

BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL  
PESHAWAR

Appeal No. 1275/2023

Jamil Khan..... Appellant.

V/S

Secretary Public Health, Engineering, Department,  
Peshawar and others..... Respondents.

(Reply on behalf of Respondent No. 5)

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*Jami*  
Deponent

*6/10/2023*  
*Peshawar*

BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL  
PESHAWAR

Appeal No. 1275/2023

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 8065

Jamil Khan..... Appellant: 8/10/23

V/S

Secretary Public Health, Engineering, Department,  
Peshawar and others..... Respondents.

(Reply on behalf of Respondent No. 5)


**Respectfully Sheweth:-**

**Para 1 to 5:-**

After detail scrutiny of the case it is pointed out that the matter in hand relates to Respondent 1 to 4 and they are in better position to show the status of the case.

It is pertinent to mention here that the petitioner is the resident of District Bannu and was appointed in District Kohat through his Administrative Department concerned and his official record also pertains to Respondent No.3 as well as District Accounts Officer Kohat and has no concern with Respondent No 5.

Keeping in view the above mentioned facts it is therefore, humbly prayed that Respondent No. 1 to 4 as well as District Accounts Officer Kohat are in better position to satisfy the grievances of the appellant. Hence, the name of District Accounts Officer Kohat may be impleaded in the instant appeal and the name of Respondent No.5 may kindly be deleted from the array of Respondents.

  
ACCOUNTANT GENERAL  
KHYBER PAKHTUNKHWA

**BEFORE THE KHYBER PAKHTUKHWA SERVICE TRIBUNAL  
PESHAWAR**

**Appeal No. 1275/2023**

Jamil Khan..... Appellant.

V/S

Secretary Public Health, Engineering, Department,  
Peshawar and others..... Respondents.

**(Reply on behalf of Respondent No. 5)**

**AFFIDAVIT**

I, Syed Tariq Shah, Senior Auditor, Office of the Accountant General Khyber Pakhtunkhwa Peshawar do hereby solemnly affirms & declare that the reply submitted on behalf of Respondents No.5 is true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Court.

It is further stated on oath that in this appeal the answering respondent has neither been placed Ex-part nor his defense has been struck off.

*Jamini*  
Deponent



No.F.6(70)Exp-II/2022  
 Government of Pakistan  
 Finance Division  
 .....

Islamabad, the 18<sup>th</sup> May, 2023

**ORDER**

This order shall dispose of the departmental appeal preferred by Mr. Bakhil Biland, ex- Assistant Accounts Officer, Office of the Accountant General (AG), Khyber Pakhtunkhwa (KPK), Peshawar, against major penalty of 'reduction to lower post' of Senior Auditor (BPS-16) from the substantive post of Assistant Accounts Officer (BPS-17) w.e.f. 15-09-2022 for a period of three years, as specified under Rule 4(3)(b) of Civil Servants (Efficiency and Discipline) Rules, 2020, imposed upon him by the Controller General of Accounts (CGA) (Authority in this case).

2. The Appellant was proceeded against on the charges of inefficiency, misconduct and corruption, within the meaning of Rule 3(a)(b) & (c) of Civil Servants (E&D) Rules, 2020. The Appellant was served with Charge Sheet, dated 01.11.2021, and Mr. Muhammad Tahir, Accounts Officer, Office of the AG (KPK), Peshawar, was appointed as Inquiry Officer under Rule 9(1) of the Rules ibid. After completion of inquiry, the Appellant was served with Show Cause Notice dated 28.02.2022, providing therewith a copy of inquiry report. Subsequently, the Appellant was afforded personal hearing by the Authority on 15.09.2022. After hearing arguments of the Appellant during personal hearing and considering the available record, the Authority i.e. Controller General of Accounts (CGA), in exercise of powers conferred upon him under Rule 16(7)(b) of Civil Servants (Efficiency and Discipline) Rules, 2020, imposed major penalty of 'reduction to lower post of Senior Auditor (BPS-16) from the substantive post of Assistant Accounts Officer (BPS-17) w.e.f. 15-09-2022 for a period of three years', as specified under Rule 4(3)(b) of the Rules ibid, upon the Appellant vide notification, dated 20.09.2022.

3. Being aggrieved, the Appellant preferred the representation/departmental appeal, to Finance Secretary/Appellate Authority against the order of the Authority. The Appellant was afforded personal hearing on 25.01.2023. Departmental representative of the office of CGA also attended the hearing.

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**Accountant General**

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Peshawar Pakistan  
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**AUTHORITY LETTER**

*Mr Tariq Shah Senior Auditor office of the Accountant General KP is hereby authorized to attend the Service Tribunal Peshawar on behalf of this office and Submit the reply in Service appeal No.1274 to 1278/2023 titled Jamil Khan & others V/S Govt: of KP & others .*

  
**Accounts Officer**  
**(Litigation)**