of the scan. It appears to be a list or a series of entries.]



of Planning, Development and Special Initiative, Islamabad appeared before the Court and recorded his statement as PW-10. He produced the contract letter consisting of 02 pages Ex.PW10/1, appointment letter Ex.PW10/2, joining report of the accused Ex.PW10/3 and the termination letter of accused Ex.PW10/4. Saleh Muhammad, Project Accountant, MSPAID, Peshawar, appeared before the trial Court and recorded his statement as PW-12. He produced the contract and termination letter of accused which is EX.PW12/1. The statements recorded by the PWs and the documents produced before Court shows that the accused had served in the above said departments without NOCs from his parent department but it do not prove that the accused was involved in any business which makes no criminal offence. Therefore, getting jobs in other departments without NOCs from the parent department might be misconduct within the definition provided in the service laws but such act makes no criminal offence on the part of accused.



10. It is permanent to mention here that the majority of the allegations together with tampering in MA Economic Degree leveled against the accused by the

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prosecution relates to the period in which he was not a public servant, therefore the criminal proceeding under the ACE laws create doubt in the prosecution case. Moreover, during the departmental proceeding the accused found guilty and recommended for dismissal from service. Being aggrieved he has assailed his dismissal in departmental appeal which was accepted and he was compulsory retired from his service. The appeal before the Service Tribunal and his CPLA before the Hon'ble Supreme Court of Pakistan against his compulsory retirement were also dismissed.



11. Since, this Court is in full consonance with the findings given by the learned trial Court in the impugned judgment and after minute perusal of the prosecution evidence, there would be nothing to differ the opinion of this Court, therefore, in light of the recent view of the august Supreme Court of Pakistan in the case of "Farooq Hussain etc Vs. Sheikh Aftab Ahmad etc" (2020 PSC 1359), reappraising the entire prosecution evidence by this Court would be just waste of the precious time of the Court. In the said judgment, the august Supreme Court of Pakistan has held that:

"It is emphasized that if this Court, having examined the judgment challenged before it, is

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satisfied with the reasoning and conclusions and is of the view that it does not call for any interference, this Court can simply endorse the impugned judgment and adopt the reasoning of the Court below. In such a case, re-tracing the same path travelled by the Court below appears to be an unnecessary exercise and a waste of public time- time which can be allocated to other cases where the decision of the Courts below have been overturned or modified. Finding no reversible error in the judgment, a concise, simply order can suffice. On the other hand, if the Court is to reverse or modify the judgment of the Court below, the reasons for the reversal or modification must be set forth."

12. Needless to say that an acquitted accused earns double presumption for his innocence which right cannot be taken away from him unless and until it is proved that the judgment of acquittal is either perverse or against the evidence on record, which is not the case here. In this respect, wisdom is derived from the case of "Muhammad Zaheer Vs. Muhammad Ijaz and others" (2017 SCMR 2007), wherein the apex Court held that.-



"Even otherwise, it is well settled by now that in criminal cases every accused is innocent unless proven guilty and upon acquittal by a court of competent jurisdiction such presumption doubles. Very strong and cogent reasons are required to dislodge such presumption. The reasons given by the learned High Court, in the impugned judgment, have not been found by us to be arbitrary, fanciful or capricious warranting interference by this Court."

13. For what has been discussed above, the impugned judgment dated 01.12.2020 of the learned trial Court/Special Judge, Anti-Corruption (Provincial), Khyber

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Pakhtunkhwa, Peshawar, does not suffer from any misreading or non-reading of the evidence rather the same is based on correct appreciation of the evidence and law, hence, the same is maintained. This appeal being devoid of any substance is accordingly dismissed in *limine*.

Announced
12.09.2022

JUDGE

(SB) Hon'ble Mr. Justice Ishtiaq Ibrahim.

(M. Iqbal, SSS)

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Examiner
Peshawar High Court Peshawar
Authorised under Article 87 of
The Qadiriya-Shahadat Order 1984

23 FEB 2023

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No.
Date of Presentation of Application... 23-2-2023
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GOVERNMENT OF N.W.P.
LAW, PARLIAMENTARY AFFAIRS AND HUMAN RIGHTS DEPARTMENT

No. GP. 15(239)/LD/2003/

Dated Patna the 12/01/2004.

The Secretary to Govt of N.W.P.,
Local Government Department.

