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37

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT  
BLOCK "A" CIVIL SECRETARIAT PESHAWAR  
PHONE # 091-9211672**

NO. SOG/HE/Procurement/2015-16  
DATED 24/02/2016

To  
The Managing Director,  
Toyota Abbott Motors,  
Mansehra Road, Abbottabad.

Subject:- SUPPLY OF 25 NOS. OF TOYOTA HIACE DUAL AC (2.7L GASOLINE) LATEST MODEL

I am directed to refer to the subject noted above and to state that this Department intends to purchase 25 Nos. of TOYOTA HIACE, competent Authority is pleased to approve vehicle TOYOTA HIACE DUAL AC STD (2.7L Gasoline).

You are requested to provide bill against this supply order for advance payment, sign an agreement deed and submit 25% security in shape of CDR/Bank Guarantee to this Department.

Endst: No. & Date even:

*Handwritten signature*  
(RAHMANI GUL)  
SECTION OFFICER (GENERAL)

A copy of the above is forwarded for information to the:

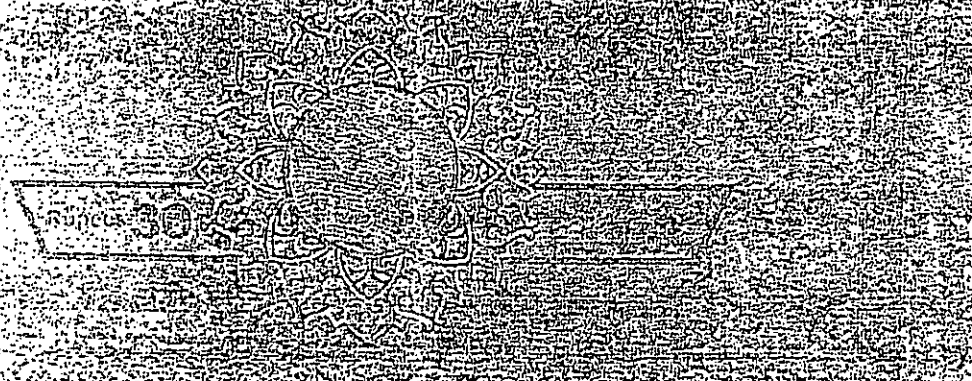
1. P.S. to Secretary, Higher Education Department.
2. P.A to Deputy Secretary (Admn), Higher Education Department

*Handwritten signature*  
(RAHMANI GUL)  
SECTION OFFICER (GENERAL)

*Handwritten signature*  
24/02/16

(157) 47

3/8



**AGREEMENT/DEED**

This agreement is bound to take place between the Higher Education Archives & Libraries Department, Pathwar and M/s Toyota Abbott Motors, Manshera Road, Abbottabad, dated 21-06-2015 regarding the purchase of Toyota Hi-Ace Dual AC 15 seater standard roof van.

Vehicle Details are as under:

Sr	Type of Vehicle	Quantity	Unit Price	Total Cost
1	Toyota Hi-Ace Petrol Engine 2TR FE Type Water Cooling, in-line 4 Cylinder Engine Size 2.7 (2693 cc) Fuel Tank Capacity 70 liters Rear Brake Drum Front Fog Lights Rear Fog Lights Xenon headlights Additional Xenon headlights Front/Rear Wiper Navigation audio CD Player Dual AC 14-15 Seats ashtray/wiffers Different colors (white/silver etc)	25	Rs 37,000,000/-	Rs 925,000,000/-
Total				Rs 925,000,000/-

Following are the terms and conditions:

- The warranty period by the manufacturer is 02 year or 50,000 kms (whichever comes first) from the date of delivery shall apply for any manufacturing fault.
- The company is bound to provide vehicles manufactured from year 2014 to 2015.
- The company will be held responsible to pay all kind of Govt taxes, levies and imposts/charges will be submitted to this department to clear the due by the audit or any other agency regarding the said purchase. Since all kind of taxes and duties are paid during import processes, department will provide documents of paid duties and taxes at the time of delivery. The foreign department will not deduct any kind of tax and will release 100% advance payment to the company in favor of M/s Toyota Abbott Motors Abbottabad.
- The process quoted are based inclusive of custom duty/Govt Levies applicable on imported vehicles.
- The company is responsible to deliver within stipulated period.
- 100% advance payment along with supply order.
- Pre-shipment inspection of vehicles will be made by the inspection committee constituted by this department.
- The contract is subject to standard condition of force majeure.
- 10% security deposit of C/Bank guarantee will be placed with department by M/s Toyota Abbott Motors.



42  
Amended  
F/2

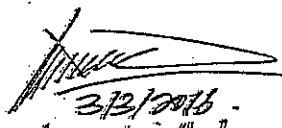
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GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

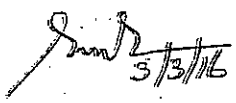
Subject:- Transport facilities to the staff of Govt. Colleges of Khyber Pakhtunkhwa (Phase-II) (ADP 545/15005)

In response to our supply order dated 24-02-2016, M/S Abbott Motors has submitted 3 Nos. of C.D.R. NO. 14040607, 14040606 and 0037187 on dated:- 02-03-2016, respectively as guarantee, placed at F/A. An agreement Deed has been prepared duly signed by M.D. M/S Abbott Motors, the first party, and placed at FIB for signature of Deputy Secretary (Admin) the second party, for signatures. The same may be signed to proceed further in the case R.

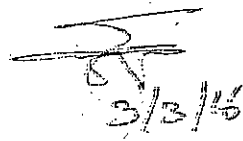
SO(65)

  
3/3/2016

Para-27/N is recommended and submitted for signature of Deputy Secretary (Admin) HED to proceed further in the matter please

  
3/3/16

DS (A) Agreement signed please proceed further

  
3/3/16

SO(65)

next page

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Amir Khan F-7/8  
F/8

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

PUC

64 Senior Manager (Sales), Toyota Abbott Motors vide PUC has quoted their reference letter dated 01-05-2016 and stated that they have already withdrawn quotation for Hiace units, and it has come to their knowledge that Higher Education Department claim to have given this order to Toyota Abbott Motors which is not the case.

65 Senior Manager Sales has further stated that they have received no such payment or supply order and further reiterate that they have withdrawn their quotation in May 2016 and in case if such order given to someone who claims to represent Toyota Abbott Motors, they will bear no responsibility for that.

66 It is worth mentioning here that Toyota Abbott Motors letter dated 01-05-2016 is not received in this department up till now. Senior Manager Sales, Toyota Abbott Motors has stated (in PUC) that they received no such supply order, it is totally wrong. Mr. Sardar Zia Nabi, Managing Director of the said company who made correspondence with Higher Education Department (i.e. submitting of quotation etc) already received the supply order on 24-02-2016 (F/I), as the Senior Manager Sales vide PUC states that the said quotation may be considered as withdrawn whereas Managing Director of the company remain silence in this regard. It seems that there is a lack of coordination in the said company.

67 Factual position of the case is that the ADP Scheme "Transport facilities to the staff of Govt. Colleges, Khyber Pakhtunkhwa (Phase-III) (ADP 545/15005) was approved in the PDWP meeting held on 08-10-2015 at a total cost of Rs. 100.00 million for the year 2015-16 regarding pick and drop of the Teaching staff, under the Project 25-Govt. Colleges located in 17 districts (including 08-Girls Colleges) shall be accommodated).

68 After fulfillment of all codal formalities i.e. quotation from Govt. authorized dealers i.e. various dealers Toyota Motors, a meeting of Departmental Purchase Committee was called on 12-02-2016 (F/F) and a comparative statement was prepared, signed by the said Committee (F/G) and unanimously recommended Toyota Abbott Motors being the lowest and with the shortest delivery. Minutes of the meeting are placed in file vide F/H.

69 The supply order of the said vehicles was delivered to managing Director Toyota Abbott Motors, Mansehra Road, Abbottabad and requested to provide bill against this supply order for advance payment, sign an agreement deed and submit 25% security in shape of CDR/Bank guarantee to this department (F/I). CDR amounting to Rs. 9,450,000/- @ 25% was deposited in Bank Alfalah F/A). After 02 reminders and visit of DS (Admn), Finance Department (on 10-06-2016) agreed to, accord concurrence for advance sanction/payment to M/S Toyota Abbott Motors (Pvt) Ltd. for the supply of 25 Toyota Hiace vehicles under ADP Scheme 545/150025 in Relaxation of Rules (F/M).

70 As the instant case for sanctioning of Advance payment was delayed in Finance Department, this department called upon a meeting of Departmental Purchase Committee on 27-04-2016 wherein it was decided that the CDR may be released as the case is not yet decided in Finance Department.

71 After advance sanction/payment by Finance Department and decision of meeting on 27-04-2016 this department again made a deed with sole manufacturer company and CDR @10% was deposited by the company (duly flagged).

45 4

UNITES OF INDIA  
DEPARTMENTAL PURCHASE COMMITTEE

The Secretary

72

This department on 24-06-2016 deposited a cheque amounting to Rs. 91,287,000/- in account of M/S Toyota Abbott Motors 0115-000583-01-5(FY).

73

Now after long process and completion of legal formalities, Toyota Abbott Motors vide PUC is intimating for withdrawal of quotations and stating that if someone who claims to represent Toyota Abbott Motors, they will bear no responsibility for that. It is once again brought into the notice of the Competent Authority that the letter under reference (dated 01-05-2016) was not received in this department.

74

In this regard, it is proposed that, if agreed to, a meeting of Departmental Purchase Committee be called on emergent basis and the matter be brought into their notice for further action.

*[Signature]*  
ACCOUNTANT

SOG

75

Para-74/N is submitted for perusal and approval, please.

*[Signature]*  
7/11/16

76

DS(A). We may call a meeting of the purchase Committee on the convenient date to worthy Secretary please.

*[Signature]*  
10/10/16

(W) Secretary

77

DS(A)

pl call a meeting next week detail note to put up before the meeting

*[Signature]*  
13/10/16

78

SO/E

DFA is place believe for approval please.

*[Signature]*  
13/10

79

DS(A)

DS(A) Dyes phr.

*[Signature]*  
14/11/2016

Annex-F 42  
P.A. 78

MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD  
20-10-2016 AT 10-00 AM UNDER THE CHAIRMANSHIP OF SECRETARY HIGHER  
EDUCATION DEPARTMENT.

The subject meeting was held on 20-10-2016 at 11-00 am under the Chairmanship of Secretary Higher Education Department in his Office, in order to discuss the matter of withdrawal of quotations by M/S Toyota Abbott Motors, Mansehra Road Abbottabad, for supply of 25 Hiace Vehicles to Higher Education Department.

The meeting started with the Name of Allah and thereafter, on the direction of the chair, the Deputy Secretary(Admn), apprised the members of the committee regarding the background of the subject matter.

The Chair, and members, after detail discussion, decided to constitute a sub-committee consists of the following members, to visit Abbott Motors, Abbottabad and inquire about the matter in detail and submit their report to the committee in next meeting.

1. Mr. Muhammad Hayat Khan, Deputy Secretary(Admn) Higher Education Deptt:
2. Mr. Aziz Muhammad, Section Officer(B&A) Higher Education Department.
3. Mr. Wajid Ali, Deputy Director P&D, Directorate of Higher Education Deptt:

The meeting ended with the vote of thanks.

H-19a - 5 43  
F-10/80  
JK

REPORT REGARDING PROCUREMENT OF HIACE FROM  
TOYOTA ABBOTT MOTORS, ABBOTTABAD

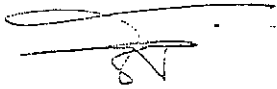
In pursuance of the decision taken in the Departmental Purchase Committee Meeting dated 20<sup>th</sup> October 2016, the Sub-committee visited Toyota Abbott Motors Abbottabad on the same day to discuss the issue of withdrawal letter dated 06-09-2016 sent by the dealer. The Committee reached there at the evening & discussed the issue with Mr. Sajjad, Manager Finance. He confirmed that Mr. Zia Nabi is Director of the firm and told that Senior Staff of the firm was on training at Islamabad while Mr. Zia Nabi, Director was in Karachi. His written statement is enclosed at annex-A. However, he couldn't handover us the profile of his firm without permission of his Senior Officers and confirmed that Senior Staff will visit Higher Education Department in the next week to resolve the issue once for all.

On the next day the Committee met with Mr. Jawad, receiver of the cheque of Toyota Abbott Motors, told that he was business partner of Zia Nabi. He further informed that he is a sound business-man and has purchased 25 Nos. of HIACE at Japan on the name of Higher Education Department in which 10 have been reached (photos are enclosed at Annex-B) while the rest will be reached within a period of three weeks, however, if there is any legal complications to the Department in the procurement of these vehicles, he is ready to return back the money to the Department. His written statement is enclosed at Annex-C.


When we contacted Zia Nabi on Mobile phone, he told that he will reach back from Karachi on 23/10/2016. On that day, the Committee met Mr. Zia Nabi, Director who verbally told that Mr. Jawad was his friend but he was reluctant to give written statement to us in this regard. He further added that he will give written statement after consultation with his management & legal counsel in the next week.

The CDR was confirmed and found correct.

Report is submitted for perusal of the Committee.

  
Deputy Secretary (Admn)  
Higher Education Department

  
Deputy Director (P&D)  
Directorate of HE

  
Section Officer (B&A)  
Higher Edu: Department



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES  
DEPARTMENT

Statement of Manager Finance  
Joyda Abbasi Motors Abbottabad

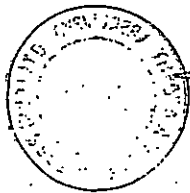
A team of HED, KPK visited  
this firm regarding verification  
of Outsiders' withdrawal of 25  
lacs today on 20/10/2016.  
But the Senior Sales staff  
of this firm is on training  
for two days at Islamabad.  
i.e. 20th & 21st October, 2016.  
RTO.

48-5-44  
P-11  
24

DDP  
21/10/16



But while Sardar Zia Nabi  
<sup>at time</sup> directly is in Karachi. The  
matter will be resolved  
~~as soon as~~ upto next  
Monday. Our Senior Staff  
will visit HBD on Monday  
or Tuesday next for  
resolving the issue once  
for all.



20-10-16

Sajid

Finance Manager

Page 50

سال حلقی حسی جواد اشرف لوگوٹا ایٹ جی ڈی آر

میں جواد اشرف ولر محمد اشرف

اگر وہی چون کہ میں نے فرانس پارٹنر صیاد میں ایم ڈی

لوگوٹا ایٹ جی ڈی آر ایٹ آباد نے HED کو (S) ہائس کارڈ

کا کوشش ایسے زرم کے نام سے ہم دیا تھا جس کے لئے مسئلہ

eDR بھی ہو گیا ہے HED کے نام پر کرائے کے جاری

کوشش سفار ہوئی اور HED نے سیارٹی آرڈر دیدی

جس نے HED سے ملنے 9 کروڑ 12 لاکھ 87 ہزار

پندرہ سو روپے 1352571 صرف 24/6/16 24/6/16

نام HED کے پاس موجود ہے 29/6/16

ار حود وصول کیا۔

جس نے گاڑیاں طیارے سے منگوانی میں صحتی میں کہیں ہیں

(S) گاڑیاں بیڑائی میں اور لینا ضرور طریقہ کار کے مطابق

میں ہمتوں میں ہم چاہیں جس نے HED کے ساتھ

کسی قسم کی دعوہ نہیں ہے اور نہ کروں گا۔ میرا اپنا

حسب تک فرانس ہے جو کہ FBR کا ویب سائٹ (website) سے

کبھی بھی وقت لے کر دیا کرتے ہیں۔

میں HED کو گاڑیاں فراہم کرنے کا باہر ہوں البتہ اگر

میں کسی قسم کی قانونی پیروی ہو تو میں عام سے

میں واپس کرنے کو تیار ہوں جس کے لئے مجھے 2000 سے

(P.T.O)



Office of the  
**Accountant General**  
KHYBER PUKHTOON KHWA Peshawar  
Phone: 091 9211250-54

Handwritten notes: *5/10-9*, *142*, *67*, *7-19*

No.PR-8/Tax Verification/2016-17/272

Date: 20.02.2017

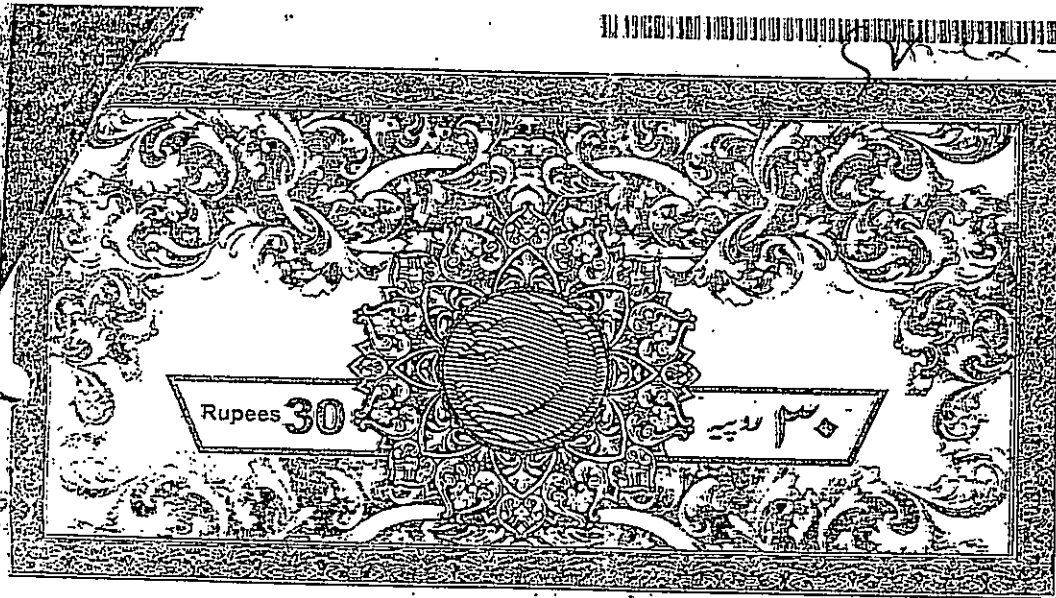
**TO WHOM IT MAY CONCERN**

It is certified that General Sales Tax have been deducted from the M/S Toyota Abbot Motors at the following rates during financial year 2015-16, on account of Purchase of Transport/vehicles by the Secretary Higher Education Khyber Pakhtunkhwa Peshawar.

Gross Amount	G.S.T Due	G.S.T Deducted	G.S.T Excess
95445000/-	2773615/-	3213000/-	439385/-

*A. Tehmina*  
Assistant Accounts Officer  
Pay Roll-08 2/2/17  
2/2/17

Handwritten initials: *WJ*, *WJ*, *WJ*



installments will be issued under my signature / account these installments/schedule of payment are accepted by Indus Motors Company but will start supply immediately.

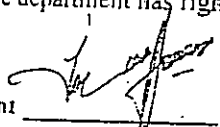
**MODE OF PAYMENT**

Total Amount payable to IMC Ltd and <i>Schd of HED KPK Peshawar</i>		Rs. 92,047,725/-
25% of total amount paid <i>(Rs. 22,821,750/- through Pay Order # 00002297, dated 10-02-2017 &amp; Rs. 190,181/- through Pay Order # 00002300, dated 14-02-2017 drawn on Bank Alfalah Faizabad, Rawalpindi)</i>	Rs. 23,011,931/-	
10% of total amount retained by HED	+ Rs. 9,450,000/-	
Total Received by HED	Rs. 32,461,931/-	- Rs. 32,461,931/-
BALANCE / Payable Amount of IMC		= Rs. 59,585,794/-

That I will be responsible to pay the balance amount to the M/s Indus Motors Co. Ltd. A C of Higher Education Archives & Library Department, Peshawar, KPK as per below mention schedule.

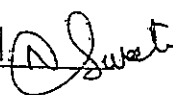
- > Before April 30, 2017 15% of the Balance Payment
- > Before May 30, 2017 20% of the Balance Payment
- > Before June 15, 2017 30% of the Balance Payment

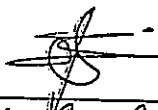
The department has right to take legal action against me on breach of promise.

Signature:   
 Applicant  
 Jawad Ashraf  
 Address: House No. 9445-T,  
 Mohallah-Nari, Shinkiari Road,  
 Mansehra.  
 CNIC = 13503-0533795-3



Signature: \_\_\_\_\_  
 Toyota Khyber Motors  
 Peshawar

**GUARANTORS**  
 1. M. Naveed   
 Name \_\_\_\_\_  
 S/o \_\_\_\_\_  
 Address F-658, F-Block  
Near Zoom Petrol  
m. Satellite Town Rawalpindi

2.   
 Name M. Khalid Siddiq  
 S/o M. Muhammad Siddiq  
 Address Rawalpindi

346324



**PROMISSORY NOTE**

I, Mr. Jawad Ashraf, on behalf of M/s TOYOTA ABBOTT MOTORS had received a Cheque No. 1352571 dated 24/06/2016 for Rs. 91,287,000/- from Higher Education Department, Government of Khyber Pakhtunkhwa (hereinafter referred to as "the department") against the supply order of 25 Hiaces (imported). The entire amount was paid to Indus Trading Co. Japan for purchase of vehicles amongst which 10 Hiaces reached Pakistan and the rest were on board. In the meantime the department received an e-mail from Indus Motors Karachi wherein it was stated that the procuring entity was situated into the jurisdiction of Peshawar Region that is why no other dealer was authorized for such delivery to the department (copy of the which has already been communicated). In case of violation, the Indus Motors Karachi might have cancelled the authorized dealership of Toyota Abbott Motors.

In wake of the jurisdiction bar, in this regard, I, Mr. Jawad Ashraf, hereby request the department to purchase the vehicles from any authorized dealer of Toyota Indus Motors situated in the Peshawar Region and also undertake that I will be responsible of increase/decrease, if occurred in the price (as per Indus Price List of the Toyota Indus Company) of the vehicles in the new submitted quotation of same specifications by Toyota Motors or dealers.

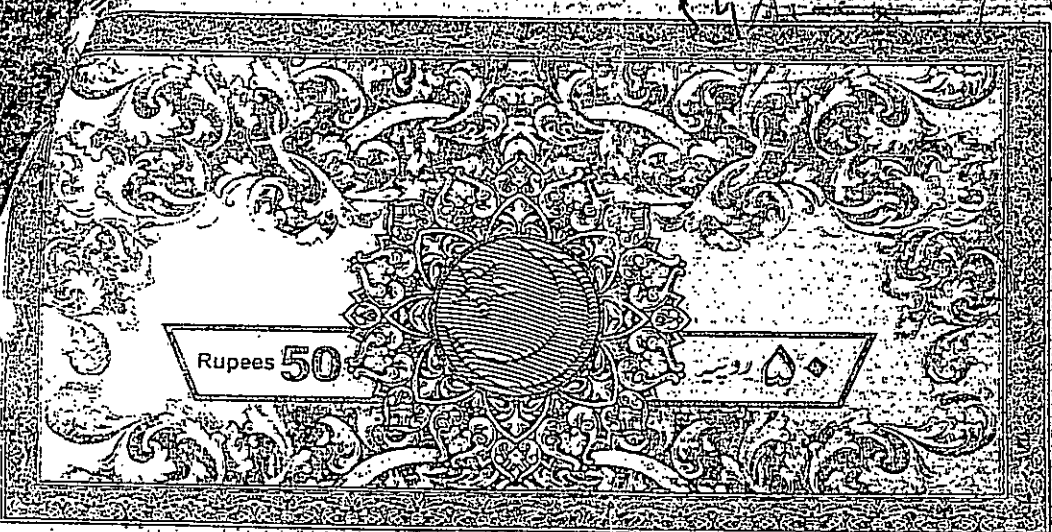
ATTESTED



As a matter of fact, the amount had been spent completely on the purchase of vehicles, therefore, I did sale out Commercial Plaza in the Satellite Town Rawalpindi wherein I received Rs. 10.00 million as an advance and the rest will be received up to June 2017 (detail is attached) and other personal property, in order to, collect the huge amount within the shortest possible time. In the prevailing circumstances, it is impossible for me to pay the entire amount in lump sum to department, however, I shall pay the entire received amount of the 25 vehicles to the Indus Motors Company, Karachi within the Current Financial Year 2016-17, as per following detail on behalf of the authorized dealer of the Peshawar Region from whom the department intends to procure the vehicles. In the meanwhile, the department will issue me NOC for sale of the vehicle imported in the name of...

130

16  
50



Rupees 50

### AGREEMENT DEED

This agreement took place at Peshawar dated February 16<sup>th</sup> 2017 between The Higher Education, Archives & Libraries Department, Peshawar referred to as 1<sup>st</sup> party, and M/S Toyota Khyber Motors, Peshawar herein after referred to as 2<sup>nd</sup> party regarding the purchase of 25 units of Toyota Hilux Dual AC 15 water standard right hand

Vehicle Description as under

S#	Type of Vehicle and descriptions	Quantity	Unit Price	Total Cost
	Toyota Hilux Standard 2.7L Diesel Specification: Dual AC, Right Hand Drive, 5 speed manual 1. Air-condition, Horn Heater, Lighter, entertainment system, Full Steering, 2. Power, Audio CD AM FM 2 Speakers, Fabric and Leather, Toyota Check, Wheel Caps, Seat Belts front & Rear, High Mount side lamp, Hydraulic Power Steering, spare wheel and tool kit	25	96,341.50PK	PKR 2,408,537.50

Following are the terms and conditions that are binding on both parties.  
The warranty period by the manufacturer is 02 Years Or 50,000 KM, whichever comes first from the date of delivery shall apply for any manufacturing

The 2<sup>nd</sup> party is responsible to deliver the vehicles which are allowable by law  
The 2<sup>nd</sup> party shall be responsible to pay all relevant taxes as applicable by the government of Pakistan in current situation and notified from time to time and amount payable before the modeling of vehicle

All advance (initial) will be submitted to the department, clear queries by the order of any other agency regarding the said purpose.  
The 2<sup>nd</sup> party shall provide with 15% GST certificate amounting Rs. 2,76,278/- already been deducted at source by Auto CBS at the time of advance payment of 25% of total order value of 25 units excluding 15% of GST Rs. 24,429,612/- This will be adjusted against the amount of 15% advance Motor Co. 2017

The 2<sup>nd</sup> party shall be responsible to deliver within stipulated period as agreed by the 2<sup>nd</sup> party with 15% and upon receiving of full payment  
If the 2<sup>nd</sup> party fails to deliver the balance payment in stipulated time i.e. 16<sup>th</sup> Feb 2017, the 2<sup>nd</sup> party will not be responsible for any delay in the delivery of vehicles and the liability of the delivery of vehicles as stipulated time

Delivery of vehicle is dependent on receiving of full payment from 2<sup>nd</sup> party. In case payment is stopped at any time, motor vehicle will be provided up to the date of payment.

Final invoice calling at the time of delivery shall apply

Advance payment i.e. 25% of the total order value Rs. 24,429,612/- (incl. 15% of GST) will be required for issuing confirmation

The mode of balance payment Rs. 10,286,856/- will be as under

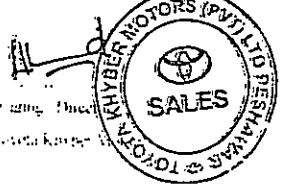
- 1<sup>st</sup> installment before April 30<sup>th</sup> 2017 15% of the balance payment PKR 13,877,696/-
- 2<sup>nd</sup> installment before May 30<sup>th</sup> 2017 20% of the balance payment PKR 18,541,692/-
- 3<sup>rd</sup> installment before June 15<sup>th</sup> 2017 30% of the balance payment PKR 27,753,519/-
- 4<sup>th</sup> installment before June 15<sup>th</sup> 2017 30% of the balance payment PKR 29,251,839/-

The physical inspection of vehicles will be made by the inspection committee constituted by 1<sup>st</sup> party

The vehicles are subject to standard condition as per Major's

The vehicle in the shape of CIBR/Bank Guarantee will be placed with Department by M/S Toyota Khyber Motors, Peshawar

*[Signature]*



ms  
27/4/16

**COMPARATIVE TENDERS**

F-17/51,

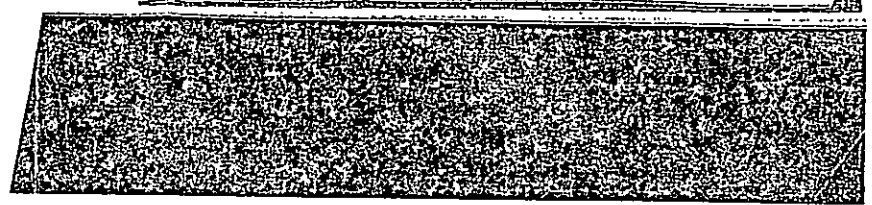
Sl. No.	Name of TOYOTA DEALERSHIP	Specification	Quote amount	Mode of payment	Delivery Time	delivery	Remarks
	Toyota Frontier Motors (Pvt) Ltd.	RHD Toyota Hiace Van 15 Seaters with Dual A.C. -Engine Capacity: 2693 CC Gasoline -Transmission: 05 Speed MT  <u>Standard Accessories:</u> Air Conditioner, Power Steering, Heater, Cigarette Lighter, Front Seat Belts, etc. Japan Assembled. (Inclusive of All Taxes)	Rs. 3,850,000/- (Ex-Peshawar)	100% advance payment at the time of booking	00-08 months after receipt of confirmed supply order with 100% advance payment	Ex-Peshawar delivery	
2	Toyota Central Motors	Toyota Hiace Std. Roof Dual A/C 2693/2TR-FE GASOLINE/4CYLINDERS, L-TYPE Air conditioner, 15 Seater, Ashtray Fitted, Fuel Tank Capacity 70 liters. Latest model with all standard fittings and accessories. Warranty: 50,000 Km or 2-years what ever come first.	Rs. 3787000/- (Quote is valid for 3-days)	1 million an advance by pay order and bank draft in favour of Dealers.	04-05 months (after receipt of confirmed supply order with 100% advance payment	03-Main Shahrache Faisal, Karachi	
3	Toyota Rawal Motors (Pvt.) Ltd.	Toyota Hiace Std Roof Dual A/C 2.7 Gasoline	Rs. 3809000/-	100% payment an advance at the time of booking	06-months.	Islamabad	
4	Toyota Abbott Motors	<u>Toyota Hiace Model 2015</u> Petrol Engine, Engine 2TR-FE, Type water cooling in line 4 cylinder, Engine size 2.7 (2693CC), fuel tank capacity, 70liters, rear brake drum, Front fog lights, Rear fog lights, Xenon head lights, Additional front headlights, Front/rear spoiler, Rear wiper, Navigation, audio CD-player, Dual A/C 14/15 Seats, White Color, Ash Tray fitted.	Rs. 3780000/-	75% advance payment.	03-months after placing 75% advance payment.	Ex-Peshawar	Buy the forecast now with Sharda delivery person 'Mehmood'.
5	Toyota Khyber Motors	<u>Toyota Hiace Model 2015</u>  RHD Toyota Hiace Standard Roof with Dual A/C Latest Model 2.7 L (Petrol). (Manual Transmission)	Rs. 3849615/-	100% Advance payment.	5 to 6 months after advance payment OR subject to confirmation by our Principals M/S Indus Motors Co. Ltd. Karachi.	Ex-Peshawar	

Spl:Secretary 12/24/2016. DG Commerce *[Signature]* Dir. Higher Edu: *[Signature]* Dir. A&Libraries *[Signature]* Dir. HBTTA *[Signature]* DC.P.O.HED *[Signature]* D.S(Admn)HED *[Signature]* SO(B&A)HED *[Signature]* SO(G)HED *[Signature]* 12/24/16

44

*[Signature]*

Released in response of Para-43/N *[Signature]* 27/4/2016.



