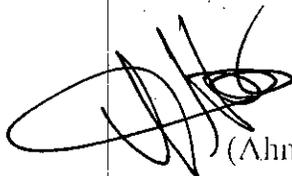


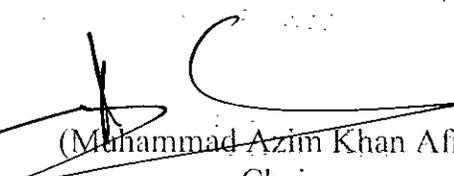
Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2 03.05.2017	3 <u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR</u> Appeal No.753/2016 Muhammad Khalid Versus Secretary Higher Education Department, Khyber Pakhtunkhwa Peshawar & another. <u>JUDGMENT</u> <u>MUHAMMAD AZIM KHAN AFRIDI, CHAIRMAN:-</u> Counsel for the appellant and Mr. Ziaullah, Government Pleader alongwith Murad Khan, A.D for respondents present. 2. Muhammad Khalid hereinafter referred to as the appellant has preferred the instant service appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against order dated 01.02.2016 vide which Senior Clerks including junior to him were promoted as Assistants and appellant deferred where-against his departmental appeal dated 09.02.2016 was also rejected on 12.05.2016 communicated to the appellant on 20.07.2016 and hence the instant service appeal on 25.07.2016. 3. We have heard arguments of learned counsel for the appellant and learned Government Pleader for respondents and have consulted the case law reported in 2013-SCMR-99 produced and relied on by the learned Government Pleader.

[Handwritten signature]
03.05.17

4. Controversy involved in the instant appeal is deferment of appellant from promotion beside his seniority on the allegations of certain recovery demanded from the appellant on the basis of fact-finding enquiry.

5. It may not be permissible to give a definite view regarding the said recovery as the respondents had neither subjected the appellant to any departmental enquiry nor the same was determined against the appellant as ^{2 a} charge attributable to the performance of the appellant. The appellant is senior and was entitled to promotion alongwith junior colleagues. Deferment on the ground of non-deposit of outstanding amount was a decision neither based on fair nor just assessment and as such we are constrained to accept the present appeal and direct that the promotion of the appellant be considered with retrospective effect by the Departmental Promotion Committee irrespective of the claim of the outstanding amount against the appellant. The appeal is accepted in the above terms. Parties are left to bear their own costs. File be consigned to the record room.


(Ahmad Hassan)
Member


(Muhammad Azim Khan Afridi)
Chairman

03.05.17.

ANNOUNCED
03.05.2017

03.02.2017

Counsel for the appellant and Mr. Murad Khan, Supdt. alongwith Mr. Ziaullah, GP for respondents present. Copy of fact-finding inquiry submitted. To come up for final hearing on 21.03.2017 before D.B. The restrain order shall continue.


Member


Chairman

21.03.2017

Counsel for the appellant and Addl:AG alongwith Mr. Irfan, Assistant Director for respondents present. Arguments could not be heard due to incomplete bench. Adjourned. To come up for arguments on 03.05.2017 before D.B. The restrain order shall continue.


(AHMAD HASSAN)
MEMBER

30.08.2016

Counsel for the appellant and Mr. Muhammad Asif, AD alongwith Mr. Usman Ghani, Sr.GP for respondents present. Written statement submitted. The appeal is assigned to D.B for rejoinder and final hearing for 10.10.2016. The restraint order shall continue.

10.10.2016

Agent to counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Rejoinder on behalf of the appellant submitted, copy whereof handed over to learned GP. To come up for arguments on 9-12-16 before D.B. The restraint order shall continue.



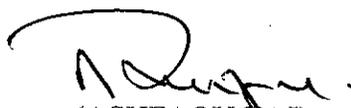
(ABDUL LATIF)
MEMBER



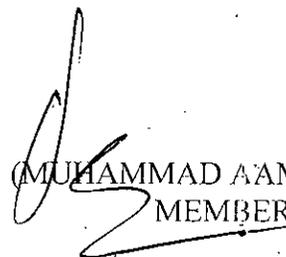
(PIR BAKHSH SHAH)
MEMBER

09.12.2016

Counsel for the appellant and Mr. Ziaullah, GP for respondents present. Since facts findings inquiry is not available on file. Respondent-department is directed to produce facts findings inquiry on the next date. To come up for such record and arguments on 3.2.17. The restrain order shall continue.



(ASHFAQUL TAJ)
MEMBER



(MUHAMMAD AMIR NAZIR)
MEMBER

27.07.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Senior Clerk in the Directorate of Higher Education Khyber Pakhtunkhwa, Peshawar and that his name was reflecting at S.No. 36 of the seniority list of Senior Clerks and that on the basis of the same entitled to promotion to the post of Asstt. That vide impugned order dated 1.2.2016 Senior Clerks from S.No. 1 to S.No. 47 were promoted to the post of Assistant but the appellant ignored despite seniority-cum-fitness constraining the appellant to prefer departmental appeal on 09.2.2016 which was rejected on 12.05.2016 but communicated to the appellant on 20.7.2016 and hence the instant service appeal.

That the appellant was entitled to promotion to the post of Assistant being fit and senior. That by denying promotion to the appellant, the respondents have acted arbitrarily and not in accordance with mandates of law. That the appellant was also directed to deposit an amount of Rs. 75425/- on the basis of fact-finding enquiry wherein the appellant was not associated.

Counsel for the appellant also submitted application for suspension of impugned order to the extent of recovery of Rs.75425/-.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 30.08.2016 before S.B. Notice of application shall also be issued to the respondents for the date fixed. Till further orders the amount shall not be recovered from the appellant.

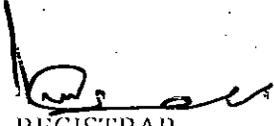
Appellant Deposited
Security & Process Fee


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No: 753/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	25/07/2016	<p>The appeal of Mr. Muhammad Khalid presented today by Mr. Muhammad Asif Yousafzai Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	25-7-16	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>27-7-16</u></p> <p> CHAIRMAN</p>

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 753 /2016

Muhammad Khalid

V/S

Higher Education Deptt:

INDEX

S.No.	Documents	Annexure	Page No.
1.	Memo of Appeal	-----	01-04
2.	Stay application	-----	05-06
3.	Copy of Seniority List of 2015	- A -	07-09
4.	Copy of GP letter	- B -	10-15
5.	Copy of inquiry report	- C -	16-28
6.	Copy of letter dt 16.7.2015	- D -	29-30
7.	Copy of DPC meeting minutes	- E -	31-33
8.	Copy of notification dt 1.2.2016	- F -	34-36
9.	Copy of departmental appeal	- G -	37
10.	Copy of rejection order	-H-	38
11.	Vakalat Nama	-----	39


APPELLANT

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

(TAIMUR ALI KHAN)
ADVOCATE, PESHAWAR.

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR.

Appeal No. 753 /2016

Khyber Pakhtukhwa
Service Tribunal

Diary No. 754

Dated 25-7-2016

Mr. Muhammad Khalid, Senior Clerk
Directorate of Higher Education KPK, Peshawar.

APPELLANT

VERSUS

1. The Secretary, Higher Education Department, KPK, Peshawar.
2. The Director, Higher Education Department, KPK, Peshawar.

RESPONDENTS

.....

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 12.05.2016 RECEIVED BY THE APPELLANT ON 20.07.2016 WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT AGAINST THE ORDER DATED 01.02.2016 AND 16.07.2015 WAS REJECTED FOR NO GOOD GROUNDS.

.....

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER DATED 05.12.2016, 01.02.2016 AND 16.07.2015 MAY BE SET AND THE RESPONDENTS MAY BE DIRECTED TO CONSIDER THE APPELLANT FOR PROMOTION TO THE POST OF ASSISTANT (BPS-16) W.E.F WHEN HIS JUNIORS WERE PROMOTED WITH ALL BACK AND CONSEQUENTIAL BENEFITS WITH FURTHER DIRECTIONS TO THE RESPONDENTS TO WITHDRAW 5% RECOVERY ORDER AGAINST THE APPELLANT. ANY OTHER REMEDY, WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Filed to-day

Registrar

25/7/16

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant joined the respondent department as Junior Clerk on 11.09.1990 and was promoted to the post of Senior Clerk in 2008 and since then he has been performing his duty up the entire satisfaction of his superiors. The appellant is at Serial No.36 of the Seniority list of the Senior Clerk issued on 31.10.2015. (Copy of Seniority list of 2015 is attached as Annexure-A)
2. That the appellant's job assignment was forwarding GP Fund requests to the next higher authority. Those claim of G.P Fund were properly examined by the Superintendent, discussed by Accounts Officer and thereafter properly approved by the authority (Director). (Copies of 3 GP Fund Letters forwarded by appellant & duly signed by different officers are attached as Annexure-B)
3. That a fact finding inquiry was initiated in the case of embezzlement in the release of amount of Rs. 1508500/- of commutation and pension in respect of Mr. Fazal Wahid Ex-Principal Agra Malakand Agency against different officials, however the name of the appellant was not mentioned in those official against whom inquiry was initiated, but the inquiry committee also held responsible the appellant in their inquiry report without providing chance of defence to appellant and recommended 5% of the recovery of the total amount which become Rs.75425/- . (Copy of inquiry report is attached as Annexure- C)
4. That on the basis of fact finding inquiry report, notice of recovery of amount Rs. 75425/- was issued to the appellant vide letter dated 16.7.2015. (Copy of letter dated 16.7.2015 is attached as annexure-D)
5. That in meantime DPC of senior Clerk was held on 19.01.2016 for promotion to the post of Assistant (BPS-16), however the name of the appellant was deferred due to non depositing of outstanding amount against him by the DPC and on the basis of DPC recommendation 47 officials were promoted to

the post Assistant (BPS-16) vide notification dated 1.2.2016 and deferred the appellant from promotion. (Copies of DPC meeting minutes and notification dated 1.2.2016 is attached as Annexure-E&F)

6. That the appellant filed departmental appeal against not considering for promotion and recovery of Rs.75425/- and which was rejected on 12.5.2016 and communicate to the appellant on 20.7.2016.(Copies of departmental appeal and rejection order are attached s annexure-G&H)

GROUND:

- A) That order dated 12.05.2016, 16.7.2015 and 1.2.2016 and not considering the appellant for promotion to the post of assistant (BPS-16) are against the law, rules, norms of justice and material on record, therefore, not tenable.
- B) That the name of appellant was not directly mention in the list of those officials against whom fact finding was initiated, but despite that the inquiry committee held responsible the appellant and recommend 5% recovery without providing any chance of defence to the appellant which is the utter violation of law and rules.
- C) That no regular inquiry was conducted in the case of embezzlement in the release of amount of Rs. 1508500/- of commutation and pension in respect of Mr. Fazal Wahid Ex-Principal Agra Malakand Agency and the recovery of Rs.75425/- was recommended by the inquiry committee on the basis of fact finding inquiry which is not permissible in the eye of law.
- D) That three sanction of Non-Refundable GP fund whose amount is worth of Rs. 572000/- were issued from the office of the appellant and he has no connections with GP Fund amount worth of Rs.1508500/- of Principal. Therefore he has no role in the embezzlement amount worth of Rs. 1508500/- and holding responsible by the inquiry committee and recovery from of 5% of

embezzlement amount in GP fund of Principal is against the principle of natural justice.

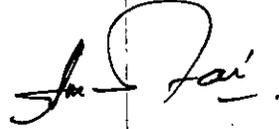
- E) That GP fund amount issued to different officials have been duly signed by the Director, Superintendent, Account Officer and the appellant, which means that the appellant has forwarded only the GP Fund claim to different Officials according to the laws and no embezzlement or misappropriate was made by the appellant.
- F) That the appellant has been condemned unheard throughout which is against the principles of Audi Alteram Partem because no charge sheet, show cause, or personal hearing was given to appellant while passing the recovery order.
- G) That the appellant has not been treated according to law and rules and has been kept deprive from his genuine rights of promotion in an arbitrary manner.
- H) That the appellant is at S. No. 36 of the seniority list 31.10.2015 and 47 officials were promoted but the name of the appellant was deferred due non depositing of outstanding amount against him and according to Superior Courts judgment, no official can be deprived from his right of promotion due to minor penalty.
- I) That the DPC has exceed its power and illegally deferred the appellant from promotion in an arbitrary manner which is not permissible under the law and norms of justice.
- J) That the appellant has not been treated in accordance with law and rules and deprived him from his rights in utter violation of principle of justice and fair play.
- K) That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

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



APPELLANT
Muhammad Khalid

THROUGH:



(M. ASIF YOUSAFZAI)

&

(TAIMUR ALI KHAN)
ADVOCATES, PESHAWAR

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. _____/2016

Muhammad Khalid

V/S

Higher Education Deptt:

**APPLICATION FOR SUSPENDING THE RECOVERY OF
RS. 75425/- VIDE ORDER DATED 16.7.2015 TILL THE
DISPOSAL OF MAIN APPEAL.**

R. SHEWETH.

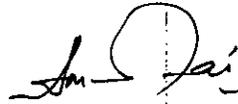
1. That the appellant has filed an appeal along with this application in which no date is fixed so far.
2. that the appellant was not directly mentioned in the list of those officials against whom inquiry was initiated, but despite that he was held responsible by the inquiry committee without providing chance of defence to the appellant and recommended recovery of 5% of worth of 75425/- of total of embezzlement amount.
3. That if the recovery is made then the appeal of the appellant would be infructuous due to implementation of penalty order.
4. That due to the unlawful recovery the promotion to the post of assistant of the appellant was also deferred by the DPC held on 19.1.2016
5. That if the recovery of Rs. 75425/- is not stopped it will cause great irreparable loss to the appellant and will effect whole of his family.
6. That the grounds of main appeal may also be considered as integral part of this application.
7. That the appellant has a good prima facie case and all the three ingredients are in favour of the appellant.

It is therefore most humbly prayed that the operation of the order dated 16.07.2015 may be suspended till the decision of main appeal.



APPELLANT

THROUGH:



M.ASIF YOUSAFZAI

&

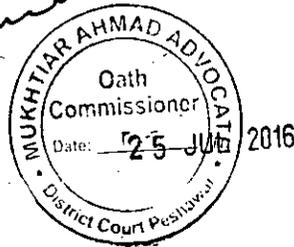
TAIMUR ALI KHAN
(ADVOCATES PESHAWAR)

AFFIDAVIT.

It is affirmed on Oath that the contents of application are true and correct.

DEPONENT

ATTESTED



Muhammad Khalid

A (9) 32

**FINAL SENIORITY LIST OF SENIOR CLERKS (MALE & FEMALE) UNDER THE CONTROL OF
DIRECTORATE HIGHER EDUCATION KHYBER PAKHTUNKHWA PREPARED .CORRECTED UPTO 31-10-2015
TOTAL SANCTIONED POSTS = 254**

S. No.	Name	Qualification	Date of Birth	Domicile	Date of Entry into the Govt. Service	D/o Apptt. as J/Clerk	D/O Promotion to the Present Grade	Designation	Address
1	Asghar Ali	SSC	01/12/1962	Swat	01/03/1984	01/03/1984	10/04/1995	S/Clerk	GJGC, Swat
2	Rahim Gul	SSC	15/04/1961	Nowshera	12/01/1984	12/01/1984	27/9/2008	S/Clerk	GGC Nowshera
3	Pervez Khan	SSC	15/05/1965	Malakand	04/08/1985	04/08/1985	27/9/2008	S/Clerk	GDC Agra Malakand Agency
4	Burhanud Din	SSC	09/06/1966	Peshawar	10/01/1986	10/01/1986	27/9/2008	S/Clerk	GC Peshawar
5	Sajjad Aziz	SSC	02/03/1968	Abbottabad	12/01/1988	12/01/1988	27/9/2008	S/Clerk	GPGC, No.1 Abbottabad
6	Shoukat Aziz	BA	15/04/1969	Mansehra	05/02/1988	05/02/1988	27/9/2008	S/Clerk	GGC, Cheeti Dehri Mansehra
7	Shah Khan	SSC	18/01/1970	MKD	04/11/1988	04/11/1988	27/9/2008	S/Clerk	GDC Landi Kotal Khyber Agency
8	Wajihud Din	FA	10/12/1968	Nowshera	15/05/1988	15/05/1988	27/9/2008	S/Clerk	GDC, KKK Akora Khattak
9	Mohammad Nisar	BA	02/01/1966	Peshawar	16/05/1988	16/05/1988	27/9/2008	S/Clerk	DHE KHYBER PAKHTUNKHWA
10	Khawaja Akhtar Ali	BA	04/09/1962	Peshawar	01/06/1988	01/06/1988	27/9/2008	S/Clerk	DHE KHYBER PAKHTUNKHWA
11	Khrushid Hussain	BA	16/01/1964	Peshawar	04/08/1988	04/08/1988	27/9/2008	S/Clerk	DHE KHYBER PAKHTUNKHWA
12	Mohammad Rehman	MA	15/02/1963	Malakand	08/11/1988	08/11/1988	27/9/2008	S/Clerk	GGC, Thana
13	Wajid Ali	SSC	01/01/1965	Charsadda	08/11/1988	08/11/1988	27/9/2008	S/Clerk	GGC, Charsadda
14	Mohammad Sohail	BA	05/02/1970	Swabi	23/11/1988	23/11/1988	27/9/2008	S/Clerk	GGC, Manki
15	Mohammad Arif	D.Com	24/02/1964	DIK	27/11/88	27/11/88	27/9/2008	S/Clerk	GGC, Kulachi D.I.Khan
16	Gulshan Bibi	SSC	03/01/1970	Abbottabad	01/12/1988	01/12/1988	27/9/2008	S/Clerk	GGC No.1 A-Abad
17	Haseenud Din	BA	14/04/1970	Swabi	01/12/1988	01/12/1988	27/9/2008	S/Clerk	GDC Yar Hussain Swabi
18	Muzafar Khan	MA	09/03/1967	Kohat	03/12/1988	03/12/1988	27/9/2008	S/Clerk	GDC, K.D.A Kohat
19	Fazli Akbar	FA	08/01/1966	Swabi	04/12/1988	04/12/1988	27/9/2008	S/Clerk	GPGC Swabi
20	Abdul Ghaffar	SSC	12/11/1967	Nowshera	06/12/1988	06/12/1988	27/9/2008	S/Clerk	GPGC, Nowshera
21	Umar Gul	BA	1/12/1968	Peshawar	07/11/1988	07/11/1988	27/9/2008	S/Clerk	GGC Hayat Abad Peshawar
22	Dilawar Khan	FA	5/10/1971	Peshawar	11/07/1989	11/07/1989	27/9/2008	S/Clerk	GSSC Peshawar
23	Muhabat Khan	BA	20-6-57	Karak	31/08/1989	31/08/1989	27/9/2008	S/Clerk	GGC, Karak
24	Alamzeb	SSC	20/04/1971	Peshawar	23/09/1989	23/09/1989	27/9/2008	S/Clerk	DHE KHYBER PAKHTUNKHWA
25	Rehmat Ullah	MA	09/05/1970	Karak	10/10/1989	10/10/1989	27/9/2008	S/Clerk	GDC B.D Shah
26	Ghulam Yasin	D.Com	20-5-63	DIK	25/10/89	25/10/89	27/9/2008	S/Clerk	GDC Paroa DIK
27	Sanullah	BA	8/4/1971	Lakki Marwat	29/10/89	29/10/89	27/9/2008	S/Clerk	GDC, Essk Khel
28	Ahmad Hassan	SSC	06/01/1967	Manshera	30/10/89	30/10/89	27/9/2008	S/Clerk	GGC, No.1 Manshera
29	Abdul Khaliq	MA	10/01/1967	Bannu	05/12/1989	05/12/1989	27/9/2008	S/Clerk	GPGC, Bannu
30	Noor Ali Khan	BA	14/02/1968	Bannu	06/12/1989	06/12/1989	27/9/2008	S/Clerk	GGC, Ghorri Wala
31	Abdul Khalil	FA	01/04/1970	Kohat	03/01/1990	03/01/1990	27/9/2008	S/Clerk	GPGC, Kohat
32	Saleem Akhtar	BA	08/10/1966	Peshawar	06/03/1990	06/03/1990	27/9/2008	S/Clerk	DHE KHYBER PAKHTUNKHWA
33	Saifullah Khan	MA	20-8-69	Karak	11/03/1990	11/03/1990	27/9/2008	S/Clerk	GGC, Takht Nasrati
34	Waseem Ahmad Shah	BA	01/07/1968	Peshawar	30/07/1990	30/07/1990	27/9/2008	S/Clerk	DHE KHYBER PAKHTUNKHWA
35	Fazli Din	MA	06/01/1971	Abbottabad	29/09/1990	29/09/1990	27/9/2008	S/Clerk	GPGC Mansehra