Subject:-

DEPARTMENTAL PERMISSION FOR THE POST OF DEPUTY
DIRECTOR/INSPECTOR DISTRICT OFFICER (HS - 18)
ADVERTISED BY THE PUBLIC SERVICE COMMISSION.

Dear Sir,

I am directed to refer to your letter
No. SO(IG-I)-2-196/03/Vol-III, dated 24.12.2003 on the subject
noted above and to state that since matter has already been
placed before the Establishment Department, Govt of N.W.P. This
Department is of the view that we should wait till the
opinion of Establishment Department and Establishment Department
is in appropriate position to offer opinion in the matter please.

Yours faithfully,

SECTION OFFICER OPINION

Under of even No. & Date.

Copy forwarded to:-

1. The Secretary to Govt of N.W.P., Establishment
Department in reference to above letter.

2. The Director Recruitment N.W.P. Public
Service Commission 2-Port Road Patna

Gent in reference to their letter
No. 31753, dated 17.12.2003 on the subject
oted above.

SECTION OFFICER OPINION

Jayshankar

Area-8.

24

GOVERNMENT OF N.W.F.P.
ESTABLISHMENT & ADMIN. DEPARTMENT
(REGISTRATION WING)

Annex-C (25)

NO. SOR. JV (LRAD) 6-1/2004/Vol-III
Dated: 08/01/2004

Public Service Commission
N.W.F.P. Recruitment

03 JAN 2004

Dist No. 101

To
The Secretary to Govt. of NWFP,
Local Govt. & Rural Dev. Department

SUBJECT: DEPARTMENTAL PERMISSION FOR THE POST OF DEPUTY
DIRECTOR/EXECUTIVE DISTRICT OFFICER (OPS-19)
ADVERTISED BY THE PUBLIC SERVICE COMMISSION.

Sir,
I am directed to refer to your letter No. SO (LG-1)
2-196/03/Vol-III dated 24/12/2003 on the above subject and
to state that according to recruitment including age
relaxation policy the age limit in respect of Government
servant who have completed at least four years service in
the Government, on the closing day for submission of
application for the post, shall automatically relaxed by 10
years or number of years an officer/official has actually
served which ever is less. In the instant case Mr. Pervez
Khan has more than four years service in the Government
therefore he is eligible for age relaxation upto ten years.
There is no need to sign the Departmental Permission
Certificate. However Department may issue him experience
certificate.

Yours Faithfully,

11-12
13

(KABBAR ALI KHAN)
SECTION OFFICER (R-IV)

Encl: No. & Date as above

Copy to:-

The Director Recruitment, NWFP Public Service
Commission, Peshawar with ref: to his letter
No. 3175R dated 17/12/03.

SECTION OFFICER (R-IV)

8/1/04

SRD

9/1/04

21-350/c

The Deputy Commissioner,
Peshawar.

Subject; Return of Peshawar Domicile.

R/Sir,

It is being brought in your kind notice that the undersigned, on the instance of his guardian, was issued Domicile Certificate on at: 18-02-1978.

Since the undersigned's ancestors belong to Khyber Agency who migrated to the outskirts of Peshawar Valley and started life ^{here}. However the relation with the ancestral base continue.

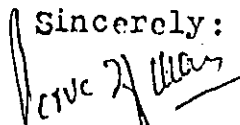
Therefore, the undersigned applied for fresh Domicile of Khyber Agency which is in final stages. Thus being bonafide, he returns Peshawar Domicile in his own interest.

Domicile attached in original.

Dated: 16-07-1992.

Peshawar.

Sincerely:

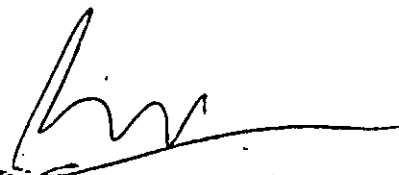


(PERVEZ KHAN)

Planning Officer,
Local Govt: of Rural Deve:
Department, NWFP
Peshawar.

ATC 

Copy for information to
The Director General, Local Govt: &
Rural Dev: Department, Bacha Khan Chowk,
Peshawar.