56 (7-12-16) 52

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

42

The purchase Committee Meeting is scheduled to be held on 27-4-2016 at 11:00 hours under the Chairmanship of Special Secretary on the verbal direction of DS (Admin.) to discuss every side solution by the said Committee, please.

*[Signature]*  
27/4/16

Special Secretary HED.

43

As per decision in the purchase committee mentioned above, CDRs are placed on board for release please.

*[Signature]*  
27/4/2016

50/65

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Released in response of Para-43/V please

*[Signature]*  
27/4/16

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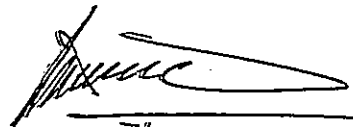
Subject:- Transport Facilities to Govt. Colleges in Khyber Pakhtunkhwa.

45

50 Hiale vehicles were purchased during last financial year 2014-15 for provision of transport facilities to the staff of Govt. colleges in Khyber Pakhtunkhwa. ~~and~~ 49 vehicles have been distributed amongst the colleges mentioned in the list of approved PC-I, while one vehicle is still in balance, and parked in the parking lot of this Department.

46

It is submitted for information and for further orders for the said vehicle please.

  
27/11/16

S.O.(S).

Para-46/N is recommended please  
JMD 27/11/16

47

D.S(A) Govt. Girls degree College Nawabshah Motiana and Govt. Girls College Baghban have requested for HIACE. & WE may hand over this vehicle PTO

58 F-19 134  
25

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

PUC

64 Senior Manager (Sales), Toyota Abbott Motors vide PUC has quoted their reference letter dated 01-05-2016 and stated that they have already withdrawn quotation for Hiace units, and it has come to their knowledge that Higher Education Department claim to have given this order to Toyota Abbott Motors which is not the case.

65 Senior Manager Sales has further stated that they have received no such payment or supply order and further reiterate that they have withdrawn their quotation in May 2016 and in case if such order given to someone who claims to represent Toyota Abbott Motors, they will bear no responsibility for that.

66 It is worth mentioning here that Toyota Abbott Motors letter dated 01-05-2016 is not received in this department up till now. Senior Manager Sales, Toyota Abbott Motors has stated (in PUC) that they received no such supply order, it is totally wrong. Mr. Sardar Zia Nabi, Managing Director of the said company who made correspondence with Higher Education Department (i.e. submitting of quotation etc) already received the supply order on 24-02-2016 (F/H), as the Senior Manager Sales vide PUC states that the said quotation may be considered as withdrawn whereas Managing Director of the company remain silence in this regard. It seems that there is a lack of coordination in the said company.

67 Factual position of the case is that the ADP Scheme "Transport facilities to the staff of Govt. Colleges, Khyber Pakhtunkhwa (Phase-II) (ADP 545/15005) was approved in the PDVVP meeting held on 08-10-2015 at a total cost of Rs. 100.00 million for the year 2015-16 regarding pick and drop of the Teaching staff, under the Project 25-Govt. Colleges located in 17 districts (including 08-Girls Colleges) shall be accommodated).

68 After fulfillment of all codal formalities i.e. quotation from Govt. authorized dealers i.e. various dealers Toyota Motors, a meeting of Departmental Purchase Committee was called on 12-02-2016 (F/F) and a comparative statement was prepared, signed by the said Committee (F/G) and unanimously recommended Toyota Abbott Motors being the lowest and with the shortest delivery. Minutes of the meeting are placed in file vide F/H.

69 The supply order of the said vehicles was delivered to managing Director Toyota Abbott Motors, Mansehra Road, Abbottabad and requested to provide bill against this supply order for advance payment, sign an agreement deed and submit 25% security in shape of CDR/Bank guarantee to this department (F/H). CDR amounting to Rs. 9,450,000/- @ 25% was deposited in Bank Alfalah F/A. After 02 reminders and visit of DS (Admn), Finance Department (on 10-05-2016) agreed to, accord concurrence for advance sanction/payment to M/S Toyota Abbott Motors (Pvt) Ltd: for the supply of 25 Toyota Hiace vehicles under ADP Scheme 545/150025 in Relaxation of Rules (F/M).

70 As the instant case for sanctioning of Advance payment was delayed in Finance Department, this department called upon a meeting of Departmental Purchase Committee on 27-04-2016 wherein it was decided that the CDR may be released as the case is not yet decided in Finance Department.

71 After advance sanction/payment by Finance Department and decision of meeting on 27-04-2016 this department again made a deed with sole manufacturer company and CDR @10% was deposited by the company (duly flagged).

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This department on 24-06-2016 deposited a cheque amounting to R. 91,287,000/- in account of M/S Toyota Abbott Motors 0115-000583-01-5(FRM).

73

Now after long process and completion of codal formalities, Toyota Abbott Motors vide PUC is intimating for withdrawal of quotations and stating that if someone who claims to represent Toyota Abbott Motors, they will bear no responsibility, for that. It is once again brought into the notice of the Competent Authority that the letter under reference (dated 01-05-2016) was not received in this department.

74

In this regard, it is proposed that, if agreed to, a meeting of Departmental Purchase Committee be called on emergent basis and the whole matter be brought into their notice for further action.

*[Signature]*  
07/10/2016  
Accountant

SOG

75

Para-74/W is submitted for perusal and approval, please.

*[Signature]*  
7/10/16

76

DS(A)

We may call a meeting of the purchase Committee on the convenient date to worthy Secretary please.

*[Signature]*  
10/10/16

(W) Secretary

77

DS(A)

Please call a meeting next week detail note to put up before the meeting

*[Signature]*  
13/10/16

78

SO(S)

DFA is place below for approval please.

*[Signature]*  
13/10

79

SO(S)

DS(A) Issue per. *[Signature]*  
14/10/2016



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO.SOG/HE/Procurement/2015-16  
Dated 26/04/2016

To:

1. The Director General,  
Commerce Education and Management Sciences, Khyber Pakhtunkhwa,  
Rano Garhi, Chamkani More, GT Road, Peshawar.
2. The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. The Director,  
Archives & Libraries, Khyber Pakhtunkhwa, Peshawar.
4. The Director,  
Higher Education Teacher Training Academy (HETTA),  
Govt Degree College, Phase-VI, Hayatabad, Peshawar.
5. The Chief Planning Officer, Higher Education Department.
6. The Deputy Secretary (Admn), Higher Education Department.
7. The Section Officer (Budget & Accounts), Higher Education Department.

Subject: DEPARTMENTAL PURCHASE COMMITTEE MEETING

I am directed to refer to the subject noted above and to state that the meeting of Departmental Purchase Committee regarding "Transport facilities to the staff of Government Colleges in Khyber Pakhtunkhwa" is scheduled for 26-04-2016 at 1500 hours has been postponed and now will be scheduled to be held on 27-04-2016 at 1400 hours under the chairmanship of Special Secretary Higher Education Department in his office.

2. Being member of the Committee, you are requested to make it convenient to attend the said meeting, on the scheduled date, time and venue mentioned above, please.

Endst: No & Date even.

*de*

*26/4/16*  
(RAHMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

Copy forwarded to the:-

- 1- PS to Secretary, Higher Education Department.
- 2- PS to Special Secretary, Higher Education Department.

*de*

*26/4/16*  
SECTION OFFICER (Estt. & Admn.)

Discussed in reply of Para 2.

61 SF  
F-21 (39)

ATTENDANCE SHEET

OF DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD ON 27-04-2016 AT 1600 HOURS, REGARDING PURCHASES OF HIACE FOR GOVERNMENT COLLEGES IN KHYBER PAKHTUNKHWA, UNDER THE CHAIRMANSHIP OF SPECIAL SECRETARY, HIGHER EDUCATION DEPARTMENT IN HIS OFFICE

S#	Name & Designation of officers	Department	Signature
1	Mr. Abdul Ghaffar Buzg Special Secretary	Higher Education Department	Mr. Buzg
2			
3	WASID ALI DD(PAD)	JHE	Wasid
4	NAZIR BURKI	Director(A) GCE/MS	Nazir
5	Dr. Faizul Rahman Asst. Secy	HETTA Planning cell, Statistical Officer	Dr. Rahman
6	Muhammad Hageat	D/Secy HED	Hageat
7	Amir Nawaz	DD(A) HETTA	Amir
8	Abdul wali Khan	SO BPA	Abdul wali
9	MUHAMMAD ZAMAN	AD Archives Deptt.	Zaman
10	Rahman Gull Section Officer (General)	Higher Education Deptt.	Rahman Gull
11			

Also discussed in reply of Para 2.

... as per practice in

bv *[Signature]* F-7193/88

ADP Scheme "Transport Facilities to the Staff of Govt. Colleges, Khyber Pakhtunkhwa (Phase-II) (ADP 545/15005)" was approved in the PDWP meeting held on 08-10-2015 with a total cost of Rs. 100.00 Million for the year 2015-16 regarding provision of pick and drop facilities of the teaching staff of 25 Govt. Colleges located in 17 Districts (including 08 Girls Colleges) shall be accommodated.

After fulfillment of all codal formalities i.e Quotation from Govt. Authorized dealers, a meeting of Departmental Purchase Committee was called on 12-02-2016 and a comparative statement was prepared and signed by the Committee, unanimously recommended Toyota Abbott Motors being the lowest one and with the shortest delivery.

The Supply order of the said vehicles was delivered to Managing Director, Toyota Abbott Motors, Mansehra Road, Abbottabad Mr. Sandar Zia Nabi and requested to provide bill against this supply order for advance payment, sign an agreement deed and submit 25% security in shape of CDR/bank guarantee to this department. CDR amounting to Rs. 9,450, 000/- @ 25% was deposited in Bank Alfalah by M/S Toyota Abbott Motors.

As the instance case for sanctioning of advance payment was delayed in Finance Department, this department called upon a meeting of Departmental Purchase Committee on 27-04-2016 wherein it was decided that the CDR may be released as the case was not yet decided in Finance Department, so the CDR released accordingly.

*Decision*

On 10-06-2016 Finance Department agreed to accord concurrence for advance sanction/payment to M/S Toyota Abbott Motors Pvt. (Ltd) for the supply of 25 Toyota Hiace Vehicles under ADP Scheme in relaxation of rules.

After advance sanction/payment by Finance Department and as per decision of the meeting on 27-04-2016 this department again made a deed with sole manufacturer company and CDR @ 10% was deposited by the Company.

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This Department on 24-06-2016 after processing the bills, handed over a cheque amounting to Rs.91,287,000/- in the name of M/S Toyota Abbott Motors to their representative (namely Mr. Jawad Ashraf). *Supply ?*

Now after such a long process and completion of all codal formalities Toyota Abbott Motors has forwarded their request wherein it is stated that they have already forwarded a letter on 01-05-2016 for the withdrawal of their quotation for the Hiace units and if such order given to someone who claims to represent Toyota Abbott Motors, they will bear no responsibility for that. It is brought into the notice of Purchase Committee members that Toyota Abbott Motors letter dated 01-05-2016 is not received in this department uptill now.

It is worth mentioning here that there seems some lack of coordination in the said company e.g. Senior Manager Sales of the Company stated that they received no such supply order which is totally wrong whereas Mr. Sardar Zai Nabi, Managing Director of the Company who made correspondence with Higher Education Department (i.e. submitting of quotation etc) already received the supply order on 24-02-2016 and Mr. Jawad Ashraf received the cheque against their bill.

Submitted for perusal and further orders please.

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Questions and Answers from accused Muhammad Hayat, (Ex-Deputy Secretary (Admn), Higher Education Department (Dated 19.02.2018))

Q.No.1: When were you posted in Higher Education and in which capacity you were serving in Higher Education Department at the time of processing of the procurement case of 25 vehicles under inquiry at present?

Reply: I took over as DS (Admn) Higher Education on 03.08.2015 and have that post upto 08.08.2017.

Q.No.2: Who was the Administrative Authority and Principal Accounting Officer of the Higher Education Department?

Reply: Secretary Higher Education.

Q.No.3: What was the status/category of Deputy Secretary (Admn) under the Delegation of Financial Powers and Powers of Re-appropriation Rules, 2001?

Reply: DS (Admn) was category-II Officer.

Q.No.4: Were you a Member of the Purchase Committee constituted vide Higher Education Department, Govt. of KP Notification No.SOG/HE/Purchase/2015-16/75 dated 04.01.2016 for procurement of works & services in the department?

Reply: Yes.

Q.No.5: When the 1<sup>st</sup> meeting of the Purchase Committee held and under whom?

Reply: 1<sup>st</sup> Meeting was held on 12.02.2016 which was chaired by the then Special Secretary (Abdul Ghafoor Baig) Higher Education Department on behalf of the Administrative Secretary on the latter's verbal direction communicated through his PS as also confirmed by the then SO(General) at para-15 of the Note Part of the relevant file.

Q.No.6: As per the relevant rules and practice in vogue in case of procurement of monopoly item or involvement of sole manufacturer, supply orders can be placed directly to the sole manufacturing/suppliers concerned. However, in this case quotations were obtained, whether it was done on the directions of the purchase committee or otherwise?

Reply: It was done on the verbal direction of Special Secretary passed to me (accused Muhammad Hayat Ex-DS Admn) seven to ten days prior to the 1<sup>st</sup> meeting of the purchase committee which was held on 12.02.2016.

Q.No.7: Were the quotations solicited in writing?

Reply: No, the quotations were called through telephonic contact from different authorized dealers of Indus Motors.

Q.No.8: When you were directed in the 1<sup>st</sup> meeting of the purchase committee held



65 4-1 61  
on 12.02.2016 to confirm the approved rates from the concerned suppliers (M/S Toyota Abbott Motors, Mansehra Road, Abbottabad) being the lowest bidder, how did you get confirmed, whom you contacted for that purpose and did you report the same in writing to the higher authorities or the purchase committee?

Reply: I get the approved rates confirmed through telephonic contact from Sardar Zia Nabi, MD M/S Toyota Abbott Motors, Mansehra Road, Abbottabad. I did not report the confirmation of the approved rates in writing but verbally informed the chairman of the purchase committee (Mr. Abdul Ghafoor Baig Special Secretary Higher Education).

Q.No.9: Did you execute the agreement deed on 03.03.2016 with M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, represented by its MD Sardar Zia Nabi, at your level and without getting prior approval of the Administrative Secretary/Competent Authority or any other higher authority?

Reply: Yes, it was executed at my level but it done on the recommendation of Section Officer (General) as reflected at Para-28 of the Note Sheet of the relevant file. The agreement deed was executed without prior approval of the Competent Authority/higher authorities.

Q.No.10: Did you also execute the agreement deed dated 02.07.2016 in the same procurement case at your level and again without approval of the competent Administrative Authority/higher authorities?

Reply: Yes, the Agreement Deed dated 02.07.2016 was executed by me without prior approval of the competent authority but it was done in view of the decision of the purchase committee's 2<sup>nd</sup> meeting held on 27.04.2016, the minutes whereof are not available on record but that fact can be verified from note of the Accountant at Para-71 of the Note Sheet of the relevant file.

Q.No.11: Was the 1<sup>st</sup> Agreement Deed dated 03.03.2016 formally rescinded, revoked or superseded prior to or through the 2<sup>nd</sup> Agreement Deed dated 02.07.2016?

Reply: No, the 1<sup>st</sup> Agreement Deed dated 03.03.2016 was not formally rescinded, revoked or superseded.

Q.No.12: Was the 2<sup>nd</sup> Agreement Deed dated 02.07.2016 executed with the M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, through its MD Sardar Zia Nabi?

Reply: No. However, I did it under the impression that it was the said firm and the signatory from the other party Mr. Jawad Ashraf was their legitimate representative. However, later on it transpired that he was not authorized representative of the actual suppliers.

66 6-p/1  
Q.No.13: Did the supply order dated 24.02.2016 addressed to M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, require 25% security from the suppliers and the same condition was also incorporated in the 1<sup>st</sup> Agreement Deed dated 03.03.2016.

Reply: Yes.

Q.No.14: If the response to the Q.No.13 is affirmative then why another agreement was executed at your level on 02.07.2016, without revoking or superseding the 1<sup>st</sup> agreement dated 03.03.2016 and the supply order dated 24.02.2016, incorporating 10% security clause?

Reply: The 10% security clause was inserted in the 2<sup>nd</sup> agreement deed in the light of the decision of the purchase committee's 2<sup>nd</sup> meeting held on 27.04.2016.

Q.No.15: Did the 2<sup>nd</sup> Agreement Deed dated 02.07.2016 contains provisions/clauses regarding penalty or arbitration in case of any infringement, violation, dispute or default on the part of the other party? and was the agreement vetted by Law Department or Finance Department prior to its execution/authentication?

Reply: I did not know whether penalty or arbitration related clauses were incorporated in the Agreement Deed because I had not gone through it (Agreement document) before its execution/authentication by me. In fact the agreement draft was finalized/vetted by the then Special Secretary (Abdul Ghafoor Baig) and given to me by hand for my signature, which I did affix thereon. It was not processed on file.

Q.No.16: Was the supply order dated 24.02.2016 handed over to Sardar Zia Nabi MD M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, in person?

Reply: Yes, it was handed over to Sardar Zia Nabi MD of the supplying firm.

Q.No.17: Was the cheque No.1352571 dated 24.06.2016 for Rs.9,12,87,000/- in the name of Toyota Abbott Motors (instead of M/S Toyota Abbott Motors, Mansehra Road, Abbottabad or M/S Indus Motors), alongwith the department's covering letter dated 28.06.2016 addressed to M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, handed over to Mr. Jawad Ashraf in person?

Reply: Yes, it was handed over to Mr. Jawad Ashraf in person by accused Imtiaz Ali, Accountant in my presence.

Q.No.18: Did you also execute/authenticate another agreement dated 21.06.2016 with the M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, purportedly attested by the Notary Public, or know about it (the said agreement) existence, an incomplete and deficient photo copy whereof is available in the relevant file?

Reply: No. However, I have seen the photo copy placed in the file.

66 62-3/63  
Q.No.19: At this stage do you know that the above mentioned cheque dated 24.06.2016 for Rs.9,12,87,000/- was made out/issued in the name of a wrong firm/dealership and handed over to a person which was not the authorized representative of the actual suppliers?

Reply Yes.

Q.No.20: Were the actual suppliers (M/S Toyota Abbott Motors, Mansehra Road, Abbottabad) asked in writing for their vendor number for preparation of bill for payment?

Reply: I do not know.

Q.No.21: Did you yourself or through your subordinate officials/staff try to ascertain credentials of Toyota Abbott Motors (Rawalpindi) or Mr. Jawad Ashraf given the fact that the actual suppliers in their Pre receipt dated 24.02.2016 had clearly mentioned their NTN as 7143699-3 while Mr. Jawad Ashraf had given his NTN as 2672698-0?

Reply: No. I did not know about the process or procedure in this regard.

Q.No.22: After coming to the surface of the fact that the payment had been made to wrong person/party, did you negotiate with Mr. Jawad Ashraf, and execute an agreement, for retrieval/repayment of the irregularly paid amount, with him at your level again without any formal approval from the competent administrative authority?

Reply: Yes, it was done at my level and without prior approval of the competent administrative authority. However, Special Secretary (Abdul Ghafoor Baig) Higher Education was informally in picture and the deal was finalized in his office with his consent. However, it was not processed on file for formal approval.

Q.No.23: Was the Agreement Deed with M/S Toyota Khyber Motors, Peshawar executed/authenticated on 16.02.2017 at your level without formal processing and approval of the competent Administrative Authority? If affirmative, was the previous agreement deed for the procurement of 25 vehicles cancelled, rescinded, revoked or superseded?

Reply: Yes. No, the previous agreement was not cancelled or revoked.

Q.No.24: Was the supply order dated 22.02.2017 addressed to M/S Toyota Khyber Motors, Peshawar issued again without formal processing and approval of the competent Administrative Authority? Was the previous supply order dated 24.02.2016 in favour of M/S Toyota Abbott Motors, Mansehra Road, Abbottabad was cancelled prior to the fresh supply order placed with M/S Toyota Khyber Motors, Peshawar?

Reply: Yes. It was done as per past practice. As regards the previous supply order dated 24.02.2016, it was not cancelled or withdrawn.

Q.No.25: Throughout the period from 13.12.2016 to 07.08.2017 did you ever ascertain or get confirmed that the authority being exercised by you with respect to the said procurement process at your level was in accordance with or consistent with the Delegation of Financial Powers invested in the

office of Deputy Secretary (Admn) Higher Education Department being a category-II Officer?

Reply: No.

Q.No.26: Being DS (Admn) Higher Education Department, did you ever point it out to the higher authorities that the procurement of the vehicles was required to be made from the sole manufacturer (M/S Indus Motors) or their authorized dealer for Peshawar instead of going for quotations?

Reply: No.

Q.No.27: Has the full quantum of irregularly/wrongly paid amount of Rs.9,12,87,000/- been retrieved/recovered from Mr. Jawad Ashraf?

Reply: Out of the irregular payment, an amount of Rs.4,81,29,615/- has so far been repaid by Mr. Jawad Ashraf for onward payment to M/S Toyota Khyber Motors, Peshawar to whom the subsequent supply order dated 22.02.2017 was placed. However, a sum of Rs.4,31,57,385/- is still outstanding against him besides an amount of Rs.7,60,725/- being the difference of the higher cost of 25 vehicles at per the supply order placed to the M/S Toyota Khyber Motors, Peshawar. Hence, a total repayment of Rs.9,20,47,725/- instead of Rs.9,12,87,000/-.

19/2/2018  
Muhammad Haya  
Ex-DS (Admn)  
Higher Education  
Dept

68 Annex-4

To

Syed Kamran Shah,  
Inquiry Officer (PCS SG BS-20-20),  
Secretary Finance FATA,  
FATA Secretariat, Peshawar.

Subject: REPLY TO SHOW CAUSE NOTICE

Respected Sir,

This is with reference to the subject show cause notice served upon me vide No. SO(G)/HE/ADP-545/150025/2015-16 dated 06-02-2018 with the directions to submit its reply within 07 days. The allegation framed against me in the above referred to show cause notice though in itself negating the charges leveled against me as per assigned mandate and in accordance with practice in vogue in general. However, in compliance of the directions, the desired reply is as under with humble submission for kind consideration keeping in view assigned mandate as per job description please:-

- i) It is submitted that previously 50 vehicles purchased from M/S Toyota Frontier Motors, the authorized dealer of Indus Motors, Karachi and the cheque was issued to Indus Motors Karachi, as Finance Department accorded advance payment sanction in the name of Toyota Frontier Motors/Indus Motors Karachi. While in this specific case, firstly the Purchase Committee approved the rates of Toyota Abbott Motors due to low rate. Later on, the case was sent to Finance Department for advance payment sanction and the Finance Department accorded advance payment sanction in the name of Toyota Abbott Motors, as well as the Department signed an agreement with Toyota Abbott Motors. Therefore, the crossed cheque was issued to the same firm by the Accountant General Office KP after going through all codal formalities of pre-audit.
- ii) While processing the bill, a proforma for preparing the vendor number was prepared by the Accountant and signed from the undersigned for vendor number of M/S Toyota Abbott Motors as per routine cases. The bill was submitted in the AG office and recorded the said vendor number was verified by AG office through its SAP system. The bill was scrutinized and passed by AG office and cross cheque was issued in the name of Toyota Abbott Motors by AG office. It is pertinent to mention here that vendor number verification is the mandate of AG office and was not of the undersigned in the capacity of Section Officer (General).

In view of the above facts, it is once again humbly prayed that I may very kindly be exonerated from the charges of the show cause notice referred to above because in the entire service especially on the part of Section Officer (General) always all out efforts were made to safe guard public interest within the frame work of assigned mandate to the best of my life long experience and abilities please.

Yours faithfully,

  
( Rahman Gul 24/2/18

Section Officer (U-II),  
Higher Education Department,  
Khyber Pakhtunkhwa, Peshawar

68      ANNEX - X

Questions and Answers from accused Rehmani Gul, the then Section Officer (General), Higher Education Department (Dated 15.02.2018)

Q.No.1: When were you posted in Higher Education Department and in which capacity you were serving at the time of processing of the procurement case of 25 vehicles under inquiry at present?

Reply: I was posted in Higher Education Department in December 2011 and was serving as Section Officer (General) when the said procurement process was initiated/underway.

Q.No.2: Who was the Administrative Authority and Principal Accounting Officer of the Higher Education Department.

Reply: Secretary Higher Education Department, Govt. of Khyber Pakhtunkhwa.

Q.No.3: What was the status/category of Deputy Secretary (Admn) under the Delegation of Financial Powers and Powers of Re-appropriation Rules, 2001?

Reply: Deputy Secretary (Admn) was category-II Officer.

Q.No.4: Who was the Drawing & Disbursing Officer of the Higher Education Department at the time of the procurement process presently under instant inquiry/disciplinary proceedings?

Reply: I was Drawing & Disbursing Officer.

Q.No.5: Did you process on file, without vetting, the agreement deed dated 03.03.2016, prepared and signed by Mr. Sardar Zia Nabi MD Toyota Abbott Motors, Mansehra Road, Abbotabad, for signature of the accused Muhammad Hayat the then Deputy Secretary (Admn), without specifying that the same was required to be submitted to the Administrative Secretary/Principal Accounting Officer?

Reply: Yes.

Q.No.6: Was the draft of the 2<sup>nd</sup> agreement deed dated 02.07.2016 prepared, initiated or processed by you or General Section for approval or execution by the competent authority? If negative, how was that agreement deed processed and executed?

Reply: No it was not done on my part or through my office. Infact I came to know through accused Imtiaz Ali, Accountant that the said agreement deed had been executed by the then DS (Admn) at his level, which was later-on sent to the Section.

Q.No.7: Where is the original document of the agreement deed dated 03.03.2016 because reportedly this is not available in record/relevant file? Was it removed by you or any other official of General Section?

*Rehmani Gul*  
15/2/18

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Reply: No. The original document was not taken out or removed at the General Section level. In fact I was informed by accused Imtiaz Ali, Accountant that the original Agreement Deed had been returned by the accused Muhammad Hayat, the then Deputy Secretary (Admn), in his presence, to Mr. Jawad Ashraf, purportedly representing Toyota Abbott Motors (Rawalpindi) and not Toyota Abbott Motors, Mansehra Road, Abbottabad, after executing/signing the agreement deed dated 02.07.2016 with him.

Q.No.8: Do you have any knowledge or information about the existence of another agreement deed dated 21.06.2016, an incomplete/deficient photo copy whereof is available in the relevant file?

Reply: No. I don't know anything about that document nor have I seen original copy thereof. I have only seen the photo copy placed in the file.

Q.No.9: Were any of the two agreement deeds i.e. dated 03.03.2016 and 02.07.2016, formally approved or executed with the approval of the Administrative Secretary/Principal Accounting Officer?

Reply: No.

Q.No.10: How was and to whom the supply order for 25 vehicle dated 24.02.2016 delivered?

Reply: The supply order was handed over to Sardar Zia Nabi, MD Toyota Abbott Motors, Mansehra Road, Abbottabad, in person by accused Imtiaz Ali in the presence of Mr. Jawad Ashraf and Muhammad Hayat DS (Admn) at the latter's office.

Q.No.11: Was the agreement deed dated 03.03.2016 formally revoked, rescinded or superseded subsequently?

Reply: No.

Q.No.12: Did you prepare the said cheque No.1352571 dated 24.06.2016 for Rs.9,12,87,000/- in the name of Toyota Abbott Motors instead of Indus Motors, the original sole manufacturer?

Reply: No.

Q.No.13: Was the bill prepared by your section and signed by you for payment of Rs.9,12,87,000/- on account of cost of 25 vehicles in favour of Toyota Abbott Motors instead of Toyota Abbott Motors, Mansehra Road, Abbottabad with whom the agreement deed dated 03.03.2016 had been executed for the said supply or Indus Motors, the actual sole manufacturer?

Reply: Yes. The bill was prepared by accused Imtiaz Ali Accountant and signed by me in the name of Toyota Abbott Motors for submission to

*Handwritten signature*  
15/2/15

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1-2

the AG Khyber Pakhtunkhwa for pre audit. However, the original copy of pre receipt bill dated 24.02.2016 submitted by M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, was enclosed with the bill.

Q.No.14: Had not a similar nature bill been previously prepared by your Section and signed by you, in respect of Indus Motors being the sole manufacturer, for payment of the cost of 50 vehicles, procured by the Higher Education Department in the past but in this case you prepared the bill in the name of Toyota Abbott Motors, which was neither the actual party whose offer/quotation had been approved nor was reportedly authorized 3S dealer of M/S Indus Motors (the sole manufacturer)?

Reply: Yes previously my Section had prepared the bill in the name of M/S Indus Motors in the similar nature procurement case. However, in this case as the vendor number had been generated in respect of M/S Toyota Abbott Motors, thus the bill was prepared by my Section and signed by me in their name accordingly.

Q.No.15: Did you ask M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, formally/in writing for their vendor number while preparing the bill for payment to be submitted to AG KP for pre audit clearance?

Reply: No, M/S Toyota Abbott Motors, Mansehra Road, Abbottabad were not asked formally. However, Mr. Jawad Ashraf furnished documents respecting Toyota Abbott Motors to accused Imtiaz Ali by hand, on the basis of which a case for generation of vendor number was submitted to the AG KP.

Q.No.16: How and to whom the cheque number 1352571 dated 24.06.2016 for Rs.9,12,87,000/- prepared in the name of Toyota Abbott Motors (not the actual supplier M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, or M/S Indus Motors, the sole manufacturer) was delivered?

Reply: The said cheque dated 24.06.2016 alongwith the covering letter dated 28.06.2016, duly signed by me, addressed to M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, was delivered by hand to Mr. Jawad Ashraf in person by accused Imtiaz Ali in the presence of accused Muhammad Hayat Ex-DS (Admn) in the latter's office on the same day i.e. 28.06.2016.

Q.No.17: Was the reference dated 04.03.2016 to Finance Department for sanction as to 100% advance payment, while in the relevant quotation as well as the Agreement Deed dated 03.03.2016 only 75% advance had been mentioned, made with the prior approval of the Administrative Department or any other Higher Authority?

Reply: No prior approval was obtained. As regards request for 100% advance payment, it was made merely in view of the statement of the then Additional Director Higher Education made during the discussion in the 1<sup>st</sup> meeting of the Purchase Committee held on 12.02.2016.

*Rahim Qureshi*  
15/2/18  
Section Officer (U-II)  
Higher Education Department.



72 Annex - J 68

To

Syed Kamran Shah  
Inquiry Officer (PCS SG BS-20)  
Secretary Finance  
FATA Secretariat, Peshawar.

Subject:- REPLY TO SHOW CAUSE NOTICE.