Deferred in the DPC 18-12-2014
Deferred in the DPC 18-12-2014
Deferred in the DPC 18-12-2014
Deferred in the DPC 18-12-2014

ATTESTED

1 to 35
Produced

Name	Qualification	Date of Birth	Domicile	Date of Entry into the Govt. Service	D/o Appt. as J/Clerk	D/O Promotion to the Present Grade	Designation	Address	
36	Mohammad Khalid	BA	18-3-72	Peshawar	01/10/1990	01/10/1990	27/9/2008	S/Clerk	DHE KHYBER PAKHTNKHWA
37	Haji Ahmad Ullah	MA	17/04/1972	Peshawar	21/10/1990	21/10/1990	27/9/2008	S/Clerk	DHE KHYBER PAKHTNKHWA
38	Sanobar Khan	SSC	01/04/1956	Charsadda	05/04/1980	01/01/1991	27/9/2008	S/Clerk	GPGC Charsadda
39	Mrs. Farzana Rehman	SSC	10/04/1966	Peshawar	01/12/1991	01/12/1991	27/9/2008	S/Clerk	G FCW Peshawar
40	Obaidulah Khan	MA	10/10/1968	Bannu	22/12/90	22/12/90	27/9/2008	S/Clerk	GGC Mandan Bannu
41	Yahya Jan	SSC	17/08/1962	FR Kohat	20/08/1986	20/08/1986	13/05/2009	S/Clerk	GDC Darra Adam Khel FR Kohat
42	Hujjatullah	FA	16/03/1967	Charsadda	12/10/1986	12/10/1986	13/05/2009	S/Clerk	GDC, Ekka Ghund Mohmand Agy
43	Shakir Ullah	SSC	01/02/1964	Charsadda	21/11/1986	21/11/1986	13/05/2009	S/Clerk	GDC, Kohi Sher Haider
44	Irfan Ullah	SSC	01/01/1966	Charsadda	15/04/1987	15/04/1987	13/05/2009	S/Clerk	GGC Ekka Ghund Mohmand
45	Salim Khan	SSC	20.4.1970	NWA	30/04/1988	30/4/88	13/05/2009	S/Clerk	GDC Miran Shah NWA
46	Azmat Ayaz	SSC	08/01/1972	NWA	11/01/1989	11/01/1989	13/05/2009	S/Clerk	GDC Mir Ali NWA
47	Naeem Gul	FA	01/10/1970	Karak	08/07/1989	08/07/1989	13/05/2009	S/Clerk	GDC Latambar Karak
48	Mohammad Haroon	SSC	04/04/1968	Abbottabad	19/11/1989	19/11/1989	13/05/2009	S/Clerk	GGC, Qalandar Abad
49	Mohammad Salim	FA	14-4-1960	Swat	15/11/84	02/01/1990	13/05/2009	S/Clerk	GPGJC, Swat
50	Mohammad Nawab	SSC	04/10/1965	Swat	06/01/1990	06/01/1990	13/05/2009	S/Clerk	GDC Alpuri Shangla
51	M. Irfan Ghani	FA	19-4-65	Abbottabad	15/3/90	15/3/90	13/05/2009	S/Clerk	DHE KHYBER PAKHTNKHWA
52	Abdul Qadoos	FA	05/04/1964	Swat	16/7/90	16/7/90	13/05/2009	S/Clerk	GDC Madyan Swat
53	Attaullah Din	FA	14-4-69	Karak	26/11/90	26/11/90	13/05/2009	S/Clerk	GDC, Latamber
54	Ghias Ud Din Balban	SSC	03/01/1964	Kohat	07/12/1986	07/12/1986	19/02/2011	S/Clerk	GGC, Hangu
55	Abdul Majeed	SSC	02/09/1963	Lakki Marwat	24/12/1986	24/12/1986	19/02/2011	S/Clerk	GDC, Isak Khel (Lakki Marwat)
56	Sher Baz Khan	SSC	30/04/1962	Lakki Marwat	01/07/1987	01/07/1987	19/02/2011	S/Clerk	GDC, No.1 DIK
57	Shahid Saleem	SSC	02/04/1969	D.I.Khan	09/09/1987	09/09/1987	19/02/2011	S/Clerk	GDC, Paniala (D.I.Khan)
58	Mohammad Saeed	BA	15/04/1967	Manshera	28/12/1988	28/12/1988	19/02/2011	S/Clerk	GDC, Balakot
59	Syed Riaz ud Din	FA	15/03/1961	Karak	01/06/1989	01/11/1990	19/02/2011	S/Clerk	GDC, Ghumbat
60	Mansoor Khan	BA	12/02/1970	Karak	02.01.1991	02/01/1991	19/02/2011	S/Clerk	GDC, Domail
61	Safi Ullah	MA	21/04/1967	Lakki Marwat	14/01/1991	14/01/1991	19/02/2011	S/Clerk	GPGC, Lakki Marwat
62	Zia Ud Din	SSC	28/04/1969	Manshera	17/01/1991	17/01/1991	19/02/2011	S/Clerk	GDC, Oghi (Manshera)
63	Amanullah	BA	07/01/1967	Haripur	19/01/1991	19/01/1991	19/02/2011	S/Clerk	GGC, No.2 Haripur
64	Nadeem Ahmad	FA	01/02/1971	Haripur	21/01/1991	21/01/1991	19/02/2011	S/Clerk	GGC, Mankarai
65	Javed Iqbal	FA	03/03/1970	Swat	27/01/1991	27/01/1991	19/02/2011	S/Clerk	GDC, Matta (Swat)
66	Sabz Ali	FA	03/01/1964	Mardan	04/02/1991	04/02/1991	19/02/2011	S/Clerk	GDC, Sheikh Maltoon (Mardan)
67	Abdul Samad	SSC	15/02/1970	Peshawar	12/02/1991	12/02/1991	19/02/2011	S/Clerk	DHE Khyber Pakhtunkhwa
68	Haq Nawaz	FA	15/07/1971	Haripur	16/02/1991	16/02/1991	19/02/2011	S/Clerk	GGC, Mankarai
69	Sher Wali Khan	SSC	12/02/1967	Chitral	29/4/1986	25/02/1991	19/02/2011	S/Clerk	GGC, Booni (Chitral)
70	Waseem Akhtar	SSC	01/01/1970	Abbottabad	30/04/1991	30/04/1991	19/02/2011	S/Clerk	GPGC, Mandian
71	Ali Gohar	SSC	11/02/1963	Nowshera	23/05/1991	23/05/1991	19/02/2011	S/Clerk	GGC, Pirpai
72	Hazrat Usman	BA	05/04/1970	Swat	29/05/1991	29/05/1991	19/02/2011	S/Clerk	GDC, Puran (Shangla)
73	Ghulam Nadir	BA	03/03/1968	Malakand	16/06/1991	16/06/1991	19/02/2011	S/Clerk	GDC, Dargai (Malaknad)
74	Syed Ashfaq Hussain	SSC	19/04/1968	Mardan	01/07/1991	01/07/1991	19/02/2011	S/Clerk	GGPGC Mardan
75	Mohammad Yaseen	BA	05/01/1970	Malakand	01/07/1991	01/07/1991	19/02/2011	S/Clerk	GGC, Dargai (Malakand)
76	Mir Sihat Shah	BA	26/06/1991	Nowshera	03/07/1991	03/07/1991	19/02/2011	S/Clerk	GDC, Khan Kohi Nowshera

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31

9 26

	Name	Qualification	Date of Birth	Domicile	Date of Entry into the Govt. Service	D/o Apptt. as J/Clerk	D/O Promotion to the Present Grade	Designation	Address
		SSC	12/04/1985	Charsadda	28/04/2010	28/04/2010	22/09/2015	S/Clerk	GPGC, Charsadda
237	Amjad Islam	SSC	12/04/1985	Charsadda	28/04/2010	28/04/2010	22/09/2015	S/Clerk	GPGC, Charsadda
238	Arshid Ali	BA	31/01/1980	Nowshera	03/05/2010	03/05/2010	22/09/2015	S/Clerk	GGC, Pabbi
239	Khan Jahid	FA	06/03/1975	Nowshera	13/09/2007	21/05/2010	22/09/2015	S/Clerk	GDC, Khan Kohi Nowshera
240	Amir Nawaz	SSC	19/02/1984	Nowshera	25/05/2010	25/05/2010	22/09/2015	S/Clerk	GDC, Lachi Kohat
241	Aftab Ahmad	BA	10/07/1985	Nowshera	25/05/2010	25/05/2010	22/09/2015	S/Clerk	GDC, Thall
242	Uzair Ahmad	BA	26/02/1987	Abbottabad	23/07/2010	23/07/2010	22/09/2015	S/Clerk	GDC, Wari Dir Upper
243	Majid Khan	MA	04/03/1989	Abbottabad	23/07/2010	23/07/2010	22/09/2015	S/Clerk	GDC, Rustam
244	Malik Waqas Awan	FA	20/01/1988	Abbottabad	26/07/2010	26/07/2010	22/09/2015	S/Clerk	GDC, Thall

CERTIFICATE

It is certified that the Seniority List Senior Clerks is neither disputed nor sub-judice in any court of law.

27564-66 dt. - 11-11-2015

Endst. No. /CA-VII/Estb. Branch

Copy of the above is forwarded to the:-

- 1 Section Officer (Colleges-II) Govt. of Khyber Pakhtunkhwa Higher Education Department
- 3 Director Education (FATA), Khyber Pakhtunkhwa.
- 4 PA to Director Higher Education, Khyber Pakhtunkhwa

S. Bashir

DEPUTY DIRECTOR (Establishment)
HIGHER EDUCATION KHYBER PAKHTUNKHWA

S. Bashir

DEPUTY DIRECTOR (Establishment)
HIGHER EDUCATION KHYBER PAKHTUNKHWA

ATTESTED

A

B 10

No. 6124 / N-97/GPFund
Dated Peshawar the, 21/5 / 2008.

T.

The Principal
Govt Degree College Ayaz
(M.K.D. Agency)

Subject: GENERAL PROVIDENT FUND ADVANCE FOR ABOVE THAN
45/50 YEARS (NON-REFUNDABLE BASIS)

Memorandum Reference your Memo:/Endst:No. 118 / Dated 31-3-08

Under the provision of Rules 16-A/B amended vide Notification No.S0(SR-II)FD/5-6/70 dated 22nd January, 1971, Government of NWFP, Finance Department No.S0(E-P)15-1/78-79, dated 04-09-1979 and No.FD/S0(SR-IV)I-43/79/Vol:II dated 20th May, 1991, sanction is hereby accorded to the payment of Rs. 20400/- (Rupees Two hundred Four Thousand) ~~only equal installment of~~ Rs. ~~_____~~ / each to Mr. Fazal Wahid ANSH Prof. of your college out of Rs. 255448/- lying at credit in the G.P.Fund account No.IV-Edu/Plan-I/DIR/2237/CS /Cs to meet out the expenses in connection with addition and alteration/construction of house in a piece of land owned by him/her on non refundable basis as his/her age exceeds 45/50 years.

NOTE: His/her date of birth is 11-5-1951
Zakat @Rs.2½ may be deducted.

6125
By
DIRECTOR HIGHER EDUCATION
NWFP., PESHAWAR

Endst:No. 6125 Copy of the above is forwarded to the Agency Accounts Office M.K.D. Agency with the remarks that the advance sanctioned does not exceed 80% of the total amount standing at the credit of the subscriber and no recovery shall be made from the above named subscriber as he/she is above 45/50 years and the amount of advance shall be treated as a part of the final payment of the amount of the subscriber when the final payment become due.

ATTESTED

DIRECTOR HIGHER EDUCATION
NWFP., PESHAWAR

(11)

GPF app. in 1/6 Fajal valid app. 6
agree amounting to Rs 204000/- all of
balance of Rs 255448/- are now requested
It agreed GPF matter on page 20 is
submitted for approval please

S/psr
/B.S.D

Spoken J.A.

Spoken
1/4/08

[Signature]
1/4/08

Spoken
para 21 is Submitted
for approval & copy please.

[Signature]
1/4/08

P/psr

pl copy

[Signature]
1/4/08

Slono

FC/2 of GPF matter on page 20 is
submitted for approval & copy please

S/psr
/B.S.D

[Signature]
1/4/2008

Spoken
1/4/08

Submitted for sig: 995200

pl.

[Signature]
01/4/08

DD/HE
DHE

Para 24 for signature

[Signature]
1/4/08

26 D.H/E

[Signature]
01/4/08

NO-6124-25

[Signature]
2/4/08

ATTESTED

[Signature]

DIRECTORATE OF HIGHER EDUCATION
NWFP, PESHAWAR

12

No. 952 /N-97/GPFund

Dated Peshawar the, 17/1/2002

To

The Principal
Govt Deegia College Area
(MMD Agency)

Subject: GENERAL PROVIDENT FUND ADVANCE FOR ABOVE THAN
45/50 YEARS (NON-REFUNDABLE BASIS)

Memorandum

Reference your Memo/Endst: No. 160 / Dated 14-1-02

Under the provision of Rules 16-A/B amended vide
Notification No. SO(SR-II)FD/5-6/70 dated 22nd January, 1971, Government
of NWFP, Finance Department No. S(E-P)15-1/78-79, dated 04-09-1979
and No. FD/SO(SR-IV)I-43/79/Vol: II dated 20th May, 1991, sanction is
hereby accorded to the payment of Rs. 6000/- (Rupees Six
Thousand)

only equal installment of
Rs. 3000/- each to Mr. Shahkuddin

of your college out of Rs. 535047/- lying at
credit in the G.P. Fund account No. IV-Edu: DR/1003789/

/Cssh to meet out the expenses in connection with
addition and alteration/construction of house in a piece of land
owned by him/her on non refundable basis as his/her age exceeds
45/50 years.

NOTE: His/her date of birth is 4-11-1957
Zakat @Rs. 2½ may be deducted.

[Signature]
DIRECTOR HIGHER EDUCATION
NWFP, PESHAWAR

Enlst: No. 953
Copy of the above is forwarded to the Agency
Agency with the remarks that the advance sanctioned
does not exceed 80% of the total amount standing at the credit of the
subscriber and no recovery shall be made from the above named
subscriber as he/she is above 45/50 years and the amount of advance
shall be treated as a part of the final payment of the amount of
the subscriber when the final payment become due.

[Signature]
DIRECTOR HIGHER EDUCATION
NWFP, PESHAWAR

ATTESTED
[Signature]

GPF app: in r/o Akhtar Munir spalt G. C. Thana
amounting to Rs 5000/- out of his balance of
Rs 67022/- on non repayable basis.
It agreed GPF sanction alongwith PC/OC on page 8
is submitted for approval / signature & issue plan

(13)

~~sd/-
DHE~~

~~Para 9 for appnt sign~~

~~sd/-
18/1/08~~

~~14/1/08~~

~~14/1/08~~

DHE

signed & issue pt.

14/1/08

201-808-9
15/1/08

see page 9, 10

GPF app: in r/o Shahbuddin APP 4 C. Agra
amounting to Rs 60000/- out of his balance
of Rs 53504.7/- on non repayable basis.
It agreed GPF sanction alongwith PC/OC on
page 11 is submitted for approval / signature &
issue please

sd/-
16/1/08

12

~~sd/-
DHE~~

G.P. Sandhu on approval, sign
& issue, ap

sd/-
DHE Para 12 for signature

16/1/08

signed & issue of

17/1/08

162053

17/1/08

17/1/08

ATTESTED

DIRECTORATE OF HIGHER EDUCATION
NWFP., PESHAWAR

14/09

9334

N-97/GPFund

Dated Peshawar the, 11/9/2009.

To

The Principal
Govt Duqum College
Ajra (M.K.D. Ajra)

Subject: GENERAL PROVIDENT FUND ADVANCE FOR ABOVE THAN
45/50 YEARS (NON-REFUNDABLE BASIS)

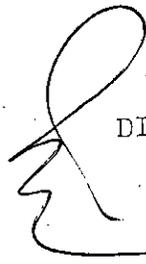
Memorandum Reference your Memo:/Endst.No. 230 / Dated 9/8/09.

Under the provision of Rules 16-A/B amended vide Notification No.SO(SR-II)FD/5-6/70 dated 22nd January,1971, Government of NWFP, Finance Department No.SO(E-P)15-1/78-79, dated 04-09-1979 and No.FD/SO(SR-IV)I-43/79/Vol:II dated 20th May,1991, sanction is hereby accorded to the payment of Rs. 30800/- (Rupees Three hundred Eight thousand /only equal installment of Rs. 385928/- each to Mr. Hidayat Ullah Khan A/P of your college out of Rs. 385928/- lying at credit in the G.P.Fund account No.IV-Edu: C-I/DK000556/ /C.Ss to meet out the expenses in connection with addition and alteration/construction of house in a piece of land owned by him/her on non refundable basis as his/her age exceeds 45/50 years.

NOTE: His/her date of birth is 20-2-1958.
Zakat @Rs.2½ may be deducted.


DIRECTOR HIGHER EDUCATION
NWFP., PESHAWAR

Endst.No. 2335 Copy of the above is forwarded to the Ajra Account Ajra M.K.D. Ajra with the remarks that the advance sanctioned does not exceed 80% of the total amount standing at the credit of the subscriber and no recovery shall be made from the above named subscriber as he/she is above 45/50 years and the amount of advance shall be treated as a part of the final payment of the amount of the subscriber when the final payment become due.


DIRECTOR HIGHER EDUCATION
NWFP., PESHAWAR

ATTESTED


ATTESTED

Supp
B&A

25/10/05

Color of GPF number on pag 43 is substituted in
signature & issue

75

25/18/05

25/18/05

Supp
25/18/05

74

GPF app. in the matter shall remain
G.C. Barilla a company in R. 800000
non rep. with name & GPF number
on pag 43 is substituted in approval

11/10/05

pag 41, 42

73

9334-35

11/5/05

Supp
11/5/05

Supp
11/5/05

72

There are 2 signatures
& Governmental
at 19500

Supp
11/5/05

4/5/05

GPF app. in the matter shall remain
G.C. Barilla a company in R. 800000
non rep. with name & GPF number
on pag 40 is substituted in approval
signature & issue

pag 38, 39

11/5/05



GOVT. POSTGRADUATE COLLEGE NO.1 ABBOTTABAD

No. 284

Date: 01/04/2013-2014

To

The Director of Higher Education
Khyber Pakhtunkhwa, Peshawar.