DG LG RDD

No: 829

Date: 16/7/92

ISSUED First domicile on
ISSUED new domicile on 18-
25-7-1992
After 09 days
1978

محفوظ جناب آصف علی زرداری صدر مملکت اسلامی جمہوریہ پاکستان

عنوان:- جلی ڈگریوں والا پرویز خان ولد فتح خان ڈپٹی ڈائریکٹر پبلیشن و پبلسٹی

ڈیپارٹمنٹ صوبہ خیبر پختونخواہ کے عہدے پر تعینات کیا گیا۔

عزت آف جناب صدر صاحب

ذریعہ اعظم سید یوسف رضا گیلانی نے چند دن پہلے اعلان کیا کہ پارلیمنٹ کے علاوہ سرکاری عہدوں پر فائز آفسر کی بھی تصدیق کی جائے اس اعلان کو سن کر دل کو انتہائی خوشی ہوئی کہ چلو بڑے بڑے سرکاری عہدوں پر فائز جو کہ جلی ڈگریاں لے کر زندگی میں عیش و عشرت کر رہے ہیں کا بھی احتساب ہونا چاہیے اس سلسلے میں ایک آفیسر پرویز خان جو 2004ء میں پبلک سروس کمیشن کی آنکھوں میں دھول چھونک کر اور اپنی جلی ڈگریوں کے ذریعے محکمہ بہبود آبادی حکومت خیبر پختونخواہ میں بطور ڈپٹی ڈائریکٹر کے عہدے پر فائز کیا گیا ہے صورت حال یہ ہے کہ اپنی تعیناتی کے بعد اس آفیسر نے سیکرٹری بہبود آبادی حکومت خیبر پختونخواہ کے دفتر کے ایک سیکشن آفیسر خالد کے ساتھ مل کر اپنی پرسنل فائل سے جلی ڈگریاں اور کاغذات غائب کر دیے لیکن تا حال اس کے خلاف کوئی قانونی کارروائی عمل میں لائی گئی پرویز کے جلی کا نام مندرجہ ذیل ہیں۔

- 1- سب سے پہلے پرویز خان نے اپنی تاریخ پیدائش جو کہ 20 اپریل 1958ء ہے کو میٹرک سرٹیفکیٹ میں جلی 10/10/1958ء کو درج کر دی یعنی موصوف نے 12 سال کی عمر میں میٹرک پاس کیا لگتا ہے کہ اس نے اپنی ماں کے پیٹ تعلیم حاصل کی۔ (میٹرک سرٹیفکیٹ کی نوٹوں کا پل لف ہے)۔
- 2- پرویز خان کا دوسرا جرم یہ ہے کہ اس نے دو ڈومیسائل بنوار کھے ہیں ایک فانا خیبر ایجنسی کا اور دوسرا پشاور کے رہائشی علاقے آگ کانا کی جلی ڈومیسائل کی کا پل لف ہے۔
- 3- پرویز خان نے 1986ء میں ایل ایل بی کی ڈگری لی اور اس کے ساتھ میں جرنلزم کی ڈگری بھی اسی سال پشاور یونیورسٹی خیبر پختونخواہ سے کی۔
- 4- پرویز خان نے 1994ء میں ایم ایس سی رولر ڈیپارٹمنٹ میں سندھ یونیورسٹی جانشین سے لی اور اسی سال 1994ء ایم فل اکنامکس سندھ یونیورسٹی سے کی یہ دونوں ڈگریاں جلی ہیں۔
- 5- پرویز خان نے پی ایچ ڈی اکنامکس کی ڈگری سندھ یونیورسٹی سے 2010ء میں لی لیکن حیرانگی کی بات یہ ہے کہ اس نے 20 فروری 2003ء میں بطور ڈسٹرکٹ ڈائریکٹر ان بارانی ایریا ڈیپارٹمنٹ پروجیکٹ میں انٹرویو دیا تو انٹرویو کے دوران تمام ممبران صبا حان نے اس کی پی ایچ ڈی کی ڈگری جلی قرار دے کر انٹرویو میں غیر کاٹ لیے۔ حیرانگی کی بات یہ ہے کہ وہ اپنے C.V's میں پی ایچ ڈی کی ڈگری کا ذکر کر رہا ہے کہ اس نے 2010ء میں سندھ یونیورسٹی سے کی لیکن 2003ء اور 2004ء انٹرویو جو کہ بارانی ایریا پراجیکٹ کے ہے اور بطور ڈپٹی ڈائریکٹر محکمہ بہبود آبادی حکومت خیبر پختونخواہ کے جو کاغذات پبلک سروس کمیشن خیبر پختونخواہ سے بھیجے ان میں بھی پی ایچ ڈی کی ڈگری ساتھ لکھا کر بھیجی جبکہ موصوف دوسرا انٹرویو کے لیے C.V میں لکھ رہے ہیں کہ انھوں نے 2010 میں سندھ یونیورسٹی سے پی ایچ ڈی اکنامکس کی ہے۔ تو اب سے اس جلی ہونا اس کا ثبوت ہے۔ ایئر جو کہ ایک امیدوار نے ان کے خلاف خیبر مین سروس کمیشن کو دیا اور ساتھ میں انٹرویو کے Minutes بھی لف ہے۔