Respected Sir,

*This is with reference to the subject show cause notice served upon me vide letter No.SOG/HE/ADP-545/150025/2015-16 dated 06-02-2018, with the directions to submit its reply within 07 days. The allegation framed against me in the above referred to show cause notice though in itself negating the charges leveled against me as per assigned mandate and in accordance with practice in vogue in general. However in compliance of the directions, the desire reply is as under with humble submission for kind consideration to keeping in view assigned mandate as per job description please:-*

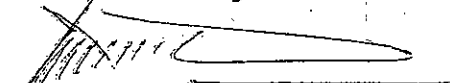
- i) *The cheque bearing No.1352571 dated 24/06/2016 in the name of Toyota Abbott Motors instead of Indus Motors because its neither my domain nor my competence as per practice in vogue and assigned mandate of the post of Accountant. It is further added that I was not a decision taking authority in the entire case, but my mandate, being Accountant/Cashier, was only to process the bill for pre-audit. Previously 50 vehicles were purchased from M/S Toyota Frontier Motors, the authorized dealer of Indus Motors, Karachi and the cheque was issued in the name of Indus Motors, Karachi under its vendor No.30009175 as requested in the bill submitted by M/S Toyota Frontier Motors (see flag A) and as well as Finance Department was also accorded advance payment sanction in the name of Toyota Frontier Motors/Indus Motors, Karachi (see flag B), while in this specific case, the purchase committee approved the rates of Toyota Abbott Motors, Abbottabad, (see flag C) than Finance Department accorded Advance Payment Sanction in the name of the above mentioned firm (see flag D) and as well as the Department also signed an agreement deed with the same firm and furthermore, the firm was also requested that the payment must be made in favor of M/S Toyota Abbott Motors, Abbottabad (see flag D) so the bill of the vendor was process accordingly and cheque was also issued to the same firm.(see flagE)*



- 73 J-1 69
- ii) While processing the bill, a vendor number was generated in AG office by the representative of M/S Toyota Abbott Motors, Abbottabad, which was recorded on the bill as per procedure and submitted to AG office for pre-audit. The said vendor number was verified by AG office through its SAP system. The bill was scrutinized, passed and cheque was issued in the name of M/S Toyota Abbott Motors by AG Office (see flag F). It is pertinent to be mentioned here that verification of vendor number is the mandate of AG office. However, when the letter from Toyota Abbott Motors Abbottabad was received in which they denied to received any payment or supply order, the entire situation was brought into the notice of high ups by the undersigned on file immediately vide para 64 to 74 and than repeatedly vide para 117,136 and 142 (see flag G).

In view of the forgoing facts, it is humbly prayed that I may very kindly be exonerated from the charges referred to above in the show cause notice because in the entire service especially on the post of Accountant always all out efforts were made to safe guard public interest within the frame work of assigned mandate please.

Yours Obediently,

  
(Amiaz Ali) 12/02/2018  
Accountant

Higher Education, Archives & Libraries Deptt:  
Khyber Pakhtunkhwa, Peshawar.  
Dated Peshawar the 12<sup>th</sup> February 2018.

TOYOTA

74 J-2 70  
DAIHATSU

**TOYOTA FRONTIER MOTORS (PVT) LTD**

Motor Company Limited  
Tel: 34-01-0676546  
Fax Reg. #: 02-04-8703-001-55

Authorized Dealer of  
Indus Motors Company Limited, Karachi

**Bill**

Deputy Secretary Government of KPK Higher Education Department Civil Secretariat, Peshawar	Date:	26th January 2015
	Our Ref.:	HED-02
	S.O. Number	SO (I) / Transport/2013-14
	Date:	22/01/2015

Description of vehicle	Qty.	Unit Price In Pak Rupees (Ex-Karachi)	Total Price In Pak Rupees (Ex-Karachi)
RHD Toyota Hiace Commuter Van 15 Seater with Dual A.C, Long Wheel Base TR-TE 2.693 C.C. Petrol Model 2015, 05 Speed Manual Transmission, Company Fitted Dual Air Conditioner Japan Assembled Exclusive of Sales Tax)	50	3,232,478.63	161,623,931.50
Sales Tax @ 17 %	50	549,521.37	27,476,068.50
Total Price (Inclusive of S. Tax)	50	3,782,000.00	189,100,000.00
Freight & Transit Insurance Charges Khi ~ Pesh	50	25,213.68	1,260,684.00
Sales Tax @ 17 %	50	4,286.32	214,316.00
Total Freight & Insurance (Inclusive of S. Tax)	50	29,500.00	1,475,000.00
Total Price Ex-Peshawar:	50	3,811,500.00	190,575,000.00
In Words: Rupees One Hundred Ninty Million Five Hundred & Seventy Five Thousand Only			

Note:  
The payment of vehicles i.e. Rs.190,575,000/- shall Must be made in favour of M/s Indus Motor Co. Ltd. Karachi  
Indus Motor Co. Limited Standard Chartered Peshawar Cuntt Branch A/c # 01-1042424-01.

IMC Vendor No. 30009175

For Toyota Frontier Motors (Pvt) Ltd

*[Signature]*  
Arif Haider  
Manager Sales & Marketing

*[Signature]*  
Section Officer (General)  
Govt. of Khyber Pakhtunkhwa  
Higher Education Archives &  
Libraries Department

*[Signature]*



75  
J-3/71

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT**

No. SO(Dev-I) FD/3-25/2015/PTFT/S.

Dated Peshawar the 10<sup>th</sup> March, 2015

To

✓  
The Secretary to,  
Government of Khyber Pakhtunkhwa,  
Higher Education, Archives & Libraries Department,  
Peshawar.

Subject:

**ADVANCE SANCTION FOR PURCHASE OF 50 NOS TOYOTA  
HIACE(15 SEATERS) IN R/O PROVISION OF TRANSPORT  
FACILITIES FOR TEACHERS/ STUDENT OF GOVT.  
COLLEGES IN KHYBER PAKHTUNKHWA.**

Dear Sir,

I am directed to refer to your department letter No.SO(T)/HE/Transport/2013-14 dated 02-02-2015 on the subject noted above and to state that Finance Department agrees to accord concurrence for Advance Payment of Rs 190.575(Million) on account of Purchase 50 Nos Toyota Hiace(15 Seaters) from the concerned dealer i.e Toyota Frontiers Motors(Pvt) Ltd/Indus Motors Company Ltd Peshawar, under the project title" ADP No 443/140007- Provision of Transport Facilities for Teacher/Students of Govt; Colleges in Khyber Pakhtunkhwa", in relaxation of rules with in the available budget already released during the current financial year 2014-15 subject to fulfillment of all codal formalities.


Your's faithfully,

  
(FAZEELAT JEHAN)  
SECTION OFFICER (DEV.I)

Endst:- No. & date even

Copy forwarded for information and necessary action to the :-

1. Accountant General, Khyber Pakhtunkhwa Peshawar
2. Section Officer (Tng) Higher Education Department Peshawar with reference to this letter refer above..
3. PA to Deputy Secretary (Dev,-I) Finance Khyber Pakhtunkhwa Peshawar
4. Master File

  
Section Officer (Dev I)

**COMPARATIVE TENDERS**

(72)  
5-4

S. No.	Name	Specification	Q. unit	Rate	Mode of payment	Delivery Time	delivery	Remarks
1	TOYOTA FRONTIER MOTORS (Pvt) Ltd.	RHD Toyota Hiace Van 15 Seaters with Dual A.C. -Engine Capacity: 2693 CC Gasoline -Transmission: 05 Speed M/T  <u>Standard Accessories:</u> Air Conditioner, Power Steering, Heater, Cigarette Lighter, Front Seat Belts, etc. Japan Assembled. (Inclusive of All Taxes)		Rs. 3,850,000/- (Ex-Peshawar)	100% advance payment at the time of booking	06-08 months after receipt of confirmed supply order with 100% advance payment	Ex-Peshawar delivery	-
2	Toyota Central Motors	Toyota Hiace Std. Roof Dual A/C 2693/2TR-FE GASOLINE/4CYLINDERS, L-TYPE Air conditioner, 15 Seater, Ashtray Fitted, Fuel Tank Capacity 70 liters. Latest model with all standard fittings and accessories. Warranty: 50,000 Km or 2-years what ever come first.		Rs. 3787000/- (Quote is valid for 3-days)	1 million an advance by pay order and bank draft in favour of Dealers.	04-05 months (after receipt of confirmed supply order with 100% advance payment)	03-Main Shahrah-e-Faisal, Karachi	-
3	Toyota Rawal Motors (Pvt.) Ltd.	Toyota Hiace Std Roof Dual A/C 2.7 Gasoline		Rs. 3890000/-	100% payment an advance at the time of booking	06-months.	Islamabad	-
4	Toyota Abbott Motors	<u>Toyota Hiace Model 2015</u> Petrol Engine, Engine 2TR-FE, Type water cooling in line 4 cylinder, Engine size 2.7 (2693CC), fuel tank capacity, 70liters, rear brake drum, Front fog lights, Rear fog lights, Xenon head lights, Additional front headlights, Front/rear spoiler, Rear wiper, Navigation, audio CD-player, Dual A/C 14/15 Seats, White Color, Ash Tray fitted.		Rs. 3780000/-	75% advance payment.	03-months after placing 75% advance payment.	Ex-Peshawar	Bought the lowest price with shortest delivery period.
5	Toyota Khyber Motors	<u>Toyota Hiace Model 2015</u>  RHD Toyota Hiace Standard Roof with Dual A/C Latest Model 2.7 L (Petrol). (Manual Transmission)		Rs. 3849615/-	100% Advance payment.	5 to 6 months after advance payment OR subject to confirmation by our Principals M/S Indus Motors Co. Ltd. Karachi.	Ex-Peshawar	-

*[Handwritten signature]*

*[Handwritten signature]*  
Spl. Secretary  
13/2/2016

*[Handwritten signature]*  
DG Commerce

*[Handwritten signature]*  
Dir. Higher Edu.

*[Handwritten signature]*  
Dir. A&Libraries

*[Handwritten signature]*  
Dir. HETTA

*[Handwritten signature]*  
D.C.P.O.HED

*[Handwritten signature]*  
D.S(Admn)HED

*[Handwritten signature]*  
SO(B&A)HED

*[Handwritten signature]*  
SO(G)HED  
12/2/16

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KHYBER PAKHTUNKHWA  
DEPARTMENT

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J-5

No. SO (Dev-I)FD/3/1/HE/2015-16

Dated Peshawar the 10<sup>th</sup> June, 2016

To


The Secretary to Government of Khyber Pakhtunkhwa,  
Higher Education, Archives & Library (Education Department),  
Peshawar.

Subject: - SANCTION FOR 100 % ADVANCE PAYMENT TO M/S TOYOTA ABBOTT  
MOTERS PVT.LTD.

Dear Sir,

I am directed to refer to your letter No. SOG/HE/Procurement/2015-16/1764-67 dated 28-04-2016 on the subject noted above and to state that Finance Department agrees to accord concurrence for advance sanction/payment to M/S Toyota Abbott Motors (PVT) Ltd. for the supply of 25 Toyota Hiace Vehicles under ADP Scheme 545/150025 Transport Facility to the Staff of Government Colleges (Phase-III.) in relaxation of rules within the available budget, during the current financial year 2015-16 subject to fulfillment of all codal formalities.

Yours faithfully,

  
(Fozial Naz)  
Section Officer (Dev-I)

Encls: No. & Date even

Copy forwarded for information and necessary action to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. The Section Officer (Estt. & Admn), Higher Education Department, Khyber Pakhtunkhwa Peshawar w/r to his letter No. as cited above for information and similar necessary action.
3. PA to Deputy Secretary (Dev-I), Finance Department Peshawar.
4. PA to Additional Secretary (Dev-I), Finance Department Peshawar.
5. Master File.

  
Section Officer (Dev-I)

0000001352571  
Open No: 093808

GOVERNMENT OF KHYBER P. WA

Cheque No. 1352571

A/C No. \_\_\_\_\_ A/C Type: NON FOOD - A/C ENR

Pre-Audit/Cheque Dated: 21.05.2016

Department: Colleges Education

Office of: Colleges Education  
On the State Bank of Pakistan National Bank of Pakistan  
R/O FAYOZA ABBOTT KOTORE WALLE-00053-01-5 BANI-AUBANDE 5513

Rs. 1281,267,000/- Rupees NINETY-ONE HUNDRED TWO HUNDRED EIGHTY-SEVEN THOUSAND ONLY

and charge the same against the account of the Government of Khyber Pakhtunkhwa  
This cheque is current for three months only after the month of issue.

DO NOT WRITE BELOW THIS LINE

Assistant Accountant General  
Accounts Officer

Colleges (Phase-II)

COST CENTRE/DDO CODE

P R 4 5 1 3

FUND NO.

N C 2 2 0 6 1

FUNCTION

0 9 3 1 0 1

VENDER No.

3 0 2 8 4 5 1 5

PAYMENT (DEBIT)		DEDUCTION (CREDIT)	
OBJECT CODE	AMOUNT	OBJECT CODE	AMOUNT
A03970	95445000	G12777	3213000

CROSS PAYMENT: 95445000/- DEDUCTION: 3213000/-

NET PAYMENT: 91287000/-

*Rahman*  
Signature & OFFICIAL STAMP OF  
DRAWING & DISBURSING OFFICER

A  
TOYO

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DAIHATSU J-2

OTT MOTORS

TS  
(56)

Secretary Higher Education Department  
Peshawar.

NTN # 7143699-3

PRE-RECEIPT BILL

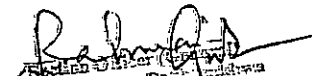
Higher Education, Archives & Libraries Department, Peshawar.	REF: SOG/HE/Procurement/2015-16 Date: 24-02-2016
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Description of Vehicle	Qty	Unit Price in Pak Rupees	Total Price in Pak Rupees
Toyota Hi-Ace Petrol Engine 2TR-FE, Type - Water Cooling inline 4 Cylinder Engine Size 2.7 (2693 cc) - Fuel Tank Capacity, 70 Liters 14-15 Seats.	25	Rs. 3,780,000/-	Rs. 94,500,000/-
Total			94,500,000/-

Note: The payments of Vehicles i.e. Rs. 94,500,000/- shall must be made in favor of M/s Toyota Abbott Motors Abbottabad.



Sardar Zia Nabi  
Managing Director  
0300-8111445

  
Section Officer (Accounts)  
Govt. of Khyber Pakhtunkhwa  
Higher Education Department

Km 11, Neelay Pair, Mansehra Road Abbottabad. Ph: 0992-406903, 0992-406904  
www.toyota-abbott.com



80 J-8 76

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

PUC

64 Senior Manager (Sales), Toyota Abbott Motors wide PUC has quoted their reference letter dated 01-05-2016 and stated that they have already withdrawn quotation for Hiace units, and it has come to their knowledge that Higher Education Department claim to have given this order to Toyota Abbott Motors which is not the case.

65 Senior Manager Sales has further stated that they have received no such payment or supply order and further reiterate that they have withdrawn their quotation in May 2016 and in case if such order given to someone who claims to represent Toyota Abbott Motors, they will bear no responsibility for that.

66 It is worth mentioning here that Toyota Abbott Motors letter dated 01-05-2016 is not received in this department uptill now. Senior Manager Sales, Toyota Abbott Motors has stated (in PUC) that they received no such supply order, it is totally wrong. Mr. Sardar Zia Nabi, Managing Director of the said company who made correspondence with Higher Education Department (i.e. submitting of quotation etc) already received the supply order on 24-02-2016 (F/I), as the Senior Manager Sales wide PUC states that the said quotation may be considered as withdrawn whereas Managing Director of the company remain silence in this regard. It seems that there is a lack of coordination in the said company.

67 Factual position of the case is that the ADP Scheme "Transport facilities to the staff of Govt. Colleges, Khyber Pakhtunkhwa (Phase-III) (ADP 545/15005) was approved in the PDWP meeting held on 08-10-2015 at a total cost of Rs. 100.00 million for the year 2015-16 regarding pick and drop of the Teaching staff, under the Project 25-Govt. Colleges located in 17 districts (including 08-Girls Colleges) shall be accommodated).

68 After fulfillment of all codal formalities i.e. quotation from Govt. authorized dealers i.e. various dealers Toyota Motors, a meeting of Departmental Purchase Committee was called on 12-02-2016 (F/F) and a comparative statement was prepared, signed by the said Committee (F/G) and unanimously recommended Toyota Abbott Motors being the lowest and with the shortest delivery. Minutes of the meeting are placed in file wide F/H.

69 The supply order of the said vehicles was delivered to managing Director Toyota Abbott Motors, Mansehra Road, Abbottabad and requested to provide bill against this supply order for advance payment, sign an agreement deed and submit 25% security in shape of CDR/Bank guarantee to this department (F/I). CDR amounting to Rs. 9,450,000/- @ 25% was deposited in Bank Alfalah F/A). After 02 reminders and visit of DS (Admn), Finance Department (on 10-06-2016) agreed to, accord concurrence for advance sanction/payment to M/S Toyota Abbott Motors (Pvt) Ltd: for the supply of 25 Toyota Hiace vehicles under ADP Scheme 545/150025 in Relaxation of Rules (F/M).

70 As the instant case for sanctioning of Advance payment was delayed in Finance Department, this department called upon a meeting of Departmental Purchase Committee on 27-04-2016 wherein it was decided that the CDR may be released as the case is not yet decided in Finance Department.

71 After advance sanction/payment by Finance Department and decision of meeting on 27-04-2016 this department again made a deed with sole manufacturer company and CDR @10% was deposited by the company (duly

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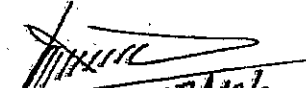
This department on 24-06-2016 deposited a cheque amounting to Rs. 91,287,000/- in account of M/S Toyota Abbott Motors 0115-000583-01-5(F/M).

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Now after long process and completion of codal formalities, Toyota Abbott Motors vide PUC is intimating for withdrawal of quotations and stating that if someone who claims to represent Toyota Abbott Motors, they will bear no responsibility, for that. It is once again brought into the notice of the Competent Authority that the letter under reference (dated 01-05-2016) was not received in this department.

74

In this regard, it is proposed that, if agreed to, a meeting of Departmental Purchase Committee be called on emergent basis and the whole matter be brought into their notice for further action.

  
Accountant  
9/06/2016

SOG

Subject: - Purchase of 85 Toyota Hiace

In response to this Report cut is

Letter no. SOG/1HE/ADP-SYS/13005/2015-16 dated  
16-12-2016 on the ~~subjected~~ noted above,

MR. Jawad Ahmad, The owner of the vehicle  
Arrest Motors, Rawalpindi, submitted two  
letters vide at PUC-I & II, which are self  
explanatory. The issue may be placed  
before the purchase committee for further  
proceedings please.

*[Signature]*  
21/12/2017  
Submitted for perusal and further order, etc.

OS (Admin)  
Call  
Jmd 21/12/17

Letter for quotation is in progress  
tender notes is kept below for approval  
as desired please.

*[Signature]*  
11/11/2017  
Issue of 85 Toyota Hiace

50/16  
Letter signed for issuance of 85 Toyota Hiace  
Jmd 17/11/17

109

82  
5-9  
*[Signature]*

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HIG.

79

Subject: Discrepancy in Order of 25  
Toyota Hiace 2.7. Petrol

114

M/S Toyota Khyber Motors submitted a letter on the above cited Subject vide P.V.C. stated that 1/5<sup>th</sup> GST Certificate should be provided by FBR in the name of Indus Motors Co. Ltd. Karachi to resolve the Discrepancy or to deed the purchase order, placed by this Department.

Factual position of the case is that, Certificate of 1/5<sup>th</sup> GST deduction obtained from AEs office in the direction of Deputy Secretary (Admin.) and forwarded to M/S Toyota Khyber Motors to proceed further, but it was returned back with the request to provide a certificate from FBR to Adjust the withholding amount on account of GST due on M/S Indus Motors Co. Ltd., while FBR authorities refused to provide such like Adjustment Certificate.

It is further added that this Department have the following options to resolve the issue once for all:

i. The discrepant amount of GST should be paid to M/S Toyota Khyber Motors by Mr. Jamad Hussain, owner of Toyota Abbott Motors, Rawalpindi, being responsible for the entire situation.

OR

ii. Purchase order issued to M/S Toyota Khyber Motors may be cancelled and total amount should be refunded to Mr. Jamad Hussain.

82

J-10

800

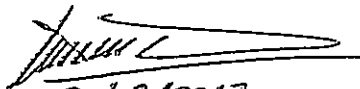
GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

117

However, it is proposed to bring the entire situation into the notice of Purchase Committee to take a solid decision.

118

Submitted for further orders PL

  
21/03/2017  
Accountant

SO/65

119

Paras 114-117/A is submitted for perusal and further orders please.

DS(A)

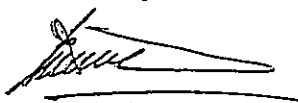
T. K. ...  
...

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121

DFA is placed on Board as desired for approval and to proceed further PL.

SO/65

  
21/3/17

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122

DFA is placed in file for perusal / approval before issue please.

123

DS(A)

Resub plus-

  
21/3/17

SO/67

Steno.

  
21/3/17

85  
Refer Para 114 to 133/N


HIC

(30)

124

In response to this ~~Dept~~ out's letter no. S/06/HE/ADP/545/150005/2015-16 dated 31-3-2017, The Deputy Commissioner IR, FBR submitted Reply vide at PUC. with the remarks that the matter pertains to Regional Tax office, Abbottabad, so the ~~Dept~~ out should take up the case with Regional Tax office Abbottabad on the Point of Jurisdiction.

Submitted for further orders PL

  
7/04/2017

125. SO/6)


126.

As proposed.

127.

SO/6)

Ac.itt.

  
14/4  
14/4/17

128.

I have not submitted any Proposal but record the remarks of Deputy Commissioner FBR and ask for further orders. Please clarify the Guidelines to

86


J-11 82

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

130

Take up the case with AIO  
Abbottabad accordingly.

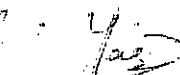
SO(G)

  
17/4

131

for further necessary action.

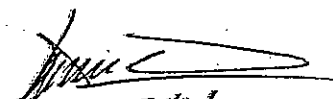
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17/4/17

132

DFA is placed below for approval  
as directed pl.

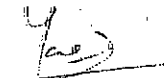
SO(G)

  
17/4/2017

133

DFA is submitted for approval/  
kindly issue please.

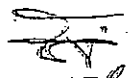
Issue DFA

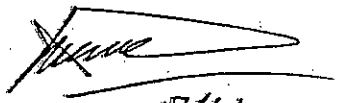
  
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SO(G) letters for signatures pl.

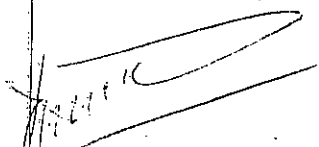
SO(G)

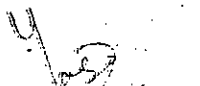
  
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17/4/2017

134

signed pl. Issue.



  
17/4/17

87

H. 85  
Subject

Subject- Toyota Hiace 25 units 2.7L Petrol order

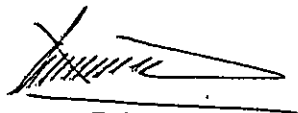
135

The Sales Manager of Toyota Kyushu Motors (Pvt) Ltd. submitted a letter vide P.C., stating that Indus Motor Company Ltd "IMC" informed them that 5/15th of the GST which has already been deducted shall not be adjusted against our supply order and a complete price amounting to Rs. 38,11,500/- per unit shall be required for invoicing of our 25 unit vehicles. They further stated that if Higher Education Deptt. agrees to pay full payment, then informed them to proceed further or otherwise.

136

Keeping in view the entire situation, it is once again proposed that the matter may be bring into the notice of High ups i.e. Special Secretary being the chairman of Purchase committee, and Members of Purchase Committee to take a solid decision please.

SO(B)



05/05/2017

Paras 135 & 136 to be submitted for approval and further necessary action please.

SO(A)

Range



88 J-12 84

Subject: 25 Toyota Hiace 2.7 Petrol.

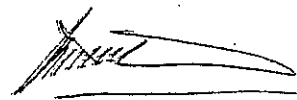
138

The Sales Manager M/s Toyota Khyber Motors (Pvt) Ltd. again, submitted a letter vide P.C. stating that booking of 25 Toyota Hiace 2.7 Petrol vehicles is still discrepant due to balance payment. He further stated that the company have been continuously updating Deputy Secretary (Admin) in person about the submission of 3rd installment before June 15th 2017 30% of the balance payment PKR 27,755,539/- as per agreement deed but as of today the June month 3rd installment is still not yet provided.

139

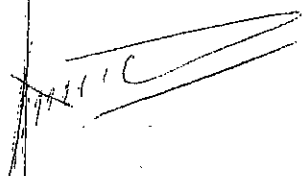
Keeping in view the above statement, it is once again proposed that the matter may be bring into the notice of Special Secretary being the Chairman of the Purchase Committee for further guidance pl.

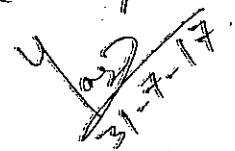
Se/6)

  
31/7/2017

140.

Para 138 & 139/N refers for kind perusal and further orders of the Competent Authority please.



  
31-7-17

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Subject: 25 TOYOTA HIACE 2.7 PETROL

141 As per detail history of the case given in para 64 to 74 and para 114 to 117 and then para 135 to 135/N, now the position is that this Department was bound to paid full amount to M/S Toyota Khyber Motors Pestawar before 15<sup>th</sup> of June 2017 as per agreement deed. But Mr. Jawad Ashraf, the owner of M/S Toyota About Motors Rawalpindi, was failed to paid the installments within the stipulated time period. Total payment of Rs.48129615/- has been paid till date as per given detail below:

S.#	Pay Order No.	Date of Pay Order	Amount.
1	POFZD 00002297	13-02-2017	22,221,750/-
2	POFZD 00002300	14-02-2017	190181/-
3	POFZD 00002303	17-02-2017	117684/-
4	06287006	08-05-2017	10,000,000/-
5	BC FTI 00000512	25-07-2017	10,000,000/-
6	BC MNS 00000113	03-08-2017	5,000,000/-
		Total amount paid	48129615/-

142 This case was repeatedly submitted to D.S. (Admn), Mr. Muhammad Hayat with the request to bring the matter into the notice of Special Secretary, being the chairman of the purchase committee to take a solid decision vide Paras 117, 135 and 139/N, but he personally deal this case with both the parties.

Submitted for further orders please.

143  
144  
Sof/73

Submitted for review and further orders of the competent authority please

Spl. Secy.

145 An E-Mail also submitted by TOYOTA Khyber Motors

96 Annex-K 86

Questions and Answers from accused Imtiaz Ali, Accountant Higher Education Department (Dated 14.02.2018)

Q.No.1: When were you posted in Higher Education and in which capacity you were serving in Higher Education Department at the time of processing of the procurement case of 25 vehicles under inquiry at present?

Reply: I was posted in Higher Education Department in 2001 and was serving as Accountant in the General Section when the said procurement process was initiated/underway.

Q.No.2: Who was the Administrative Authority and Principal Accounting Officer of the Higher Education Department.

Reply: Secretary Higher Education Department Govt of Khyber Pakhtunkhwa.

Q.No.3: What was the status/category of Deputy Secretary (Admn) under the Delegation of Financial Powers and Powers of Re-appropriation Rules, 2001?

Reply: Deputy Secretary (Admn) was category-II Officer.

Q.No.4: Did you process on file, without vetting, the agreement deed dated 03.03.2016, prepared and signed by Mr. Sardar Zia Nabi MD Toyota Abbott Motors, Mansehra Road, Abbotabad, for signature of the accused Muhammad Hayat the then Deputy Secretary (Admn), without specifying that the same was required to be submitted to the Administrative Secretary/Principal Accounting Officer, through the accused Rehmani Gul, the then Section Officer (General)?

Reply: Yes.

Q.No.5: Was the draft of the 2<sup>nd</sup> agreement deed dated 02.07.2016 prepared, initiated or processed by you or General Section for approval or execution by the competent authority? If negative, how did that agreement deed was processed and executed?

Reply: No. Infact the said agreement deed was approved and executed at the level of the then DS (Admn) where after it was sent down to the Section.

Q.No.6: Where is the original document of the agreement deed dated 03.03.2016 because reportedly this is not available in record/relevant file? Was it removed by you or any other official of General Section?

Reply: No. The original document was not taken out or removed at the General Section level. Infact it was returned in original by the accused Muhammad Hayat then then Deputy Secretary (Admn), in my presence, to Mr. Jawad Ashraf, purportedly representing Toyota Abbott Motors (Rawalpindi) and not Toyota Abbott Motors, Mansehra

91

K-187

Road, Abbottabad, after executing/signing the agreement deed dated 02.07.2016 with him.

Q.No.7: Do you have any knowledge or information about the existence of another agreement deed dated 21.06.2016, an incomplete/deficient photo copy whereof ~~is~~ available in the relevant file?

Reply: No. I don't know anything about that document nor have I seen original copy thereof except that photo copy i.e. placed in the file.

Q.No.8: ~~Was~~ any of the two agreement deeds i.e. dated 03.03.2016 and 02.07.2016 formally approved or executed with the approval of the Administrative Secretary/Principal Accounting Officer?

Reply: No.

Q.No.9: How was and to whom the supply order for 25 vehicle dated 24.02.2016 delivered?

Reply: The supply order was handed over to Sardar Zia Nabi, MD Toyota Abbott Motors, Mansehra Road, Abbottabad, in person by me in the presence of Mr. Jawad Ashraf and Muhammad Hayat DS (Admn) at the latter's office.

Q.No.10: Was the agreement deed dated 03.03.2016 formally revoked, rescinded or superseded subsequently?

Reply: No.

Q.No.11: Did you prepared the said cheque No.1352571 dated 24.06.2016 for Rs.9,12,87,000/- in the name of Toyota Abbott Motors instead of Indus Motors, the original sole manufacturer?

Reply: No.

Q.No.12: Did not you prepared the bill for payment of Rs.9,12,87,000/- on account of cost of 25 vehicles in favour of Toyota Abbott Motors instead of Toyota Abbott Motors, Mansehra Road, Abbottabad, with whom the agreement deed dated 03.03.2016 had been executed for the said supply, or Indus Motors, the actual sole manufacturer?

Reply: Yes. I prepared the said bill in the name of Toyota Abbott Motors for submission to the AG Khyber Pakhtunkhwa for pre audit. However, the original copy of pre receipt bill dated 24.02.2016 submitted by M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, was enclosed with the bill, duly signed by Section Officer (General) Higher Education Department being the DDO, sent to the AG KP for clearance.

Q.No.13: Had not you prepared a similar nature bill previously, in respect of Indus Motors being the sole manufacturer, for payment of the cost of 50 vehicles, procured by the Higher Education Department in the past

92 K-2 88  
but in this case you prepared the bill in the name of Toyota Abbott Motors which was neither the actual party whose offer/quotation had been approved nor was reportedly authorized 3S dealer of M/S Indus Motors (the sole manufacturer)?

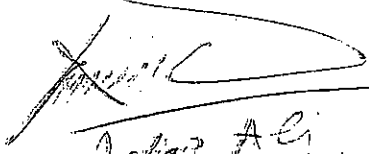
Reply: Yes previously I had prepared the bill in the name of M/S Indus Motors. However, in this case the vendor number was generated in respect of M/S Toyota Abbott Motors and thus I prepared the bill in its favour accordingly.