SUBJECT: INQUIRY REPORT/ APPEAL FOR RELEASE OF COMMUTATION AND PENSION IN RESPECT OF MR. FAZAL WAHID EX PRINCIPAL AGRA MALAKAND AGENCY.

Dear Sir,

REFERENCE

This is with reference to your office memo Nos. 18308-10/CA-I/Estt:Branch/ A-12/General Misc/ Proposal, No.29038-40/CA-I/ Estt: Branch/A-12/ General Misc/ Proposal, No.5634-36 /CA-I/Estt:Branch/ A-12/General Misc/ Proposal and 23400-02/CA-I/Estt:Branch/A-12/General Misc/ Proposal; dated Peshawar the 31-08-2012, 21-12-2012, 06-03-2013 and 22-11-2013 whereby I as the chairman along with two other worthy members were appointed as inquiry committee to probe in the subject matter by conducting fact finding inquiry aiming at formulating cogent recommendations to be submitted to your good office for perusal and further necessary action, please.

*Phone search
not up. 1/11/13
3/2*

PROCEDURE

With objective to reach the cogent conclusion, the early inquiry reports, Audit records and other relevant documents were requisitioned and studied, also all the concerned Officers/Officials were served with questionnaires to be filled with supportive documents, heard in person and were asked to give the statement in writing. The aggrieved Officers/Officials whose amount of GPF Advances drawn were asked to file applications. The college administration was repeatedly asked to engage the relevant Govt. Agency to recover the missing college official record so that necessary assessment of the financial loss to the college/Govt. Exchequer may be made. The ACE, Malakand was also requested to give the update with regard to the progress in the registered embezzlement complain/case. No response is received from the ACE, Malakand and no missing record has so far been recovered that really caused delay in the completion of the inquiry process.

With regard to different questionnaires served to and the correspondance made with various persons, Officers, Officials and Agencies, the following documents were obtained which are indexed accordingly. Mr. Fazal Wahid, the Principal retired, appellant for the release of his commutation and pension, filed reply to the questionnaire served to him along with its enclosure comprising 100 pages marked as (A-1 to A-86.3). Mr. Muhammad Rehman, Lab Asstt: GDC Agra, Malakand Agency, the accused, filed his written reply consisting of 22 pages marked (B-1 to B-11) in response to questionnaire served to him. Mr. Zia ul Haq, Ex Principal of GDC Agra and now the Principal of GPGC Timergara, was also served with questionnaire whose reply along with enclosure containing 9 pages marked as C-1 to C-8 are taken into account. Some other related documents are collected by the Inquiry Committee itself e.g. (i) on its own, (ii) from the concerned college administration, (iii) from the office of directorate of higher education and the CPO, etc., (iv) pertinent findings from the already conducted inquiries and (v) previously carried out Audit reports. These documents are categorized and indexed as D-1 to D-9; E-1 to E-25; F-1 to F-9 and G-1 to G-10

RECEIVED ON *Amrtd*

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17

FINDINGS

Brief history of Mr. Muhammad Rehman's involvement in monetary management (dealing A/Cs matters) during the tenures of respective DDOs in chronological order

1. **Mr. Muhammad Rehman**, Lab Assistant, was transferred from Govt. College Alpur, District Shangla to Govt. Degree College Agra, Malakand Agency vide Notification No. SO (Colleges) III-3/2003 dated Peshawar the 11/11/2003 (Annexure F-3). The principal/DDO at that time was Mr. Fazli Karim Khan.
2. **Mr. Fazli Karim Khan**, Regular Principal with DDO powers from 20-05-2000 to 11-11-2004, retired on 11-11-2004 (A.N). Audit was conducted on his retirement. He, for the first time, inducted Mr. Muhammad Rehman, Laboratory Assistant of Chemistry in accounts matters in place of accountant clerk.
3. **Mr. Fazal Wahid**, incharge Principal/DDO on the recommendations of Mr. Fazli Karim Khan from 25-11-2004 to 02-08-2005, in his first tenure of office, upheld the tradition and allowed Mr. Muhammad Rehman to continue his assignments among other dealing with account matters as per practice in vogue thereat.
4. **Mr. Fazali Ghafoor** took over the charge as a regular Principal/DDO from 03-08-2005 to 23-04-2007 after Mr. Fazal Wahid who (Mr. Fazali Ghafoor retired on 23-04-2007 (A.N). He was inspired by Mr. Muhammad Rehman and reposed in him his full confidence and went to the extent that he wrote recommendation letter vide No. 245 dated 30-12-2006 (Annexure F-9) requesting the Director Higher Education for permanent adjustment of Mr. Muhammad Rehman as senior clerk by conversion of his post of Laboratory assistant to senior clerk to act as college accountant. Internal audit by the Directorate of Higher Education was done of the period from 13-11-2004 to 23-04-2007 on 25/26-04-2007 covering the period of Fazal Wahid and Fazal Ghafoor. The audit team did not raise audit objection on dealing accounts matter by a laboratory assistant of chemistry, Mr. Muhammad Rehman in the light of notification by the Directorate of Higher Education NWFP Peshawar vide No. 20315-417/CA-VII/Estt.Branch dated 19-08-2003 (Annexure F-7). Had the audit team, at that time, asked to follow the directive of the Director of Higher Education, contained in (Annexure F-7), precluding a Lab. Asstt: to deal with account matters; this mega monetary corruption and the stealth of whole college record in the known history of the colleges would not have taken place. All the college financial record was taken away by Mr. Muhammad Rehman in the tenure period of Mr. Fazali Ghafoor supposedly with the consent of the then incumbent Mr. Fazali Ghafoor. The whole record of the college was perceivably brought from an unknown place to the college or the house of Fazali Ghafoor for audit purpose and never brought back to the college after then. Reports of the college chokidar, senior clerk and different Principals are annexed as (Annexures A-39;D-1;D-2;D-3;D-4 & D-5).
5. **Mr. Zia-ul-Haq** 01-05-2007 to 28-02-2009 (about 1 year, 10 months), succeeded Fazal-Ghafoor. He did not take the charge of the office as principal/DDO in proper way, i.e., No formal handing/taking over on the official documents took place which was mandatory provision on the eye of relieving the outgoing officer. Documents to be signed during handing over and taking over from one DDO to the other DDO amongst other are 1. cash book, 2. Classified registers, i. Govt. fee, ii. Private Fund, 3. Stock registers i. science, sport, etc. ii. General stock-4. Banks transactions i. pass book, ii. Last-day banks

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statements 5. Hostels i. cash book ii. Last day Banks statements, etc. etc. Even after assuming the charge of the office, he adopted criminal silence and did not take timely affective remedial actions needed to recover the missing record of the college. The college virtually remained in the state of abeyance, as far as monetary transactions were concerned, due to missing of the college official record. The office record remained missing all along his tenure of Principalship/DDOship.

- 6. Mr. Hidayatullah Khan A.P of Islamiyat from 01-03-2009 to 31-03-2009 (1 month only), relieved Mr. Zia ul Haq and took over the charge from him (Mr. Zia-ul-Haq) while he (Mr. Zia-ul-Haq) was transferred from GDC Agra to GDC Thana, on simple charge report sheet/Performa. No obligatory formal handing over and taking over took place by signing i.e., putting signatures of the relieved and relieving Govt. Servants on necessary official documents because of the absence of official record in the college. Whereas the relevant record was remained missing. Solemn declaration, affidavit (F-1) is referred.
- 7. Mr. Fazal Wahid 01-04-2009 to 10-05-2011, again took over the charge of DDO ship in 2009, in his second term of office. From April, 2009 to March, 2010, one year period Military operation started to curb down insurgency in Malakand Agency for that reason local population were displaced rather evacuated and sent to tents installed at Mardan, Peshawar and Hazara. The normalcy was restored in March, 2010. During this period the area was in *disorder*. With the exception of two receipts annexed as annexure (B-4; B-5 or A-42; A-41) nothing is available against Mr. Fazal Wahid in corruption/embezzlement case of GDC Agra. No report from the college authority or any other Govt. Agency is found against Mr. Fazal Wahid. All the initial reports and preliminary investigations held Muhammad Rehman solely responsible for the grave offence. An FIR No.3 Dated 8/9/2011 was exclusively registered with P.S.ACE Malakand u/s 201/409/419/420/468/471/ PPC & 5(2) P.C. Act (Annexure A-62) on the formal complaint of Prof. Abdul Hadi, the then Principal, GDC. Agra vide his letter No.360 Dated 9/6/2011 (Annexure A-62 & A-63). Arrest warrant U/S 204 Cr.P.C., on the basis of FIR lodged against Mr. Muhammad Rehman, was issued by the worthy Civil Judge Batkhala, (Annexure D-6; D-7 & D-8). However, no arrest has yet been materialized and the accused is still absconder. The accused is ordered by the worthy court of law to appear before the court under section 87 Cr.P.C, (annexure A-59); the news to this effect was published in the daily AAJ Peshawar dated 18/07/2013, news clipping annexed as (Annexure D-9).
- 8. Mr. Hidayatullah Khan 11-05-2011 to 24-07-2011 (1 month 20 days), again acted as Incharge principal/DDO. He as a matter of fact sandwiched the 2nd term of office of Mr. Fazal Wahid (01/04/2009-10/05/2011). He neither handed over the monetary documents to Fazal Wahid on 01/04/2009 nor taken over the lost documents from Mr. Fazal Wahid on 10/05/2011. This is clear and lucid proof of the fact that the college record had never come in the custody of either Mr. Hidayatullah Khan or Mr. Fazal Wahid. The status-quo of objectionable silence was maintained from Mr. Zia ul Haq to Mr. Hidayatullah Khan via Mr. Fazal Wahid. The documents once taken away in the tenure of Mr. Fazal Wahid by Mr. Muhammad Rehman remained stolen, allegedly taken away by him (Mr. Muhammad Rehman) once these were allegedly taken away by Mr. Muhammad Rehman, Lab. Assistant of chemistry of the college. Affidavit (F-1) referred again.

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19

TABLE FOR GPF ADVANCES ALLEGEDLY WITHDRAWN FRAUDULENTLY

S.No.	Bill Passed vide Token No. & date	Name of (Officer/Official)/ Subscriber	GPF Account No.	Amount withdrawn	Incumbent Principal/DDO
1.	953. Date: 17.01.2008	Mr. Shahab-ud-Din, Asstt; Prof. of Economics	IV/Edu/Dir/3789/CSS	Rs.60,000/-	Mr. Zia-ul-Haq
2.	6125. Date: 02.04.2008	Mr. Fazl Wahid, Asstt; Prof. of Chemistry	IV/CI-1/Dir/2237/CSS	Rs.204000/-	Mr. Zia-ul-Haq
3.	7538. Date: 28.08.2008	Mr. Sher Muhammad, Chokidar	IV/Edu/MKD/3332/CSS	Rs.25500/-	Mr. Zia-ul-Haq
4.	21303. Date: 28.10.2008	Mr. Pervez Khan, Senior Clerk	IV/Edu/MKD/2276/CSS	Rs.84600/-	Mr. Zia-ul-Haq
The Total amount of GPF Advance drawn during Mr Zia ul Haq Period comes out to be Rs: 374100/-					
5.	9335. Date: 11.05.2009	Mr. Hidayatullah, Asstt; Prof. of Islamiyat	IV/Edu/MKD/556/CSS	Rs.308000/-	Mr. Fazl Wahid
6.	85. Date: 16.09.2009	Mr. Shahab-ud-Din , Asstt; Prof. of Economics	IV/Edu/Dir/3789/CSS	Rs.527000/-	Mr. Fazl Wahid
7.	25189. Date: 01.10.2009.	ZairNabi, NaibQasid	IV/Edu/MKD/2279/CSS	Rs.40,000/-	Mr. Fazl Wahid
8.	23179. Date: 19.10.2009	FaqirShahzada, Mali	IV/Edu/MKD/2277/CSS	Rs.25,800/-	Mr. Fazl Wahid
9.	29578. Date: 24.10.2009	Hakim Zada, Mali	IV/Edu/MKD/4612/CSS	Rs.20,000/-	Mr. Fazl Wahid
10.	80. Date: 07.11.2009	Mr. Bahram Khan, Asstt; Prof. of Pashto	IV/CI-1/BU/366/CSS	Rs.213600/-	Mr. Fazl Wahid
The Total amount of GPF Advance drawn during Mr Fazal Wahid Period comes out to be Rs: 1134400/-					

In this way Muhammad Rehman was given a free hand in accounts matters and he became all and all in financial management. He started his misdeeds gradually. Muhammad Rehman took advantage of connivance and tacit consent of Mr. Fazali Bhafoor, criminal negligence and purposeful silence of Mr. Zia ul Haq, blind faith and carelessness of Mr. Fazal Wahid and unconcerned posture and indifferent attitude of Mr. Hidayatullah Khan to move forward towards his corruption and evil designs. He also got cooperation from Accounts office and National Bank and some officials of the Directorate of Higher Education. Thus he committed gross financial irregularities with impunity. Mr. Muhammad Rehman's clever moves to bring wild accusations of receiving illegal gratifications (bribes) against some officials of the Directorate of Higher Education and others from him (Annexures B-7, B-8 and B-9) on one hand placed the alleged accused (officials/officers) to defense and on the other hand confirmed the confession of sole involvement in the offence of financial misappropriation, embezzlement and corruption. It also confirms his total and individual responsibility in all financial damages.

The case should be handed over to FIA or ACE and all the college record should be retrieved from him. So that all the financial losses to the college/Govt. Exchequer during the period w.e.f. 24-04-2007 to 30-06-2011 (04 years, 02 months and 06 days) can be assessed/estimated and recovered from him in due proportion.

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- a) [From 17/01/2008 to 28/10/2008 it was the tenure of Mr. Zia ul Haq during which the GPF Advance from S.No.1 to S.No.4 was drawn fraudulently.]
- b) [From 11/5/2009 to 07/11/2009, the tenure of Mr. Fazal Wahid, it was the turbulent period. due to military operation in the area resultantly nothing was in place. All the G.P.Fund Advances from S.No.5 to S.No.10 was drawn during this disturbed period].
- c) [The audit of the period placed in block from 24/04/2007 to 30/06/2011 is not carried out due to the non-availability of the auditable record in the college which had been taken away by and is still in the custody of Mr. Muhammad Rehman.]

9. Mr. Abdul Hadi 27-07-2011 to 09-01-2012 (6 months), did marvelous job of starting new documentation on the basis of which the monetary record was initiated and started to be maintained. He lodged complaint of corruption with the anticorruption department against Muhammad Rehman, Lab Assistant of the college about his embezzlement and corruption.

10. Mr. Noor Zaman 10-01-2012 to 13-07-2013, made all his monetary matters on the record maintained by Mr. Abdul Hadi.

Audit of the period from 01/07/2011 to 31/07/2013 has been conducted by the audit party of the Directorate of Higher Education, Peshawar covering the period of Mr. Abdul Hadi and Mr. Noor Zaman and the audit report is submitted to the Director Higher Education for information and necessary action. The names of the audit team were Mr. Fazli Rehman, AD (A) and Mr. Fazli Subhan, Assistant.

Issue of two Receipts produced by Muhammad Rehman and the same by Mr. Fazal Wahid along with their reply of Questionnaires served to them.

Mr. Muhammad Rehman produced two receipts of payment viz (B-4 and B-5) one of the amount Rs. 1893000/= signed by Ex-Principal, Mr. Fazal Wahid and allegedly paid to him (Fazal Wahid). Second receipt of the amount Rs. 865000/= allegedly paid to Mr. Parvez Khan, enior clerk and attested by Mr. Fazal Wahid. Mr. Fazal Wahid produced the same two receipts annexed as (A-42 and A-41) with the claim that the receipts are bogus, the amount recorded on he receipts is fake and only the signatures are genuine which had been obtained on blank papers for the purposes to be used in connection with his commutation and pension purposes, where the need be.

Mr. Fazal Wahid submitted one solemn statement (Annexure (A-84) and one affidavit on judicial stamp paper in support of his claim (Annexure A-85) stating and affirming his signatures on the receipts to be genuine (only the signatures) but the statement was false as it was written afterwards. Similarly the dates and the phrase (payment attested) were also fake and not written by him. According to Mr. Fazal Wahid, Mr. Muhammad Rehman came to his house and got blank papers signed for L.P.R and other uses as the college is at a remote area and due to problems of transport and communication, this practice was in vogue. Mr. Parvez Khan also declared the receipt and his signature as forged and fakes (Annexure (F-2.1 and F-2.2))

It is indeed surprising that the whole amount of money Rs. 865000/= of Zia ul Haq's tenure kept with Mr. Muhammad Rehman, as this amount was neither given by Mr. Zia ul Haq to Mr. Hidayatullah at the time of transfer of charge nor was deposited in the college Account or disbursed the due amount among the college staff accordingly. It was afterwards given to Mr. Parvez Khan on 10.05.2011 which is the superannuation date of Mr. Fazal Wahid. If Mr. Muhammad Rehman could pay Rs. 1893000/= to Mr. Fazal Wahid, then why did he not pay Rs. 865000/= to the same person say Mr. Fazal Wahid or the portion amount of GPF Advances to the real owners (Officers and Officials) whose GPF Advances had been drawn by him (Mr.

ATTESTED

21

Muhammad Rehman). The timings and facts are not in consonance with the events. Even if these receipts are supposed to be correct, the keeping of entrusted money with him (Mr. Muhammad Rehman) for such a long time is itself embezzlement & obtaining these kinds of receipts at such time itself tantamount to fraud. Had Mr. Fazal Wahid involved in such type of embezzlement and corruption, there would have been no need of giving receipts or attesting the payment to third person for other's amount say Rs. 865000/=.

Therefore, the committee can safely declare the receipts contents to be bogus except signatures of Mr. Fazal Wahid which have been obtained fraudulently on the pretext of using for some other genuine purposes for which they were obtained. Hence Mr. Fazal Wahid and Mr. Parvez Khan may be absolved from burden and liability of both the receipts in question, being in-credible.

The period during which the college record including the college computer was taken away/taken and by whom criminal activities unleashed.

As per solemn statement of the college Chowkidar, Mr. Faqir Shahzada, verified by the other Class-IV servants, namely M/S Zair Nabi, Abid Hussain, Muslim Khan, Zakir Hussain, Hakim Zada, Sahib Gul, Sadiq Khan and Mr. Parvez Khan, senior clerk, attested by Mr. Abdul Hadi, former principal and now a staff member and endorsed by the then Principal of the college Mr. Noor Aman, the whole office record of the college and one computer, presumably containing the college record data in its memory, (A-78; D-3) was taken away out of the college by Mr. Muhammad Rehman Lab Asstt: of the college in a private vehicle. According to the chowkidar (Faqir Shahzada) he forbade him (Muhammad Rehman) by dissuading him (Muhammad Rehman) objecting as to why he was taking away the college record, he (Muhammad Rehman) replied that the then Principal Mr. Fazal Ghafoor had allowed him to do the same. As he (the then Principal) was not present in the college at that time, but when after a few days he came to the college, the matter was reported to him in the presence of above mentioned Class-IV employees and the senior clerk and that he had not returned the same to the college, but to no avail.