6- اس کے علاوہ تھانہ حیات آباد پشاور میں 1995ء میں پرویز خان پر ایک لڑکی کے Rape کرنے کے کیس کی FIR درج ہے اور جنگ راولپنڈی میں شائع ہوئی لف ہے۔

7- پرویز خان نے بطور ڈپٹی ڈائریکٹر محکمہ بہبودی آبادی فائنانس تعیناتی کے دوران 15 لاکھ روپے کی میڈیسن کی خریداری کی مد میں ہڑپ کیے اور شاک رجسٹر میں جعلی اندراجات لکھے ایم ایم کی حکومت میں انکوائری ہوئی لیکن چونکہ موصوف کی بیٹی جماعت اسلامی کی رکن ہے وہ انکوائری رکھوادی (انکوائری کی کاپی لف ہے)

8- پرویز خان سالانہ 2007ء میں پلاننگ کمیشن اسلام آباد میں بطور سٹیٹسٹیکس اینڈ ایگریگیشن پر کام کیا جس کی تنخواہ 75000/- روپے تنخواہ وصول کی اور اس کے علاوہ دوسری تنخواہ محکمہ بہبود آبادی خیبر پختونخواہ میں بھی سرکاری خزانہ سے تنخواہ لیتا رہا۔ (دونوں تنخواہ کے بل لف ہیں)

جناب عالی! پرویز خان ولد فتح خان نے اس کی عالی شان محل 4 کنال میں تعمیر کروایا جس کی لاگت تقریباً 2 کروڑ روپے ہے۔ اس محل کا ایڈریس یہ ہے۔

خلیل ہاؤس درسک پلو سی رنگ روڈ درنگی درسک روڈ علاقہ پلو سی تلمر زئی تحصیل ضلع پشاور

اس کے علاوہ اس نے غلام اسحاق خان انسٹیٹیوٹ صوابی میں بھی سروس کی لیکن اس کے اس کارناموں اور جعلی ڈگریوں کی وجہ اس کو نکالا گیا۔ اور موصوف کے پاس مختلف قسم کے عہدوں کے کارڈ بنوائے ہوئے ہیں کبھی یہ ایڈیشنل سیکرٹری حکومت خیبر پختونخواہ بنا جاتا ہے کبھی FIA والا اور کبھی پولیس SP بن جاتا ہے۔ اس نے اپنے محل میں ایک جعلی پرنٹنگ پریس بھی اور انٹرنیٹ کا سسٹم لگائی ہوئی ہے۔ جس سے یہ مختلف قسم کی NGOs کے جعلی لیٹر ہیڈ پیڈوں کے ذریعے بڑے بڑے آفیسروں کو بلیک میل کرتا ہے اور اپنے غلام کاموں کی قبیل کر داتا ہے۔

ایک محبت وطن پاکستان ہونے کے ناطے آپ سے التماس ہے کہ اس جعلی ڈگریوں والے آفسر کی ڈگریوں اور تمام ریکارڈ

ایک محبت وطن پاکستانی

خلید اللہ

خیر اللہ ولد حزب اللہ سکنتہ جمال پایان پشاور

کاپی برائے اطلاع و ضروری کارروائی:-

- 1- وزیر اعظم پاکستان
- 2- چیف جسٹس چوہدری محمد افتخار سپریم کورٹ آف پاکستان
- 3- گورنر صوبہ خیبر پختونخواہ
- 4- امیر حیدر خان ہوتی وزیر اعلیٰ صوبہ خیبر پختونخواہ
- 5- ازباب عالمگیر وفاقی وزیر مواصلات حکومت پاکستان
- 6- سلیم خان صوبائی وزیر خیبر پختونخواہ
- 7- چیف سیکرٹری حکومت خیبر پختونخواہ
- 8- ڈائریکٹر جنرل نیب حکومت خیبر پختونخواہ
- 9- سیکرٹری بہبود آبادی حکومت خیبر پختونخواہ
- 10- ڈائریکٹر ایف آئی اے صوبہ خیبر پختونخواہ
- 11- ڈائریکٹر انسٹی کرپشن حکومت خیبر پختونخواہ