Q.No.14: Did you ask M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, formally/in writing, directly or indirectly, for their vendor number while preparing the bill for payment to be submitted to AG KP for pre audit clearance?

Reply: No, they were not asked formally. However, Mr. Jawad Ashraf furnished documents respecting Toyota Abbott Motors on the basis of which a case for generation of vendor number submitted to the AG KP.

Q.No.15: How and to whom the cheque number 1352571 dated 24.06.2016 for Rs.9,12,87,000/- prepared in the name of Toyota Abbott Motors (not the actual supplier M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, or M/S Indus Motors, the sole manufacturer) was delivered?

Reply: The said cheque dated 24.06.2016 alongwith the covering letter dated 28.06.2016, addressed to M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, was delivered by hand to Mr. Jawad Ashraf in person by me in the presence of accused Muhammad Hayat Ex-DS (Admn) in the latter's office on the same day i.e. 28.06.2016.

  
Imtiaz Ali  
Accountant / Supdt.  
Higher Edu: DERA  
Dated: 15-09-2018.

93 — Annex - L 89

Questions and Answers from Mr. Muhammad Ayaz Khan, Deputy Secretary (Admn), Higher Education Department (Dated 15.02.2018)

Q.No.1: When were you posted in Higher Education Department and in which capacity you were serving at the time of the said procurement case of 25 vehicles under inquiry at present?

Reply: I took over charge as Deputy Secretary (Admn), Higher Education Department on 08.08.2017. At that time the arrangement for supply of 25 vehicles had already been made with M/S Toyota Khyber Motors, Peshawar. However, no vehicle had been supplied to the Department by then.

Q.No.2: As per your knowledge had the approval of the Administrative Secretary/Principal Accounting Officer been obtained prior to execution of the Agreement Deeds dated 03.03.2016 & 02.07.2016, issuance of supply order dated 24.02.2016, reference dated 04.03.2016 for 100% advance payment, preparation/submission of bills for payment of Rs.9,12,87,000/- in respect of M/S Toyota Abbott Motors and dispatch/handing over of the cheque No.1352571 dated 24.06.2016 for Rs.9,12,87,000/- to Mr. Jawad Ashraf?

Reply: No.

Q.No.3: Is the original document of the agreement deed dated 03.03.2016 available in record/relevant file?

Reply: No.

Q.No.4: As per your knowledge was the original agreement with the suppliers formally rescinded, revoked or superseded?

Reply: No.

Q.No.5: As per relevant record was the 2<sup>nd</sup> Agreement Deed dated 02.07.2016 executed with the authorized representative of M/S Toyota Abbott Motors, Manshra Road, Abbottabad?

Reply: No.

Q.No.6: Do you have any knowledge about the existence or execution of another agreement deed dated 21.06.2016, and incomplete/deficient copy whereof is placed in the relevant?

Reply: An incomplete/deficient copy of the agreement is available in the file but no original document or documentary proof of execution of that agreement deed is traceable in the record.

Q.No.7: How much amount has been retrieved from Mr. Jawad Ashraf against the payment of Rs.9,12,87,000/- irregularly paid to him?

Reply: So far a sum of Rs.4,81,29,615/- has been repaid by Mr. Jawad Ashraf and onwardly channelled, through Higher Education

94 L-1 99  
Department to M/S Indus Motors on account of the cost of vehicles to be supplied by them. However, amount of Rs.4,31,57,385/- is still payable/outstanding against him.

Q.No.8: How many vehicles have so far been supplied to Higher Education Department under the supply order subsequently made to M/S Toyota Khyber Motors, Peshawar?


Reply: Twelve vehicles have so far been supplied, at the rate of Rs.38,11,500/- per vehicle, by M/S Toyota Khyber Motors, Peshawar against the payment of Rs.4,81,29,615/- made to the supplier. At present a balance of Rs.23,91,615/- is available with the suppliers, which through their letter dated 02.01.2018 have intimated that as the remaining amount of the payment against the supply of 25 vehicles has not been received despite lapse of grace period, the remaining 13 vehicles would be supplied according to the (then) current price whenever the payment is made.

Q.No.9: Was the arrangement formally <sup>entered in</sup> ~~entertained~~ to with Mr. Jawad Ashraf for repayment of the amount received by him got the approval of the Administrative Authority concerned and the stipulated period mentioned therein honoured by him (Mr. Jawad Ashraf)?

Reply: No formal approval of the Administrative Authority was obtained nor the timelines i.e. 15.06.2017 being the deadline, have been made by Mr. Jawad Ashraf.

Q.No.10: Has the sole manufacturer viz. M/S Indus Motors been approached for any civil/punitive action against the unauthorized dealership of Mr. Jawad Ashraf under the title M/S Toyota Abbott Motors Rawalpindi when the actual outlet/Agency is already in existence with the same title at Mansehra Road, Abbottabad?

Reply: No. The quarters concerned have not been approached. However, a case for black listing the said firm is under consideration with the Department. Besides, a case has also been referred to the KP Ehtesab Commission for necessary criminal investigation/action.


  
15/02/18  
D.S. (A-100)

95

ANNEX - M

**Questions and Answers from Mr. Khushi Muhammad, Section Officer (Litigation) Higher Education Department (Dated 14.02.2018)**

S.No.	Question	Answer
1.	In which capacity you were serving in Higher Education Department at the time of processing of the procurement case of 25 vehicles under inquiry at present?	I was posted in Higher Education Department as Section Officer (Litigation) in July 2016 and has been serving on the same position ever since
2.	Were you aware of the Agreement executed with the M/S Toyota Abbott Motors, Mansehra Road, Abbottabad on 03.03.2016 and subsequently with Mr. Jawad Ashraf (so called owners/representative of Toyota Abbott Motors, Rawalpindi) on 02.07.2016 for supply of 25 Vehicles for different colleges of Higher Education Department, Government of Khyber Pakhtunkhwa?	No.
3.	How did you get engaged in the case and at which stage?	I was summoned by the accused Muhammad Hayat, the then Deputy Secretary (Admn), Higher Education Department somewhere in February 2017 and shared with me Promissory Note executed by Mr. Jawad Ashraf in connection with repayment of the amount of Rs.9,12,87,000/- paid to him in advance, instead of making payment to the original party i.e. Toyota Abbott Motors, Mansehra Road, Abbottabad. On my indication as to irregular identification of a certain property mentioned in the Promissory Note as a mortgage for the purpose of repayment in case of default, I alongwith Mr. Aziz Muhammad, Section Officer (Budget & Accounts), Higher Education Department were deputed by the accused officer to Rawalpindi for necessary confirmation etc. As a result of our confirmation, one of the guarantor, Mr. Naveed Swati, actual owner of the said property, executed a power of attorney in favour of Mr. Jawad Ashraf. As per my assessment, the power of attorney too was deficient in contents etc.

  
 Khushi M Khan  
 SO (Litigation) HED  
 14.2.2018



96

Annex-N 9

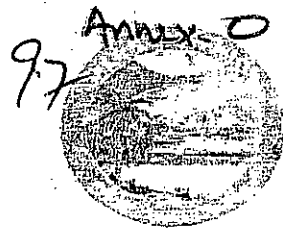
Question and Answer from Mr. Aziz Muhammad, originally AD Accounts at Directorate of Higher Education, presently serving as Section Officer (B&A) Higher Education Department.

S.No.	Question	Answer
1.	In which capacity you were serving in Higher Education Department at the time of processing of the procurement case of 25 vehicles under inquiry at present?	As Section Officer (Budget & Accounts) in Higher Education Department.
2.	Were you member of the Purchase Committee constituted for the procurement in question?	Yes.
3.	Was quotation required in the case involving an item from a sole manufacturer in accordance with the relevant rules?	No. However in this case as the quotations from different authorized dealers of Indus Motors located in different areas of the Province had already been obtained and placed before the forum, the forum decided to go for the offer of M/S Toyota Abbott Motors, Mansehra Road Abbottabad being the lowest. Had the quotations not been already obtained and placed before the Purchase Committee, in such cases wherein a sole manufacturer/ monopolized manufacturing is involved, as per the relevant rules the procurement of the relevant item (Vehicles) would have been made from the sole manufacture or his authorized dealer concerned.
4.	Was the relevant file ever marked to you for your opinion/advice in this procurement case?	No.
5.	Was the accused Muhammad Hayat, the then Deputy Secretary (Admn), asked during the purchase Committee meeting on 12.02.2016 to confirm the approved rates, being the lowest, from the party concerned i.e. M/S Toyota Abbott Motors, Mansehra Road, Abbottabad?	Yes, the chair (Mr. Abdul Ghafoor Baig, the then Special Secretary Higher Education Department), did direct the accused officer (the then DS Admn) for confirmation of the approved rates.

*[Signature]*  
 SO (B&A) HED  
 14/02/18



OFFICE OF THE  
COMMISSIONER  
DIKHAN DIVISION DIKHAN  
Email [commissionerdikhan@yahoo.com](mailto:commissionerdikhan@yahoo.com)  
Phone No.0966-9280351 Fax No.0966-9280352  
NO. 1249 /PS Dated 22 /02 /2018



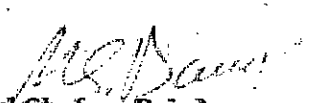
To

The Syed Kamran Shah  
Secretary Finance FATA  
FATA Secretariat, Warsak Road, Peshawar.

Subject: IRREGULARITIES IN PURCHASE OF 25 NO.HIACES UNDER ADP  
NO.545/150025(2015-16)

Reference letter No. PS/FS(FATA)/2018 dated 21.02.2018 on the  
subject noted above.

The requisite reply to Questions in the Questionnaire are hereby  
Submitted please.

  
(Abdul Ghafoor Baig)  
Commissioner  
DIKhan Division DIKhan 22/2/18

Annex-0 94

98

Were you

Q.No.1: **Where serving as Special Secretary Higher Education Department Khyber Pakhtunkhwa Peshawar at the time of processing of the procurement of 25 vehicles, which is involved in the instant disciplinary proceeding? If affirmative, please indicate specific tenure in the said position?**

Reply: yes. I was serving as special Secretary Higher Education Department from 15.3.2013 to 02.8.2016.

I went for National Management course 03.8.2016 to 31.12.2016.

10.01.2017 to 01.10.2017

Were

Q.No.2 **Where you formally authorized to act Chairman of the Purchase Committee of Higher Education Department, Government of Khyber Pakhtunkhwa responsible for the procurement case of vehicles in question?**

Reply: Secretary Higher Education Department was supposed to chair the departmental purchased committee meeting on 12.02.2016 at 10:00am but due to her engagement, She referred the same to me through SO (G) & PS vide paras 13 to 16 of the note part. (copies of note part attached).

Q.No.3: **Did you chair or personally preside over all the meetings of the purchase committee held in connection with the said procurement case.**

Reply: I presided only one meeting authorized by the secretary Higher Education vide para 15 & minutes were submitted to Secretary Higher education who approved the minutes vide para 20 dated 18.02.2016.(copies of the note part attached)

Q.No.4: **Did you ask for collecting quotation from different dealers/parties for procurement of 25 Toyota Hiace Vehicles? If affirmative, was the direction passed by you in this regard before or in the 1<sup>st</sup> meeting of the purchase committee held on 12.02.2016?**

Reply: No. quotations might have been obtained vide para 03 to 04 of note part dated 10.12.2015 before the meeting was entrusted to me on 12.02.2016 vide para 15 dated 12.02.2016 of note part. before that I was not part of procurement process. As is evident from para 11 of the note part dated 25.01.2016 also. (copies of the note part attached)

Q.No.5 **Why verbal direction was passed for obtaining Quotations despite the fact that as per the KP PPRA Rules as well as the established practice in case of monopoly/single manufacturer supply order is supposed to be**

Handwritten signature

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placed to the actual manufacture or his authorized dealer within the territorial jurisdiction whereof the procurement is to be made?

Reply: No verbal direction was passed by the undersigned. Rather quotations seems to have been collected vide para 11,12 & 13 dated 25.01.2016 before the file was entrusted to the undersigned on 12.02.2016.

Q.No.6 was formal approval of the Administrative Secretary/ Principal Accounting Officer obtained before, respectively, issuance of the supply order dated 24.2.2016 in favour of M/S Toyota Abbott Motors, Mansehra Road, Abbottabad, supply order dated 22.2.2017 addressed to Toyota Khyer Motors Pehsawar, execution of Agreement Deed dated 03.03.2016 with Sardar Zia Nabi, MD Toyota Abbott Motors, Mansehra Road, Abbottabad, execution of Agreement Deed dated 02.07.2016 with Mr. Jawad Ashraf (not an authorized representative of Toyota Abbott Motors, Mansehra Road, Abbottabad), finalization / Authentication of the Repayment Schedule with Mr. Jawad Ashraf for re retrieval of irregularly/ wrongly paid amount Rs.9,12,87,000/- as 100% advance (cost) for supply of 25 vehicles, payment of 100% advance instead of 75% as clearly indicated in the offer/quotation of M/S Toyota Abbott Motors, Mansehra Road, Abbottabad as well as reflected in 1<sup>st</sup> Agreement Deed dated 03.03.2016 executed with them? Was any case of formal recommendation in this behalf submitted by or through your office for approval of the Administrative Secretary?

Reply: only draft was approved. Whereas No approval for issuance of supply order was obtained by Deputy Secretary (Admin) from Administrative Secretary/principal accounting officers. No approval was sought for agreement deeds of dated 03.03.2016 and of 02.07.2016 which were signed by the then DS Admin. These agreements signed seems to have been signed on his own vide paras 27 to 29 of the note part dated 03.03.2016 without approval by the competent authority nor vetted by the legal section. The payment of 100% advance instead of 75% seems to have been made without approval/ knowledge of the undersigned and the competent authority. No formal/ informal recommendation made in this behalf through my office for approval of the Administrative secretary. It seems the payment has been made in hurry and without observing proper procedure/approval.

Q.No.7: Were you aware of the fact as to the issuance of the aforementioned supply orders and execution/authentication of Agreement deeds, and that too without cancellation/revocation of previous supply orders/agreement deeds at the level of accused Muhammad Hayat, the then DS (Admn) Higher Education Department (having financial powers as category-II Officer) at his level without proper approval of the

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competent Authority/ Administrative Secretary or mostly without formal processing? Was it as legitimate and valid exercise of powers at his level?

Reply: No. it does not seem legitimate and valid exercise of powers at his level (Deputy Secretary Admin).

Q.No.8: Was payment of 100% advance (cost) for supply of 25 vehicles, instead of 75% as clearly indicated in the offer/quotation of M/S Toyota Abbott Motors, Mansehra Road, Abbottabad as well as reflected in 1<sup>st</sup> Agreement Deed dated 03.03.2016 executed with them, justifiable/valid? Was it authorized by you as a Special Secretary/head of the Purchase Committee of Higher Education Department or any other higher authority?

Reply: Payment not justifiable / valid. Not authorize by the undersigned as special secretary nor seems authorized by any other higher authority.

Q.No.9: Were you aware of the fact that the bill for pre audit clearance had been made out in respect of M/S Toyota Abbott Motors and not M/S Toyota Abbott Motors, Mansehra Road, Abbottabad; generation of vendor number in respect of M/S Toyota Motors (not soliciting or using vendor number of the actual dealers/suppliers) under the NTN number of Mr. Jawad Ashraf and not the NTN number of M/S Toyota Abbott Motors, Mansehra Road, Abbottabad or its MD Sardar Zia Nabi; and delivery/handing over of the cheque No. 1352571 dated 24.06.2016 for Rs.9,12,87,000/- in the name of Toyota Abbott Motors, alongwith the covering letter of Higher Education Department addressed to the actual suppliers (M/S Toyota Abbott Motors, Mansehra Road, Abbottabad) to Mr. Jawad Ashraf, and unconcerned and unauthorized person? Did you verbally allow or acquiesce in those irregular acts?

Reply: Not aware of the bill for pre audit clearance/ cheque etc nor I verbally allowed or acquiesce in those irregular acts.

Q.No.10: Did you know that without formally cancelling, revoking or superseding the supply order dated 24.02.2016 and the Agreement Deed dated 03.03.2016 executed with Sardar Zia nabi MD M/S Toyota Motors; Mansehra Road, Abbottabad, accused Muhammad Hayat, the then DS (Admin) executed a subsequent Agreement dated 02.07.2016 with Mr. Jawad Ashraf mentioned the dealership as M/S Toyota Abbott Motors? Was it rightful and valid and if otherwise then what action was taken on the part of your office against the officer concerned (the then DS Admin)?

Reply: No. It does not seem right full and valid. The agreement was executed on his own and the Department was kept in dark and without knowledge to anybody.

10/

0-3 97

Q.No.11: Did you remain involved or engaged, whether formally, informally or indirectly, in discussion/negotiations with Mr. Jawad Ashraf in connection with execution of the Agreement dated 02.07.2016 and subsequent schedules/dead of repayment agreed to by him on surfacing of the irregular payment/transaction?

Reply: As the things remind restricted to Deputy Secretary vide paras 04/33 dated 31.03.2016 and paras 5/34----7/36 dated 08.04.2016 only DS remained involved/ engaged with Mr. Jawad Ashraf for execution of agreement signed by him dated 02.7.2016. However the whole department including undersigned were engaged on surfacing of the problems created due to unauthorized payment by the then DS. This engagement was a collective and direct. Due to this engagement, approximately additional 15mills were/ paid to the Toyota motors by the contractor Jawad Ashraf.

Q.No.12: Were you aware of the issuance of the supply order dated 22.02.2017 to M/S Toyota Khybers Motors, Peshawar and execution of Agreement deed therewith for supply of 25 vehicles after agreement of Mr. Jawad Ashraf for return of the payment wrongly made to him? If affirmative, did the accused Muhammad Hayat, the then DS (Admn) get your formal verbal approval as to that deal/transaction?

Reply: No. I was informed later on.

Q.No.13: Were any department or punitive actions or processes initiated, during your tenure as Special Secretary Higher Education Department, against the accused officers/officials of Higher Education Department for the irregular/unauthorized conduct on their part in the said procurement case?

Reply: No punitive action/ process initiated as the file never come up to the undersigned after 31.03.2016 and 08.04.2016 vide paras 3/32-7/36 dated 08.04.2016 execution process remained restricted upto Deputy Secretary till 23.11.2016. and the matter remind under the carpet till 08.08.2017 despite the proposals in para 136 -139 and para 142 of the note part. Till then the contractor had paid back Rs.48129615/- (48.1296 millions) to Toyota Khyber motors Peshawar for supply of Toyota hiace . During this time DS Admin and Mr. Jawad Ashraf remind engaged with each other. The matter, later on, came under consideration of the department but to ensure the recovery/payment to Toyota Khyber

U.S. Baig

162 0-4/98

Peshawar by the contractor, any punitive action against DS and contractor was considered counterproductive and not in the interest of the department in given situation as recovery was main priority. The DS was advised/ warned at all levels of the department for recovery/ payment to the Toyota Khyber Peshawar for supply of vehicles.

Q.No.14 Any other information/statement, you may like to add?

Reply:

[Type text]

Page 5

*U. Q. B. Singh*

103 0-5 89

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Subject: ADP SCHEME "TRANSPORT FACILITIES TO THE STAFF OF THE GOVT. COLLEGES IN KHYBER PAKHTUNKHWA. ADP NO. 545/150025 (2015-16).

0

The subject ADP scheme was approved by the PDWP forum on 08-10-2015 at total cost of Rs. 100.000 million and Administrative approval to the scheme was issued on 02-11-2015.

2

Consequently, Finance Department released Rs. 25.00 million to the scheme on date 26-11-2015.

3

In view of the above, if agreed, Deputy Secretary (Admin) Higher Education Department may be requested to initiate the process of purchase.

Necessary documents are enclosed for perusal.

4

C/fo

*[Signature]*  
10-12-15

Sir, kindly initiate purchase process of the Hoiers

*[Signature]*  
10-12-15

5. DS (Admin)

Process the file immediately

SO (-)

*[Signature]*  
14/12/15

6. Cashier  
B. Sapdt.

The case relates to SO (Trg); may be submitted to SO (CT) for further n/a please.

7. SO (bs)

Yes, this case relates to SO (Trg); it may be marked to SO (Trg) please.

*[Signature]*  
15/12/15

8. DS/A  
SO (bs)

Process the file immediately.

*[Signature]*  
17/12/15



Subject: TRANSPORT FACILITIES TO THE STAFF OF GOVERNMENT COLLEGES KHYBER PAKHTUNKHWA (PHASE-II) (ADP 545/15005)

The subject ADP scheme approved in the PDWP meeting held on 08-10-2015 at a total cost of Rs.100.00 million for the year 2015-2016 regarding Pick and Drop of the teaching staff. Under the project 25-Government Colleges located in 17 districts (including 08-girls colleges) shall be accommodated.

In this regard, a quotation has been called from Government authorized Dealers i.e. various dealers Toyota Motors. A comparative statement is prepared duly falaged.

Submitted for perusal and further orders, please.

*[Signature]*  
25/11/16  
SOG

DS (Admn)

*for discussion*

*[Signature]*  
25/11/16

Spl Secy

*Meeting may be called when Secretary's is available. We will office after 5th Feb to his convenience. Cost 100.00. At 1000/-*

25/11/16

*[Signature]*  
25/11/16

SO (G)

The Secretary HED verbally directed through his P.S. Secy. (Raheem Gul) that the above said meeting shall be Chair by the Special Secretary HED, please.

*[Signature]*  
12/12/16

Spl. Secretary HED

*Meeting cancelled  
put up minutes*

12/12/16

105 0/6 101

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Draft minutes is prepared and submitted for correction of the Competent authority, before issue, please.

Mud  
16/2/16

18 D.S./A for para 17/2 for perusal please.

19 Spl. Secy for approval of minutes 17/2/16

20 Secy Approved 17/2

21 D.S./A process the case immediately 15/2/16

22 S.C.(G) 19/2/16

23 Processing Minutes issued and sent for further of the case, please. Mud 19/2/16

24 A draft Supply Order is submitted for approval, please. Mud 23/2/16

25 D.S./A DFA is submitted for approval please

26 Spl. Secy Ck. 23/2/16  
S.A. Accounts S.C.(G) 23/2/16

- ① REQUISITION details with Specifications
- ② Details specifications As per "Accepted Quotation"
- ③ Receiving / acceptance Report "Inspection Report"  
→ "Receipt"
- ④ Delivery details of PCs performance  
↓  
(by a technical person)

Next

Page

103  
0-7

107  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Subject:- Transport facilities to the staff of Govt. Colleges of Khyber Pakhtunkhwa (Phase-II) (ADP 545/15005).

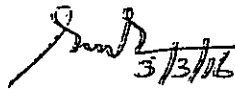
27

In response to our supply order dated 24-02-2016, M/S Abbott Motors has submitted 3 Nos. of C.D.R. No. 14040607, 14040606 and 0037187 on dated:- 02-03-2016, respectively as guarantee, placed at F/A. An agreement Deed has been prepared duly signed by M.D. M/S Abbott Motors, the first party, and placed at F/B for signature of Deputy Secretary (Adms) the second party, for signatures. The same may be signed to proceed further in the case R.

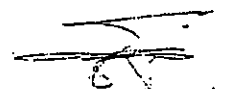
SO/65

  
3/13/2016

para-27/N is recommended and submitted for signature of Deputy Secretary (Adms) HED to proceed further in the matter please.

  
3/13/16

DS (A) Agreement signed please proceed further

  
3/13/16

SO/65

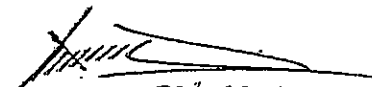
Next Page

108

Subject:- TRANSPORT FACILITY TO THE STAFF OF GOVT. COLLEGES (PAHSE-II) ADP  
NO.545/150025.

$\frac{1}{30}$  Flag A is a bill, amounting to Rs.954458.00/- (Rupees Nine Cror, Fifty Four Lacs and Forty Five Thousands only), prepared under Object Head A09501-Purchase of Transport. The amount will be paid to M/S Toyota Abbott Motors, Abbottabad on account of purchase of 25 Toyota Hiace vehicles under approved ADP Scheme No.545/150025-Transport facility to the staff of Gov. Colleges (Phase-II). All Codal formalities have been fulfilled accordingly and budget is also available to meet the expenditure.

$\frac{2}{31}$  Secretary, Higher Education Department, being a category-I officer is competent to accord sanction as per para (11) of the delegation of power 2001.

  
Accountant 31/3/18

$\frac{3}{31}$  So(G) D.S (Admin) Para 2/i submitted for perusal and further order, please

$\frac{4}{33}$  Spl. Secy. For confirmation 31/3/18

$\frac{5}{34}$  Pl. put up Authorized Dealership Certificate for M/S Toyota Motors Abbt.

$\frac{6}{35}$  Also confirm if 1% stamp duty is applicable for vehicles purchased for education institutions.

$\frac{7}{36}$  Pl. put up a list of all codal

1 of

0-8/15

Refer para 34-36/N

37

The requisite authorized dealership certificate for M/S Toyota Abbott Motors (pvt) Ltd is placed at F/A.

38

As per Revenue & Estate's Department letter dated 26-06-2015 (F/B), Stamp duty is not chargeable on vehicles purchased by Provincial Govt. Departments. Hence the bill is revised duly corrected (F/C).

39

The following is the reply of queries raised by worthy Secretary Higher Education Department vide para 36/N in annotated form:

S.#	List of Codal Formalities for purchase of vehicles	Requirements fulfilled by the Department.
1	Constitution of purchase committee	Already constituted (F/D)
2	Invitation of sealed quotations from authorized dealers	Needful done (F/E)
3	Invitation of purchase Committee Meeting	Held on 12-02-2016 (F/F)
4	Approval of rates by the purchase Committee on comparative statement.	Rates approved in the meeting held on 12-02-2016 (F/G)
5	Issuance of Minutes of the Purchase Committee Meeting	Issued (F/H)
6	Placement of supply order to the dealer approved by the Committee.	Supply Order Issued (F/I)
7	Agreement Deed between the Dealer and purchaser	Obtained from M/S Abbott Motors (F/J)
8	Taking of Call Deposit or Bank Guarantee @ of 10% from approved dealer	Already obtained @ of 25% instead of 10% as decided by the purchase Committee (F/K)
9	Obtaining 100% Advance Payment Sanction from Finance Department in the name of approved dealer.	Already requested to F.D vide this Department's letter, dated 04-03-2016 (F/L), But yet not Sanction.

40

Re-Submitted for approval please.

Deputy Secretary (Admin)

Secretary

As verbal directed by the DS (Admin) that the meeting of Departmental Purchase Committee is scheduled for 26-4-2016 at 1500 hours under the Chairmanship of Special Secretary HED in his office. letter signed for issuance please.

ASST:

Handwritten initials and date: JMD 23/4/16

Handwritten notes on the right margin: 'ent', 'the', 'ca'

106

1/0

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

formalities required under GFR  
for such purchases & which  
formalities have been fulfilled.

DS(A)

08/04/2016

Next page

111

0-9/107

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

42. The purchase Committee Meeting is scheduled to be held on 27-4-2016 at 1600 hours under the Chairmanship of Special Secretary on the verbal direction of DS (Admin) to discuss every side solution by the said Committee, please.

*[Signature]*  
27/4/16

Special Secretary HED.

43. As per decision in the purchase committee mentioned above, CDRs are placed on board for release please.

*[Signature]*  
27/4/2016

SO (S)

44. Released in response of Pwr-43/W please

Casiper

*[Signature]*  
27/4/16

next page



Subject: Transport facilities to Govt. Colleges in Khyber Pakhtunkhwa.

50 Hone vehicles were purchased during last financial year 2014-15 for provision of transport facilities to the staff of Govt. Colleges in Khyber Pakhtunkhwa.

49 vehicles have been distributed amongst the colleges mentioned in the list of approved PC-I, while one vehicle is still in balance, and parked in the parking lot of this Dept. out.

It is submitted for information and for further orders in the said vehicle please.

For-4th/N is recommended please.

2/15/2016

D.S(A) Govt. College, Khyber Pakhtunkhwa

have requests for office. 2/15/2016  
hand over this report for

46

47

48

45

168

112

0-10/109

113

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

to anyone College of the above  
mention Colleges on need  
basis please.

[Signature]  
10/5/16

Spl. Secy. we may allow Wawan Shah  
Cmld degree college and being  
away from the city for  
facilitation of Teachers Counciling  
from city to Wawan Shah.

For approval  
Secy HED

[Signature]  
16/5/16

It distribute in per approval PC-1

As distribution as  
per approval PC-1 has already  
been done. This extra vehicle  
may be given to the college  
mentioned in para. 49. with  
disturbance the PC-1

Dy/c  
[Signature]  
SO

17/5/16  
[Signature]

S2 - As per para 50/N, <sup>1/14</sup> a Hvac <sup>11/2</sup> ~~has~~  
been handed over to G.C.D.C.  
Nawaz Sharif Abbottabad.

S3 - A draft NOC in respect of  
the said college with all the  
details of the vehicle is being  
submitted for signature of the  
w/Secretary HED.

Submitted for signature please

*[Signature]*  
18/5/2016  
SO(T)

S4. DS/(A) Para 53/N Submitted for  
perusal / approval please

S5. Spt-Secy

*[Signature]*  
18/5

S6. HED

S7. SO(D)/SO(G)

As per the direction in 18/5  
para 55/N, NOC is issued  
to the quarter concerned.

*[Signature]*  
18/5

S.O. (G) HED

*[Signature]*  
18/5/2016

115      0-11/11

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Subject:- Purchase of 25 Hiace vehicles  
to provide Transport facilities in  
Govt. Colleges of K.P.K.

Refer Para 39/W.

Finance Department accord sanction for  
advance pay-out to M/s Abbott Motors, Abbottabad,  
for provision of 25 Toyota Hiace vehicles as per  
approved PC-I (FIM). All usual formalities  
have already been fulfilled accordingly. Budget  
is also available to meet the expenditure.

Secretary Higher Education Department  
may kindly accord sanction being category-I  
officer as per Para (11) of the Delegation of  
Power Rules 2001.

*[Signature]*  
12/6/2016

Spl. Secy.

Advance sanctioned payment to M/s Abbott  
Motors, Abbottabad by F.D. regarding provision of 25 Toyota  
Hiace vehicles as per approved PC-I. The Secretary  
HED may be accord sanction, being Category-I Officer  
under the existing rules, please.

*[Signature]*  
14/6/16

D.F./A (W) Secretary HED may accord sanction  
to submit bill in k-b office please.

Spl. Secy. (Away)

*[Signature]*  
15/6

(W) Secretary

116 ~~1/2~~

62

As Proposed

~~74~~

J  
2018

63 SO (6)

ET 2016

Next Page

113  
0-12

17

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

PUC

64 Senior Manager (Sales), Toyota Abbott Motors vide PUC has quoted their reference letter dated 01-05-2016 and stated that they have already withdrawn quotation for Hiace units, and it has come to their knowledge that Higher Education Department claim to have given this order to Toyota Abbott Motors which is not the case.

65 Senior Manager Sales has further stated that they have received no such payment or supply order and further reiterate that they have withdrawn their quotation in May 2016 and in case if such order given to someone who claims to represent Toyota Abbott Motors, they will bear no responsibility for that.