Also Mr. Parvez Khan, Senior Clerk of the college submitted his report to the then Principal of the college, to the effect that the college official record had been taken away by Mr. Muhammad Rehman out of the college. According to him, the detail of the office record taken away out of college premises by Muhammad Rehman is given therein, placed at (Annexure A-39 & D-2) which are reproduced as follows: 1. Cash Book; 2. Contingency Register; 3. Private Fund Register; 4. Stationery Register; 5. Stationery Stock Register; 6. Bank Pass Book and Cheque Book; 7. Receipt Statement; 8. Reconciliation Record; 9. Budget Record, 10. M.R.C Record; 11. Charcoal Register; 12. Staff Statement; 13. Private Statement Record; 14. The office record maintained in the college about GPF Advance of the class IV-Employees, etc. It is all the more surprising to note that the office record of the GPF Advance affectees in the GPF branch of the Directorate of Higher Education is also manipulated and tampered. There is no record of the applications forwarded by the concerned Principals to the Directorate of Higher Education on the basis of which GPF Advance sanctions were granted by the Director of Higher Education. This criminal act was aimed at vanishing the proofs to reach the actual person who forwarded the applications for the grant of GPF Advance to the Director of Higher Education, Peshawar. Convincingly the applications had been fraudulently forwarded on the forged signatures of the Principals of that time, when once the sanctions had been granted, the applications were removed from the GPF Advance file to destroy the foot prints of the root cause. In this context some of the copies of applications and copies of the sanctions (F-3.1; F-4.1; F-5.1 & F-5.2) were obtained by the Inquiry Committee bearing the signatures of Mr. Zia-Ul-Haq during his tenure of the Principalship/DDOship. When he (Mr. Zia-Ul-Haq) was asked to comment on the endorsements of the applications, allegedly forward by him, he flatly refused to own the signature put on them terming them forged and recorded his remarks note on the photo states of the annexure allegedly forwarded by him to the Director of Education for the grant of PGF Advances. (The matter regarding such serious type of lapse in the GPF branch of the Directorate of Higher Education office

ATTESTED

22

ferred to the Director of Higher Education for thorough probe and remedial measures for future reference) Mr. Abdul Hadi in his tenure as Principal lodged formal complaint against Muhammad man about the stealth of college record & gave the detail of documents taken away by him (D-5). Noor Zaman, the then Principal also gave his hand written statement endorsed by his predecessor principal Mr. Abdul Hadi, stating that he took over the charge as the Principal of the college on 01/2012 and found the whole college record prior to 01/07/2011 missing and reported to have been taken away by one Muhammad Rehman and himself was continuously absent ever since he had taken over the charge (D-4). An FIR to this effect had been lodged by the then Principal. The case is pending in the court of law in which he is reportedly at large being absconder. (A-59; A-60; A-61; A-63; D-6; D-7; D-8 & D-9). Recently the sitting Principal has also tried to get registered a fresh FIR against Muhammad Rehman, Lab Asstt: in Post Commander, Levies Post Agra, demanding the retrieval/recovery of college official record mentioned in the application Vide No 354 dated 11/11/2013. (D-1 & D-2).

The whole of the information sources to whom we consulted, unanimously and consistently, with all honesty and beyond reasonable doubt, confirm that the college official record had definitely been taken away by Muhammad Rehman, Lab Asstt: of chemistry of the college and that he is continuously absent from his duties.

The detailed estimate of embezzled money in various heads including GPF Advance, as collected from all available sources of information

The detail of the GPF, Advance amount as fraudulently drawn and embezzled pointed out by various inquiries conducted so far is specified as follows:

1. On the basis of initial report submitted to the Anti-Corruption Establishment Malakand and preliminary investigation made by the ACE, Malakand on 08/05/2011, the amount embezzled viz GPF Advance is Rs. 767900/= and that of other embezzlements Rs. 420600/= collectively Rs. 1188500/= was shown. Copies of the FIR and investigation report are placed at annexure (A-62 and A-63)
2. After going through the fact finding inquiry report compiled by Mr. Fazli Subhani, Principal, GPGC Dargai, Malakand, the committee got the information about amount embezzled by Mr. Muhammad Rehman is as follows. In GPF Advance Rs. 133,400/= and in other heads 811600/= accumulatively Rs. 2144000/= (inquiry report is available in the office of DHE).
3. Inquiry report prepared on 08/08/2011 by Mr. Shafi, Assistant Accounts Officer, Mr. Sahibzada Shehryar, Senior Auditor and Mr. Essa Khan, Senior Auditor regarding GPF Advance embezzlement/fraud in DAO Malakand and found the amount embezzled in GPF Advance only is Rs. 1508500/= and the report is silent about rest of the embezzlements. This report gives no reference of the other amount under different relevant heads (Report is available in the office of DHE).
4. Mr. Muhammad Rehman and Ex-Principal, Mr. Fazal Wahid, both have produced two number of receipts, (exhibited as B-4 and B-5; A-42 and A-41) by former for certification of payment, and by later for rebuttal/denial of receipts terming them being fake respectively. The amount shown therein is Rs. 1893000/= signed by the Ex-Principal Mr. Fazal Wahid and Rs. 865000/= by Mr. Pervez Khan senior clerk and attested by Mr. Fazal Wahid, thus making gross total amounting to Rs. 2758000/=.
5. As far as GPF Advances are concerned the net amount assessed on the basis of written applications filed by the affecteds and forwarded by the principal under his endorsement No. 136 dated 08/04/2013 along with enclosure as annexed as annexure G-1 to G-10 to be Rs. 1535900/= and rest of the amount cannot be credibly ascertained due to the non availability of the authentic record.

ATTESTED

After examining the different available audit reports, the monetary part of which are produced as above, all give the different accounts of amounts so embezzled by Mr. hammad Rehman, Lab Assistant of Chemistry at GDC Agra, Malakand Agency.

There is no match in these amounts however, the two receipts produced by Mr. hammad Rehman and claimed to have been paid to Mr. Fazal Wahid Ex-Principal and Mr. yez Khan, senior clerk, may be seen as a sort of self confessional amount on the part of Mr. hammad Rehman which is somewhat close to the tune of actual embezzlements amount. There is no office record of any transaction made during the period from 24/04/2007 to 30/06/2011. This is also reflected in audit report dated 10-12 September, 2013 submitted by Mr. Fazali Rehman, Assistant Director Audit, and Assistant Auditor Mr. Fazali Subhan, Directorate of Higher Education Peshawar. (Audit report is available in the office of DHE).

The above mentioned amounts vary therefore irreconcilable and none of them can be satisfactorily proved authentic or otherwise in the absence of authentic relevant record. Moreover, the above amounts partially indicate the detail of MRCs, A.C bills claimed and drawn plus the amount of TA/DA and charcoal allowance besides GPF Advances. So it becomes imperative first to recover the record from Mr. Muhammad Rehman, Lab, Asstt: through law enforcing agencies and thereafter authenticate the record, estimate the amount in question and take into account through experts in the field of Budget, Audit and Accounts of the Directorate of Higher Education for recovery purposes.

During the period w.e. from 24/04/2007 to 30/06/2011, five regular annual fiscal budgets and special grants, viz

1. 01-07-2006 to 30-06-2007 (from 24-04-2007 to 30-06-2007)
 2. 01-07-2007 to 30-06-2008
 3. 01-07-2008 to 30-06-2009
 4. 01-07-2009 to 30-06-2010
 5. 01-07-2010 to 30-06-2011
- | whole period of four financial years

were allocated and released to G.D.C Agra Malakand agency which have/had been supposedly utilized by the various incumbents, and no order ^{audit} was carried out for the above period.

The regular annual budget and the special grants for the financial year 2006-07 was spent by Mr. Fazali Ghafoor as the Principal/DDO. The departmental audit was conducted up to 23-04-2007, the date of his retirement. Further audit from 24-04-2007 to 30-06-2011 could not be conducted for various reasons. During this period the regular budgets and special grants were utilized or supposed to be utilized by the concerned DDOs or in charge Principals whose detail is given below:

Mr. Zia-Ul-Haq

1. From 24-04-2007 to 30-06-2007; 2 months and 6 days from the remaining budget/special grants allocated for the year 2006-07.
2. Full budget and special grants allocation for the year 2007-08.
3. From 1-7-2008 to 28-02-2009; 8 months out of the regular budget and special grants for the year 2008-2009.

Mr. Hidayatullah Khan

From 01/03/2009 to 31/03/2009, one month the college remains under the control of Mr. Hidayatullah, therefore one month expenditure out of 2008-09 regular budget and ^{of special grants} was supposed to be supervised by Mr. Hidayatullah. Khan.

Mr. Fazal Wahid

ATTESTED

1. 4, 5 and 6 three months of 2009 were utilized out of 2008-09 budget and special grants allocation by Mr. Fazal Wahid.
2. 2009-10 the whole regular budget and special grant was utilized by Mr. Fazal Wahid.
3. 2010-11 budget and special grant upto 10/05/2011 was utilized by Mr. Fazal Wahid and retired on 10/05/2011 (A.N).

r. Hidayatullah Khan

From 11/05/2011 to 30/06/2011 the expenditures were again made by Mr. Hidayatullah Khan out of 2010-11 regular budget and special grants.

Hence, in the absence of authentic record, no definite and categorically just and final decision can be delivered about the actual and factual amount embezzled during the period mentioned above. However, as a matter of fact during this period corruption was rampant and a large amount has been embezzled and lot of corruption took place in the college.

The committee recommends that the regular budget and the special grants allocated to DC, Agra w.e.f. 24/04/2007 to 30/06/2011 for the non-audited period (salary, non-salary and special grants) may be reconciled from the DAO, Malakand by the experts in the field of budget and account branch and audit branch of the office of Directorate of Higher Education and the doubtful amount not qualified thus not justified by the audit party may be treated as embezzled and be recovered from the officers/officials as per percentage given against each as recorded in the recommendations.

As far as pupils fund and Govt. fee collected by the admitted students, all kinds of scholarships, donations and endowments, etc. during the period not audited from 24-04-2007 to 30-06-2011 are concerned, it cannot be calculated without the availability of the credible official record which has allegedly been taken away by Mr. Muhammad Rehman, Lab. Assistant of the college.

the role of the District Accounts Office Malakand and that of the related Bank Branches in the embezzlement by Mr. Muhammad Rehman

The committee started to discover how the cheques issued to various Officers/officials could be encashed for GPF advances amount from the bank unless they were opened by the Accounts Officer and verified by the dealing employees of the bank, who processed the cheques. Processed Cheques were opened which made withdrawal possible. Had the cheques not opened, there were least chances of amount could have been drawn. It means the District Accounts Officer, Malakand was in league with Mr. Muhammad Rehman and to certain extent, the dealing employees, through whom, the cheques were processed and the related Bank officers and officials specially the Cashier who finally made payment seem accomplice.

The ugly business of GPF Advances extraction of the following officers/officials started during the tenure time of Mr. Zia ul Haq's Principal ship/DDOship.

- 1) Prof. Shahab ud Din, initially Rs. 60000/=.
- 2) Prof. Fazal Wahid who later on became principal and now retired Rs. 204000/=.
- 3) Mr. Sher Muhammad, College Chekwidar Rs. 25500/= or Rs. 30000/=.
- 4) Mr. Parvez Khan Senior clerk Rs. 84600/= or Rs. 88600/= which were taken out/drawn in January, April, August and October of 2008 by fraud.

The Accounts officer Malakand should have acted according to the rules of GPF Advance and should have started necessary deduction/recovery of GPF installments just in the following months and should have issued balance sheets on time. In that case, concerned people and

ATTESTED

...ples in general would have come to know about it and the money loss would have been avoided. The money drawn would have been made to pay to the real owners. And this ugly business would have come to a stop. People would have become conscious and careful. Similarly, extraction of GPF Advances of others by fraud and engulf would not have been possible. In this way the College and the Government EX-exchequer would have been saved from losses. So the Accounts Officer by not starting deduction of the due installments and non issuance of balance sheets at right time kept the concerned subscribers in dark of withdrawal of their GPF Advances. Consequently the fraud continued without check, and entered in the tenure period of Mr. Fazal Wahid via Mr. Hidayatullahi who also remained unaware of his own GPF advance and all other ugly business going on all along and all around his tenure, though his was turbulent period due to Swat Military Operation against insurgency. In this way the accounts officer not only showed negligence from his official duty but also became part of the ugly business indirectly. Bank Officers/Officials also showed carelessness which tantamount to neglect of duty. This fraud did not face any resistance at any step. In this regard SMSs and applications of Mr. Muhammad Rehman were worth noticing, which form weighty nexus. Therefore this committee considers the Accounts Officer and his GPF related staff equally responsible and can be held accountable and also shows its regret at related Bank Officers/Officials.

It is very astonishing for the Inquiry Committee to observe that the fraudulent draws of GPF advance started w.e.f January, 2008 and continued unabated to November 2009. Neither the deductions of the necessary installments from the salaries of the concerned subscribers were made nor were the Balance Sheets of their GPF ever issued in due course of time. But the sooner on the leakage of information about the embezzlement and corruption, the Director Higher Education appointed Mr. Fazli Subhani, the Principal GPGC, Dargai, Malakand Agency for the inquiry of the matter on 20/06/2011 vide No. 16232/CA-VII/Estt; Branch dated Peshawar the 20/06/2011, the very next day, i.e., on 21/06/2011, the corresponding process was initiated/activated by the DAO, Malakand by issuing a letter No. DAO/Mkd/Fund/2010-11/2445 dated 21/06/2011 to the Principal GDC Agra, Malakand Agency (Copy not traceable) about the matter in question, followed by two more such letters No. DAO/MKD/FUND/2010-11/3534-35 dated 12/07/2011 (annexure-E2) and No. DAO/MD/G.4/2011-12/3532-65 dated 16/07/2011, annexure-E-3) vividly in quick succession in response to a joint application moved by i. Mr. Hakim Zada Mali, ii Mr. Zair Nabi Naib Qasid and iii. Mr Pervez Khan, Senior Clerk requesting for the stoppage of GPF Advance recoveries' installments (Annexure E-1) which indicates close and live co-ordination of network amongst various axes operating at different stations/corners. One can think how strong is the vicious circle against a poor principal/DDO rendering him (Principal) ignorant and helpless.

CONCLUSION

Mr. Muhammad Rehman had been working from 2004 to 2011 as accounts clerk instead of lab. Assistant. He has been too clever and crafty person. To control such person requires bold, shrewd and extremely vigilant DDO. The officers of the education department are normally of compromising attitude and repose trust in their sub-ordinates and do not harbor bad opinion about them. The clever and crafty take undue advantages of their simple nature. What should a principal/DDO do when accounts office and other relevant offices and the bank management help such a crafty man against the DDO. Taliban unrest in the area also facilitated the crafty characters to take undue advantages. Mr. Rehman's indulgence in corrupt practices is also evident from his receipt, SMS's records produced by Mr. Fazal Wahid and cheques issued to some officers/officials and forged entry of Fazal Hayat (Annexures A-43, A-44, A-45, B-10, B-11, A-46, A-47, A-86.1, A-86.2, A-86.3 and A-48). The cross cheques were deliberately and

ATTESTED

purposefully opened which resulted in withdrawal GPF advances, Govt. grants from the treasury and the banks. In this way account officer Malakand not only went against the call of his duty relating him to follows rules and regulation but became part of fraud. The bank officials and officers also acted without cautions and prudence. This also amount to neglect of duty. The ugly business did not face any obstacle at any point. Therefore this committee regards the account officers and the concerned officials as partner in the crimes and also shows utter regrets at the responsible behavior of the bank officers and officials.

All the college financial documentary record was taken away from the college by Muhammad Rehman in the tenure of Mr. Fazal Ghafoor with presumably collusion and consent of the incumbent, Mr. Fazal Ghafoor. He connived with Muhammad Rehman and did not take previous steps to recover the lost record by evolving right strategy necessary for the safe return of record back to the college. He, as a matter of fact, laid the foundation of fearless corruption.

Mr. Zia ul Haq showed criminal silence and put curtain on crimes committed by Mr. Rehman. He did not take prompt action to force Muhammad Rehman to bring back stolen monetary documentary record. His timely action would have saved the whole debacle. This ugly business would have been stopped at early stages. He could have chained the main character Muhammad Rehman and other abettors viz officers/officials of accounts office, Directorate office, and the banks. In this way the college and the public Ex-checker would have been saved from further damages.

Mr. Hidayatullah Khan had responsibilities of taking the charge twice. He also remained part of the senior staff members for a long time. He deliberately did not play his due role as a Govt. officer for the stoppage of the ongoing crimes. He played the role of a silent spectator which amounts to the betrayal of the responsibilities of a Govt. officer, the infringement of Govt. trust, which the Govt. reposes in its gazetted officer as employer.

The committee agrees with the contents of the applications of the notables of the area, namely Haji Noor Zamin Khan CNIC No. 15402-1425385-9, Haji Bahri Maram CNIC No. 5402-8983435-5 and Haji Raidad Gul CNIC No. 15402-9541134-5 (Annexures E-4.0 and E-1.1) also (Page No. 31 and 45 and 48-50 of Mr. Subhani's Report) filed with Mr. Fazli Subhani, the Principal GPGC Dargai, Malakand Agency that Mr. Fazal Wahid is a simple, pious and an innocent man. He is as well not involved in the embezzlement/corruption but is tactfully trapped in the corruption scandal- a drama staged by the real characters/perpetrators. Some references are of paramount importance (Annexures A-64, E-5, E-6, E-7, E-8, E-9, E-10, E-11, E-12, E-13 and E-14). The irony of fate/circumstances is given him enough punishment in the form of suspension of release of commutation and pension for such a long time. His misfortune that despite several attempts he could not get transferred to the Govt. Postgraduate, Jahanzeb College, Saidu Sharif, Swat (Annexures A-15, A-16, A-18 and A-19) and had to retire from the same very college after reaching the superannuation. There were extraneous circumstances for his failure to effectively control the management, such as, the sooner he assumed the charge of Principal/DDO, army operations started and continued for about one year in his tenure. Also during his tenure he met different fatal accidents due to that his health broke down and he became physically handicapped thus inactive. The college lies at a remote mountainous terrain with difficult approachability and not easily commutable. Consequently it became not possible for him to travel all along to different offices and keep himself abreast with routine development. The letters he used to write to the Director of Higher education were not allowed to reach their destination because of erecting a strong wall around him. This wall developed news blackout due to the creation of communication gap between the college and the Directorate of Higher Education. Once he himself visited D.H.E, Peshawar with (19) pages written report/documents aimed to submit directly and discuss verbally in detail with the Director of Higher Education.

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ut unfortunately could not meet the Director of Higher Education as he had gone to Kohat on official visit. When Fazal Wahid came to know about the mismanagement of the money, corresponding are found on the record that he did struggle to save the system from further deterioration. Authorities once issued to Muhammad Rehman to deal with D.A.O, Banks and the treasures were cancelled and Muhammad Rehman was issued many letter for return of official document in his custody and the money he had drawn fraudulently and illegally kept with him. Fazal Wahid tried to intimate the higher authority for the state of affair and solicited for the joint strategy to be evolved to curb menace. The letters written to DAO Malakand and the related bank were proved ineffective (Annexures A-5, A-12, A-21, A-22, A-23, A-24, A-25, A-26, A-27, A-40, A-69, A-74, A-76, A-77, A-78; B-3, E-19, E-20, E-21, E-22, E-23, E-24, E-25 and E-26). Those were the reason for his weak grip on the already withered affairs of the college. His effort to introduce a ameliorative reforms were baffled by the unscrupulous lobby of joint venture. This committee therefore recommends that his application A-4, E-15, E-16 and E-17 may be accepted and he may be issued NDC for the release of his commutation and pension according to spirit of FR-54A (Annexures A-6, E-18.1, E-18.2 and E-18.3). However, an affidavit on a judicial stamped paper be taken from him that if after any new minute scrutiny in future any monetary misappropriation is found against him, recovery be made from him. In the instant case some penalties should befall him also.