66 It is worth mentioning here that Toyota Abbott Motors letter dated 01-05-2016 is not received in this department uptill now. Senior Manager Sales, Toyota Abbott Motors has stated (in PUC) that they received no such supply order, it is totally wrong. Mr. Sardar Zia Nabi, Managing Director of the said company who made correspondence with Higher Education Department (i.e submitting of quotation etc) already received the supply order on 24-02-2016 (F/H), as the Senior Manager Sales vide PUC states that the said quotation may be considered as withdrawn whereas Managing Director of the company remain silence in this regard. It seems that there is a lack of coordination in the said company.

67 Factual position of the case is that the ADP Scheme "Transport facilities to the staff of Govt. Colleges, Khyber Pakhtunkhwa (Phase-II) (ADP 545/15005) was approved in the PDWP meeting held on 08-10-2015 at a total cost of Rs. 100.00 million for the year 2015-16 regarding pick and drop of the Teaching staff, under the Project 25-Govt. Colleges located in 17 districts (including 08-Girls Colleges) shall be accommodated).

68 After fulfillment of all codal formalities i.e quotation from Govt. authorized dealers i.e various dealers Toyota Motors, a meeting of Departmental Purchase Committee was called on 12-02-2016 (F/F) and a comparative statement was prepared, signed by the said Committee (F/G) and unanimously recommended Toyota Abbott Motors being the lowest and with the shortest delivery. Minutes of the meeting are placed in file vide F/H. /

69 The supply order of the said vehicles was delivered to managing Director Toyota Abbott Motors, Manshra Road, Abbottabad and requested to provide bill against this supply order for advance payment, sign an agreement deed and submit 25% security in shape of CDR/Bank guarantee to this department (F/H). CDR amounting to Rs. 9,450,000/- @ 25% was deposited in Bank Alfatah F/A. After 02 reminders and visit of DS (Admin), Finance Department (on 10-06-2016) agreed to, accord concurrence for advance sanction/payment to M/S Toyota Abbott Motors (Pvt) Ltd. for the supply of 25 Toyota Hiace vehicles under ADP Scheme 545/150025 in Relaxation of Rules (F/H).

70 As the instant case for sanctioning of Advance payment was delayed in Finance Department, this department called upon a meeting of Departmental Purchase Committee on 27-04-2016 wherein it was decided that the CDR may be released as the case is not yet decided in Finance Department.

71 After advance sanction/payment by Finance Department and decision of meeting on 27-04-2016 this department again made a deed with sole manufacturer company and CDR @10% was deposited by the company (duly flagged).

118 <sup>114</sup>

72

This department on 24-06-2016 deposited a cheque amounting to 91,287,000/- in account of M/S Toyota Abbott Motors @115-000583-01-5(FY).

73

Now after long process and completion of codal formalities, Toyota Abbott Motors vide PUC is intimating for withdrawal of quotations and stating that if someone who claims to represent Toyota Abbott Motors, they will bear no responsibility for that. It is once again brought into the notice of the Competent Authority that the letter under reference (dated 01-05-2016) was not received in this department.

74

In this regard, it is proposed that, if agreed to, a meeting of Departmental Purchase Committee be called on emergent basis and the whole matter be brought into their notice for further action.

*[Signature]*  
07/10/2016  
Accountant

SOG

75

Para-74/W is submitted for perusal and approval please.

*[Signature]*

76

D.S./CA We may call a meeting of the purchase Committee on the convenient date to worthy Secretary please.

*[Signature]*  
10/10/16

(W) Secretary

77

DS(A)

Please call a meeting next week detail note to put up before the meeting

*[Signature]*  
13/10/16

SS/S

DFA is place below for approval please.

79

SOG/CA DSA Done per *[Signature]* 14/10/2016

719

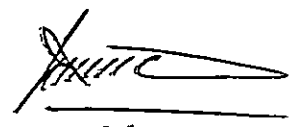
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GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Refer Para 77/N

80

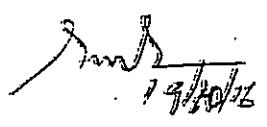
Meeting of the Purchase Committee will be held on 20-10-2016 at 10-00 AM under the Chairmanship of Secretary Higher Education in his office. Detail note for the Meeting prepared and place on board as desired by worthy Secretary.



50/65)

81

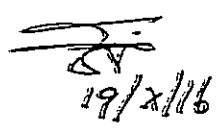
A note is placed below for the <sup>19/10/2016</sup> ~~board~~ <sup>will be</sup> Purchase Committee meeting held on 20-10-2016 at 10:00 hours under the Chairmanship of Secretary HED in his office. The file is submitted to use during the meeting please.

  
19/10/16

82

D.S/(A) Para 81/N is Submitted for Consideration please.

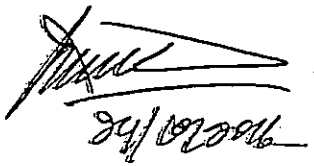
(W) Secretary

  
19/10/16

83

Minutes of the Meeting of Purchase Committee, held on 20-10-2016, has been prepared and place on board for approval please.

50/65)

  
20/10/2016



170 7/16

Draft minutes of the purchase Committee held on 20-10-2016 and submitted for approval of the Competent Authority please.

85. D.S. (Admin.) Minutes of 110 meeting submitted for perusal please.  
(W) Secretary. 24/11/16

87. D.S. (Admin.) SO/G Call meeting of purchase Committee 01/11/2016 as virtually Directed by Worthy Secretary 25/11/16

88. Meeting postponed and next date yet not given. 31/11/2016

Next Page

121 0-14 117

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Subject: - Irregularities in Price Order

89  
PUC is a letter from Dr. Ajaz Akbar, Chief Executive M/s Torata Abbott Motors (Pvt) Ltd, stating that their company name i.e. M/s Torata Abbott Motors has been used fraudulently by Mr. Jamad Aslam to receive supply order and payment for the supply of 95 Torata Hiace. He further stated that they give us 3 working days from receiving this letter to sort this issue and to reverse all transactions otherwise they report this matter to NAB, KPK Ehtisab Commission and other concerned Departments.

90  
Submitted for further action Pl.

Sof(6)

91. Paras 89-90/N is submitted <sup>9/11/2016</sup> for perusal and further necessary action please.

92. D.S/(A) If agreed to we may respond to the harsh language of C-E in PUC and call them on phone to come this office to resolve the issue.

122 <sup>1/8</sup>  
as stated in written by  
their Finance Manager on 8/11  
please.

(W) Secretary

ST  
9/11

93

DFA is placed on board for approval  
of Secretary as directed H.

94

DSCA)

(W) Secretary

On the verbal direction of (W) Secretary  
Leave DFA please.

95

SO(G)

ST  
9/11

96

As directed, DFA regarding next Meeting  
of Purchase Committee on 22-11-2016 at 2:00 PM is  
Place on board for approval please.

97.

DFA. Para 96/11 is submitted  
for perusal/Approval please.

ST  
16/11/2016

98.

(W) Secretary

ST  
16/11

153

0-15/11

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

99 Meeting of the Purchase Committee will be held on 24-11-2016 at 3-00 PM under the Chairmanship of worthy Secretary. All Members have been informed accordingly. Brief History of the case may be seen at Para. 64 to 74/N please.

Sd/bs)




23-11-2016

140  
100  
DS (Admin)

Worthy Secretary may chair the meeting at 3:00 PM on 24/11/16 please.

(W) Secretary

  
23/11

103  
As this is a long standing issue which has seen many developments, a meeting may be held by DSL A), along with Dir (C) and other committee members at his level to prepare a brief with proposals and options on the subject stating all the issues.

Dir(A)

12/22/11/16

103

Call meeting on 2/12/16 at 2:30 PM please.

SO/CE

02/11/16

Letters issued accordingly

[Signature]  
02/11/16

105

Subject: Minutes of the Defeat-Enter Purchase Committee Meetings held on 2-12-2016 and 6-12-2016.

105

Minutes of the Departmental Purchase Committee Meetings held on 2-12-2016 and 6-12-2016 under the Chairmanship of DS(A), are placed on board for approval of competent Authority please

SO/CE

[Signature]  
13/12/2016

106

13/12/16. Mr. M. B. Secretary may see

minutes of the last two meetings (Purchase Committee), next meeting will be held on 15/12/16 to give proper drive for payment phase.

(M) Secretary Discussed with Mr. B. Secretary, call meeting 13/12

107

SO/CE  
Subject: Minutes of the last two meetings (Purchase Committee), next meeting will be held on 15/12/16 to give proper drive for payment phase. Discussed with Mr. B. Secretary, call meeting 13/12

108

125

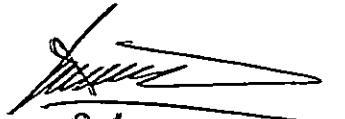
0-16 127

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT


Subject: - Purchase of 05 Toyota Hiace

109

In response to this Department's  
Letter No. SOG/HE/ADP-SYS/150005/2015-16 dated  
16-12-2016 on the subject noted above,  
Mr. Javed Ashraf, The owner of M/S Toyota  
Abbott Motors, Rawalpindi, submitted two  
Letters vide at PVC-I & II, which are self  
Explanatory. The Issue may be placed  
before the Purchase Committee for further  
proceedings please.

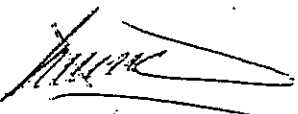
  
2/1/2017

110.

SO(6).  
Submitted for perusal and further order, pl.  
DS (Admin)  Call  
Jmd 2/1/17

111

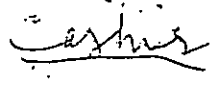
Letter for quotation, to M/S Toyota  
Khyber Motors is kept below for approval  
as desired please.

  
16/1/2017

112

DS(A). Issue please.

113

SO(6) letter signed for issuance, pl.  
 Jmd 16/1/17

126

Subject Discrepancy in order of 25  
Toyota Hiace 2.7. Petrol

114

M/S Toyota Khyber Motors submitted a letter on the above cited subject vide P.V.C. Stated that  $\frac{1}{5}$ th GST Certificate should be provided by F.B.R. in the name of Indus Motors Co. Ltd. Karachi to resolve the discrepancy or to drop the purchase order, placed by this Department.

115

Factual position of the case is that, Certificate of  $\frac{1}{5}$ th GST deduction obtained from A.G. office as per direction of Deputy Secretary (Admin.) and forwarded to Toyota Khyber Motors to proceed further, but it was returned back with the request to provide a certificate from F.B.R. to adjust the withholding amount on account of GST due on M/S Indus Motors Co. Ltd., while F.B.R. authorities refused to provide such like adjustment certificate.

116

It is further noted that this Department have the following options to resolve the issue once for all:-

- (i) The Discrepant amount of GST should be paid to M/S Toyota Khyber Motors by Mr. Jamad Ashraf, owner of Toyota Abbott Motors, Rawalpindi, being responsible for the entire situation.
- OR
- (ii) Purchase order issued to M/S Toyota Khyber Motors may be cancelled and total amount should be deposited in Govt. Exchequer.

P. T. O.

— next page —

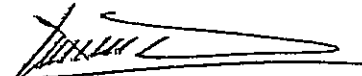
127      0-17 <sup>123</sup>

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

117. However, it is Proposed to bring the entire situation into the notice of Purchase Committee to take a solid decision.

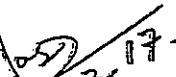
118. Submitted for further orders Pl.

SO/62

  
21/03/2017  
Accountant


119. Paras 114-117/N is submitted for perusal and further orders please.

DS(A)

  
21-3-17


121. DFA is placed on Board as desired for approval and to proceed further Pl.

SO/62

  
21/3/2017

122. DFA is placed in file for perusal/approval before issue please.

123. DS(A) Issue plus -

  
21/3/17

SO/62

Steno.

  
21/3/17




Refer Para 114 to 123/W

128 <sup>124</sup>

124

In response to this Department's letter no. SOG/HE/ADP/545/150005/2015-16 dated 31-3-2017, The Deputy Commissioner IR, FBR submitted Reply vide at P.C. with the remarks that the matter pertains to Regional Tax office, Abbottabad, so the Department should take up the case with Regional Tax office Abbottabad on the Point of Jurisdiction.

Submitted for further orders PL

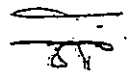
  
10/04/2017

125. SO(6)

Submitted for further orders and further orders please.

126.

As proposed.

  
8/1


127.

SO(6)  
Ac/ctt.

14/4  
14/4/17

128.

I have not submitted any Proposal but record the remarks of Deputy Commissioner FBR and ask for further orders. Please clarify the Guidelines to proceed further in the case.

  
14/4/2017

SO(6) Submitted for further orders please.

128  
125  
0-18

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

130 Take up the case with ATO  
Abbottabad accordingly.

SO(G) 17/4

131 For further necessary action  
17/4/17

132 DFA is place below for approval  
as directed pl.

SO(G) 17/4/2017

DFA is submitted for perusal/  
approval same issue please.

137 Issue DFA 17/4/17

133 SO(G) letters for signatures pl. 17/4

SO(G) 17/4/2017

134 signed pl. same. 17/4/17

130 13/6

Subject- Toyota Hiace 25 units 2.7L Petrol order

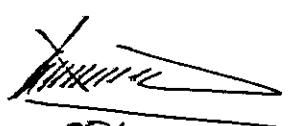
135

The sales Manager M/s Toyota Khayba Motors (Pvt) Ltd. submitted a letter vide P.C., stating that indus Motor Company Ltd "IMC" informed them that 5/15th of the GST which has already been deducted shall not be adjusted against our supply order and a complete price amounting to Rs. 3811500/- Per unit shall be required for invoicing of our 25 unit vehicles. They further stated that if Higher Education Deptt. agrees to pay full payment, then informed them to proceed further or otherwise.

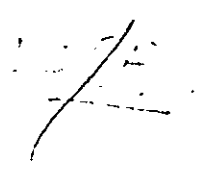
136

Keeping in view the entire situation, it is once again proposed that the matter may be bring into the notice of High ups i.e. Special Secretary being the chairman of Purchase committee, and Members of Purchase Committee to take a solid Decision please.

SO(B).

  
05/05/2017

Pls. 1354 30.11.17 submitted for approval and in the process of action please.



Next page

131      0-74

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Subject:- 25 Toyota Hiace 2.7 Petrol.

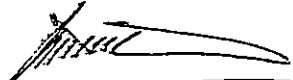
138

The Sales Manager M/S Toyota Khyber Motors (Pvt) Ltd. again, submitted a letter vide P.V.C. stating that booking of 25 Toyota Hiace 2.7 Petrol vehicles is still discrepant due to balance payment. He further stated that the company have been continuously updating Deputy Secretary (Admin) in person about the submission of 3rd installment before June 15th 2017 30% of the balance pay-ent PKR 27,755,339/- as per agreement deed but as of today the June month 3rd installment is still not yet provided.

139

Keeping in view the above statement, it is once again proposed that the matter may be bring into the notice of Special Secretary being the Chairman of the Purchase Committee for further guidance pl.

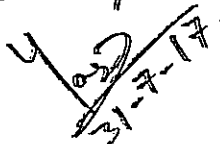
Sef/bs)



31/7/2017

140.

Para 138 & 139/N refers for kind perusal and further orders of the Competent Authority please.



132 128

Subject:- 25 TOYOTA HIACE 2.7 PETROL

141

As per detail history of the case given in para 64 to 74 and para 114 to 117 and then para 135 to 136/N, now the position is that this Department was bound to paid full amount to M/S Toyota Khyber Motors Peshawar before 15<sup>th</sup> of June 2017 as per agreement deed. But Mr. Jawad Ashraf, the owner of M/S Toyota Abbott Motors Rawalpindi, was failed to paid the installments within the stipulated time period. Total payment of Rs.48129615/- has been paid till date as per given detail below:

S.#	Pay Order No.	Date of Pay Order	Amount.
1	POFZD 00002297	10-02-2017	22,221,750/-
2	POFZD 00002300	14-02-2017	190181/-
3	POFZD 00002303	17-02-2017	117684/-
4	06287006	08-05-2017	10,000,000/-
5	BC FTI 00000512	25-07-2017	10,000,000/-
5	BC MNS 00000113	03-08-2017	5,000,000/-
		Total amount paid	48129615/-

142

This case was repeatedly submitted to D.S. (Admin), Mr. Muhammad Hayat with the request to bring the matter into the notice of Special Secretary, being the chairman of the purchase committee to take a solid decision vide Paras 117, 136 and 139/N, but he personally deal this case with both the parties.

143

Submitted for further orders please.

*[Signature]*  
4187017

Sof/sr).

Submitted for perusal and further orders of the Competent Authority please

4/8/17

Spl: Secy.

145

An E-mail also submitted by TOYOTA Khyber Motors vide at F/A, insisting for remaining payment by the End of August 2017 as before the arrival of 30 Nos. of Hiace vehicles.

Submitted for further orders Pl.

*[Signature]*  
510222

4/8/17

137  
12/9/20  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Paras 141-145/N refers for perusal and further Orders of the Competent Authority please.

Yaz  
8/8/17

147

DS/A pay order received from Toyota Motor's are mentioned in para 141/N. pay order <sup>already</sup> issued to Toyota Khyber motor from SNO (A-05).

148

We may handover the pay order at SNO "6" amounting Rs 5500000 to Toyota Khyber motor's please.

149

E-mail received from Indus motor to Toyota Khyber motor's may be seen on File "A" regarding the supply of 20 Horses out of 25 Horses in the end of August please.

150

para 147-149/N submitted for perusal and para 148/N for approval please.

151

Spl. Secy. para 148 in continuation 8/8/17

134 130

Approved with the Director's ...  
... of the ...  
... arrangements ...  
... The ...  
... of ...  
... will ...  
...  
...  
...  
...

152

As ensure that the delivery  
is made and the process is  
completed in accordance with all  
local formalities at the  
earliest as the matter has  
already been delayed.

153

Proceed as per para 151/12 for  
completion in time on by

25/8/17

154

DSCR)

50/4)

forward along with various ...

25/8/17

155

Delivered to ...  
...  
...

20/7/17

135 0-21 131

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

157. The ex-employees of HES Tista Akhbar etc. etc. submitted a sum of Rs. 945,000/- as security against the agreement deal with the request to release their 10% original security cheque no. RAIBD 0003417 dated 20-1-2017 of the same amount, to avoid payment to Tista Akhbar etc. for the supply of vehicles well on time.

Submitted for orders please.

158. (A/c)

Yae  
31/8/2017

Para 156/A refers for perusal and further orders please.  
Deputy/Secretary (Admin.)

Yae  
5/9/17

Can we release the security at this stage as per rules?

159. (S/G)

Yae  
7/9/17

Please clarify.

160. A/c/tt: Security amount or released at this stage as per rules

Yae  
7/9/17

161. (A/c)

Yae  
11/9/17



162

Para 161/N refers for appropriate

Orders of the Competent Authority please.

~~19/11~~

163

Para 156/N read with Para 161/N to

submitted for decision please.

SP Secretary

19/11

~~19/11~~

164

A proposal in form 144

We shall ensure early delivery of the

the various - revision of the

19/11

4.8.29.55 (for right holding application)

19/11

19/11

19/11

19/11

19/11

19/11

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19/11

19/11

137

133  
D-22

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Handwritten notes at the top of the page, possibly a title or subject line, which is mostly illegible due to blurriness.

Handwritten notes in the middle of the page, including the phrase "on daily basis" and "with needs".

162

SP(A)

168.

As directed by the Competent Authority  
A DFA for provision of vehicles is placed  
in file for perusal / approval please.

DS(A)

169.

Sp. Secretary

San. Issue

Handwritten signatures and dates on the right side of the page, including "20/9/17" and "20/9/2017".

Handwritten text at the bottom of the page, possibly a reference number "P-175/10".

21/9

Next Page



138  
0-23  
30  
34

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO.SOG/HE/Procurement/2015-16  
Dated 02/02/2016  
/664

To

1. The Director General,  
Commerce Education and Management Sciences, Khyber Pakhtunkhwa,  
Sardar Garhi, near Polytechnic Institute, Peshawar.
2. The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. The Director,  
Archives & Libraries, Khyber Pakhtunkhwa, Peshawar.
4. The Director,  
Higher Education Teacher Training Academy (HETTA),  
Govt. Degree College, Phase-VI, Hayatabad, Peshawar.
5. The Chief Planning Officer, Higher Education Department.
6. The Deputy Secretary (Admn), Higher Education Department.
7. The Section Officer (Budget & Accounts), Higher Education Department.

Subject: **DEPARTMENTAL PURCHASE COMMITTEE MEETING**

I am directed to refer to the subject noted above and to state that a Departmental Purchase Committee meeting is scheduled to be held on **12-02-2016** at 1000 hours under the chairmanship of Secretary Higher Education Department in his office.

I am further directed to request you to kindly make it convenient to attend the said meeting (being member of the Committee), on the above mentioned date, time and venue, please.

  
(RAHMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

Endst: No & Date even.

Copy forwarded to the:-

- 1- PS to Secretary, Higher Education Department
- 2- PS to Special Secretary, Higher Education Department.

  
SECTION OFFICER (Estt. & Admn.)

139  
0-24/35  
38

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

No. SOG/HE/Procurement/2015-16/  
Dated Peshawar, the 19/02/2016

11092

- 1- The Director General,  
Commerce Education & Management Sciences,  
Rano Garhi, Chamkani More, G.T.Road, Peshawar.
- 2- The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director,  
Archives and Libraries, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director,  
Higher Education Teachers' Training Academy (HETTA),  
Phase-VII, Peshawar.

**SUBJECT: MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE  
MEETING HELD ON 12-02-2016 AT 1000 HOURS**

I am directed to refer to the subject cited above and to enclose herewith a copy of Minutes of the meeting held on 12-02-2016 at 1000 hours regarding Departmental Purchase Committee under the Chairmanship of Special Secretary Higher Education Department in his office, for information and further necessary action if any, please.

Encl: As above.

*Rahmani Gul*  
(RAHMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

Endst: No & Date even.

Copy alongwith a copy of minutes is forwarded to the:-

- By send*
- 1- PS to Secretary, Higher Education Department.
  - 2- PS to Special Secretary, Higher Education Department.
  - 3- PA to Chief Planning Officer, Higher Education Department. → *PA 2016*
  - 4- PA to Deputy Secretary (Admn), Higher Education Deptt.

*By send*  
Encl: As above.

*Rahmani Gul*  
SECTION OFFICER (Estt. & Admn.)

*AB*  
*22/02/16*

790 = 136  
0-25 (33)

MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD ON  
2-02-2016 AT 1000 HOURS UNDER THE CHAIRMANSHIP OF SPECIAL SECRETARY,  
HIGHER EDUCATION DEPARTMENT

The subject meeting was held on 12-02-2016 at 1000 hours under Chairmanship of the Special Secretary Higher Education Department in his office, in order to scrutinize different rates collected through quotations from various authorized dealers of the sole proprietor i.e. (Toyota Motors). List of the Participants is attached at Annexure-I.

2. The meeting started with the name of Almighty Allah and thereafter, on the direction of the chair, the Deputy Secretary (Admn) apprised the participants regarding the background of the subject matter by mentioning that fund are allocated in the ADP 2015-16 released for procurement of 25-Hiaces Van for provision of transport facilities to the staff of different colleges in Khyber Pakhtunkhwa, at the tune of Rs. 100.00 million.

3. The Departmental Purchase Committee deliberated at length. The Director Archives and Libraries appreciated the Navigation System of the Hiace Van. The Additional Director Higher Education said that 100% advance payment for prompt delivery. The following decisions were made:-

- i. The Committee approved the lowest rate of the dealer "Toyota Abbott Motors" quoted per unit to the tune of Rs. 3780000/- on the following condition:-
  - (a) Pre-shipment inspection of vehicles will be made by the Committee.
  - (b) In case of any damage during shipment, the supplier will be bound to replace vehicle instead of repaired one.
- ii. Deputy Secretary (Admn) was directed by chair to confirm the following measures approved rate from concerned Supplier on telephone;
- iii. The Director Archives & Libraries and Director HEATA were directed by chair to constitute their respective Procurement Committees, decided in the Departmental Procurement Committee meeting held on 07-01-2016.

The meeting ended with the vote of thanks.





142 ) 0-77 138  
34

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO.SOG/HE/Procurement/2015-16  
Dated 22/04/2016

To

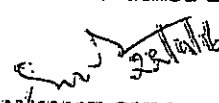
1384-93

1. The Director General,  
Commerce Education and Management Sciences, Khyber Pakhtunkhwa,  
Rano Garhi, Chamkani More, GT Road, Peshawar.
2. The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. The Director,  
Archives & Libraries, Khyber Pakhtunkhwa, Peshawar.
4. The Director,  
Higher Education Teacher Training Academy (HETTA),  
Govt. Degree College, Phase-VI, Hayatabad, Peshawar.
5. The Chief Planning Officer, Higher Education Department.
6. The Deputy Secretary (Admn), Higher Education Department.
7. The Section Officer (Budget & Accounts), Higher Education Department.

Subject: DEPARTMENTAL PURCHASE COMMITTEE MEETING

I am directed to refer to the subject noted above and to state that the meeting of Departmental Purchase Committee is scheduled to be held on 26-04-2016 at 1500 hours under the chairmanship of Special Secretary Higher Education Department in his office.

2. Being member of the Committee, you are requested to make it convenient to attend the said meeting, on the scheduled date, time and venue mentioned above, please.

  
(RAJMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

Endst: No & Date even.

Copy forwarded to the:-

- 1- PS to Secretary, Higher Education Department.
- 2- PS to Special Secretary, Higher Education Department.

  
SECTION OFFICER (Estt. & Admn.)



140 137  
0-2838

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO.SOG/HE/Procurement/2015-16  
Dated 26/04/2016

To

1. The Director General,  
Commerce Education and Management Sciences, Khyber Pakhtunkhwa,  
Rano Garhi, Chamkani More, GT Road, Peshawar.
2. The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
3. The Director,  
Archives & Libraries, Khyber Pakhtunkhwa, Peshawar.
4. The Director,  
Higher Education Teacher Training Academy (HETTA),  
Govt. Degree College, Phase-IV, Hayatabad, Peshawar.
5. The Chief Planning Officer, Higher Education Department.
6. The Deputy Secretary (Admn), Higher Education Department.
7. The Section Officer (Budget & Accounts), Higher Education Department.

Subject: DEPARTMENTAL PURCHASE COMMITTEE MEETING

I am directed to refer to the subject noted above and to state that the meeting of Departmental Purchase Committee regarding "Transport facilities to the staff of Government Colleges in Khyber Pakhtunkhwa" is scheduled for 26-04-2016 at 1500 hours has been postponed and now will be scheduled to be held on 27-04-2016 at 1400 hours under the chairmanship of Special Secretary Higher Education Department in his office.

2. Being member of the Committee, you are requested to make it convenient to attend the said meeting, on the scheduled date, time and venue mentioned above, please.

Endst: No & Date even.

  
(RAHMANI GUL)  
SECTION OFFICER (Estt & Admn)

Copy forwarded to the:-

- 1- PS to Secretary, Higher Education Department.
- 2- PS to Special Secretary, Higher Education Department.

  
SECTION OFFICER (Estt & Admn)







145  
141  
0-3872

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO. SOG/HE/ADP-545/150025/2015-16 / 2426-33  
Dated Peshawar, the 14-10-2016

To

- 1- The Director General,  
Commerce Education and Management Sciences,  
Khyber Pakhtunkhwa.
- 2- The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director,  
Archives and Libraries, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director,  
Higher Education Teachers' Training Academy, Peshawar.
- 5- The Chief Planning Officer,  
Higher Education Department.
- 6- The Deputy Secretary (Admn.),  
Higher Education Department.
- 7- The Section Officer (Budget & Accounts),  
Higher Education Department.

Subject: **DEPARTMENTAL PURCHASE COMMITTEE MEETING**

I am directed to refer to the subject noted above and to state that the Departmental Purchase Committee meeting is scheduled to be held on 20-10-2016 at 1000 hours under the Chairmanship of Secretary Higher Education Department in his office.

Being the member of Purchase Committee, you are requested to attend the said meeting on the scheduled date, time and venue mentioned above.

Agenda of the meeting will be circulated before the meeting.

*o/c*  
  
(RAHMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

Endst: No & Date even.

*shd*  
Copy forwarded to the PS to Secretary, Higher Education Department.

*o/c*  
  
SECTION OFFICER (Estt. & Admn.)

1/36

O/SI 142  
78

MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD  
ON 20-10-2016 AT 10-00 AM UNDER THE CHAIRMANSHIP OF SECRETARY HIGHER  
EDUCATION DEPARTMENT.

The subject meeting was held on 20-10-2016 at 11-00 am under the Chairmanship of Secretary Higher Education Department in his Office, in order to discuss the matter of withdrawal of quotations by M/S Toyota Abbott Motors, Mansehra Road Abbottabad, for supply of 25 Hiace Vehicles to Higher Education Department.

The meeting started with the Name of Allah and thereafter, on the direction of the chair, the Deputy Secretary(Admn), apprised the members of the committee regarding the background of the subject matter.

The Chair, and members, after detail discussion, decided to constitute a sub-committee consists of the following members, to visit Abbott Motors, Abbottabad and inquire about the matter in detail and submit their report to the committee in next meeting.

1. Mr. Muhammad Hayat Khan, Deputy Secretary(Admn) Higher Education Deptt:
2. Mr. Aziz Muhammad, Section Officer(B&A) Higher Education Department.
3. Mr. Wajid Ali, Deputy Director P&D, Directorate of Higher Education Dpmt:

The meeting ended with the vote of thanks.



748

149  
D-35  
87



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO. SOG/HE/ADP-545/150025/2015-16  
Dated Peshawar, the 25-10-2016

3031-37

To

- 1- The Director General,  
Commerce Education and Management Sciences,  
Khyber Pakhtunkhwa.
- 2- The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director,  
Archives and Libraries, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director,  
Higher Education Teachers' Training Academy, Peshawar.
- 5- The Chief Planning Officer,  
Higher Education Department.
- 6- The Deputy Secretary (Admn.)  
Higher Education Department.  
The Section Officer (Budget & Accounts),  
Higher Education Department.

25/10/16  
25/10/16

25/10

Subject: **DEPARTMENTAL PURCHASE COMMITTEE MEETING**

I am directed to refer to the subject noted above and to state that the Departmental Purchase Committee meeting is scheduled to be held on **01-11-2016** at 1000 hours under the Chairmanship of Secretary Higher Education Department in his office.

Being member of the Purchase Committee, you are requested to attend the said meeting on the scheduled date, time and venue mentioned above.

*Rahmani Gul*  
(RAHMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

dc

Endst: No & Date even.

Copy forwarded to the PS to Secretary, Higher Education Department.

25/10

21

*Rahmani Gul*  
SECTION OFFICER (Estt. & Admn.)



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**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO. SOG/HE/ADP-545/150025/2015-16  
Dated Peshawar, the 31-10-2016

To

- 1- The Director General,  
Commerce Education and Management Sciences,  
Khyber Pakhtunkhwa.
- 2- The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director,  
Archives and Libraries, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director,  
Higher Education Teachers' Training Academy, Peshawar.
- 5- The Chief Planning Officer,  
Higher Education Department.
- 6- The Deputy Secretary (Admn.),  
Higher Education Department.
- 7- The Section Officer (Budget &Accounts),  
Higher Education Department.

Subject: **DEPARTMENTAL PURCHASE COMMITTEE MEETING**

I am directed to refer to this department's letter of even number dated 25-10-2016 on the subject noted above and to inform you that the Departmental Purchase Committee meeting which was scheduled to be held on 01/11/2016 is postponed and now will be held on 08/11/2016 at 10:00 a.m under the Chairmanship of Secretary Higher Education Department in his office.

You are therefore requested to attend the said meeting on the scheduled date, time and venue mentioned above please.

*3/11*

*Rahmani Gul*  
(RAHMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

Endst: No & Date even.

Copy forwarded to the PS to Secretary, Higher Education Department.

*3/11*

*Rahmani Gul*  
SECTION OFFICER (Estt. & Admn.)

158

0-3796 <sup>145</sup>



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO. SOG/HE/ADP-545/150025/2015-16  
Dated Peshawar, the 22-11-2016

5/13-17

To

- 1- The Director General,  
Commerce Education and Management Sciences,  
Khyber Pakhtunkhwa.
- 2- The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director,  
Archives and Libraries, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director,  
Higher Education Teachers' Training Academy, Peshawar.
- 5- The Chief Planning Officer,  
Higher Education Department.
- 6- The Deputy Secretary (Admn.),  
Higher Education Department.
- 7- The Section Officer (Budget & Accounts),  
Higher Education Department.

Handwritten initials and date: 22/11

Subject: **DEPARTMENTAL PURCHASE COMMITTEE MEETING**

I am directed to refer to the subject noted above and to state that the next meeting of Departmental Purchase Committee is scheduled to be held on 24-11-2016 at 03.00 p.m. under the Chairmanship of Secretary Higher Education Department in this office.

Being member of the Committee, you are requested to attend the said meeting on the scheduled date, time and venue mentioned above.

*Rahmani Gul*  
(RAHMANI GUL)

SECTION OFFICER (Estt. & Admn.)

Endst. No & Date even.

Copy forwarded to the PS to Secretary, Higher Education Department.

Handwritten signature and date: 22/11/16

*Rahmani Gul*  
SECTION OFFICER (Estt. & Admn.)

Handwritten initials: J/C



157 0-38/100 147

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO. SOG/HE/ADP-545/150025/2015-16/215-2,  
Dated Peshawar, the 29-11-2016

To

- 1- The Director General,  
Commerce Education and Management Sciences,  
Khyber Pakhtunkhwa.
- 2- The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director,  
Archives and Libraries, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director,  
Higher Education Teachers' Training Academy, Peshawar.
- 5- The Chief Planning Officer,  
Higher Education Department.
- 6- The Deputy Secretary (Admn.),  
Higher Education Department.
- 7- The Section Officer (Budget & Accounts),  
Higher Education Department.

Subject: **DEPARTMENTAL PURCHASE COMMITTEE MEETING**

I am directed to refer to the subject noted above and to state that the next meeting of Departmental Purchase Committee is rescheduled to be held on **02-12-2016** at 02.30 p.m. under the Chairmanship of Deputy Secretary (Admn) Higher Education Department in his office.

Being member of the Committee, you are requested to attend the said meeting on the scheduled date, time and venue mentioned above.

  
(RAHMANI GUL)

SECTION OFFICER (Estt. & Admn.)

Endst: No & Date even.

Copy forwarded to the PS to Secretary, Higher Education Department.


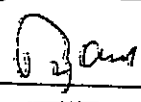

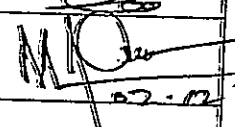
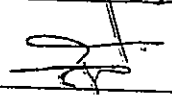
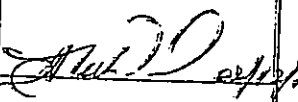
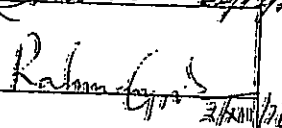
  
SECTION OFFICER (Estt. & Admn.)



152 D-39/101 <sup>148</sup>

ATTENDANCE SHEET

ATTENDANCE SHEET REGARDING DEPARTMENTAL PURCHASE COMMITTEE  
HELD ON 02-12-2016 AT 02:30 P.M. UNDER THE CHAIRMANSHIP OF DEPUTY  
SECRETARY HIGHER EDUCATION DEPARTMENT IN HIS OFFICE

S#	Name & Designation of Officers	Department	Signature
1	Dr. Fazlur Rahman	HED	
2	Muhammad Zaman	AD Archives D-11	
3	<del>Dr. Shaukat Ahmad</del>		<del>Signature</del>
4	Waqid Ali	DD (P30) D-12	
5	Muhammad Zaman	CPD HED	 02-12-16
6	Muhammad Hayat	D/Secy HED	
7	Aziz Muhammad	SO (BPA)	 02/12/16
8	Rahman Gil	Section Officer (Gen)	 2/12/16
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MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD ON 02-12-2016 AT 02-30 PM UNDER THE CHAIRMANSHIP OF DEPUTY SECRETARY (ADMN) HIGHER EDUCATION DEPARTMENT IN HIS OFFICE.

The subject meeting was held on 02-12-2016 at 02-30 am under the Chairmanship of Deputy Secretary (Admn:) Higher Education Department in his Office, in order to discuss the matter of withdrawal of quotations by M/S Toyota Abbott Motors, Mansehra Road Abbottabad, for supply of 25 Hiace Vehicles to Higher Education Department. The following attended the meeting:

1. Muhammad Hayat Khan, Deputy Secretary (Admn:) On chair
2. Muhammad Zaman, Chief Planning Officer, Member
3. Aziz Muhammad, Section Officer (Budget & Accounts) Member
4. Wajid Ali, Deputy Director (P&D), Directorate of HE Member
5. Muhammad Zaman, Assistant Director Archives Member
6. Dr. Fazlur Rahman, Member
7. Shakil Ahmad, Director General Commerce, Member

The meeting started with the Name of Allah and thereafter, Deputy Secretary (Admn) apprised the members of the committee regarding the background of the subject matter. Mr. Aziz Muhammad, Section Officer (Budget & Accounts), placed the sub-committee report before the members, which was constituted in previous meeting to visit Toyota Abbott Motors, Abbottabad and meet with the concerned authorities to resolve the matter. In his report, he said that both the parties want to settle the issue and want to appear before the committee.

Mr. Muhammad Zaman, Chief Planning Officer, after detail discussion, said that the committee should fix next meeting on 6<sup>th</sup> December at 02.00 PM and write a letter to the authorities of M/S Toyota Abbott Motors Abbottabad and to Mr. Jawad Ashraf, receiver of cheque, to appear before the committee during its meeting to settle the matter once for all. He further added that the amount received by Mr. Jawad Ashraf should be returned back and be given to Indus Motors Karachi, through Higher Education Department within five days, and new agreement may be made with Toyota Abbott Motors for the supply of vehicles as

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per their offer given in their letter, failing which strict action should be taken against Mr. Jawad Ashraf. He further aided that Establishment of Digital Science Lab, may also be placed on the agenda of next meeting of Purchase committee to proceed further.

All members and chair agreed with the Chief Planning Officer suggestions unanimously.

The meeting ended with the vote of thanks.

151

155 0-42 114

MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD ON 06-12-2016 AT 02-00 PM UNDER THE CHAIRMANSHIP OF DEPUTY SECRETARY (ADMN) HIGHER EDUCATION DEPARTMENT IN HIS OFFICE.

The subject meeting was held on 06-12-2016 at 02-00 pm under the Chairmanship of Deputy Secretary (Admn:) Higher Education Department in his Office, in order to discuss the matter of supply of 25 Hiace Vehicles to Higher Education Department. The following attended the meeting:

- 1. Muhammad Hayat Khan, Deputy Secretary (Admn:) On chair
- 2. Muhammad Zaman, Chief Planning Officer, Member
- 3. Aziz Muhammad, Section Officer (Budget & Accounts) Member
- 4. Wajid Ali, Deputy Director (P&D), Directorate of HE Member
- 5. Zahirullah Khan, Director Archives Member
- 6. Muhammad Roz Khan, Director, Higher Edu: Member
- 7. Nazir Burki, Director (F&P) Commerce, Member
- 8. Rahmani Gul S.O. (Gen) Member
- 9. Mr. Jawad Ashraf, Owner of M/S Toyota Abbott Motors, Rawalpindi

10. Representative of M/S Toyota Abbott Motors, Abbottabad was not present in the meeting.

The meeting started with the Name of Allah and thereafter, the chair invited Mr. Jawad Ashraf, owner of Toyota Abbott Motors, Rawalpindi to brief the committee about his view points. Mr. Jawad Ashraf said that he is a business partner of Mr. Sardar Zia Nabi of Toyota Abbott Motors, Abbottabad. Therefore, both the partners participated in bids on behalf of Toyota Abbott Motors, Abbottabad. But later on, Sardar Zia Nabi withdrawn his quotation and as per agreement deed he was bound to supply the vehicles to the Department, so he imported 9 vehicles in his own capacity, which are ready for delivery. He further said that if there are some legal complications, he is ready to return back the amount to Department, but it will take approximately 3 to 4 months time.

Mr. Muhammad Zaman, Chief Planning Officer, Said that the amount should be returned back within a month but the members of the committee emphasized that the

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amount should be returned back with in a week time and should be deposited in the Govt. Treasury immediately without further delay. However, the chair decided that, after discussed the matter with Worthy Secretary, Higher Education Department, next meeting of the committee will be held on 15-12-2016 at 2.00 Pm to finalize the time period of recovery of amount and also views of the representative of M/S Toyota Abbott Motors, Abbottabad will be solicited.

All members and chair agreed with the suggestions unanimously.

The meeting ended with the vote of thanks.

153  
D-54 H6

ATTENDANCE SHEET

ATTENDANCE SHEET REGARDING DEPARTMENTAL PURCHASE COMMITTEE  
HELD ON 06-12-2016 AT 02.00 P.M. UNDER THE CHAIRMANSHIP OF DEPUTY  
SECRETARY HIGHER EDUCATION DEPARTMENT IN HIS OFFICE

S#	Name & Designation of Officers	Department	Signature
1			
2	Mohammad Zaman	CPO	
3	Mabul Roz Khan	Director H.E.	Judana
4	NAZIR BURKI	Director (F&P) DG CEANS	[Signature]
5	Tawad Aswar	Company Rep	[Signature]
6	Muhammad Hayat	D/Secy HED	[Signature]
7			
8	Aziz Muhammad	S.O B&A	[Signature] 06/12/16
9	Rahman Gul, SE (Gen)	Higher Edu. Deptt.	[Signature] 06/12/16
10	Wafid Ali DD (P10)	D42	[Signature]
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158 0-44 117  
**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO. SOG/HE/ADP-545/150025/2015-16  
Dated Peshawar, the 14-12-2016

To

- 1- The Director General,  
Commerce Education and Management Sciences,  
Khyber Pakhtunkhwa.
- 2- The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director,  
Archives and Libraries, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director,  
Higher Education Teachers' Training Academy, Peshawar.
- 5- The Chief Planning Officer,  
Higher Education Department.
- 6- The Deputy Secretary (Admn.),  
Higher Education Department.
- 7- The Section Officer (Budget & Accounts),  
Higher Education Department.

Subject: **DEPARTMENTAL PURCHASE COMMITTEE MEETING**

I am directed to refer to the subject noted above and to state that the next meeting of Departmental Purchase Committee is scheduled to be held on 15-12-2016 at 02.00 p.m. under the Chairmanship of Deputy Secretary (Admn) Higher Education Department in his office.

Being member of the Committee, you are requested to attend the said meeting on the scheduled date, time and venue mentioned above.

  
(RAHMANI/GUL)

SECTION OFFICER (Estt. & Admn.)

Endst: No & Date even:



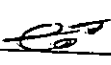



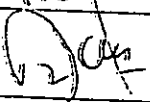
Copy forwarded to the PS to Secretary, Higher Education Department.

  
SECTION OFFICER (Estt. & Admn.)

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ATTENDANCE SHEET

ATTENDANCE SHEET REGARDING DEPARTMENTAL PURCHASE COMMITTEE  
HELD ON 15-12-2016 AT 02.00 P.M. UNDER THE CHAIRMANSHIP OF DEPUTY  
SECRETARY (ADMN) HIGHER EDUCATION DEPARTMENT IN HIS OFFICE

S#	Name & Designation of Officers	Department	Signature
1	Muhammad Hayat	D/Sec HED	
2	Mohd. Roz Khan	Asst. Director	
3			
4	Karim Ali	DD (F&D) - HED	
5	HAZIR BURKI Dr. Fazlur Rahman	Director (F&P) DGE/EDMS Dir. HETA	
6	Nahman Jial Section Officer (General)	Higher Education Department	
7	Muhammad Zaman	CPO HED	
8	Muhammad Zaman	AD, Archives	
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Agenda Item No 47:

ADP Scheme No 517/130187 (2015-16) Establishment of Public Libraries (Phase-III), S.H. Establishment of Public Library at Buner.

Sector	Higher Education	Department	Higher Education
ADP S# & Code	280/150730	ADP Cost	Rs. 244.000 million
PC-I Cost	Rs. 138.708 million	Allocation for 2015-16	Rs. 30.000 million

Chief Education informed the forum that the Higher Education Department through the C&W Department has submitted the PC-I/DCEs for establishment of a Public Library at Buner. It was added that the Higher Education Department has adopted the same design and scope of public libraries at Mansehra and Charsadda, which have recently been approved by the PDWP.

The Chair observed that keeping in view of the area, population and location of District Buner, adoption of same building structure may not be advisable and the Department should revisit the proposal by reducing the scope of work.

Decision:-

The project was deferred by the PDWP with direction to Higher Education Department to redesign the project with smaller scope of work.

Agenda Item No 48:-

TRANSPORT FACILITIES TO THE STAFF OF GOVT. COLLEGES AT KHYBER PAKHTUNKHWA PHASE III.

Sector	Higher Education	Department	Higher Education
ADP S# & Code	515/150025	ADP Cost	Rs. 100.000 million
PC-I Cost	Rs. 100.000 million	Allocation for 2015-16	Rs. 100.000 million

Chief Education informed the forum that under previous phases of this project, 64 staff busses were provided to the Colleges for pick & drop of the teaching staff. Under the present project 25 Govt. colleges located in 17 districts (including 08 girls colleges) would be accommodated.

The forum was that the scheme was discussed in a Pre PDWP meeting held on 04.08.15 in which it was emphasized that as earlier decided by the PDWP no liability of PC-I and no cost share was to be borne by the provincial government.

Decision:

The project was approved by PDWP at a cost of Rs. 100.000 million.

Agenda Item No 49:-

PURCHASE OF FURNITURE, MACHINERY, BOOKS, AND EQUIPMENTS ETC FOR GOVT. COLLEGES IN KHYBER PAKHTUNKHWA.

Sector	Higher Education	Department	Higher Education
ADP S# & Code	552/150038	ADP Cost	Rs. 236.000 million
PC-I Cost	Rs. 200.000 million	Allocation for 2015-16	Rs. 200.000 million

Chief Education informed the forum that the Higher Education Department through this project provides Furniture, Library books, Machinery and equipments etc to Govt. Colleges. The project is being implemented in 124 Colleges in 27 Districts.

*[Handwritten signature]*



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Dated Peshawar the 04/01/2016

NOTIFICATION

NO. SOG/HE/Purchase/2015-16/75 In pursuance of the provision of Section 1-(q)-(ii) of the Khyber Pakhtunkhwa Public Procurement Regulatory Authority Act, 2012, read with Finance Department's Notification No. SO(FR)/FD/9-7/2013 dated 03-02-2014 regarding KPPRA Rules 2014 (Chapter V-Section 32-(1 to 3)), the Competent Authority is pleased to constitute the following Committee hereinafter to be referred to as the Departmental Committee for Procurement of Works and Services" in the Higher Education Department.

1. Secretary Higher Education Department
2. Director General, Commerce Education and Management Sciences.
3. Director, Higher Education, Khyber Pakhtunkhwa.
4. Director, Archives & Libraries, Khyber Pakhtunkhwa.
5. Director, Higher Education Teachers Training Academy, Khyber Pakhtunkhwa.
6. Chief Planning Officer, Higher Education Department.
7. Deputy Secretary (Admn), Higher Education Department.
8. Section Officer (Budget & Accounts), Higher Education Department.
9. Section Officer (Estt. & Admn), Higher Education Department.

Chairman

TORs of the Committee

1. Opening of EOIs and Technical & Financial Proposals.
2. Constitution of Sub-Committee/s, or as the case may apply, for evaluation of bids as per KPPRA Rules, 2014.
3. Award and/or rejection of the Bids.
4. The Committee may further co-opt any technical member for the relevant Govt. Department for seeking advice in technical and complex procurement proposals on needs basis.
5. May delegate authority for purchases by any Committee or JMCs.

SECRETARY  
GOVT. OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION DEPARTMENT

Endst: No & Date even.

Copy forwarded to the:-

- 1- Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department.
- 2- Secretary to Govt. of Khyber Pakhtunkhwa, Planning & Development Department.
- 3- Officers concerned.
- 4- PS to Secretary, Higher Education Department.

RAHMANI GUL  
SECTION OFFICER (Estt. & Admn.)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

Dated Peshawar the 12<sup>th</sup> February, 2016

**SANCTION:**

Subject: TRANSPORT FACILITY TO THE STAFF OF GOVT COLLEGES (PHASE-II), ADP 2015-16 SCHEME NO. 545 / 150025.

Sanction of the Govt. of Khyber Pakhtunkhwa, is hereby accorded to incurrance of expenditure amounting Rs. 100.00 million (Rupees TEN Crore only) for the ADP 2015 - 16 Scheme No. 545 / 150025 "Transport Facility to the Staff of Govt Colleges (Phase-II)", subject to the observance of all codal formalities required under the rules during the current financial year 2015-16. A sum of Rs. 25.00 million has already been released by Finance Department vide letter No. SO (Dev-I)/FD/3-1/HE/2015-16 dated 26-11-2015, while the remaining amount of Rs. 75.00 Million has been released by Finance Department vide letter No. SO (Dev-I)/FD/3-1/HE/2015-16 dated 25-01-2016.

The detailed breakup of funds is as under:

Sector: Higher Education  
Sub-Sector: University Education  
Sub Detail Function: 093101-General Universities / Colleges / Institutes  
Fund: NC22061 (953)

S.No	Project ID	DDO Code	Name of Scheme	District	Object	(Rs. In Million)	
						B.E 2015-16	Funds Released
1	2	3	4	5	6	7	8
1 <sup>st</sup> Release	PS15000438	PS 4513	545 / 150025 - Transport Facilities for Staff of Govt Colleges (Phase-II)	Provincial	A03970	100.00	25.00
2 <sup>nd</sup> Release	PS15000438	PS 4513	545 / 150025 - Transport Facilities for Staff of Govt Colleges (Phase-II)	Provincial	A03970		75.00
Total						100.00	100.00

The expenditure would be met in accordance with the prescribed procedure, and would be incurred only on the items / activities mentioned in the approved PC-I after fulfillment of codal formalities and would not exceed the allocation for any particular item/ activity.

Sd/-  
Secretary to Govt. of Khyber Pakhtunkhwa  
Higher Education Department

Endstt: No. SO(Dev-I) FD/3-1/HE/2015-16

dated:

Copy is forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar for information and further necessary action. Authentication of released funds is to the extent of Rs. 100.00 Million only. Its further distribution and object wise breakup for utilization as per approved PC-I by the Competent Authority is the wholly-solly responsibility of the Administrative Department. No deviation from approved PC-I as well as Govt standing instructions is allowed by the Finance Department.

Section Officer (Dev-I)  
Finance Department.

COMPARATIVE TENDERS

459,

(3)

S. No.	Name of TOYOTA - SAHIATSU	Specification	Q. unit	per	Mode of payment	Delivery Time	delivery	Remarks
1	Toyota Frontier Motors (Pvt) Ltd.	RHD Toyota Hiace Van 15 Seaters with Dual A.C. -Engine Capacity: 2693 CC Gasoline -Transmission: 05 Speed M/T  Standard Accessories: Air Conditioner, Power Steering, Heater, Cigarette Lighter, Front Seat Belts, etc. Japan Assembled. (Inclusive of All Taxes)	Rs. 3,850,000/-	(Ex-Peshawar)	100% advance payment at the time of booking	06-08 months after receipt of confirmed supply order with 100% advance payment	Ex-Peshawar delivery	
2	Toyota Central Motors	Toyota Hiace Std. Roof Dual A/C 2693/2TR-PE GASOLINE/4CYLINDERS, L-TYPE Air conditioner, 15 Seater, Ashtray Fitted, Fuel Tank Capacity 70 liters. Latest model with all standard fittings and accessories. Warranty: 50,000 Km or 2-years what ever come first.	Rs. 3787000/-	(Quote is valid for 3-days)	1 million in advance by pay order and bank draft in favour of Dealers.	04-05 months (after receipt of confirmed supply order with 100% advance payment)	03-Main Shahrn-e-Faisal, Karachi	
3	Toyota Rawal Motors (Pvt.) Ltd.	Toyota Hiace Std Roof Dual A/C 2.7 Gasoline	Rs. 3809000/-		100% payment in advance at the time of booking	06-months.	Islamabad	
4	Toyota Abbott Motors	Toyota Hi-acc Model 2015 Petrol Engine, Engine 2TR-PE, Type water cooling in line 4 cylinder, Engine size 2.7 (2693CC), fuel tank capacity, 70liters, rear brake drum, Front fog lights, Rear fog lights, Xenon head lights, Additional front headlights, Front/rear spoiler, Rear wiper, Navigation, audio CD-player, Dual A/C 14/15 Seats, White Color, Ash Tray fitted.	Rs. 3780000/-		75% advance payment.	03-months after placing 75% advance payment.	Ex-Peshawar	Buyer has forwarded order with 75% advance payment. Delivery postponed.
5	Toyota Khyber Motors	Toyota Hiace Model 2015  RHD Toyota Hiace Standard Roof with Dual A/C Latest Model 2.7 L (Petrol). (Manual Transmission)	Rs. 3849615/-		100% Advance payment.	5 to 6 months after advance payment OR subject to confirmation by our Principals M/S Indus Motors Co. Ltd. Karachi.	Ex-Peshawar	

Spl:Secretary  
 12/21/2016. DG Commerce  
 AD Dir. Higher Edu.  
 Dir. A&Libraries  
 Dir. HETTA  
 D.C.P.O.HBD  
 D.S.(Admn)HED  
 SO(B&A)HED  
 SO(O)HED

163



# TOYOTA ABBOTT MOTORS ~~ATA-9X-1~~

NTN # 7143699-3

## QUOTATION


Higher Education & ARS Library Department. Govt. of KPK Pakistan	OUR REF: TABM-AF DATE: 05/12/2016	PAYMENT: 75% ADVANCE PAYMENT OF VEHICLE BY BANK DRAFT / PAY ORDER / (IN PAK RUPEES) IN FAVOR OF TOYOTA ABBOTT MOTORS.
--	--------------------------------------	---

PARTICULARS OF STORES	QTY	TENTATIVE UNIT PRICE IN PKR	TENTATIVE TOTAL PRICE IN PAK RUPEES
<b>TOYOTA HI-ACE Model 2015</b> Petrol Engine Engine 2TR-FE, Type water cooling inline 4 cylinder Engine Size 2.7 (2693cc) Fuel tank capacity, 70 liters, Rear brake Drum Front fog lights Rear fog lights Xenon headlights Additional front headlights Front / rear spoiler Rear wiper Navigation, audio CD- player Dual A/C 14-15 Seats White Color Ash Tray fitted	25	Rs. 3,780,000/-	Rs. 94,500,000/-

DELIVERY: EXPESHAWAR

DELIVERY WILL BE MADE WITH IN 03-Months.. AFTER PLACING OF CONFIRMARMED ORDER ALONG WITH 75% ADVANCE PAYMENT.

For TOYOTA ABBOTTARAD MOTORS.

  
 Sardar Zia Nabi  
 Managing Director  
 0300-3111445

Km 11, Neelay Pair, Mansehra Road Abbottabad. Ph: 0992-406903, 0992-406904  
www.toyota-abbott.com

0-25 (161)

MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD ON  
2-02-2016 AT 1000 HOURS UNDER THE CHAIRMANSHIP OF SPECIAL SECRETARY,  
HIGHER EDUCATION DEPARTMENT

The subject meeting was held on 2-02-2016 at 1000 hours under Chairmanship of the Special Secretary Higher Education Department in his office, in order to scrutinize different rates collected through quotations from various authorized dealers of the sole proprietor i.e. (Toyota Motors). List of the Participants is attached at Annexure-I.

2. The meeting started with the name of Almighty Allah and thereafter, on the direction of the chair, the Deputy Secretary (Admn) apprised the participants regarding the background of the subject matter by mentioning that fund are allocated in the ADP 2015-16 released for procurement of 25-Hiaces Van for provision of transport facilities to the staff of different colleges in Khyber Pakhunkhwa, at the tune of Rs.100.00 million.

3. The Departmental Purchase Committee deliberated at length. The Director Archives and Libraries appreciated the Navigation System of the Hiace Van. The Additional Director Higher Education said that 100% advance payment for prompt delivery. The following decisions were made:-

- i. The Committee approved the lowest rate of the dealer "Toyota Abbott Motors" quoted per unit to the tune of Rs. 3780000/- on the following condition:-
  - (a) Pre-shipment inspection of vehicles will be made by the Committee.
  - (b) In case of any damage during shipment, the supplier will be bound to replace vehicle instead of repaired one.
- ii. Deputy Secretary (Admn) was directed by chair to confirm the following measures approved rate from concerned Supplier on telephone;
- iii. The Director Archives & Libraries and Director HEATA were directed by chair to constitute their respective Procurement Committees, decided in the Departmental Procurement Committee meeting held on 07-01-2016.

The meeting ended with the vote of thanks.



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT  
BLOCK "A" CIVIL SECRETARIAT PESHAWAR.  
PHONE # 091-9211672**

NO. SOG/HE/Procurement/2015-16  
DATED 24/02/2016

To

The Managing Director,  
Toyota Abboti Motors,  
Mansehra Road, Abbottabad.

Subject: SUPPLY OF 25 NOS. OF TOYOTA HIACE DUAL AC (2.7L GASOLINE) LATEST MODEL

I am directed to refer to the subject noted above and to state that this Department intends to purchase 25 Nos. of TOYOTA HIACE, competent Authority is pleased to approve vehicle TOYOTA HIACE DUAL AC STD (2.7L Gasoline).

You are requested to provide bill against this supply order for advance payment, sign an agreement deed and submit 25% security in shape of CDR/Bank Guarantee to this Department.

Encls: No. & Date even:

*[Signature]*  
(RAHMANI GUL)  
SECTION OFFICER (GENERAL)

A copy of the above is forwarded for information to the:

1. P.S. to Secretary, Higher Education Department.
2. P.A. to Deputy Secretary (Admn), Higher Education Department

*[Signature]*  
(RAHMANI GUL)  
SECTION OFFICER (GENERAL)

*[Signature]*  
24/02/16

*[Signature]*



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO.SOG/HE/Procurement/2015-16  
DATED 04/03/2016

To

The Section Officer (Dev-I)  
Finance Department.

12  
4-3-16

Subject:-

**SANCTION FOR 100% ADVANCE PAYMENT TO M/S TOYOTA ABBOTT  
MOTERS PVT. LTD.**

I am directed to refer to your letter No.SO(Dev-I)FD/3-1/HE/2015-16 dated 25-01-2016 and to request that sanction for advance payments to M/S Toyota Abbott Motors (Pvt) Ltd. for the supply of 25 Toyota Hiace vehicles under ADP Scheme 545/150025, may kindly be accorded so that the purchase may be made well in time. All relevant documents are attached.

*[Signature]*  
SECTION OFFICER (Estt. & Admn)

*[Handwritten mark]*

167 Annex - W (36) 163





Advance

GOVERNMENT OF KHYBER PAKHTUNKHWA  
FINANCE DEPARTMENT

169  
46

No. SO (Dev-I)FD/3/1/HE/2015-16

Dated Peshawar the 10<sup>th</sup> June, 2016

To

The Secretary to Government of Khyber Pakhtunkhwa,  
Higher Education, Archives & Library Education Department,  
Peshawar.

Subject: - SANCTION FOR 100 % ADVANCE PAYMENT TO M/S TOYOTA ABBOTT  
MOTERS PVT.LTD.

Dear Sir,

I am directed to refer to your letter No.SOG/HE/Procurement/2015-16/1764-67 dated 28-04-2016 on the subject noted above and to state that Finance Department agrees to accord concurrence for advance sanction/payment to M/S Toyota Abbott Motors (PVT) Ltd. for the supply of 25 Toyota Hiace Vehicles under ADP Scheme 545/150025 Transport Facility to the Staff of Government Colleges (Phase-II) in relaxation of rules within the available budget, during the current financial year 2015-16 subject to fulfillment of all codal formalities.

Yours faithfully,

(Fozial Naz)  
Section Officer (Dev-I)

Endst. No. & Date even.

Copy forwarded for information and necessary action to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. The Section Officer (Estt. & Admn), Higher Education Department, Khyber Pakhtunkhwa Peshawar w/r to his letter No. as cited above for information and similar necessary action.
3. PA to Deputy Secretary (Dev-I), Finance Department Peshawar.
4. PA to Additional Secretary (Dev-I), Finance Department Peshawar.
5. Master File.

Section Officer (Dev-I)

Yes



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

DEVELOPMENTAL

Subject:- SANCTION.

NO.SOG/HE/ADP-545/13029/Sanction is hereby accorded under the

Rules 11 Of the Delegation of Powers Financial Rules and Power of Re-  
appropriation Rules, 1981(Revised in 2001) for amount of Rs. 95445000/-

(Rupees nine Crore, Fifty four Lacs & fifty five thousands only on account of

purchase/repair of Transport Under Head

AO9501 - Purchase of Transport of the  
Higher Education Department.

3. The Expenditure involved will be met out from the sanctioned budget  
grant under Head "09-Education Affairs & Services-093-Tertiary Education Affairs &  
Services-093101-Gen-I Universities/Colleges/Institutions" Fund No.NC22061 under  
Demand No. 053 during the current financial year 2015-16

sd -  
SECRETARY

TO GOVT OF KHYBER PAKHTUNKHWA.  
HIGHER EDUCATION DEPARTMENT.

Endst. NO.SOG/HE/ADP-545/13029 / Dated Peshawar the \_\_\_\_\_  
2015-16.

Copy of the above is forwarded to:

1. The Accountant General Khyber Pakhtunkhwa.
2. The Accountant Higher Education Department.

Rahman  
SECTION OFFICER (GENERAL)  
Govt. of Khyber Pakhtunkhwa  
Higher Education, Archives &  
SECTION OFFICER (GENERAL)  
HIGHER EDUCATION DEPTT.

2015

11/11/2015



170  
Annex-2  
186  
188

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO. SOG/HE/Accounts/2015-16.  
DATED 28/06/2016

To

M/S Toyota Abbott Motors,  
Mansehra Road, Peshawar, Abbottabad

Subject:-

**PAYMENT AGAINST SUPPLY OF 25 TOYOTA HIACE VEHICLES BILL  
DATED 24-02-2016.**

I am directed to refer to the subject noted above and to enclose herewith a cheque bearing No. 1352571 dated 24-06-2016 amounting to Rs.91287000/- on account of Payment against supply of 25 Toyota Hiace Vehicles bill dated 24-02-2016.