RECOMMENDATIONS

In the light of above points, the committee recommends the following.

- i. Muhammad-Rehman, Lab. Assistant stands the mega culprit. He may be got arrested for the recovery of the office record.
- ii. The Principal Fazal Wahid may be allowed commutation and pension benefit and an affidavit on judicial stamped paper offering the payment of any amount pointed out by the minute detail audit in future after the recovery of credible official record.
- iii. The concerned Accounts officer who dared to open the crossed cheques causing all this corruption may be penalized and inquiry to this effect be initiated against him.

Part A. GPF-Advance

The committee unanimously declares the amount viz, Rs. 1508500/- as reported by the Inquiry Committee comprising Mr. Muhammad Shafi, AAO, Sahibzada, Senior Auditor and Mr. Essa Khan, Senior Auditor to be the actual amount. The recovery of the said amount along with interest-accrued therein may be materialized as per detail given below:-

i.	Mr. Muhammad Rehman, Lab. Assistant-----	50%
ii.	The Dist. Accounts Officer, Malakand----- (during the period from 2008 and 2009)	40%
iii.	The Bank officer/official----- (during the period from 2008 and 2009)	05%
iv.	Mr. Muhammad Khalid, dealing clerk Directorate of Higher Education ---	05%

Part B. Budget and special grants

The committee had gone through the embezzlement amount from Budget and special grants, etc., and recommends that:-

ATTESTED

Budget and Accounts Branch of the Directorate may be directed to calculate the total amounts of budget and special grant allocated to GC Agra from the period (2006-2011). And *Audit Branch to find the embezzlement out of this.* The amount so calculated may be recovered as per following detail:-

i. Mr. Fazal-i-Ghafoor,	Ex-Principal-----	10%
ii. Mr. Zia ul Haq	Ex-Principal-----	10%
iii. Mr. Hidayatullah Khan	Ex-Principal-----	05%
iv. Mr. Fazal Wahid	Ex-Principal-----	05%
v. Mr. Fida Muhammad	Accounts officer-----	05%
vi. Mr. Pervez Khan	Senior Clerk-----	05%
vii. Mr. Muhammad Rehman,	Lab. Asstt.-----	60%

Part C. Pupils fund and Tuition/Admission/ Hostel Fee

In order to estimate realization of pupils fund and Govt. fee, the experts from Budget, Accounts and the Audit Branches of the Directorate of Higher Education may be directed to form joint venture and visit GDC, Agra to search for exact strength of students duly admitted from 1st-Year to 4th-Year during the academic sessions starting from 2006 to 2011. This combined team should meet members of admission committees constituted during different academic sessions, in-charge students' affairs, bursar of the college, warden of the hostel and other members of the college administration during the unaudited period. The committee may also be directed to visit concerned BISE and the university to find out the exact numbers of students registered for that period and took exams. Result gazettes from 2006 to 2011 be consulted for cross checking of actual number of students admitted in the said period. The total amount so estimated may be added 10% extra for struck off students and for those who did not take exam for other reasons.

The difference between the genuine amount so estimated and that of Govt. fee deposited in Govt. treasury and pupils fund in the college account maintained in the bank may be reconciled respectively. All the money estimated should be subjected to audit for expenditure made in the period 24-04-2006 to 30-06-2011. The doubtful amount not satisfying the team may be declared as amount embezzled and be recovered from the following offers/officials as per percentage ratio given against each.

i. Mr. Fazal-i-Ghafoor,	Ex-Principal-----	10%
ii. Mr. Zia ul Haq	Ex-Principal-----	10%
iii. Mr. Hidayatullah	Ex-Principal-----	10%
iv. Mr. Fazal Wahid	Ex-Principal-----	10%
v. Mr. Pervez Khan	Senior Clerk-----	10%
vi. Mr. Muhammad Rehman,	Lab. Asstt.-----	50%

The report is submitted for perusal and necessary action please.

Committee:-

1. Prof. Munsif Khan,
Principal, GPGC. No. 1 Atd. (Chairman)
2. Prof. Ajmal Shah
Principal, GDC, Khairabad (Mardan) (Member)
3. Prof. Qutbud Din
Principal, GDC, Lahor (Swabi) (Member)

ATTESTED



DIRECTORATE OF HIGHER EDUCATION

KHYBER PAKHTUNKHWA, KHYBER ROAD PESHAWAR

Telephone No.091-9211025-9210217-9210242 Fax-9210215

No. 17846-J/P-7/A Note, Dated Peshawar the 16/7/2015.

To

- 1) Mr. Muhammad Rehman
Ex-Lab: Asstt: Village Alpuri (Distt: Shangla).
- 2) Mr. Muhammad Khalid S/ Clerk.
Directorate of Higher Education Khyber Pakhtunkhwa.
- 3) Prof: Fazli Ghafoor Ex-Principal now retired *C/O Principal GDC Thana*
- 4) Prof: Zia -ul -Haq Ex-Principal now at
GPGC Timergara (Dir Lower).
- 5) Prof: Hidayat Ullah Ex-Principal/DDO now at *GPGC Timergara (Dir/Lower)*
- 6) Mr. Muhammad Parveez S/Clerk,
GDC Agra (Malakand Agency).

Subject: - APPEAL FOR RELEASE OF COMMUTATION AND PENSION.
Memo:

I am directed to refer to the subject noted above and to enclose herewith statement showing the detail of recoverable amounts in the light of recommendations of Enquiry Committee duly vetted by the Provincial Government on accounts of GDC Agra (Malakand Agency) and to request that the amounts shown against you may please be deposited in to proper head of accounts with consultation of the Principal GDC Agra (Malakand Agency) and compliance reported

Encls: 1-1

[Signature]
ADDITIONAL DIRECTOR HIGHER EDUCATION,
KHYBER PAKHTUNKHWA PESHAWAR.

Endst: No. _____/

Copy of the above is forwarded for information and necessary action to the:-

- 1) Principal GDC Agra (Malakand Agency) alongwith a copy of the aforesaid Statement.
- 2) Deputy Secretary (Admn:) Govt: of Khyber Pakhtunkhwa Higher Education Deptt: with reference to this office No. 13819 dt: 3-6-2015
- 3) Administrative Officer Local Directorate with the request that rest of action taken on the recommendation of the enquiry Team may be ensured please.
- 4) P.A to D.H.E Khyber Pakhtunkhwa Peshawar.

ATTESTED
[Signature]

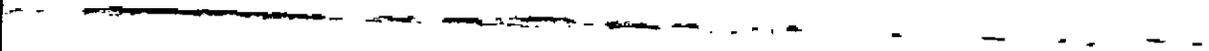
8/11
ADDITIONAL DIRECTOR HIGHER EDUCATION,
KHYBER PAKHTUNKHWA PESHAWAR.

30

TOTAL RECOVERABLE AMOUNTS AGAINST THE PERSONS AT FAULT.

S.No.	Name & Designation.	Amounts.
1.	Muhammad Rehman Lab: Asstt:.	Rs. 4168355/-
2.	Distt: Accounts Officer Malakand Agency during the periods.	Rs. 603400/-
3.	The Bank Officers/Officials during the period.	Rs. 75425/-
4.	Muhammad Khalid S/Clerk Directorate of Higher Education Khyber Pakhtunkhwa Peshawar.	Rs. 75425/-
5.	Prof: Fazli Ghafoor Ex-Principal.	Rs. 579495/-
6.	Prof: Zia-ul-Haq Ex-Principal	Rs. 579495/-
7.	Prof: Hidayat Ullah Ex-Principal/DDO	Rs. 321180/-
8.	Prof: Fazli Wahid Ex-Principal.	Rs. 321180/-
9.	Fida Muhammad Distt: Accounts Officer Malakand Agency.	Rs. 258315/-
10.	Muhammad Pervaz Khan S/Clerk Govt: Degree College Agra (Malakand Agency).	Rs. 321180/-
	Grand Total: -	Rs.7303450/-

ATTESTED
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DIRECTORATE OF HIGHER EDUCATION

GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR

Phone No.9211025-9210242-9210217 Fax No.9210215

Subject:- MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE ON 19.01.2016 REGARDING PROMOTION OF SENIOR CLERKS (BPS-14) TO THE POST OF ASSISTANTS (BPS-16).

A meeting of the Departmental Promotion Committee (DPC) was held under the Chairmanship of Professor Noorullah Khan Wazir, Director Higher Education, Khyber Pakhtunkhwa in his office at 10.00 AM on 19.01.2016. The following attended the meeting.

- (i) Mohammad Roz Khan, Additional Director, Directorate of Higher Education, Khyber Pakhtunkhwa.
 - (ii) Mohammad Bashir, Deputy Director (Establishment), Directorate of Higher Education Khyber Pakhtunkhwa.
 - (iii) Mst. Zubia Qamar Deputy Director (Female), Directorate of Higher Education Khyber Pakhtunkhwa.
 - (iv) Mr. Shah Saud, Section Officer (Colleges-IV), Higher Education Department Khyber Pakhtunkhwa.
 - (v) Mr. Muhammad Javed Deputy Director (FATA), Directorate of Education (FATA), Warsak Road Peshawar.
2. After recitation from the Holy Quran, the Chair welcomed all members of the Committee, and asked Deputy Director, (Establishment), to throw light on the promotion of Senior Clerks (B-14) to the post of Assistant (B-16). Consequently the Deputy Director (Establishment), apprised the committee on the promotion of senior clerks (B-14) to the post of Assistants (B-16), overall sanctioned positions as well as the rules under which promotion is to be made.
3. The DPC recommends the following Senior Clerks (B-14) for promotion to the post of Assistant (B-16) on the basis of Seniority cum fitness as per details given below.
4. Pertinent to mention that some of the cases have been superseded and deferred due to peculiar reasons mentioned against their names.

NO	NAME OF OFFICIAL	RECOMMENDATION OF THE DPC
1.	Asghar Ali, Senior Clerk, GPGJC, Swat	Superseded due to his un-willingness.
2.	Rahim Gul, Senior Clerk, Senior Clerk GPGC, Nowshera.	Deferred due to his missing ACRs.
3.	Pervez Khan, Senior Clerk, GDC, Agra (Malakand Agency)	Deferred due to non depositing of outstanding amount against him.
4.	Burhan-Ud-Din, Senior Clerk, Govt. College Peshawar.	Not considered for promotion due to his un-willingness dated 18.12.2014. The committee recommends that he should wait for four years for the promotion as per policy in vogue.
5.	Sajjad Aziz, Senior Clerk, GPGC, No 1 Abbottabad.	Recommended for promotion to the post of Assistant B-16.
6.	Shoukat Aziz, Senior Clerk, GGC, Cheeti Dehri Manshera	Recommended for promotion to the post of Assistant B-16
7.	Shah Khan, Senior Clerk, GDC, Landi Kotal (Khyber Agency)	Recommended for promotion to the post of Assistant B-16
8.	Wajih-Ud-Din, Senior Clerk, GDC, Akora Khttak	Recommended for promotion to the post of Assistant B-16.

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32/47

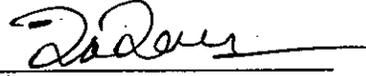
	Mohammad Nisar, Senior Clerk, Directorate Higher Education Peshawar	Recommended for promotion to the post of Assistant B-16.
	Khawaja Akhtar Ali, Senior Clerk, DHE, Peshawar	Recommended for promotion to the post of Assistant B-16.
11.	Khurshid Hussain, Senior Clerk, DHE, Peshawar.	Recommended for promotion to the post of Assistant B-16.
12.	Mohammad Rehman, Senior Clerk, GGC, Thana	Recommended for promotion to the post of Assistant B-16.
13.	Wajid Ali, Senior Clerk, GGC, No. 1 Charsadda	Recommended for promotion to the post of Assistant B-16.
14.	Mohammad Sohail, Senior Clerk, GGC, Manki (Swabi)	Recommended for promotion to the post of Assistant B-16.
15.	Mohammad Arif, Senior Clerk, GGC, Kulachi (D.I.K)	Recommended for promotion to the post of Assistant B-16.
16.	Mrs. Gulshan Bibi, Senior Clerk, GGC, No.1 Abbottabad	Recommended for promotion to the post of Assistant B-16.
17.	Haseen-Ud-Din, Senior Clerk, GDC, Yar Hussain	Recommended for promotion to the post of Assistant B-16.
18.	Muzafar Khan, Senior Clerk, GDC, K.D.A Kohat	Recommended for promotion to the post of Assistant B-16.
19.	Fazli Akbar, Senior Clerk, GPGC, Swabi	Recommended for promotion to the post of Assistant B-16.
20.	Abdul Ghaffar, Senior Clerk, GPGC, Nowshera	Recommended for promotion to the post of Assistant B-16.
21.	Umar Gul, Senior Clerk, Directorate Higher Education	Recommended for promotion to the post of Assistant B-16.
22.	Dilawar Khan, Senior Clerk, GSSC Peshawar.	Recommended for promotion to the post of Assistant B-16.
23.	Muhabat Khan, Senior Clerk, GGC, Karak.	Recommended for promotion to the post of Assistant B-16.
24.	Alamzeb, Senior Clerk, DHE Peshawar.	Recommended for promotion to the post of Assistant B-16.
25.	Rehmat Ullah, Senior Clerk, GDC. Banda Daud Shah (Karak).	Recommended for promotion to the post of Assistant B-16.
26.	Ghulam Yasin, Senior Clerk, GDC Parova (D.I.Khan)	Recommended for promotion to the post of Assistant B-16.
27.	Sanaullah, Senior Clerk, GDC Eask Khel	Recommended for promotion to the post of Assistant B-16.
28.	Ahmad Hassan, Senior Clerk, GGC No.1 Manshera	Recommended for promotion to the post of Assistant B-16.
29.	Abdul Khaliq, Senior Clerk, GPGC, Bannu	Recommended for promotion to the post of Assistant B-16.
30.	Noor Ali Khan, Senior Clerk, GGC Ghori Wala	Recommended for promotion to the post of Assistant B-16.
31.	Abdul Khalil, Senior Clerk, GPGC Kohat	Recommended for promotion to the post of Assistant B-16.
32.	Saleem Akhtar, Senior Clerk, GSSC, Peshawar	Recommended for promotion to the post of Assistant B-16.
33.	Saifullah Khan, Senior Clerk, GGC, Takht Nasrati	Recommended for promotion to the post of Assistant B-16.
34.	Waseem Ahmad Shah, Senior Clerk GSSC, Peshawar	Recommended for promotion to the post of Assistant B-16.
35.	Fazal Din, Senior Clerk, GPGC, Manshera	Recommended for promotion to the post of Assistant B-16.
36.	Mohammad Khalid, Senior Clerk, DHE, Peshawar.	Deferred due to non depositing of outstanding amount against him. ✓
37.	Haji Ahmad Ullah, Senior Clerk, DHE, Peshawar	Recommended for promotion to the post of Assistant B-16
38.	Sanobar Khan, Senior Clerk, GGC Umerzai	Recommended for promotion to the post of Assistant B-16.

ATTESTED

	Mrs. Farzana Rehman, Clerk, GFC(W), Peshawar.	Recommended for promotion to the post of Assistant B-16.
	Obaidullah Khan, Senior Clerk, GDC, No. 2 Bannu	Recommended for promotion to the post of Assistant B-16.
41	Yahya Jan, Senior Clerk, GDC, Darra Adam Khel	Recommended for promotion to the post of Assistant B-16.
42	Hujjatullah, Senior Clerk, GDC, Eakka Ghund	Recommended for promotion to the post of Assistant B-16.
43	Shakir Ullah, Senior Clerk, GGC, Dadam Khel Bara	Recommended for promotion to the post of Assistant B-16.
44	Irfan Ullah, Senior Clerk, GGC, Ekka Ghund	Recommended for promotion to the post of Assistant B-16.
45	Salim Khan, Senior Clerk, GDC, Miran Shah NWA	Recommended for promotion to the post of Assistant B-16.
46	Azmat Ayaz, Senior Clerk, GDC, Mir Ali NWA	Recommended for promotion to the post of Assistant B-16.
47	Naeem Gul, Senior Clerk, GDC, Sabir Abad (Karak)	Recommended for promotion to the post of Assistant B-16.
48	Mohammad Haroon, Senior Clerk, GGC, Qalandar Abad	Recommended for promotion to the post of Assistant B-16.
49	Mohammad Salim, Senior Clerk, GPGJC, Swat	Recommended for promotion to the post of Assistant B-16.
50	Mohammad Nawab, Senior Clerk, GDC, Kabal Swat	Recommended for promotion to the post of Assistant B-16.
51	Irfan Ghani, Senior Clerk, GGC, Mandian	Recommended for promotion to the post of Assistant B-16.
52	Abdul Qadoos, Senior Clerk, GGC Bari Kot Swat	Recommended for promotion to the post of Assistant B-16.

1. Professor Noorullah Khan Wazir, Director, Higher Education Khyber Pakhtunkhwa, Peshawar
2. Professor Mohammad Roz Khan, Additional Director, Higher Education Khyber Pakhtunkhwa, Peshawar.
3. Mohammad Bashir, Deputy Director (Establishment), Higher Education Khyber Pakhtunkhwa, Peshawar
4. Mr. Shah Saud, Section Officer, (C-IV) Govt. of Higher Education Khyber Pakhtunkhwa, Peshawar
5. Mr. Mohammad Javed, Deputy Director, Directorate of Education (FATA)

Chairman 

Member 

Member 

Member 

Member 

ATTESTED



DIRECTORATE OF HIGHER EDUCATION
KHYBER PUKHTUNKHWA, KHYBER ROAD PESHAWA
Telephone No.091-9211025-9210217-9210242 Fax-921021

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61

Dated 1-2-2016

NOTIFICATION

The Competent Authority has been pleased to promote the following Senior Clerks(B-14) to the Post of Assistants(B-16) on regular basis of college cadre of Higher Education Department with immediate effect on recommendation of the Departmental Promotion committee, and to post them in the college noted against each.