Kindly acknowledge the receipt.

*[Signature]*  
28/06/16

*[Signature]* 28/6/16  
SECRETARY (GENERAL)

*[Signature]*  
22/7/18



171

ANNY-AA  
DAIHATSU 167

TOYOTA ABBOTT MOTORS (Pvt) Ltd.

(71)

September 6<sup>th</sup> 2016

Deputy Secretary Admin  
Higher Education  
Civil Secretariat  
Peshawar

Subject: Withdrawal of Quotation

Sir,

Reference to our letter dated 1<sup>st</sup> May 2016, we have already withdrawn our quotation for Hfiace units. It has come to our knowledge that you claim to have given this order to Toyota Abbott Motors which is not the case. We have received no such payment or supply order and we further reiterate that we have withdrawn our quotation in May 2016 and in case if such order given to someone who claims to represent Toyota Abbott Motors, we will bear no responsibility for that.

You are requested to do the needful changes.

Regards

Ahmed Fraz  
Sr Manager Sales  
Toyota Abbott Motors

CC: Toyota Khyber Motors

TOYOTA

172

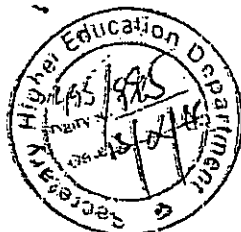
Annex - BB  
DAIHATSU 168

TOYOTA ABBOTT MOTORS (Pvt) Ltd.

73

Oct 13th, 2016

SECRETARY  
HIGHER EDUCATION  
CIVIL SECRETARIAT  
PESHAWAR.



D. S. LAHRI  
13/10

SUBJECT: WITHDRAWAL OF QUOTATION

REFERENCE to the above caption, it is informs you that  
HEE department falls under PRA of Toyota Higher Motors  
Peshawar so we cannot entertain as per your requirement.  
Furthermore it would like to mention that we already  
submitted the letters of withdrawal to your office dated  
MAR 17 & SEP 6 2016. In case if such order given to  
some one else other than the representative of Toyota  
Abbott Motors, we would not be responsible for any  
kind of glitch.

We are attaching the supporting documents with this  
letter which includes our withdrawal letters as we  
submitted previously.

Kindly consider our request of quotation withdrawal  
Your early consideration in this regard will  
be highly appreciated

13/10  
SO (6)

REGARDS

AMMED FRAZ  
MANAGER SALES

13/10/16

Handwritten signature

TOYOTA

173

Annex-CC  
DAIHATSU 169

TOYOTA ABBOTT MOTORS (Pvt) Ltd.

4<sup>th</sup> November 2016

*[Handwritten mark]*

Secretary  
Higher Education Department  
Peshawar

*[Handwritten initials]*

Subject: Irregularities in Hiace order.

Dear Sir,

We have repeatedly written to you about our request to withdraw our quotation of Hiace. The first letter was written to you on 17<sup>th</sup> March 2016 (TCS tracking # 5000880515) however we came to know from our sources that in June 2016 you have given this order with payment to a fake company registered as Toyota Abbott Motors in Rawalpindi.

Toyota Abbott Motors Pvt Ltd is a Private Limited company with a board of directors and is registered with Security and Exchange Commission Pakistan and is an authorized 3S dealership of Indus Motor Company Limited which is the sole manufacturer and agent of Toyota vehicles in Pakistan. Toyota Abbott Motors is located in and has head office in Abbottabad and not in Rawalpindi as the fake company is. The order given by you is to another company named as Toyota Abbott Motors which is a fake company and is not an authorized 3S dealership of Toyota in Pakistan. This company is fraudulently registered by an individual Mr. Jawad Ashraf which has nothing to do with our 3S Dealership. As per the policy of Toyota, all payments are made in favor of Indus Motor Company Ltd and not in name of dealership as has been done in your case.

Since our company name has been used fraudulently as no other company name of Toyota Abbott Motors can be registered nor any bank account can be opened, and since we repeatedly wrote to you for withdrawing our quotation and not to issue supply order and payment, we believe that your department is also involved in this fraud and in enabling this individual to draw payment and supply order using our name. Due to this we give you 3 working days from receiving this letter to sort this issue and to reverse all transactions. Failure to do so will leave us with no option but to report this matter to NAB, KPK Ehtisaab Commission, KPK Police, FIA, FBR, SECP, Excise and Taxation and any other concerned department.

Please find attached all proofs of our letters and your receiving. We hope to hear from you at your earliest.

Regards,

*[Signature]*  
Dr. Ayaz Nabi  
Chief Executive

*[Handwritten notes and signatures]*  
AF/DS-A  
2/11/16  
2/11/16  
2/11/16  
2/11/16



D.H.A. 176  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
HER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT

NO. SOG/HE/ADP-545/150025/2015-16  
Dated 09-11-2016

To

Dr. Ayaz Nabi,  
Chief Executive,  
Toyota Abbott Motors (Pvt.) Ltd.

Subject: IRREGULARITIES IN HIACE ORDER.

I am directed to refer to your letter No. Nil dated 04-11-2016 on the subject noted above wherein you have warned this department for withdrawal of accepted quotation & Supply Order, and blamed that this department is also involved in this fraud in enabling the said individual (Mr. Jawad Ashraf) to draw payment and supply order. You have also used a very harsh language by giving an ultimatum to the Secretary to Govt. of Khyber Pakhtunkhwa Higher Education Department for resolving the issue within 03 days. It may be clarified by which capacity you have used the language like this and warned the Secretary to Govt. of Khyber Pakhtunkhwa.

Furthermore, the subject case is under process in this department and a series of meetings (of Departmental Purchase Committee) are being held to sort out the issue.

I am therefore directed to ask you to clarify the following points:-

- 1- Why Mr. Jawad Ashraf visited this department with Mr. Zia Nabi, Managing Director of your company by showing himself as representative of your company.
- 2- Give solid reason of withdrawing of your quotation after fulfillment of all codal formalities.
- 3- As per statement of Finance Manager of your company namely Mr. Sajjad who given statement to the Sub-committee constituted by the department during their visit to your company on 20-10-2016 wherein he has stated that Senior Staff of your company will visit this department in the next week for resolving the issue (copy enclosed), however no member of your company has visited this department as yet.
- 4- What action has so far been taken against Mr. Sardar Zia Nabi, Managing Director of your company, who has submitted quotations and pre receipt bill under his signatures and received the supply order accordingly by using your company name fraudently as per your letter under reference (all relevant documents are enclosed).

I am further directed to state that the reply of above may be furnished to this department within 03 days of receipt of this letter failing which this department has no other option to recommend your company to Toyota Indus, Karachi for black listing as well as to take legal action against Mr. Sardar Zia Nabi, the Managing Director of your company.

Encl: as above

(RAHMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

Endst: No & Date even.

Copy forwarded to the:-

- 1- All Members of Departmental Purchase Committee.
- 2- PS to Secretary, Higher Education Department.
- 3- PA to DS (Admn), Higher Education Department.

SECTION OFFICER (Estt. & Admn.)



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO. SOG/HE/ADP-545/150025/2015-16  
Dated Peshawar, the 14-10-2016

Annex-EE 17  
75

To

- 1- The Director General,  
Commerce Education and Management Sciences,  
Khyber Pakhtunkhwa.
- 2- The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director,  
Archives and Libraries, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director,  
Higher Education Teachers' Training Academy, Peshawar.
- 5- The Chief Planning Officer,  
Higher Education Department.
- 6- The Deputy Secretary (Admn.),  
Higher Education Department.
- 7- The Section Officer (Budget & Accounts),  
Higher Education Department.

Subject: **DEPARTMENTAL PURCHASE COMMITTEE MEETING**

I am directed to refer to the subject noted above and to state that the Departmental Purchase Committee meeting is scheduled to be held on 20-10-2016 at 1000 hours under the Chairmanship of Secretary Higher Education Department in his office.

Being the member of Purchase Committee, you are requested to attend the said meeting on the scheduled date, time and venue mentioned above.

Agenda of the meeting will be circulated before the meeting.

*[Handwritten signature]*

*[Handwritten initials]*

*[Handwritten signature]*  
(RAHMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

Endst: No & Date even.

Copy forwarded to the PS to Secretary, Higher Education Department.

*[Handwritten initials]*

*[Handwritten signature]*  
SECTION OFFICER (Estt. & Admn.)



176      0-31/78  
178

MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD  
ON 20-10-2016 AT 10-00 AM UNDER THE CHAIRMANSHIP OF SECRETARY HIGHER  
EDUCATION DEPARTMENT.

The subject meeting was held on 20-10-2016 at 11-00 am under the Chairmanship of Secretary Higher Education Department in his Office, in order to discuss the matter of withdrawal of quotations by M/S Toyota Abbott Motors, Mansehra Road Abbottabad, for supply of 25 Hiace Vehicles to Higher Education Department.

The meeting started with the Name of Allah and thereafter, on the direction of the chair, the Deputy Secretary(Admn), apprised the members of the committee regarding the background of the subject matter.

The Chair, and members, after detail discussion, decided to constitute a sub-committee consists of the following members, to visit Abbott Motors, Abbottabad and inquire about the matter in detail and submit their report to the committee in next meeting.

1. Mr. Muhammad Hayat Khan, Deputy Secretary(Admn) Higher Education Deptt:
2. Mr. Aziz Muhammad, Section Officer(B&A) Higher Education Department.
3. Mr. Wajid Ali, Deputy Director P&D, Directorate of Higher Education Dpvt:

The meeting ended with the vote of thanks.



177 100/172

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO. SOG/HE/ADP-545/150025/2015-16/215-2,  
Dated Peshawar, the 29-11-2016

To

- 1- The Director General,  
Commerce Education and Management Sciences,  
Khyber Pakhtunkhwa.
- 2- The Director,  
Higher Education, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director,  
Archives and Libraries, Khyber Pakhtunkhwa, Peshawar.
- 4- The Director,  
Higher Education Teachers' Training Academy, Peshawar.
- 5- The Chief Planning Officer,  
Higher Education Department.
- 6- The Deputy Secretary (Admn.),  
Higher Education Department.
- 7- The Section Officer (Budget & Accounts),  
Higher Education Department.

Subject: **DEPARTMENTAL PURCHASE COMMITTEE MEETING**

I am directed to refer to the subject noted above and to state that the next meeting of Departmental Purchase Committee is rescheduled to be held on 02-12-2016 at 02.30 p.m. under the Chairmanship of Deputy Secretary (Admn) Higher Education Department in his office.

Being member of the Committee, you are requested to attend the said meeting on the scheduled date, time and venue mentioned above.

*[Handwritten signature]*

*[Handwritten signature]*  
(RAHMANI GUL)  
SECTION OFFICER (Estt. & Admn.)

**Endst: No & Date even.**

Copy forwarded to the PS to Secretary, Higher Education Department.

*[Handwritten signature]*  
SECTION OFFICER (Estt. & Admn.)

178 *copy*

178  
172

MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD ON 02-12-2016 AT 02-30 PM UNDER THE CHAIRMANSHIP OF DEPUTY SECRETARY (ADMIN) HIGHER EDUCATION DEPARTMENT IN HIS OFFICE.

The subject meeting was held on 02-12-2016 at 02-30 am under the Chairmanship of Deputy Secretary (Admin) Higher Education Department in his Office, in order to discuss the matter of withdrawal of quotations by M/S Toyota Abbott Motors, Mansehra Road Abbottabad, for supply of 25 Hiace Vehicles to Higher Education Department. The following attended the meeting:

1. Muhammad Hayat Khan, Deputy Secretary (Admin) On chair
2. Muhammad Zaman, Chief Planning Officer, Member
3. Aziz Muhammad, Section Officer (Budget & Accounts) Member
4. Wajid Ali, Deputy Director (P&D), Directorate of HE Member
5. Muhammad Zaman, Assistant Director Archives Member
6. Dr. Fazlur Rahman, Member
7. Shakil Ahmad, Director General Commerce, Member

The meeting started with the Name of Allah and thereafter, Deputy Secretary (Admin) apprised the members of the committee regarding the background of the subject matter. Mr. Aziz Muhammad, Section Officer (Budget & Accounts), placed the sub-committee report before the members, which was constituted in previous meeting to visit Toyota Abbott Motors, Abbottabad and meet with the concerned authorities to resolve the matter. In his report, he said that both the parties wants to settle the issue and wants to appear before the committee.

Mr. Muhammad Zaman, Chief Planning Officer, after detail discussion, said that the committee should fixed next meeting on 6<sup>th</sup> December at 02.00 PM and write a letter to the authorizes of M/S Toyota Abbott Motors Abbottabad and to Mr. Jawad Ashraf, receiver of cheque, to appear before the committee during its meeting to settled the matter once for all. He further aided that the amount received by Mr. Jawad Ashraf should returned back and be given to Indus Motors Karachi, through Higher Education Department with in five days, and new agreement may be made with Toyota Abbott Motors for the supply of vehicles as

128 D-41 <sup>175</sup>/<sub>145</sub>

per their offer given in their letter, failing which strict action should be taken against Mr. Jawad Ashraf. He further aided that Establishment of Digital Science Lab, may also be placed on the agenda of next meeting of Purchase committee to proceed further.

All members and chair agreed with the Chief Planning Officer suggestions unanimously.

The meeting ended with the vote of thanks.

180 192 176



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

Phone No. 9211672

NO.SOG/HE/ADP-545/150025/2015-16

DATED 02/12/2016

To

Mr. Jawad Ashraf  
Toyota Abbot Motors Rawalpindi,  
First Floor, H/# 381, Street #2, Sector 18/2, Islamabad.

Subject:-

IRREGULARITIES IN HIACE ORDER.

I am directed to refer to the subject noted above and to convey that a meeting of Departmental Purchase Committee scheduled to be held on 06-12-2016 <sup>before 12:00 P.M.</sup> under the Chairmanship of Deputy Secretary (Admn.) Higher Education Department in his office to consider your offer given by you to resolve the issue once for all. You are therefore, directed to appear before the purchase committee on the date and venue mentioned above.

*[Signature]*  
SECTION OFFICER (Estt. & Admn)

*Handwritten notes:*  
Recd. 12-12-16  
TC S  
12-12-16  
12-12-16

*[Signature]*

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119

MINUTES OF THE DEPARTMENTAL PURCHASE COMMITTEE MEETING HELD  
ON 06-12-2016 AT 02-00 PM UNDER THE CHAIRMANSHIP OF DEPUTY  
SECRETARY (ADMN) HIGHER EDUCATION DEPARTMENT IN HIS OFFICE.

The subject meeting was held on 06-12-2016 at 02-00 pm under the Chairmanship of Deputy Secretary (Admn:) Higher Education Department in his Office, in order to discuss the matter of supply of 25 Hiace Vehicles to Higher Education Department. The following attended the meeting:

1. Muhammad Hayat Khan, Deputy Secretary (Admn:) On chair
2. Muhammad Zaman, Chief Planning Officer, Member
3. Aziz Muhammad, Section Officer (Budget & Accounts) Member
4. Wajid Ali, Deputy Director (P&D), Directorate of HE Member
5. Zahirullah Khan, Director Archives Member
6. Muhammad Roz Khan, Director, Higher Edu: Member
7. Nazir Burki, Director (F&P) Commerce, Member
8. Rahmani Gul S.O. (Gen) Member
9. Mr. Jawad Ashraf, Owner of M/S Toyota Abbott  
Motors, Rawalpindi

10. Representative of M/S Toyota Abbott Motors, Abbottabad was not present in the meeting.

The meeting started with the Name of Allah and thereafter, the chair invited Mr. Jawad Ashraf, owner of Toyota Abbott Motors, Rawalpindi to brief the committee about his points. Mr. Jawad Ashraf said that he is a business partner of Mr. Sardar Zia Nabi of Toyota Abbott Motors, Abbottabad. Therefore, both the partners participated in bids on behalf of Toyota Abbott Motors, Abbottabad. But later on, Sardar Zia Nabi withdrawn his quotation and as per agreement deed he was bound to supply the vehicles to the Department. So he imported 9 vehicles in his own capacity, which are ready for delivery. He further said that if there are some legal complications, he is ready to return back the amount to Department, but it will take approximately 3 to 4 months time.

Mr. Muhammad Zaman, Chief Planning Officer, Said that the amount should be returned back with in a month but the members of the committee emphasized that the

182-0-43 <sup>178</sup>/<sub>11/5</sub>

amount should be returned back within a week time and should be deposited in the Govt. Treasury immediately without further delay. However, the chair decided that, after discussed the matter with Worthy Secretary, Higher Education Department, next meeting of the committee will be held on 15-12-2016 at 2.00 Pm to finalize the time period of recovery of amount and also views of the representative of M/S Toyota Abbott Motors, Abbottabad will be solicited.

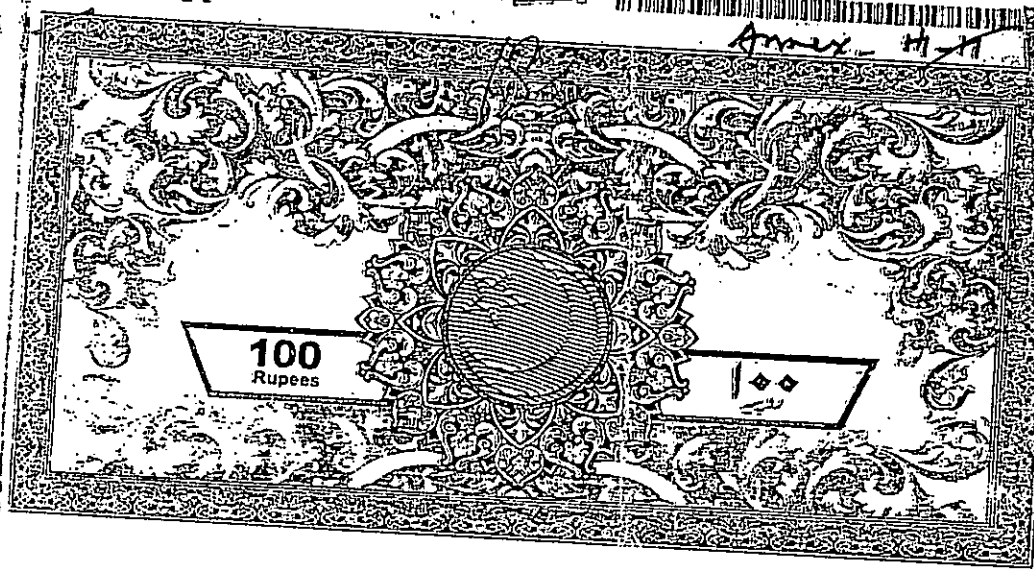
All members and chair agreed with the suggestions unanimously.

The meeting ended with the vote of thanks.

046524

Amir H H

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**PROMISSORY NOTE**

I, Mr. Jawad Ashraf, on behalf of M/s TOYOTA ABBOTT MOTORS had received a Cheque No. 1352571 dated 24/06/2016 for Rs. 91,287,000/- from Higher Education Department, Government of Khyber Pakhtunkhwa (hereinafter referred to as "the department") against the supply order of 25 Hiaces (imported). The entire amount was paid to Indus Trading Co. Japan for purchase of vehicles amongst which 10 Hiaces reached Pakistan and the rest were on board. In the meantime the department received an e-mail from Indus Motors Karachi wherein it was stated that the procuring entity was situated into the jurisdiction of Peshawar Region that is why no other dealer was authorized for such delivery to the department (copy of the which has already been communicated). In case of violation, the Indus Motors Karachi might have cancelled the authorized dealership of Toyota Abbott Motors.

In wake of the jurisdiction bar, in this regard, I, Mr. Jawad Ashraf, hereby request the department to purchase the vehicles from any authorized dealer of Toyota Indus Motors situated in the Peshawar Region and also undertake that I will be responsible of increase/decrease, if occurred in the price (as per Indus Price List of the Toyota Indus Company) of the vehicles in the new submitted quotation of same specifications by Toyota Motors or dealers.

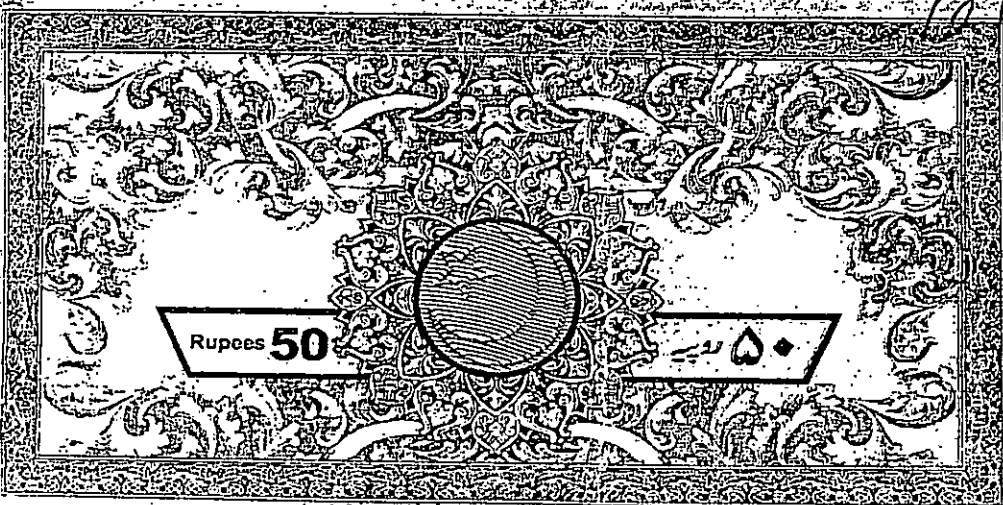
As a matter of fact, the amount had been spent completely on the purchase of vehicles. therefore, I did sale our Commercial Plaza in the Satellite Town Rawalpindi wherein I received Rs. 10.00 million as an advance and the rest will be received up to June 2017 (detail is attached) and other personal property, in order to, collect the huge amount within the shortest possible time. In the prevailing circumstances, it is impossible for me to pay the entire amount in *lump sum* to department. however, I shall pay the entire received amount of the 25 vehicles to the Indus Motors Company, Karachi within the Current Financial Year 2016-17, as per following detail on behalf of the authorized dealer of the Peshawar Region from whom the department intends to procure the vehicles. In the meanwhile, the department will issue the NOC for sale of the vehicle imported in the name of the department. The amount of security Rs. @ 15



*[Handwritten signature]*



892130



Rupees 50

**AGREEMENT DEED**

This Agreement was made in Peshawar dated February 16<sup>th</sup> 2017 between The Higher Education, Archives & Library Department Peshawar (hereinafter referred to as 1<sup>st</sup> party) and M/S Toyota Khyber Motors, Peshawar (hereinafter referred to as 2<sup>nd</sup> party) regarding the purchase of 25 units of Toyota Hilux Tundiq No. 15...

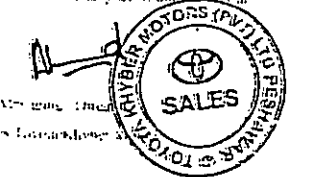
Type of vehicle and its components	Quantity	Unit Price	Total Cost
Toyota Hilux Standard 2.5 TDI (1500 cc) with 4000 cc and AC High Speed Drive, 5 speed manual transmission, front Head Lamp, ignition, instrument paper, ABS steering wheel, Air of 2, AM/FM/2 Speakers, fabric seat, leather, alloy wheels, Wheel Caps, Seat Belts, front & rear Fog Lamps, power windows, Hydraulic Power Steering, spare wheel and tools.	25	Rs. 2,611,500/-	Rs. 65,287,500/-

The 1<sup>st</sup> party shall pay the amount of Rs. 65,287,500/- to the 2<sup>nd</sup> party in installments as follows:  
 The 2<sup>nd</sup> party shall deliver the vehicles within the stipulated time frame and shall be responsible to clear all the taxes and duties applicable to the vehicles at the time of delivery. The 2<sup>nd</sup> party shall also be responsible to provide the necessary documents for the registration of the vehicles.

The 1<sup>st</sup> party shall pay the amount of Rs. 13,057,500/- (13% of the total value) as advance payment towards the purchase of the vehicles. The 2<sup>nd</sup> party shall deliver the vehicles to the 1<sup>st</sup> party within the stipulated time frame. The 1<sup>st</sup> party shall pay the balance amount of Rs. 52,230,000/- (77% of the total value) to the 2<sup>nd</sup> party in three installments as follows:

Sl. No.	Date	Percentage of Balance Payment	Amount (Rs.)
1	Before April 30 <sup>th</sup> 2017	15% of the balance payment	7,834,500/-
2	Before May 31 <sup>st</sup> 2017	20% of the balance payment	10,446,000/-
3	Before June 30 <sup>th</sup> 2017	30% of the balance payment	15,669,000/-
4	Before July 31 <sup>st</sup> 2017	10% of the balance payment	5,223,000/-

The 2<sup>nd</sup> party shall be responsible to provide the necessary documents for the registration of the vehicles. The 1<sup>st</sup> party shall be responsible to provide the necessary funds for the registration of the vehicles. The 2<sup>nd</sup> party shall be responsible to provide the necessary documents for the registration of the vehicles.



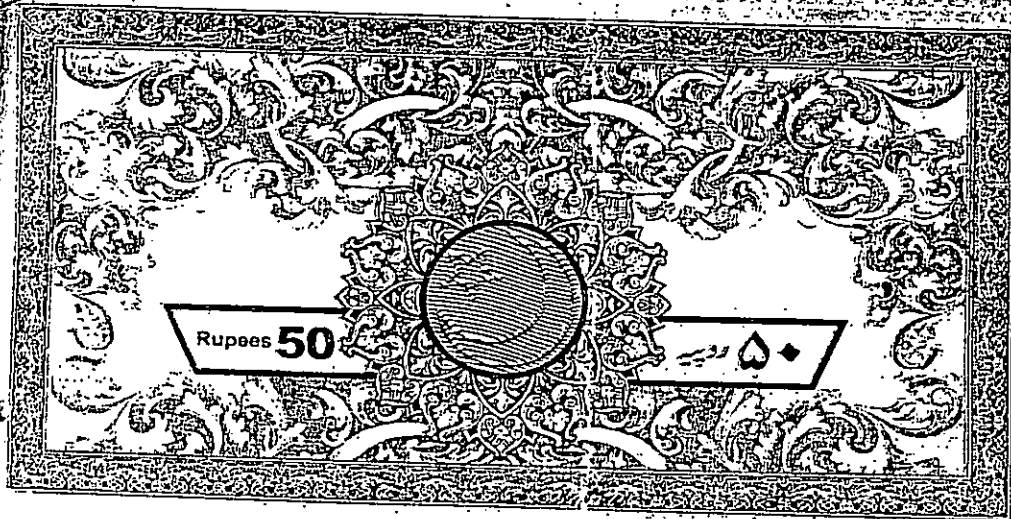
Witness:  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_

892131

135

181

18



Rupees 50



₹ 50

ees 50

Handwritten signature in Urdu script, likely reading 'S. M. Khan'.

Signature

Annex-X 186/149/182

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO.SOG/HE/Procurement/2015-16  
DATED 16/01/2017

To: M/S Toyota Khyber Motors (PVT) Ltd.  
Main Ring Road, Landi Arbab, Peshawar.

Subject: QUOTATION FOR TOYOTA HIACE.

I am directed to refer to the subject noted above and to state that the competent authority of Higher Education Department is pleased to purchase 25 Toyota Hiace Vehicles with the following specifications and to request that quote your rates for the same please:

Specifications	Quantity of vehicles	Advance payment
Toyota Hiace Latest Model Petrol Engine- 2TR-FE, Type Water cooling inline 4 cylinder engine Size 2.7(2693 ccs) Fuel tank capacity, 70 Liters Rear Break Drum, Front Fog lights, Rear fog lights, Neon Headlights, Additional Front headlights, Front/Rear spoiler, Rear wiper Navigation, Audio CD player, Dual AC 15 seats White Color Ash tray Fined.	25Nos.	25 %

*[Handwritten Signature]*

SECTION OFFICER (Estt. & Admn)

*Received*  
*Amiruddin*  
*17/01/17*



187 Annex JJ 12/183

**GOVERNMENT OF KHYBER PAKHTUNKHWA**  
**HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**  
**BLOCK "A" CIVIL SECRETARIAT PESHAWAR.**  
**PHONE # 091-9211672**

NO. SOG/HE/Procurement/2015-16  
DATED 22/02/2017

To  
The Manager Sales & Marketing,  
Toyota Khyber Motors (PVT) LTD.  
Peshawar.

Subject:- SUPPLY OF 25 NOS. OF TOYOTA HIACE DUAL AC (2.7L GASOLINE) LATEST MODEL

I am directed to refer to the subject noted above and to state that this Department intends to purchase 25 Nos. of TOYOTA HIACE, competent Authority is pleased to approve vehicle TOYOTA HIACE DUAL AC STD (2.7L Gasoline).

You are requested to provide 10% security in shape of CDR/Bank Guarantee to this Department and sign an agreement deed. Please find enclose herewith a pay orders Nos. (1) POFZD 00002297 dated 10-02-2017, Rs.22,821,750/- (2) No. POFZD 00002300 dated 14-02-2017, Rs.190,181/- and (3) No.POFZD 00002303 dated 17-02-2017, Rs.117,684/-, in the name of Indus Motors Co. Ltd, with total amount Rs.23,129,615/- as 25% advance payment. Kindly acknowledge the receipt.

*Received original  
along with 3  
pay orders.*  
A/24/17

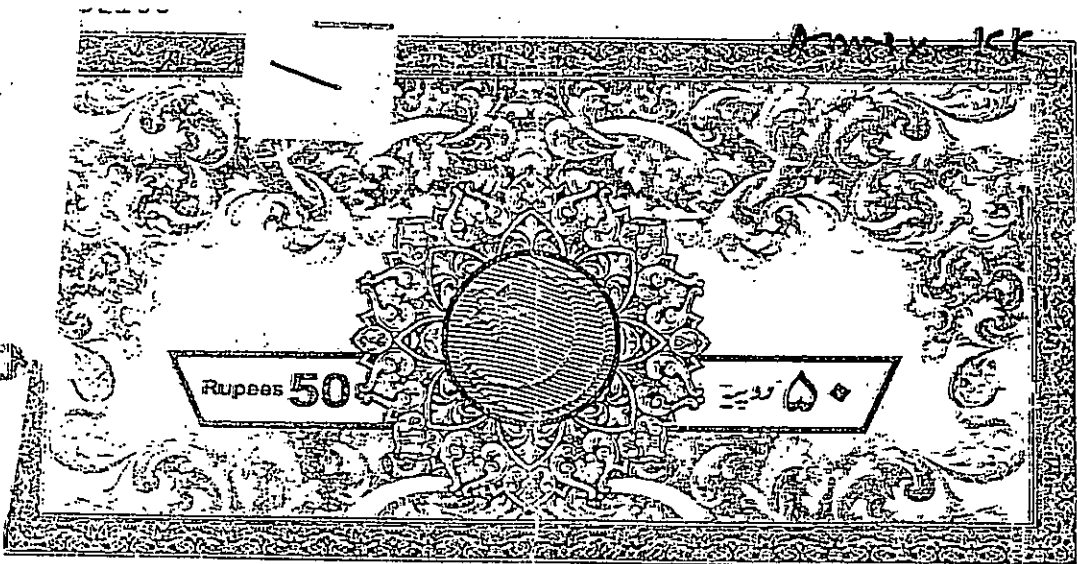
(MUHAMMAD YASIN)  
SECITON OFFICER(GENERAL)

Endst: No. & Date even:

A copy of the above is forwarded for information to the:

1. P.S. to Secretary, Higher Education Department.
2. P.A to Deputy Secretary (Admn), Higher Education Department

(MUHAMMAD YASIN)  
SECITON OFFICER(GENERAL)



189  
88

### AGREEMENT DEED

Agreement deed made at Peshawar dated February 15<sup>th</sup> 2017 between The Higher Education Archives at Education Department, Peshawar (hereinafter referred to as 1<sup>st</sup> party) and M/S Toyana Khyber Motors, Peshawar (hereinafter referred to as 2<sup>nd</sup> party) regarding the purchase of 25 units of Toyota Hilux Model No. 15...