NO.	NAME OF OFFICIAL	Adjusted At	REMARKS
1.	Sajjad Aziz, Senior Clerk, GPGC, No 1, Abbottabad.	GPGC, Mandian(Abbottabad)	AVP
2.	Shoukat Aziz, Senior Clerk, GGC, Cheeti Dehri (Manshera).	GDC, Lassan Nawab(Mansehra).	Vice S.No.49
3.	Shah Khan, Senior Clerk, GDC, Landi Kotal (Khyber Agency)	Services placed at the Disposal of FATA, Directorate.	AVP
4.	Wajih-Ud-Din, Senior Clerk, GDC, Akora Khttak.	GDC, Khan Kohi(Nowshera).	AVP
5.	Mohammad Nisar, Senior Clerk, Directorate Higher Education Peshawar	Directorate of Higher Education.	AVP
6.	Khawaja Akhtar Ali, Senior Clerk, DHE, Peshawar.	GGC No.1, Charsadda, against the vacant post, he will actualize his promotion at GGC No.1, Charsadda, and then he will take over charge against the vacant post of Senior Scale Stenographer(B-16) at Directorate of Higher Education.	
7.	Khurshid Hussain, Senior Clerk, DHE, Peshawar.	GDC, Akbar Pura(Nowshera).	AVP
8.	Mohammad Rehman, Senior Clerk, GGC, Thana(MKD Agency).	GGC, Thana(MKD Agency).	AVP
9.	Wajid Ali, Senior Clerk, GGC, No.1, Charsadda(under transfer to GDC, Shewa(Swabi).	GDC, Zarobi(Swabi).	AVP
10.	Mohammad Sohail, Senior Clerk, GGC, Manki (Swabi).	GGC, Zahida(Swabi).	AVP
11.	Mohammad Arif, Senior Clerk, GDC No.1, (D.I.K).	GDC, Pharpur.	Vice S.No.50
12.	Mrs. Gulshan Bibi, Senior Clerk, GGC, No.1-Abbottabad	GGC No.1, Abbottabad.	AVP
13.	Haseen-Ud-Din, Senior Clerk, GDC, Yar Hussain	GDC, Yar Hussain(Swabi).	AVP
14.	Muzafar Khan, Senior Clerk, GDC, K.D.A (Kohat).	GGC, KDA(Kohat).	AVP
15.	Fazli Akbar, Senior Clerk, GPGC, Swabi	GDC, Kotha(Swabi).	AVP
16.	Abdul Ghaffar, Senior Clerk, GPGC, Nowshera	GPGC, Nowshera.	Vice S.No.48
17.	Umar Gul, Senior Clerk, Directorate Higher Education	GGC, Shabqadar(Charsadda).	AVP
18.	Dilawar Khan, Senior Clerk, GSSC, Peshawar.	GDC, Wadpaga.	AVP
19.	Muhabat Khan, Senior Clerk, GGC, Karak.	GGC, Karak.	AVP

ATTENDED

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20.	Alamzeb, Senior Clerk, DHE Peshawar.	GDC No.2, Mardan, against the vacant post, he will actualize his promotion at GDC No.2, Mardan, and then he will take over charge against the vacant post of Budget & Accounts Officer (B-16) at Directorate of Higher Education .	
21.	Rehmat Ullah, Senior Clerk, GDC, Banda Daud Shah (Karak).	GDC, Landi Jalander(Karak).	AVP
22.	Ghulam Yasin, Senior Clerk GDC, Parova (D.I.Khan)	GGC, Tank.	AVP
23.	Sanaullah, Senior Clerk, GDC, Essak Khel .	GDC, Essak Khel (Lakki Marwat).	AVP
24.	Ahmad Hassan, Senior Clerk, GGC No.1, Manshera	GGC No.1, Mansehra.	AVP
25.	Abdul Khaliq, Senior Clerk, GPGC, Bannu	GGPGC, Bannu.	AVP
26.	Noor Ali Khan, Senior Clerk, GDC, Ghorl Wala(Bannu).	GDC, Ghorl Wala(Bannu).	Vice S.No.51
27.	Abdul Khalil, Senior Clerk, GPGC, Kohat	GDC, Gumbat(Kohat).	AVP
28.	Saleem Akhtar, Senior Clerk, GSSC, Peshawar.	GGDC, Sawal Dher(Mardan).	AVP
29.	Saifullah Khan, Senior Clerk, GGC, Takht-e-Nasrati.	GDC, Takht-e-Nasrati.	AVP
30.	Waseem Ahmad Shah, Senior Clerk, GSSC, Peshawar.	GDC, Gari Kapoor(Mardan).	AVP
31.	Fazal Din, Senior Clerk, GPGC, Manshera.	GGC, Battagram.	AVP
32.	Haji Ahmad Ullah, Senior Clerk, DHE Peshawar.	GGC, Batkhela(MKD Agency), against the vacant post, he will actualize his promotion at GGC, Batkhela(MKD Agency), and then he will take over charge against the vacant post of Administrative officer(B-16) at Directorate of Higher Education .	
33.	Sanobar Khan, Senior Clerk, GGC, Umerzai.	GPGC, Charsadda.	AVP
34.	Mrs. Farzana Rehman, Senior Clerk, GFC(W), Peshawar.	GGC, Tajo Bibi(Charsadda).	AVP
35.	Obaidullah Khan, Senior Clerk, GDC No. 2, Bannu.	GGDC, Mandan(Bannu).	AVP
36.	Yahya Jan, Senior Clerk, GDC, Darra Adam Khel.	Services placed at the disposal of Director Education FATA.	
37.	Hujjatullah, Senior Clerk, GDC, Eakka Ghund.	Services placed at the disposal of Director Education FATA.	
38.	Shakir Ullah, Senior Clerk, GGC, Dadam Khel Bara.	Services placed at the disposal of Director Education FATA.	
39.	Irfan Ullah, Senior Clerk, GGC, Ekka Ghund.	Services placed at the disposal of Director Education FATA.	
40.	Salim Khan, Senior Clerk, GDC, Miran Shah NWA.	Services placed at the disposal of Director Education FATA.	
41.	Azmat Ayaz, Senior Clerk, GDC, Mir Ali NWA.	Services placed at the disposal of Director Education FATA.	
42.	Naeem Gul, Senior Clerk, GDC, Sabir Abad (Karak).	GDC, Latamber (Karak).	AVP

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43.	Mohammad Haroon, Senior Clerk, GGC, Qalandar Abad.	GDC, Pattan(Kohistan).	AVP
44.	Mohammad Salim, Senior Clerk, GPGJC, Swat.	Govt. AKL PG, Matta(Swat).	AVP
45.	Mohammad Nawab, Senior Clerk, GDC, Kabal (Swat).	GGC, Madian(Swat).	AVP
46.	Irfan Ghani, Senior Clerk, GGC, Mandian.	GDC, Dassu(Kohistan).	AVP
47.	Abdul Qadoos, Senior Clerk, GGC, Bari Kot (Swat).	GDC, Madian(Swat).	AVP

ADJUSTMENT:

48.	Majid Khan, Assistant, GPGC, Nowshera.	GGC, Pir Pai (Nowshera).	AVP
49.	Ashiq Hussain, Assistant, GDC, Lissan Nawab(Mansehra).	GGC, Serai Saleh(Haripur).	AVP
50.	Sherbaz, Senior Clerk, Working against the post of Assistant at GDC, Pharpur(D.I.Khan).	GDC No.1, D.I.Khan.	V.S.No.11
51.	Farooq Azam, Assistant, GDC, Ghoriwala(Bannu).	GDC, Kakki(Bannu).	AVP
52.	Wasif Ullah, Senior Clerk, GDC, Badaber(Peshawar).	Directorate of Higher Education.	AVP
53.	Aamir Nawaz, Senior Clerk, GGDC Maneri(Swabi).	GPGC, Nowshera.	AVP

DIRECTOR HIGHER EDUCATION

Endst.No 3828-81

Copy of the is forwarded to the.

1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. PS to Secretary Higher Education Khyber Pakhtunkhwa.
3. Director Education FATA, at FATA Secretariat Warsak Road (Peshawar).
4. Principal Govt. Colleges (Male & Female) concerned.
5. Agency Accounts Officer concerned.
6. District Accounts Officer concerned.
7. PA to Director Higher Education Khyber Pakhtunkhwa.
8. Cashier Local Directorate.
9. Officials concerned.

DY: DIRECTOR (ESTABLISHMENT)

ATTESTED

محضور جناب سیکرٹری صاحبہ محکمہ تعلیم اعلیٰ خیبر پختونخواہ پشاور۔

اپیل، برادر فراہمی انصاف

جناب عالی!

گزارش ہے کہ سائل ڈائریکٹوریٹ ہائیر ایجوکیشن (کالج) میں بطور سنیر کلرک اکاؤنٹس برانچ میں اپنی ڈیوٹی احسن طریقہ سے اپنے آفسران بالا کے اطمینان کے ساتھ سرانجام دے رہا ہے۔ چونکہ سائل کے ذمے برانچ میں صوبہ کے تمام کالجوں کے پروفیسر صاحبان کے جی پی فنڈز سے قرضے کی منظوری اور میڈیکل بلز وغیرہ کی منظوری کی ڈیوٹی دے دی گئی ہیں۔ اس ضمن میں عرض ہے کہ کالج کے پروفیسروں کے جی پی فنڈز کی منظوری دفتر ہذا میں ڈائریکٹر صاحب کی اجازت سے ہوتی ہیں۔ جس کے لئے سائل کو کالج سے ارسال کردہ کاغذات بشمول بیلنس شیٹ جو کہ متعلقہ ضلع کے اکاؤنٹس آفیسر سے تصدیق شدہ ہوتا ہے۔ سال 2010ء میں گورنمنٹ ڈگری کالج آگرہ ملاکنڈ ایجنسی میں لاکھوں روپوں کا خرد برد بشمول جی پی فنڈ ہوا۔

جناب عالی حسب ذیل عرض رسان ہے۔

- 1۔ انکوائری آفیسر کی جانب سے نہ ہی مجھے تحریری طور پر بلایا گیا تھا۔ اور نہ ہی مجھ سے اس بارے میں کوئی پوچھ گچھ کی گئی تھی۔ اور یہ تمام کارروائی میرے خلاف یک طرفہ طور پر عمل میں لائی گئی ہے۔
- 2۔ جی پی فنڈ کے تین سینکشن نان ری فنڈ ایبل ہمارے دفتر سے ایشو ہوئے ہیں جس کی مالیت -/572000 روپے بنتے ہیں۔
- 3۔ کالج ہذا سے مبلغ 1508500 روپے جی پی فنڈز پر پریسل صاحب کی منظوری سے نکلے ہیں۔ جس میں ری فنڈ ایبل اور نان ری فنڈ ایبل دونوں شامل ہیں۔
- 4۔ جس پر انکوائری مقرر ہوئی اور سائل پر ٹوٹل رقم کے 5% کے حساب سے جمع کرنے کا کہا گیا۔
- 5۔ سائل کی ڈیوٹی میں فائل افسران اعلیٰ کو پیش کرنا ہے۔ سائل کے بعد سپرنٹینڈنٹ پھر بجٹ افسر اور پھر ڈپٹی ڈائریکٹر اور آخر میں ڈائریکٹر صاحب کی منظوری اور دستخط سے جاری کیا جاتا ہے برخلاف طریقہ کار انکوائری آفیسران نے صرف مجھے یعنی فائل کے آغاز کرنے والے کو مجرم قرار دے دیا۔ جو کہ خلاف انصاف ہے۔

مندرجہ بالا نکات خلاف انصاف ہے۔

لہذا آپ صاحبان سے ہمدردانہ اپیل ہے کہ مجھ پر لگائے گئے بے گناہ الزامات ختم کئے جائے۔ اور میرے ذمے ڈالی گئی ریکوری ختم کر کے سائل کو بری ذمہ قرار دیا جائے۔ تاکہ سائل کو ذہنی پریشانی سے چھٹکارا حاصل ہو جائے۔

سائل عمر بھر دعا گور ہے گا۔

المرقوم:- 09-02-2016

نوٹ:- اپیل کے ساتھ تمام کاغذات منسلک ہیں۔

العارض

ATTESTED

محمد خالد سینیر کلرک ڈائریکٹوریٹ ہائیر ایجوکیشن پشاور۔

0345-9062320



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT

No. SO(C-IV)HE/19-1/2016/Ministerial Staff/RF-2

Dated Peshawar the, May 12th, 2016 / 2702

To

The Director Higher Education,
Khyber Pakhtunkhwa, Peshawar.

SUBJECT: APPEAL FOR JUSTICE

I am directed to refer to your letter No.10526 dated 12-04-2016 on the subject noted above and to state that after thorough examination of the appeal in respect of Mohammad Khalid, Senior Clerk Directorate of Higher Education, the competent authority has been pleased to decide as under :-

- i. Appeal is rejected having sufficient materials against the appellant on record.
- ii. Efforts may be made for recovery of amount of G.P Fund, as allegedly embezzled from the defaulting persons.
- iii. Efforts may also be made for reteriveing of the official record stolen by Muhammad Rehman Lab: Assistant of GDC Agra Malakand.

The appellant may be informed accordingly.

(RAHIM GUL)
SECTION OFFICER (C-IV)

Copy to

1. PS to Secretary Higher Education Department.

ATTESTED

SECTION OFFICER (C-IV)

OFFICE OF THE DIRECTOR HIGHER EDUCATION KHYBER PAKHTUNKHWA PESHAWAR.

Endst.No. 19452 CA-VII/Estt:Branch/GPGC, Haripur

Dated 20/7 2016

Copy of the above is forwarded to Mr. Muhammad Khalid, Senior Clerk Directorate of Higher Education for information and strict compliance.

DY: DIRECTOR (ESTABLISHMENT)

VAKALAT NAMA

NO. _____/20

IN THE COURT OF Service Tribunal Peshawar

Muhammad Khalid (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Higher Education Dept. (Respondent)
(Defendant)

I/we Muhammad Khalid

Do hereby appoint and constitute **M.Asif Yousafzai, Advocate, Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated 25-7/2016



(CLIENT)

ACCEPTED



M. ASIF YOUSAFZAI
Advocate

M. ASIF YOUSAFZAI
Advocate High Court,
Peshawar.

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building,
Khyber Bazar Peshawar.
Ph.091-2211391-
0333-9103240

M. Asif Yousafzai
Advocate High Court Peshawar
Room No FR-8, Fourth Floor
Bilour Plaza Peshawar Saddar.
Cell: 0333-9103240

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. ⁷⁵³~~307~~/2016

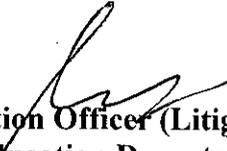
Mr. Muhammad Khalid.....Appellant

VS

Govt of Khyber Pakhtunkhwa through Secretary & Director Higher Education, Peshawar.....Respondents

INDEX

S No.	Description of Dements	Annexure	Pages
1.	Joint Para-wise comments		1-2
2.	Reply of Stay Application		3-4
3.	Affidavit		5
4.	Inquiry report.	Annexure-A	6-18
5.	Minutes of Departmental Promotion Committee.	Annexure-B	19-21
6.	Decision on Departmental Appeal	Annexure-C	22


Section Officer (Litigation)
Higher Education Department Khyber
Pakhtunkhwa Peshawar.

①

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal ⁷⁵³ ~~302~~/2016.

Mr. Muhammad Khalid..... Appellant.

VERSUS

Govt of Khyber Pakhtunkhwa,
Through Secretary and
Director Higher Education, Peshawar..... Respondents.

Parawise Comments on behalf of Respondents NO.1 and 2.

PRELIMINARY OBJECTIONS:-

Respectfully Sheweth:-

1. That the appellant t has got no cause of action/locus standi to file the instant Service appeal.
2. That the appellant t has concealed material facts from the Hon'able Tribunal.
3. That the honourable Tribunal lacks jurisdiction to entertain the instant service appeal.
4. That the appellant is estopped by his own conduct to file the appeal.
5. The appellant has not come to this honourable Tribunal with clean hands. He has concealed material facts from the Tribunal.
6. The instant appeal is against the prevailing law and rules.
7. That the instant appeal is badly time barred by law.
8. That the appellant has been treated as per law, rules and policy.

ON FACTS

1. Correct to the extent that appellant is presently working as senior clerk at Directorate of Higher Education.
2. Correct to the extent that the job of the appellant is to examine the case and after examining the case in all respect then he has to forward the same to the next higher authority for approval.
3. Incorrect. An inquiry was conducted to probe into the matter and fix responsibility upon those who are involved in the embezzlement of amount. According to the inquiry report that some officials at Directorate of higher education were found responsible and recommended the recovery of 5 % of embezzled amount from the appellant (inquiry report is enclosed as Annex A).
4. Correct that on the basis of fact finding inquiry report, notice of recovery of amount Rs.75425/- was issued to the appellant to deposit the amount,

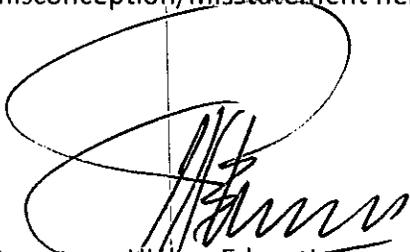
- 5. Correct that meeting of Departmental Promotion Committee was held on 10-1-2016 for the promotion of Senior Clerk, however the name of the appellant was deferred due to non depositing of outstanding amount against the appellant while other 47 senior clerks were promoted to the post of Assistant (Minutes of DPC is enclosed as Annex B)
- 6. Correct. The departmental appeal of the appellant was regretted with the remarks that efforts may be made for recovery of amount of GP Fund, as allegedly embezzled, from the defaulting persons including the appellant (Annex-C)

Grounds.

- a. Incorrect. The order dated 12/5/2016, 16/7/2015, 1/2/1016 were issued within the four corner of law.
- b. Already explained in para 3 on facts.
- c. Incorrect. An inquiry was conducted and appellant was found guilty and the inquiry officer recommended the recovery of 5 % of the embezzled amount from the appellant.
- d. Incorrect. Explained in the preceding para.
- e. Incorrect. It was the job of the appellant to first of all examine the case in detail and after examination he has to forward the case to the next higher authority so the responsibility lies on the shoulder of the appellant as to why he had forwarded such bogus case.
- f. As explained in preceding paras.
- g. Incorrect. The appellant has been treated according to law and rules and his promotion case was deferred due to non depositing of outstanding amount against him.
- h. Explained in the preceding para.
- i. Already explained in para G on Facts.
- j. Incorrect. That the appellant has been treated in accordance with law
- k. The respondents also seeks permission to raise additional grounds at the time of arguments.

Prayer:

It is, therefore, humbly prayed that the instant service appeal is based on misconception/misstatement hence, liable to be dismissed.


 Secretary, Higher Education
 Respondent No.1


 Director, Higher Education
 Respondent No.2

Annex-A

116
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23

GOVT. POSTGRADUATE COLLEGE NO.1 ABBOTTABAD

No. 284

Date: 01/04/2013-2014

To

The Director of Higher Education
Khyber Pakhtunkhwa, Peshawar.

SUBJECT: INQUIRY REPORT/ APPEAL FOR RELEASE OF COMMUTATION AND PENSION IN RESPECT OF MR. FAZAL WAHID EX PRINCIPAL AGRA MALAKAND AGENCY.

Dear Sir,

REFERENCE:

*Please examine
not up to
3/2*

This is with reference to your office memo Nos. 18308-10/CA-I/Estt:Branch/ A-12/General Misc/ Proposal, No.29038-40/CA-I/ Estt: Branch/A-12/ General Misc/ Proposal, No.5634-36 /CA-I/Estt:Branch/ A-12/General Misc/ Proposal and 23400-02/CA-I/Estt:Branch/A-12/General Misc/Proposal; dated Peshawar the 31-08-2012, 21-12-2012, 06-03-2013 and 22-11-2013 whereby I as the chairman along with two other worthy members were appointed as inquiry committee to probe in the subject matter by conducting fact finding inquiry aiming at formulating cogent recommendations to be submitted to your good office for perusal and further necessary action, please.

PROCEDURE

With objective to reach the cogent conclusion, the early inquiry reports, Audit records and other relevant documents were requisitioned and studied, also all the concerned Officers/Officials were served with questionnaires to be filled with supportive documents, heard in person and were asked to give the statement in writing. The aggrieved Officers/Officials whose amount of GPF Advances drawn were asked to file applications. The college administration was repeatedly asked to engage the relevant Govt. Agency to recover the missing college official record so that necessary assessment of the financial loss to the college/Govt. Exchequer may be made. The ACE, Malakand was also requested to give the update with regard to the progress in the registered embezzlement complaint/case. No response is received from the ACE, Malakand and no missing record has so far been recovered that really caused delay in the completion of the inquiry process.