No.	Type of vehicle and descriptions	Quantity	Unit Price	Total
1	Toyota Hilux Model No. 15...	25	Rs. 1,500,000/-	Rs. 37,500,000/-

The 1<sup>st</sup> party is authorized to purchase the vehicles from the 2<sup>nd</sup> party on the following terms and conditions:

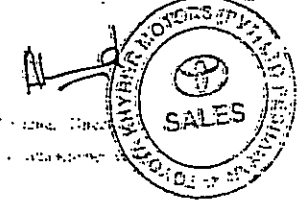
1. The 2<sup>nd</sup> party shall be responsible to deliver the vehicles which are all suitable for use in the country of Pakistan and to comply with all relevant laws as applicable by the Government of Pakistan in current situation and to hold the motor vehicle in its own name for the use of the 1<sup>st</sup> party.

2. The 2<sup>nd</sup> party shall be responsible to deliver the vehicles which are all suitable for use in the country of Pakistan and to comply with all relevant laws as applicable by the Government of Pakistan in current situation and to hold the motor vehicle in its own name for the use of the 1<sup>st</sup> party.

3. The 2<sup>nd</sup> party shall be responsible to deliver the vehicles which are all suitable for use in the country of Pakistan and to comply with all relevant laws as applicable by the Government of Pakistan in current situation and to hold the motor vehicle in its own name for the use of the 1<sup>st</sup> party.

4. The 2<sup>nd</sup> party shall be responsible to deliver the vehicles which are all suitable for use in the country of Pakistan and to comply with all relevant laws as applicable by the Government of Pakistan in current situation and to hold the motor vehicle in its own name for the use of the 1<sup>st</sup> party.

*[Handwritten signature]*





# TOYOTA KHYBER MOTORS (PVT) LTD.

18P 188

Dated: 21.08.2018

Secretary,  
Higher Education Department,  
Civil Secretariat,  
Peshawar.

## SUBJECT: PAYMENT RECEIPT

We have received the amounting Rs. 43,129,615/- (RUPEES FORTY THREE MILLION, ONE HUNDRED TWENTYNINE THOUSAND, SIX HUNDRED FIFTEEN ONLY) from your esteemed department. Details are as under:-

S.#	BANK NAME	INSTRUMENT #	DATED	AMOUNT
01	BANK AL-FALAH	00002237	10.02.2017	22,821,750/-
02	BANK AL-FALAH	00002300	14.02.2017	1,90,181/-
03	BANK AL-FALAH	00002303	17.02.2017	1,17,684/-
04	UNITED BANK LIMITED	06287006	28.05.2017	10,000,000/-
05	BANK AL-FALAH	00000513	25.07.2017	10,000,000/-
			TOTAL	43,129,615/-

### BRAKE UP:

Cost of 25 units Toyota Hi Ace as per quoted Price Rs. 95,325,000/-  
 Less Received amount Rs. 43,129,615/-  
 Balance amount Rs. 52,195,385/-

You are requested to kindly provide the balance payment within this week to dispatch 20 units Toyota Hiace as the 20 units have arrived at Karachi dry port for clearance.

Thanking you,

Sincerely yours,

*Muhammad Alamzeb Afridi*  
 21-Aug-2017  
 Muhammad Alamzeb Afridi  
 A.M. Corporate Sales

*Abdul Hameed*  
 21/8/18  
 Manager Sales & Marketing



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO.SOG/HE/ADP-545/150025/2015-16  
Dated 20-09-2017

Annex - M17 / 10 / 90 / 188

5031-

To

The Manager Sales,  
Toyota Khyber Motors,  
Ring Road, Landi Arbab, Peshawar

Subject: 25 TOYOTA HIACE 2.7 PERTOL.

P.174/c H.S/c-

I am directed to refer to your letter No. Nil dated 21-08-2017 and this department's letter number of even number dated 30-08-2017 on the subject noted above and to request that 12 Vehicles against the received payments amounting to Rs. 48129615/- already lying with you, be provided to the department on priority basis.

I am further directed to state that remaining amount will be provided as per understanding between the Toyota dealers and Ex-Deputy Secretary Mr. Muhammad Hayat.

"Vehicles are urgently required".

*[Signature]*  
20/9/17  
(MUHAMMAD YASIN)  
SECTION OFFICER (General)

Endst: No & Date even.

Copy forwarded to the:-

- 1- PS to Secretary, Higher Education Department.
- 2- PS to Special Secretary, Higher Education Department.

*[Signature]*  
20/9/17  
SECTION OFFICER (General)

*[Signature]*  
21/9/17



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO.SOG/HE/ADP-545/150025/2015-16  
Dated 21-09-2017

Annex - NN 177 187

191

To

Mr. Jawad Ashraf,  
Toyota Abbott Motors Rawalpindi,  
First Floor, H/#381, Street # 2,  
Sector 18/2, Islamabad.

Subject: PURCHASE OF 25 TOYOTA HIACE

I am directed to refer to the subject noted above and to state that the Competent Authority has shown his great concern that you have not stood to your commitments of payments as per schedule agreed with Ex-Deputy Secretary (Admin) Mr. Muhammad Hayat.

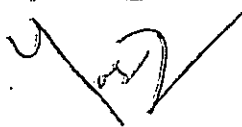
You are, therefore, directed to make payment of 100% remaining amount on or before 2<sup>nd</sup> October, 2017 positively.

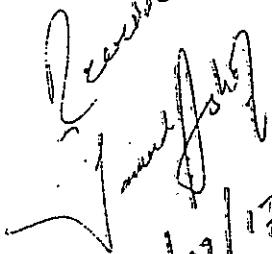
*o/c*  
  
(MUHAMMAD YASIN)  
SECTION OFFICER (General)

Endst: No & Date even.

Copy forwarded to the:-

- 1- PS to Secretary, Higher Education Department.
- 2- PS to Special Secretary, Higher Education Department.

*o/c*  
  
SECTION OFFICER (General)

*Received*  
  
25/09/17





Annex- PP

188  
80  
A2

**REPORT REGARDING PROCUREMENT OF HIACE FROM  
TOYOTA ABBOTT MOTORS, ABBOTTABAD**

In pursuance of the decision taken in the Departmental Purchase Committee Meeting dated 20<sup>th</sup> October 2016, the Sub-committee visited Toyota Abbott Motors Abbottabad on the same day to discuss the issue of withdrawal letter dated 06-09-2016 sent by the dealer. The Committee reached there at the evening & discussed the issue with Mr. Sajjad, Manager Finance. He confirmed that Mr. Zia Nabi is Director of the firm and told that Senior Staff of the firm was on training at Islamabad while Mr. Zia Nabi, Director was in Karachi. His written statement is enclosed at annex-A. However, he couldn't handover us the profile of his firm without permission of his Senior Officers and confirmed that Senior Staff will visit Higher Education Department in the next week to resolve the issue once for all.

On the next day the Committee met with Mr. Jawad, receiver of the cheque of Toyota Abbott Motors, told that he was business partner of Zia Nabi. He further informed that he is a sound business-man and has purchased 25 Nos. of HIACE at Japan on the name of Higher Education Department in which 10 have been reached (photos are enclosed at Annex-B) while the rest will be reached within a period of three weeks, however, if there is any legal complications to the Department in the procurement of these vehicles, he is ready to return back the money to the Department. His written statement is enclosed at Annex-C.

When we contacted Zia Nabi on Mobile phone, he told that he will reach back from Karachi on 23/10/2016. On that day, the Committee met Mr. Zia Nabi, Director who verbally told that Mr. Jawad was his friend but he was reluctant to give written statement to us in this regard. He further added that he will give written statement after consultation with his management & legal counsel in the next week.

The CDR was confirmed and found correct.

Report is submitted for perusal of the Committee.

Deputy Secretary (Admn)  
Higher Education Department

Deputy Director (P&D)  
Directorate of HE

Section Officer (B&A)  
Higher Edu: Department  
24/10/16

Annex-PP84

189  
123



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

Dated 03-11-2017

**NOTIFICATION**

**No. SOG/HE/ADP-545/150025/2015-16** The Competent Authority in Higher Education Department is pleased to nominate Mr. Muhammad Kabir Afridi for conducting fact finding inquiry into the delay of the purchase of 25 Nos. of HIACES under ADP Scheme 545/155025 for different colleges of the Province.

Note:- All the relevant record of the case is attached herewith.

**SECRETARY  
GOVT. OF KHYBR PAKHTUNKHWA  
HIGHER EDUCATION DEPARTMENT**

**Endst: No & Date even.**

Copy forwarded to the:-

- 1- PS to Secretary, Higher Education Department.
- 2- PS to Special Secretary, Higher Education Department.
- 3- PA to DS (Admn), Higher Education Department.
- 4- Officer concerned with the request to submit the inquiry report within stipulated period of 15 days.

**(MUHAMMAD YASIN)  
SECTION OFFICER (General)**

190  
199

RESPECTIVE TENURE POSITION OF THE THEN INCUMBENTS OF THE POST OF  
SECRETARY AND SPECIAL SECRETARY HIGHER EDUCATION DEPARTMENT, DURING THE  
PROCUREMENT PROCESS OF 25 VEHICLES.

S.No.	Name of Officer	From	To
1.	Farah Hamid Khan	04.02.2016	16.05.2016
2.	Muhammad Saleem	16.05.2016	10.11.2016
3.	Muhammad Faheem Wazir (Dual Charge)	01.08.2016	09.11.2016
4.	Syed Zafar Ali Shah	10.11.2016	Till Now.

SPECIAL SECRETARY

S.No.	Name of Officer	From	To
1.	Abdul Ghafoor Baig	11.02.2013	27.09.2017

TENURE OF THE ACCUSED OFFICERS/OFFICIALS

S.No.	Name of Officer	From	To
1.	Muhammad Hayat, Ex-DS (Admn)	31.07.2015	15.08.2017
2.	Rahmani Gul Ex-Section Officer (General)	28.08.2012	27.01.2017
3.	Imtiaz Ali (Superintendent/Accountant)	01.08.2001	Till Now.

~~199~~



**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HIGHER EDUCATION, ARCHIVES & LIBRARIES DEPARTMENT**

NO.PA/AS/HED/Inquiry/2017  
Dated 08-12-2017

191  
Annex-00

195

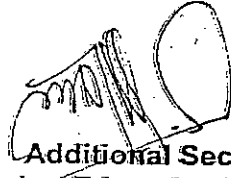
To

The Section Officer (General),  
Higher Education Department.

Subject: **NOTIFICATION/FACT FINDING INQUIRY.**

Please refer to your Notification No. SOG/HE/ADP 545/150025/2015-16 dated 03-11-2017 on the subject noted above and find enclosed herewith Fact Finding Inquiry alongwith supporting documents, for further necessary action at your end please.

Encl: as above

  
Additional Secretary  
Higher Education Department

8/12/17

192  
96

SUBJECT: FACT FINDING ENQUIRY INTO THE DELAY OF PURCHASE OF 25  
NOs. OF HIACES UNDER ADP SCHEME 545/150025 FOR  
DIFFERENT COLLEGES OF THE PROVINCE.

The undersigned was declared as enquiry officer to conduct fact finding enquiry into the delay of purchase of 25 Nos. of Hiaces under ADP Scheme 545/150025 for use in different colleges of Khyber Pakhtunkhwa, vide notification No. SOG/HE/ADP-545/150025/2015-2016, dated 03-11-2017 (Annex-A).

#### 1. PROCEEDINGS

- A. SO (G) and Accountant were cross questioned verbally.
- B. Discussions were held with the presently posted DS (Admn)
- C. Record available in the file alongwith the notesheet was studied thoroughly.

#### 2. FACTS

An ADP Scheme "Transport facility to the staff of Govt. Colleges" was approved by the PDWP forum on 08-10-2015 with the total cost of RS. 100.000 million for the year 2015-16 for the purchase of Toyota Hiaces. (Annex-B). The scheme aimed at providing transport/ pick and drop facilities to the teaching staff of the government colleges (male/ female) in order to provide them respectable and comfortable transport facility. Accordingly Finance department released the amount of 100.000 million on 12-02-2016 (Annex-C).

For initiating the process for procurement of vehicles, a Departmental Committee for Works and Services in the HED was notified vide notification evenly dated 04-01-2016. (Annex-D).

Quotations were called from different authorized dealers of Toyota brand and comparative statement was prepared (Annex-E). Meeting of the departmental committee was convened on 12-02-2016 under the chairmanship of Special Secretary HED. Comparative statements was signed by all the members. Minutes of the meeting are at Annex-F-1 wherein it was decided that as the Toyota Abbott Motors has quoted less amount per unit i.e Rs 3780000/-, therefore, order shall be placed to them for delivery of vehicles. It has also been mentioned in Para 3(ii) of the minutes under reference that DS (Admn) was directed by chair to confirm the approved rates from the concerned supplier on telephone. Accordingly, supply order was placed for supply of 25 Toyota Hiaces in the name of MD, Toyota Abbott Motors, Mansehra Road, Abbottabad on 22-02-2016 (Annex-F).

An agreement was prepared which was signed by the DS (Admn) on behalf of HED and MD M/S Abbott Motors on 03-03-2016. This agreement is not traceable in the file. However copy of Note sheet is at Annex-G. Another agreement is available in the file

193  
192

which was signed on 02-07-2016 having serial NO. 9515 and issued from Rawalpindi (Annex-H).

(9)  
In continuation to above, a letter was issued to Finance department on 4-03-2016 requesting therein providing sanction for 100% advance payment to the company (Annex-I). Finance department accorded sanction for advance payment to said firm vide letter No. SO (Dev-I)FD/3-1/HE/2015-16 dated 10-06-2016 (Annex-J). The sanction of Finance Department was processed on 14-06-2016 vide paras (58-62) of the note sheet and accordingly sanction order was issued bearing No. SOG/HE/ADP-545/150025/2015-16, dated nil (Annex-K). Letter was issued in the name of M/S Toyota Abbott Motors on 28-06-2016 containing the cheque No. 1352571 dated 24-06-2016 amounting to Rs. 91287000/- which was received by Mr. Jawad Ashraf on 28-06-2016 (Annex-L).

(12)  
In the meanwhile a letter was received from Toyota Abbott Motors dated 26-09-2016, addressed to DS (Admn) HED, wherein they gave reference of their previous letter dated 01-05-2016, and claimed that they have not received any supply order and payment. They further reiterated that they have withdrawn their quotation, and does not bear any responsibility (Annex-M). Same letter was processed on the note sheet which transpires that the letter dated 01-05-2016 was not received in the HED and accordingly a meeting of Purchase Committee was convened on 20-10-2016 to discuss the issue. (note sheet bearing para nos from 64 to 83 is at Annex-N). A sub committee was constituted in this meeting to visit Abbott Motors, Abbottabad and enquire about the matter and submit their report in the next meeting (Annex-O). the committee comprised the following.

1. Mr. Hayat Khan, DS (Admn), HED
2. Mr. Aziz Muhammad, SO (F&A), HED
3. Mr. Wajid Ali, DD (P&D), Directorate of Higher Education.

(15)  
The said committee visited Toyota Abbott motors on 20-10-2016 and met the Manager Finance Mr. Sajjad. He informed the committee members that Mr. Zia Nabi is the Director of firm and presently has gone to Karachi. The committee also met Mr. Jawad Ashraf, the one who received the cheque and to whose account the cheque was issued. He responded that he is partner of Zia Nabi and has purchased 25 Nos of Hiaces in Japan. However if there is any legal complication, he is ready to return back the money to the department. The committee also met Mr. Zia Nabi on 23-10-2016, upon his return from Karachi, and he confirmed that Mr. Jawad Ashraf was his friend. (Report of committee and other staff is at Annex-P)

(16)  
In the meanwhile, another letter was received from Toyota Abbott Motors dated 13-10-2017 wherein they mentioned that HED deptt falls under IPRA of Toyota Khyber Motors Peshawar, so they cannot entertain the request. They further informed

194  
198

that they have already submitted letters of withdrawal on 17-03-2016 and 06-10-2016. They also attached supporting documents to prove their claim that they have already withdrawn their quotation (Annex-Q). While going through the attached letters, it can be observed that Toyota Abbott Motors vide letter dated 17-03-2016 had withdrawn their quotation on the plea that HED comes under the PRA of Toyota Khyber Peshawar, and further requested not to issue supply order or payment in favor of Toyota Abbott Motors.

(7) Again another letter was received from Toyota Abbott Motors dated 04-11-2016 wherein they gave reference of their previous letters and reiterated about withdrawal of quotations. They mentioned that payment has been done to Toyota Abbott Motors Rawalpindi which is fake company and is not an authorized 3S dealership of Toyota in Pakistan. The said company has fraudulently been registered by an individual Mr. Jawad Ashraf who has nothing to do with the 3S dealership of Toyota Abbott Motors, Abbottabad. As per policy of Toyota, all payments are made in favor of Indus Motor Company Ltd and not in the name of dealership as has been done in the instant case. They added that their company name has fraudulently been used. In addition very harsh language was used by the firm (Annex-R).

(10) In response to above, a letter was issued from HED on 09-11-2016 wherein clarifications were sought from Toyota Abbott Motors, Abbottabad (Annex-S). The reply of Toyota Abbott dated 23-11-2016 is at Annex-T wherein it has been mentioned that their team visited HED department on 13-10-2016 to resolve the issue but Mr. Hayat, DS (Admn) informed them payment has not yet been done against the order however the payment was already done on 26-06-2016. Further the NTN number of Toyota Abbott Motors in the quotation is 7143699-3 whereas payment has been done to Toyota Abbott Motors, Rawalpindi having NTN No. 2672698-0 which is not an authorized dealer. Besides, the supply order issued on 24-02-2016 contained a clause of 25% security deposit which was later on changed to 10% security deposit and hence the older supply order stands null and void. They further intimated that they have held meetings with Mr. Jawad Ashraf (receiver of the cheque) and he has agreed to make payment to the Indus Motors Company on behalf of HED. For that matter, they need a fresh supply order from HED in new date to be accepted by Indus Motor Company and thereafter will supply Hiaces to the HED.

(14) Another meeting of Departmental Purchase Committee was held on 02-12-2016 under the chairmanship of DS (Admn) HED, wherein it was decided to call Mr. Jawad Ashraf (Receiver of the cheques) and Rep of Toyota Abbott Motors, Abbottabad to appear before the committee on 06-12-2016 (Minutes at Annex-U). Sequel to this, the meeting of Purchase committee was held on 06-12-2016 under the chairmanship of Mr. Hayat, DS (admn). Mr. Jawad Ashraf attended the meeting whereas rep of Toyota Abbott Motors was absent. Mr. Jawad Ashraf told the members that he was partner of Sardar Zia

195  
198

Nabi of Toyota Abbott Motors and participated in quotation process. However, later on Zia Nabi withdrew his quotation but as per agreement he had to supply the vehicles. He offered that if the department is facing legal complications, then he is ready to return back the amount in 3-4 months. (Minutes at Annex-V).

Hence a letter was issued on 16-12-2016 to Mr. Jawad Ashraf for returning the amount before 09-01-2017 (Annex-W). In response, Mr. Jawad Ashraf, intimated wide letter dated 27-12-2016 that he is moving ahead in the light of agreement signed with DS (Admn) HED on 02-07-2016 and has given order for import of Hiaces from Japan. He termed the demand of HED for return of money as highly unjustified and requested for reconsidering the decision (Annex-X). On the very same date i.e 27-12-2016, he issued another letter stating therein that he has repeatedly informed the HED to receive the vehicles which are parked in Capital Motors Islamabad and that he will not be responsible for any loss to the vehicles (Annex-Y).

The note sheet of the main file reveals that both the above letters were processed on file but DS (Admn) asked the SO(G) to seek quotation from Toyota Khyber Motors, Peshawar and accordingly letter was issued on 16-01-2017 (Annex-Z). Subsequently supply order was issued to Toyota Khyber Motors wide letter dated 22-02-2017 (Annex-AA). It is to mention here that neither approval was taken on file from the competent authority nor the meeting of Purchase Committee was convened. An agreement was signed by Mr. Hayat, DS (Admn), with the MD of M/S. Toyota Khyber Motors, Peshawar wherein payment to the company was shown in instalments (Annex-AB). Prior approval was not taken by the Ds (Admn).

Different correspondences were held between the Toyota Khyber Motors and HED. Record on note sheet transpires that decisions were taken by DS (Admn) without bringing into the notice of highups. Finally a letter evenly dated 17-07-2017 was received from Toyota Khyber Motors, addressed to DS (Admn) wherein it has been intimated that they are in continuous coordination with the Ds (Admn) for payment of balance amount for delivery of vehicles but to no avail. They requested for payment of remaining amount (Annex-AC). Toyota Khyber on 21-08-2017 informed the department to make payment of remaining amount of Rs. 52,195,385/- as the 20 vehicles have arrived at Karachi Dry port (Annex-AD). On 20-09-2017, HED asked Toyota Khyber Motors to provide 12 Hiace vehicles against the payment of Rs. 48,129,615/- already made. However, till the date of submission of this fact finding report, no delivery has been made yet. Besides, the department also sent letter to Mr. Jawad Ashraf, for providing 100% payment till 02-10-2017 (Annex-AE) but so far no remaining payment has been made.



196  
200

FINDINGS

1. Signs of the members of Departmental Purchase Committee are missing on the quotation letters.
2. Method of procurement should have been adopted as per past practice i.e through single source from the authorized dealer of Toyota in Peshawar.
3. Letter for seeking quotations from different authorized dealers is missing.
  
4. Date on the Toyota Abbott Motors letter pad is mentioned as 05-12-2016 whereas quotations were sought from authorized dealers in January 2016 (Annex-AF)
5. In the supply order it was mentioned that 25% security would be obtained (Annex-F) whereas in the agreement signed with the supplier, 10% security has been mentioned in shape of pay order/ bank guarantee (Annex-H).
6. The Note sheet reveals that an agreement was signed by DS (Admn) on 03-03-2016, however it is not available in file (Annex-G). Another agreement is available in file signed on 02-07-2016 (Annex-H) meaning thereby agreement was signed after full payment in advance on 24.06.2016 to Mr. Jawad Ashraf.
7. The agreement was neither vetted from Law department nor prior approval was taken from competent authority. Furthermore, the agreement also doesn't contain the penalty clause and arbitration clause.
8. It is not known that who received the letter of Toyota Abbot Motors, Abbotabad, dated 17-03-2016, in the department which contained the message that Toyota Abbot Motors withdrew its quotation on the plea that HED falls under PRA of Toyota Khyber Motors, Peshawar (Annex-AG)
9. Despite number of letters received from the Toyota Abbott Motors, the supply order was not cancelled and amount was not withdrawn.
10. In the quotation letter and pre-receipt bill received from Toyota Abbott Motors, the NTN No. has clearly been mentioned as 7143699-3 whereas NTN No for Mr. Jawad Ashraf is 2672698-0 (Annex-AI).
11. The cheque was issued in the name of M/S Toyota Abbott Motors, Bank Al Habib 5513 dated 24-06-2016 which is wrong. The cheque has to be issued in the name of Indus Motors and not the dealer (Annex-AJ)
12. In the taxpayer online verification form in respect of Mr. Jawad Ashraf, the address for Toyota Abbott Motors has clearly been written as F 654, Satellite Town, Near Hamid CNG, Potohar Town, Rawalpindi (Annex-AI). It depicts that the Mr. Jawad Ashraf is not receiving payment for Toyota Abbott Motor, Abbottabad.
13. The backside of stamp paper signed by DS Admn with Mr. Jawad Ashraf on 02-07-2016 also shows the signature of licensee from Rawalpindi (Annex-H).

14. The notesheet of the file reveals that the case was dealt by Mr. Hayat Khan, DS (Admn) from 13-12-2016 to 07-08-2017 by himself without placing it before the Departmental Purchase Committee or competent authority.

15. The paras 109-112 of notesheet reveals that DS (Admn) directed to call quotations from Toyota Khyber, Peshawar on 16-01-2017 without taking approval from the competent authority or placing before Departmental Purchase Committee (Annex-Z).

16. The record is also not available neither in note sheet nor in file that upon whose direction, supply order was issued to Toyota Khyber Motors, Peshawar on 22-02-2017 (Annex-AA)

17. Again an agreement was signed with Toyota Khyber Motors, Peshawar by Mr. Hayat, DS (Admn) on 16-02-2017 without bringing into notice of highups or Purchase Committee. The agreement was not vetted from Law department (Annex-AB).

18. It is also pertinent to mention here that supply order was issued on 22-02-2017 to Toyota Khyber Motors, Peshawar whereas agreement was signed on 16-02-2017 i.e prior to issuing of supply order.

#### CONCLUSION

On the basis of available record and above findings it can be concluded that the case was not dealt as per rules and regulations in vogue and irregularities have been committed. The case was not submitted to high ups for their information and directions or placed before the Departmental Purchase Committee by Mr. Hayat, Ex- DS Admn despite repeated intimations on note sheet by the section. Huge public money is involved in the case and loss to Government ex-chequer is occurring continuously.

#### RECOMMENDATIONS

On the basis of above fact & finding, following recommendations are submitted for consideration please.

1. FIR be lodged against Mr. Jawad Ashraf for doing fraud with the department. Opinion of Law department may be obtained for recovery of remaining amount under Land Revenue Act.

OR

2. Meeting may be convened with the Law department on immediate basis for adopting legal action against Mr. Jawad Ashraf regarding his fraudulent actions and recovery of remaining amount.
3. The company of Mr. Jawad Ashraf may be black listed.
4. Advice from KPPRA may be obtained as to whether the present supply order to Toyota Khyber Motors is covered under the rules or otherwise.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 6346 /2021

Imtiaz Ali ..... Appellant

Versus

The Govt of KP others ..... Respondents

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**REJOINDER ON BEHALF OF APPELLANT IN RESPONSE TO  
REPLY FILED BY RESPONDENTS.**

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Respectfully Sheweth.

**Preliminary Objections:**

Preliminary objections raised by answering Respondents are erroneous and frivolous. Appellant having strong cause and locus standi to knock at the door of this Hon'ble Tribunal. All the relevant facts have been incorporated in the instant service appeal and nothing has been concealed. Estoppel does not run against the law. All the necessary parties have been arrayed as Respondents. Appellant is highly aggrieved from acts and omissions of the Respondents and impugned order thereby invoked the jurisdiction on this Hon'ble Tribunal.

**Facts:**

- 1&2. Being conceded by the Respondents need no rejoinder.
3. As not properly rebutted by the Respondents, thus needs no explanation. The Quotations were sought from the interested Dealers by the authorized Officer/Offices whereafter deal was signed. It is added that was not the domain of the appellant as per practice in vogue and assigned mandate of the post of the Section Officer. It is also aver

that appellant was not decision taking authority and acted upon the directives of the high-ups.

4. Incorrect hence forcefully denied. After the concurrence of the Finance Department advance sanction of payment to MS Toyota Abbott Motors (Pvt) Limited for the supply of 25 Toyota Hiace Vehicles under the said Scheme was made in light of the decision of the Purchase Committee. Significant to plead that when appellant came to know about the withdrawal of the quotation of Toyota Motors, Mansehra, Abbottabad, he promptly brought the matter into the notice of the high-ups and requested for holding an emergency meeting of the Departmental Purchase Committee vide Paras No.64-74 but no heed was paid. Eventually, appellant vide Paras No.117.136& 142 repeatedly requested the Deputy Secretary (Admin) to bring the matter into the Notice of the Purchase Committee but it also proved a futile exercise.
5. Inaccurate hence vehemently denied. Appellant was not fairly tried by the Respondents as per set procedure. As enshrined in Section-16 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, civil servant shall be treated as per proper law prescribed by the Khyber Pakhtunkhwa (Efficient and Disciplines) Rules, 2011. Moreover, the citations as reproduced by the Respondents are self-explanatory whereas as those have already been incorporated in the memo of the appeal are correct. It is valuable to aver that Rule- 14 of the Rules *ibid.* maintains:-

*(1) "On receipt of report from the inquiry office or inquiry committee, as the case may be, the competent authority shall examine the report and the relevant case material and determine whether the inquiry has been conducted in accordance with the provisions of these rules.*

*(2) If the competent authority is satisfied that the inquiry has been conducted in accordance with the provisions of these rules, it shall further determine whether the charge or charges have been proved against the accused or not.*

*(3) Where the charge or charges have not been proved, the competent authority shall exonerate the accused by an order in writing, or it shall*

*follow the procedure as given in sub-rule (6) of this rule.*


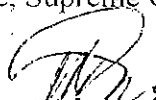
In the light of the aforementioned provisions, the question arises whether the Competent Authority was not supposed to examine the Report of the Inquiry Officer by applying judicial mind as the Committee has failed to prove charges against the appellant. therefore, Competent Authority under the law and rules was required to advance the material from the record and source of agreement which could be made based for imposition of the penalties. So for as the question of relation with Jawad Ashraf is concerned, it is elaborated that during the course of enquiry no relations were proved, therefore, in manner in which appellant was proceeded against is outright alien to the law and rules. Moreover, no reference is pending adjudication against the appellant in the Court of Judge Anti-Corruption. Peshawar.

6. Respondents have deliberately avoided to rebut the same thus amounts to admission.
- 7-9. Assertions advanced by the Respondents are not correct. Detail rejoinder has already been scribed herein above.

**Grounds:**

- A. Incorrect. The appellant was not treated in accordance with law, rules on the subject and the impugned order is illegal.
- B-H. Incorrect hence denied. Under the rules reply is sought from the opponent party to defend itself during the course of proceeding before any competent fora. Albeit Respondents have availed the same but badly failed to rebut the questions of law. It is consistent view of the superior Courts that denial must be with cogent submission/proofs. Appellant was treated by the incompetent authority thus, as has been held by the superior Courts that *“if foundation was illegal and defective then entire structure built on such foundation would fall on the ground.”*

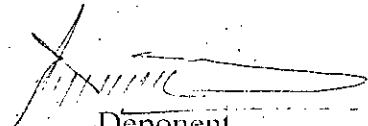
It is; therefore. humbly prayed that the reply of answering Respondents may graciously be rejected and the appeal as prayed for may graciously be accepted with costs.

**Appellant**  
**Through**  
  
**Khaled Rahman**  
Advocate, Supreme Court  
&  
  
**Muhammad Amin Ayub**  
Advocate, High Court

**Dated:** \_\_\_\_/02/2021

**Verification**

Verified that the contents of this rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

  
Deponent