With regard to different questionnaires served to and the correspondance made with various persons, Officers, Officials and Agencies, the following documents were obtained which are indexed accordingly. Mr. Fazal Wahid, the Principal retired, appellant for the release of his commutation and pension, filed reply to the questionnaire served to him along with its enclosure comprising 100 pages marked as (A-1 to A-86.3). Mr. Muhammadi Rehman, Lab Asstt. GDC Agra, Malakand Agency, the accused, filed his written reply consisting of 22 pages marked (B-1 to B-11) in response to questionnaire served to him. Mr. Zia ul Haq, Ex Principal of GDC Agra and now the Principal of GPC Timergara, was also served with questionnaire whose reply along with enclosure containing 9 pages marked as C-1 to C-8 are taken into account. Some other related documents are collected by the Inquiry Committee itself e.g.(i) on its own, (ii) from the concerned college administration, (iii) from the office of directorate of higher education and the CPO, etc., (iv) pertinent findings from the already conducted inquiries and (v) previously carried out Audit reports. These documents are categorized and indexed as D-1 to D-9, E-1 to E-25, F-1 to F-9 and G-1 to G-10

RECEIVED ON

Handwritten initials and marks

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FINDINGS

Brief history of Mr. Muhammad Rehman's involvement in monetary management (dealing A/Cs matters) during the tenures of respective DDOs in chronological order

1. Mr. Muhammad Rehman, Lab Assistant, was transferred from Govt. College Alpur, District Shangla to Govt. Degree College Agra, Malakand Agency vide Notification No. SO (Colleges) III-3/2003 dated Peshawar the 11/11/2003 (Annexure F-3). The principal/DDO at that time was Mr. Fazli Karim Khan.
2. Mr. Fazli Karim Khan, Regular Principal with DDO powers from 20-05-2000 to 11-11-2004, retired on 11-11-2004 (A.N). Audit was conducted on his retirement. He, for the first time, inducted Mr. Muhammad Rehman, Laboratory Assistant of Chemistry in accounts matters in place of accountant clerk.
3. Mr. Fazal Wahid, incharge Principal/DDO on the recommendations of Mr. Fazli Karim Khan from 25-11-2004 to 02-08-2005, in his first tenure of office, upheld the tradition and allowed Mr. Muhammad Rehman to continue his assignments among other dealing with account matters as per practice in vogue thereat.
4. Mr. Fazali Ghafoor took over the charge as a regular Principal/DDO from 03-08-2005 to 23-04-2007 after Mr. Fazal Wahid who (Mr. Fazali Ghafoor retired on 23-04-2007 (A.N). He was inspired by Mr. Muhammad Rehman and reposed in him his full confidence and went to the extent that he wrote recommendation letter vide No. 245 dated 30-12-2006 (Annexure F-2) requesting the Director Higher Education for permanent adjustment of Mr. Muhammad Rehman as senior clerk by conversion of his post of Laboratory assistant to senior clerk to act as college accountant. Internal audit by the Directorate of Higher Education was done of the period from 13-11-2004 to 23-04-2007 on 25/26-04-2007 covering the period of Fazal Wahid and Fazal Ghafoor. The audit team did not raise audit objection on dealing accounts matter by a laboratory assistant of chemistry, Mr. Muhammad Rehman in the light of notification by the Directorate of Higher Education NWFP, Peshawar vide No. 20315-417/CA-VII/Estt. Branch dated 19-08-2003 (Annexure F-7). Had the audit team, at that time, asked to follow the directive of the Director of Higher Education, contained in (Annexure F-7), precluding a Lab. Asstt. to deal with account matters, this mega monetary corruption and the stealth of whole college record in the known history of the colleges would not have taken place. All the college financial record was taken away by Mr. Muhammad Rehman in the tenure period of Mr. Fazali Ghafoor supposedly with the consent of the then incumbent Mr. Fazali Ghafoor. The whole record of the college was perceivably brought from an unknown place to the college or the house of Fazali Ghafoor for audit purpose and never brought back to the college after then. Reports of the college chokidar, senior clerk and different Principals are annexed as (Annexures A-39; D-1; D-2; D-3; D-4 & D-5).
5. Mr. Zia-ul-Haq 01-05-2007 to 28-02-2009 (about 1 year, 10 months), succeeded Fazal-Ghafoor. He did not take the charge of the office as principal/DDO in proper way, i.e., No formal handing/taking over on the official documents took place which was mandatory provision on the eye of relieving the outgoing officer. Documents to be signed during handing over and taking over from one DDO to the other DDO amongst other are 1. cash book, 2. Classified registers, i. Govt. fee, ii. Private Fund, 3. Stock registers i. science, sport, etc. ii. General stock-4. Banks transactions i. pass book, ii. Last day banks

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statements 5. Hostels i. cash book ii. Last day Banks statements, etc. etc. Even after assuming the charge of the office, he adopted criminal silence and did not take timely affective remedial actions needed to recover the missing record of the college. The college virtually remained in the state of abeyance, as far as monetary transactions were concerned, due to missing of the college official record. The office record remained missing all along his tenure of Principalship/DDOship.

6. Mr. Hidayatullah Khan A.P of Islamiyat from 01-03-2009 to 31-03-2009 (1 month only); relieved Mr. Zia ul Haq and took over the charge from him (Mr. Zia-ul-Haq) while he (Mr. Zia-ul-Haq) was transferred from GDC Agra to GDC Thana, on simple charge report sheet/Performa. No obligatory formal handing over and taking over took place by signing i.e., putting signatures of the relieved and relieving Govt. Servants on necessary official documents because of the absence of official record in the college. Whereas the relevant record was remained missing. Solemn declaration, affidavit (F-1) is referred.
7. Mr. Fazal Wahid 01-04-2009 to 10-05-2011, again took over the charge of DDO ship in 2009, in his second term of office. From April, 2009 to March, 2010, one year period Military operation started to curb down insurgency in Malakand Agency for that reason local population were displaced rather evacuated and sent to tents installed at Mardan, Peshawar and Hazara. The normalcy was restored in March, 2010. During this period the area was in *disorder*. With the exception of two receipts annexed as annexure (B-4; B-5 or A-42; A-41) nothing is available against Mr. Fazal Wahid in corruption/embezzlement case of GDC Agra. No report from the college authority or any other Govt. Agency is found against Mr. Fazal Wahid. All the initial reports and preliminary investigations held Muhammad Rehman solely responsible for the grave offence. An FIR No.3 Dated 8/9/2011 was exclusively registered with P.S.ACE Malakand u/s 201/409/419/420/468/471/ PPC & 5(2) P.C. Act (Annexure A-62) on the formal complaint of Prof. Abdul Hadi, the then Principal, GDC. Agra vide his letter No.360 Dated 9/6/2011 (Annexure A-62 & A-63). Arrest warrant U/S 204 Cr.P.C., on the basis of FIR lodged against Mr. Muhammad Rehman, was issued by the worthy Civil Judge Batkhala, (Annexure D-6; D-7 & D-8). However, no arrest has yet been materialized and the accused is still absconder. The accused is ordered by the worthy court of law to appear before the court under section 87 Cr.P.C, (annexure A-59); the news to this effect was published in the daily AAJ Peshawar dated 18/07/2013, news clipping annexed as (Annexure D-9).
8. Mr. Hidayatullah Khan 11-05-2011 to 24-07-2011 (1 month 20 days), again acted as Incharge principal/DDO. He as a matter of fact sandwiched the 2nd term of office of Mr. Fazal Wahid (01/04/2009-10/05/2011). He neither handed over the monetary documents to Fazal Wahid on 01/04/2009 nor taken over the lost documents from Mr. Fazal Wahid on 10/05/2011. This is clear and lucid proof of the fact that the college record had never come in the custody of either Mr. Hidayatullah Khan or Mr. Fazal Wahid. The status-quo of objectionable silence was maintained from Mr. Zia ul Haq to Mr. Hidayatullah Khan via Mr. Fazal Wahid. The documents once taken away in the tenure of Mr. Fazal Ghafoor by Mr. Muhammad Rehman remained stolen, allegedly taken away by him (Mr. Muhammad Rehman) once these were allegedly taken away by Mr. Muhammad Rehman, Lab. Assistant of chemistry of the college. Affidavit (F-1) referred again.

TABLE FOR GPF ADVANCES ALLEGEDLY WITHDRAWN FRAUDULENTLY

S.No.	Bill Passed vide Token No. & date	Name of (Officer/Official)/ Subscriber	GPF Account No.	Amount withdrawn	Incumbent Principal/DDO
1.	953. Date: 17.01.2008	Mr. Shahab-ud-Din, Asstt; Prof. of Economics	IV/Edu/Dir/3789/CSS	Rs.60,000/-	Mr. Zia-ul-Haq
2.	6125. Date: 02.04.2008	Mr. Fazl Wahid, Asstt; Prof. of Chemistry	IV/CI-1/Dir/2237/CSS	Rs.204000/-	Mr. Zia-ul-Haq
3.	7538. Date: 28.08.2008	Mr. Sher Muhammad, Chokidar	IV/Edu/MKD/3332/CSS	Rs.25500/-	Mr. Zia-ul-Haq
4.	21303. Date: 28.10.2008	Mr. Pervez Khan, Senior Clerk	IV/Edu/MKD/2276/CSS	Rs.84600/-	Mr. Zia-ul-Haq
The Total amount of GPF Advance drawn during Mr Zia ul Haq Period comes out to be Rs: 374100/-					
5.	9335. Date: 11.05.2009	Mr. Hidayatullah, Asstt; Prof. of Islamiyat	IV/Edu/MKD/556/CSS	Rs.308000/-	Mr. Fazl Wahid
6.	85. Date: 16.09.2009	Mr. Shahab-ud-Din, Asstt; Prof. of Economics	IV/Edu/Dir/3789/CSS	Rs.527000/-	Mr. Fazl Wahid
7.	25189. Date: 01.10.2009	Zair Nabi, Naib Qasid	IV/Edu/MKD/2279/CSS	Rs.40,000/-	Mr. Fazl Wahid
8.	28179. Date: 19.10.2009	Faqir Shahzada, Mali	IV/Edu/MKD/2217/CSS	Rs.25,800/-	Mr. Fazl Wahid
9.	29578. Date: 24.10.2009	Hakim Zada, Mali	IV/Edu/MKD/4612/CSS	Rs.20,000/-	Mr. Fazl Wahid
10.	80. Date: 07.11.2009	Mr. Bahram Khan, Asstt; Prof. of Pashto	IV/CI-1/BU/366/CSS	Rs.213600/-	Mr. Fazl Wahid
The Total amount of GPF Advance drawn during Mr Fazal Wahid Period comes out to be Rs: 1134400/-					

In this way Muhammad Rehman was given a free hand in accounts matters and he became all and all in financial management. He started his misdeeds gradually. Muhammad Rehman took advantage of connivance and tacit consent of Mr. Fazali Shafoor, criminal negligence and purposeful silence of Mr. Zia ul Haq, blind faith and carelessness of Mr. Fazal Wahid and unconcerned posture and indifferent attitude of Mr. Hidayatullah Khan to move forward towards his corruption and evil designs.

and National Bank and some officials of the Directorate of Higher Education. Thus he committed gross financial irregularities with impunity. Mr. Muhammad Rehman's clever moves to bring wild accusations of receiving illegal gratifications (bribes) against some officials of the Directorate of Higher Education and others from him (Annexures B-7, B-8 and B-9) on one hand placed the alleged accused (officials/officers) to defense and on the other hand confirmed the confession of sole involvement in the offence of financial misappropriation, embezzlement and corruption. It also confirms his total and individual responsibility in all financial damages.

The case should be handed over to FIA or ACE and all the college record should be retrieved from him. So that all the financial losses to the college/Govt. Exchequer during the period w.e.f. 24-04-2007 to 30-06-2011 (04 years, 02 months and 06 days) can be assessed/estimated and recovered from him in due proportion.

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- a) [From 17/01/2008 to 28/10/2008 it was the tenure of Mr. Zia ul Haq during which the GPF Advance from S.No.1 to S.No.4 was drawn fraudulently.]
- b) [From 11/5/2009 to 07/11/2009, the tenure of Mr. Fazal Wahid, it was the turbulent period, due to military operation in the area resultantly nothing was in place. All the G.P. Fund Advances from S.No.5 to S.No.10 was drawn during this disturbed period.]
- c) [The audit of the period placed in block from 24/04/2007 to 30/06/2011 is not carried out due to the non-availability of the auditable record in the college which had been taken away by and is still in the custody of Mr. Muhammad Rehman.]

9. Mr. Abdul Hadi 27-07-2011 to 09-01-2012 (6 months), did marvelous job of starting new documentation on the basis of which the monetary record was initiated and started to be maintained. He lodged complaint of corruption with the anticorruption department against Muhammad Rehman, Lab Assistant of the college about his embezzlement and corruption.
10. Mr. Noor Zaman 10-01-2012 to 13-07-2013, made all his monetary matters on the record maintained by Mr. Abdul Hadi.

Audit of the period from 01/07/2011 to 31/07/2013 has been conducted by the audit party of the Directorate of Higher Education, Peshawar covering the period of Mr. Abdul Hadi and Mr. Noor Zaman and the audit report is submitted to the Director Higher Education for information and necessary action. The names of the audit team were Mr. Fazli Rehman, AD (A) and Mr. Fazli Subhan, Assistant.

Issue of two Receipts produced by Muhammad Rehman and the same by Mr. Fazal Wahid along with their reply of Questionnaires served to them.

Mr. Muhammad Rehman produced two receipts of payment viz (B-4 and B-5) one of the amount Rs. 1893000/= signed by Ex-Principal, Mr. Fazal Wahid and allegedly paid to him (Fazal Wahid). Second receipt of the amount Rs. 865000/= allegedly paid to Mr. Parvez Khan, senior clerk and attested by Mr. Fazal Wahid. Mr. Fazal Wahid produced the same two receipts annexed as (A-42 and A-41) with the claim that the receipts are bogus, the amount recorded on the receipts is fake and only the signatures are genuine which had been obtained on blank papers for the purposes to be used in connection with his commutation and pension purposes, where the need be.

Mr. Fazal Wahid submitted one solemn statement (Annexure A-84) and one affidavit on judicial stamp paper in support of his claim (Annexure A-85) stating and affirming his signatures on the receipts to be genuine (only the signatures) but the statement was false as it was written afterwards. Similarly the dates and the phrase (payment attested) were also fake and not written by him. According to Mr. Fazal Wahid, Mr. Muhammad Rehman came to his house and got blank papers signed for L.P.R and other uses as the college is at a remote area and due to problems of transport and communication, this practice was in vogue. Mr. Parvez Khan also declared the receipt and his signature as forged and fakes (Annexure (F-2.1 and F-2.2))

It is indeed surprising that the whole amount of money Rs. 865000/= of Zia ul Haq's tenure kept with Mr. Muhammad Rehman, as this amount was neither given by Mr. Zia ul Haq to Mr. Hidayatullah at the time of transfer of charge nor was deposited in the college Account or disbursed the due amount among the college staff accordingly. It was afterwards given to Mr. Parvez Khan on 10.05.2011 which is the superannuation date of Mr. Fazal Wahid. If Mr. Muhammad Rehman could pay Rs. 1893000/= to Mr. Fazal Wahid, then why did he not pay Rs. 865000/= to the same person say Mr. Fazal Wahid or the portion amount of GPF Advances to the real owners (Officers and Officials) whose GPF Advances had been drawn by him (Mr.

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Muhammad Rehman). The timings and facts are not in consonance with the events. Even if these receipts are supposed to be correct, the keeping of entrusted money with him (Mr. Muhammad Rehman) for such a long time is itself embezzlement & obtaining these kinds of receipts at such time itself tantamount to fraud. Had Mr. Fazal Wahid involved in such type of embezzlement and corruption, there would have been no need of giving receipts or attesting the payment to third person for other's amount say Rs. 865000/-.

Therefore, the committee can safely declare the receipts contents to be bogus except signatures of Mr. Fazal Wahid which have been obtained fraudulently on the pretext of using for some other genuine purposes for which they were obtained. Hence Mr. Fazal Wahid and Mr. Parvez Khan may be absolved from burden and liability of both the receipts in question, being in creditable.

The period during which the college record including the college computer was taken away/taken and by whom criminal activities unleashed.

As per solemn statement of the college Chowkidar, Mr. Faqir Shahzada, verified by the other employees class-IV servants, namely M/S Zair Nabi, Abid Hussain, Muslim Khan, Zakir Hussain, Jakim Zada, Sahib Gul, Sadiq Khan and Mr. Parvez Khan, senior clerk, attested by Mr. Abdul Hadi, former principal and now a staff member and endorsed by the then Principal of the college Mr. Noor Aman, the whole office record of the college and one computer, presumably containing the college record data in its memory, (A-78; D-3) was taken away out of the college by Mr. Muhammad Rehman Lab Asstt: of the college in a private vehicle. According to the chowkidar (Faqir Shahzada) he forbade him (Muhammad Rehman) by dissuading him (Muhammad Rehman) objecting as to why he was taking away the college record, he (Muhammad Rehman) replied that the then Principal Mr. Fazal Ghafoor had allowed him to do the same. As he (the then Principal) was not present in the college at that time, but when after a few days he came to the college, the matter was reported to him in the presence of above mentioned Class-IV employees and the senior clerk and that he had not returned the same to the college, but to no avail.

Also Mr. Parvez Khan, Senior Clerk of the college submitted his report to the then Principal of the college, to the effect that the college official record had been taken away by Mr. Muhammad Rehman out of the college. According to him, the detail of the office record taken away out of college premises by Muhammad Rehman is given therein, placed at (Annexure A-39 & D-2) which are reproduced as follows: 1. Cash Book; 2. Contingency Register; 3. Private Fund Register; 4. Stationery Register; 5. Stationery Stock Register; 6. Bank Pass Book and Cheque Book; 7. Receipt Statement; 8. Reconciliation Record; 9. Budget Record; 10. M.R.C Record; 11. Charcoal Register; 12. Staff Statement; 13. Private Statement Record; 14. The office record maintained in the college about GPF Advance of the class IV-Employees, etc.

It is still more surprising to note that the office record of the GPF Advance offices in the GPF branch of the Directorate of Higher Education is also manipulated and tampered. There is no record of the applications forwarded by the concerned Principals to the Directorate of Higher Education on the basis of which GPF Advance sanctions were granted by the Director of Higher Education. This criminal act was aimed at vanishing the proofs to reach the actual person who forwarded the applications for the grant of GPF Advance to the Director of Higher Education, Peshawar. Convincingly the applications had been fraudulently forwarded for the forged signatures of the Principals of that time, when once the sanctions had been granted, the applications were removed from the GPF Advance file to destroy the footprints of the root cause. In this context some of the copies of applications and copies of the sanctions (F-3.1; F-4.1; F-5.1 & F-5.2) were obtained by the Inquiry Committee bearing the signatures of Mr. Zia-Ul-Haq during his tenure of the Principalship/DDOship. When he (Mr. Zia-Ul-Haq) was asked to comment on the endorsements of the applications, allegedly forward by him, he flatly refused to own the signature put on them terming them forged and recorded his remarks note on the photo states of the annexes allegedly forwarded by him to the Director of Education for the grant of PGF Advances. (The matter regarding such serious type of lapse in the GPF branch of the Directorate of Higher Education office

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ferred to the Director of Higher Education for thorough probe and remedial measures for future (reference) Mr. Abdul Hadi in his tenure as Principal lodged formal complaint against Muhammad Noor Zaman, the then Principal also gave his hand written statement endorsed by his predecessor Principal Mr. Abdul Hadi, stating that he took over the charge as the Principal of the college on 01/11/2012 and found the whole college record prior to 01/07/2011 missing and reported to have been taken away by one Muhammad Rehman and himself was continuously absent ever since he had been taken over the charge (D-4). An FIR to this effect had been lodged by the then Principal. The case is pending in the court of law in which he is reportedly at large being absconder. (A-59; A-60; A-61; A-62; A-63; D-6; D-7; D-8 & D-9). Recently the sitting Principal has also tried to get registered a fresh FIR against Muhammad Rehman, Lab Asstt: in Post Commander, Levies Post Agra, demanding the retrieval/recovery of college official record mentioned in the application Vide No 354 dated 11/11/2013. (D-1 & D-2).

The whole of the information sources to whom we consulted, unanimously and consistently, with all honesty and beyond reasonable doubt, confirm that the college official record had definitely been taken away by Muhammad Rehman, Lab Asstt: of chemistry of the college and that he is continuously absent from his duties.

The detailed estimate of embezzled money in various heads including GPF Advance, as collected from all available sources of information

The detail of the GPF, Advance amount as fraudulently drawn and embezzled pointed out by various inquiries conducted so far is specified as follows:

1. On the basis of initial report submitted to the Anti-Corruption Establishment Malakand and preliminary investigation made by the ACE, Malakand on 08/05/2011, the amount embezzled viz GPF Advance is Rs. 767900/= and that of other embezzlements Rs. 420600/= collectively Rs. 1188500/= was shown. Copies of the FIR and investigation report are placed at annexure (A-62 and A-63)
2. After going through the fact finding inquiry report compiled by Mr. Fazli Subhani, Principal, GPGC Dargai, Malakand, the committee got the information about amount embezzled by Mr. Muhammad Rehman is as follows. In GPF Advance Rs. 133,400/= and in other heads 811600/= accumulatively Rs. 2144000/= (inquiry report is available in the office of DHE).
3. Inquiry report prepared on 08/08/2011 by Mr. Shafi, Assistant Accounts Officer, Mr. Sahibzada Shehryar, Senior Auditor and Mr. Essa Khan, Senior Auditor regarding GPF Advance embezzlement/fraud in DAO Malakand and found the amount embezzled in GPF Advance only is Rs. 1508500/= and the report is silent about rest of the embezzlements. This report gives no reference of the other amount under different relevant heads (Report is available in the office of DHE).
4. Mr. Muhammad Rehman and Ex-Principal, Mr. Fazal Wahid, both have produced two number of receipts, (exhibited as B-4 and B-5; A-42 and A-41) by former for certification of payment, and by later for rebuttal/denial of receipts terming them being fake respectively. The amount shown therein is Rs. 1893000/= signed by the Ex-Principal Mr. Fazal Wahid and Rs. 865000/= by Mr. Pervez Khan senior clerk and attested by Mr. Fazal Wahid, thus making gross total amounting to Rs. 2758000/=.
5. As far as GPF Advances are concerned the net amount assessed on the basis of written applications filed by the affectees and forwarded by the principal under his endorsement No. 136 dated 08/04/2013 along with enclosure as annexed as annexure G-1 to G-10 to be Rs. 1535900/= and rest of the amount cannot be credibly ascertained due to the non availability of the authentic record.

After examining the different available audit reports, the monetary part of which are produced as above, all give the different accounts of amounts so embezzled by Mr. Muhammad Rehman, Lab Assistant of Chemistry at GDC Agra, Malakand Agency.

There is no match in these amounts however, the two receipts produced by Mr. Muhammad Rehman and claimed to have been paid to Mr. Fazal Wahid Ex-Principal and Mr. Iqbal Khan, senior clerk, may be seen as a sort of self confessional amount on the part of Mr. Muhammad Rehman which is somewhat close to the tune of actual embezzlements amount. There is no office record of any transaction made during the period from 24/04/2007 to 30/06/2011. This is also reflected in audit report dated 10-12 September, 2013 submitted by Mr. Fazali Rehman, Assistant Director Audit, and Assistant Auditor Mr. Fazali Subhan, Directorate of Higher Education Peshawar. (Audit report is available in the office of DHE).

The above mentioned amounts vary therefore irreconcilable and none of them can be satisfactorily proved authentic or otherwise in the absence of authentic relevant record. Moreover, the above amounts partially indicate the detail of MRCs, A.C bills claimed and drawn plus the amount of TA/DA and charcoal allowance besides GPF Advances. So it becomes imperative first to recover the record from Mr. Muhammad Rehman, Lab, Assst: through law enforcing agencies and thereafter authenticate the record, estimate the amount in question and take into account through experts in the field of Budget, Audit and Accounts of the Directorate of Higher Education for recovery purposes.

During the period w.e. from 24/04/2007 to 30/06/2011, five regular annual fiscal budgets and special grants, viz

1. 01-07-2006 to 30-06-2007 (from 24-04-2007 to 30-06-2007)
 2. 01-07-2007 to 30-06-2008
 3. 01-07-2008 to 30-06-2009
 4. 01-07-2009 to 30-06-2010
 5. 01-07-2010 to 30-06-2011
- whole period of four financial years

were allocated and released to G.D.C Agra Malakand agency which have/had been supposedly utilized by the various incumbents, and no order ^{audit} was carried out for the above period.

The regular annual budget and the special grants for the financial year 2006-07 was spent by Mr. Fazali Ghafoor as the Principal/DDO. The departmental audit was conducted up to 23-04-2007, the date of his retirement. Further audit from 24-04-2007 to 30-06-2011 could not be conducted for various reasons. During this period the regular budgets and special grants were utilized or supposed to be utilized by the concerned DDOs or in charge Principals whose detail is given below:

Mr. Zia-Ul-Haq

1. From 24-04-2007 to 30-06-2007; 2 months and 6 days from the remaining budget/special grants allocated for the year 2006-07.
2. Full budget and special grants allocation for the year 2007-08.
3. From 1-7-2008 to 28-02-2009; 8 months out of the regular budget and special grants for the year 2008-2009.

Mr. Hidayatullah Khan

From 01/03/2009 to 31/03/2009, one month the college remains under the control of Mr. Hidayatullah, therefore one month expenditure out of 2008-09 regular budget and ^{of} ~~special grants~~ ^{was supposed} to be supervised by Mr. Hidayatullah Khan.

Mr. Fazal Wahid

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1. 4, 5 and 6 three months of 2009 were utilized out of 2008-09 budget and special grants allocation by Mr. Fazal Wahid.
2. 2009-10 the whole regular budget and special grant was utilized by Mr. Fazal Wahid.
3. 2010-11 budget and special grant upto 10/05/2011 was utilized by Mr. Fazal Wahid and retired on 10/05/2011 (A.N).

r. Hidayatullah Khan

From 11/05/2011 to 30/06/2011 the expenditures were again made by Mr. Hidayatullah Khan out of 2010-11 regular budget and special grants.

Hence, in the absence of authentic record, no definite and categorically just and final decision can be delivered about the actual and factual amount embezzled during the period mentioned above. However, as a matter of fact during this period corruption was rampant and a large amount has been embezzled and lot of corruption took place in the college.

The committee recommends that the regular budget and the special grants allocated to DC, Agra w.c.f. 24/04/2007 to 30/06/2011 for the non-audited period (salary, non-salary and special grants) may be reconciled from the DAO, Malakand by the experts in the field of budget and account branch and audit branch of the office of Directorate of Higher Education and the amount not qualified thus not justified by the audit party may be treated as embezzled and be recovered from the officers/officials as per percentage given against each as recorded in the recommendations.

As far as pupils fund and Govt. fee collected by the admitted students, all kinds of scholarships, donations and endowments, etc. during the period not audited from 24-04-2007 to 30-06-2011 are concerned, it cannot be calculated without the availability of the credible official record which has allegedly been taken away by Mr. Muhammad Rehman, Lab. Assistant of the college.

Role of the District Accounts Office Malakand and that of the related Bank Branches in the embezzlement by Mr. Muhammad Rehman

The committee started to discover how the cheques issued to various Officers/officials could be encashed for GPF advances amount from the bank unless they were opened by the Accounts Officer and verified by the dealing employees of the bank, who processed the cheques. Processed Cheques were opened which made withdrawal possible. Had the cheques not opened, there were least chances of amount could have been drawn. It means the District Accounts Officer, Malakand was in league with Mr. Muhammad Rehman and to certain extent, the dealing employees, through whom, the cheques were processed and the related Bank officers and officials specially the Cashier who finally made payment seem accomplice.

The ugly business of GPF Advances extraction of the following officers/officials started during the tenure time of Mr. Zia ul Haq's Principal ship/DDOship.

- 1) Prof. Shahab ud Din, initially Rs. 60000/=.
- 2) Prof. Fazal Wahid who later on became principal and now retired Rs. 204000/=.
- 3) Mr. Sher Muhammad, College Cheekidar Rs. 25500/= or Rs. 30000/=.
- 4) Mr. Parvez Khan Senior clerk Rs. 84600/= or Rs. 88600/= which were taken out/drawn in January April, August and October of 2008 by fraud.

The Accounts officer Malakand should have acted according to the rules of GPF Advance and should have started necessary deduction/recovery of GPF installments just in the following months and should have issued balance sheets on time. In that case, concerned people and

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Examples in general would have come to know about it and the money loss would have been avoided. The money drawn would have been made to pay to the real owners. And this ugly business would have come to a stop. People would have become conscious and careful. Similarly, extraction of GPF Advances of others by fraud and engulf would not have been possible. In this way the College and the Government Ex-exchequer would have been saved from losses. So the Accounts Officer by not starting deduction of the due installments and non issuance of balance sheets at right time kept the concerned subscribers in dark of withdrawal of their GPF Advances. Consequently the fraud continued without check, and entered in the tenure period of Mr. Fazal Wahid via Mr. Hidayatullah who also remained unaware of his own GPF advance and all other ugly business going on all along and all around his tenure, though his was turbulent period due to Swat Military Operation against insurgency. In this way the accounts officer not only showed negligence from his official duty but also became part of the ugly business indirectly. Bank Officers/Officials also showed carelessness which tantamount to neglect of duty. This fraud did not face any resistance at any step. In this regard SMSs and applications of Mr. Muhammad Rehman were worth noticing, which form weighty nexus. Therefore this committee considers the Accounts Officer and his GPF related staff equally responsible and can be held accountable and also shows its regret at related Bank Officers/Officials.

It is very astonishing for the Inquiry Committee to observe that the fraudulent draws of GPF advance started w.e.f January, 2008 and continued unabated to November 2009. Neither the deductions of the necessary installments from the salaries of the concerned subscribers were made nor were the Balance Sheets of their GPF ever issued in due course of time. But the sooner in the leakage of information about the embezzlement and corruption, the Director Higher Education appointed Mr. Fazli Subhani, the Principal GPGC, Dargai, Malakand Agency for the inquiry of the matter on 20/06/2011 vide No. 16232/CA-VII/Estt;Branch dated Peshawar the 20/06/2011, the very next day, i.e., on 21/06/2011, the corresponding process was initiated/activated by the DAO, Malakand by issuing a letter No. DAO/Mkd/Fund/2010-11/2445 dated 21/06/2011 to the Principal GDC Agra, Malakand Agency (Copy not traceable) about the matter in question, followed by two more such letters No. DAO/MKD/FUND/2010-11/3534-35 dated 12/07/2011 (annexure-E2) and No. DAO/MD/G.4/2011-12/3552-65 dated 16/07/2011, (annexure-E-3) vividly in quick succession in response to a joint application moved by i. Mr. Jakim Zada Mali, ii. Mr. Zair Nabi Naib Qasid and iii. Mr. Pervez Khan, Senior Clerk requesting for the stoppage of GPF Advance recoveries' installments (Annexure E-1) which indicates close and live co-ordination of network amongst various axes operating at different stations/corners. One can think how strong is the vicious circle against a poor principal/DDO rendering him (Principal) ignorant and helpless.

CONCLUSION

Mr. Muhammad Rehman had been working from 2004 to 2011 as accounts clerk instead of lab. Assistant. He has been too clever and crafty person. To control such person requires bold, shrewd and extremely vigilant DDO. The officers of the education department are normally of compromising attitude and repose trust in their sub-ordinates and do not harbor bad opinion about them. The clever and crafty take undue advantages of their simple nature. What should a principal/DDO do when accounts office and other relevant offices and the bank management help such a crafty man against the DDO. Taliban unrest in the area also facilitated the crafty characters to take undue advantages. Mr. Rehman's indulgence in corrupt practices is also evident from his receipt, SMS's records produced by Mr. Fazal Wahid and cheques issued to some officers/officials and forged entry of Fazal Hayat (Annexures A-43, A-44, A-45, B-19, B-11, A-46, A-47, A-86.1, A-86.2, A-86.3 and A-48). The cross cheques were deliberately and

purposefully opened which resulted in withdrawal GPF advances, Govt. grants from the treasury and the banks. In this way account officer Malakand not only went against the call of his duty but also violated him to follow rules and regulation but became part of fraud. The bank officials and officers also acted without cautions and prudence. This also amounts to neglect of duty. The ugly business did not face any obstacle at any point. Therefore this committee regards the account officers and the concerned officials as partner in the crimes and also shows utter regrets at the responsible behavior of the bank officers and officials.

All the college financial documentary record was taken away from the college by Muhammad Rehman in the tenure of Mr. Fazal Ghafoor with presumably collusion and consent of the incumbent, Mr. Fazal Ghafoor. He connived with Muhammad Rehman and did not take previous steps to recover the lost record by evolving right strategy necessary for the safe return of record back to the college. He, as a matter of fact, laid the foundation of fearless corruption.

Mr. Zia ul Haq showed criminal silence and put curtain on crimes committed by Mr. Rehman. He did not take prompt action to force Muhammad Rehman to bring back stolen monetary documentary record. His timely action would have saved the whole debacle. This ugly business would have been stopped at early stages. He could have chained the main character Muhammad Rehman and other abettors viz officers/officials of accounts office, Directorate office, and the banks. In this way the college and the public ex-checker would have been saved from further damages.

Mr. Hidayatullah Khan had responsibilities of taking the charge twice. He also remained part of the senior staff members for a long time. He deliberately did not play his due role as a Govt. officer for the stoppage of the ongoing crimes. He played the role of a silent spectator which amounts to the betrayal of the responsibilities of a Govt officer, the infringement of Govt. trust, which the Govt. reposes in its gazetted officer as employer.

The committee agrees with the contents of the applications of the notables of the area, namely Haji Noor Zamin Khan CNIC No. 15402-1425385-9, Haji Bahri Maram CNIC No. 5402-8983435-5 and Haji Raidad Gul CNIC No. 15402-9541134-5 (Annexures E-4.0 and E-4.1) also (Page No. 31 and 45 and 48-50 of Mr. Subhani's Report) filed with Mr. Fazli Subhani, the Principal GPGC Dargai, Malakand Agency that Mr. Fazal Wahid is a simple, pious and an innocent man. He is as well not involved in the embezzlement/corruption but is tactfully trapped in the corruption scandal- a drama staged by the real characters/perpetrators. Some references are of paramount importance (Annexures A-64, E-5, E-6, E-7, E-8, E-9, E-10, E-11, E-12, E-13 and E-14). The irony of fate/circumstances is given him enough punishment in the form of suspension of release of commutation and pension for such a long time. His misfortune that despite several attempts he could not get transferred to the Govt. Postgraduate, Jahanzeb College, Saidu Sharif, Swat (Annexures A-15, A-16, A-18 and A-19) and had to retire from the same very college after reaching the superannuation. There were extraneous circumstances for his failure to effectively control the management, such as, the sooner he assumed the charge of Principal/DDO, army operations started and continued for about one year in his tenure. Also during his tenure he met different fatal accidents due to that his health broke down and he became physically handicapped thus inactive. The college lies at a remote mountainous terrain with difficult approachability and not easily commutable. Consequently it became not possible for him to travel all along to different offices and keep himself abreast with routine development. The letters he used to write to the Director of Higher education were not allowed to reach their destination because of erecting a strong wall around him. This wall developed news blackout due to the creation of communication gap between the college and the Directorate of Higher Education. Once he himself visited D.H.E, Peshawar with (19) pages written report/documents aimed to submit directly and discuss verbally in detail with the Director of Higher Education.

Handwritten initials and signatures: "M", "G/H", and "M".

at unfortunately could not meet the Director of Higher Education as he had gone to Kohat on official visit. When Fazal Wahid came to know about the mismanagement of the money, corresponding are found on the record that he did struggle to save the system from further deterioration. Authorities once issued to Muhammad Rehman to deal with D.A.O, Banks and the treasures were cancelled and Muhammad Rehman was issued many letter for return of official document in his custody and the money he had drawn fraudulently and illegally kept with him. Fazal Wahid tried to intimate the higher authority for the state of affair and solicited for the joint strategy to be evolved to curb menace. The letters written to DAO Malakand and the related bank were proved ineffective (Annexures A-5, A-12, A-21, A-22, A-23, A-24, A-25, A-26, A-27, A-40, A-69, A-74, A-76, A-77, A-78; B-3, E-19, E-20, E-21, E-22, E-23, E-24, E-25 and E-26). Those were the reason for his weak grip on the already withered affairs of the college. His effort to introduce a ameliorative reforms were baffled by the unscrupulous lobby of joint venture. This committee therefore recommends that his application A-4, E-15, E-16 and E-17 may be accepted and he may be issued NDC for the release of his commutation and pension according to spirit of FR-54A (Annexures A-6, E-18.1, E-18.2 and E-18.3). However, an affidavit on a judicial stamped paper be taken from him that if after any new minute scrutiny in future any monetary misappropriation is found against him, recovery be made from him. In the instant case some penalties should befall him also.

RECOMMENDATIONS

In the light of above points, the committee recommends the following.

- i. Muhammad Rehman, Lab. Assistant stands the mega culprit. He may be got arrested for the recovery of the office record.
- ii. The Principal Fazal Wahid may be allowed commutation and pension benefit and an affidavit on judicial stamped paper offering the payment of any amount pointed out by the minute detail audit in future after the recovery of credible official record.
- iii. The concerned Accounts officer who dared to open the crossed cheques causing all this corruption may be penalized and inquiry to this effect be initiated against him.

Part A. GPF-Advance

The committee unanimously declares the amount viz, Rs. 1508500/= as reported by the Inquiry Committee comprising Mr. Muhammad Shafi, AAO, Sahibzada, Senior Auditor and Mr. Essa Khan, Senior Auditor to be the actual amount. The recovery of the said amount along with interest accrued therein may be materialized as per detail given below:-

- | | |
|---|-----|
| i. Mr. Muhammad Rehman, Lab. Assistant----- | 50% |
| ii. The Dist. Accounts Officer, Malakand----- | 40% |
| (during the period from 2008 and 2009) | |
| iii. The Bank officer/official----- | 05% |
| (during the period from 2008 and 2009) | |

~~Mr. Muhammad Shafi, AAO, Sahibzada, Senior Auditor-----05%~~

Part B. Budget and special grants

The committee had gone through the embezzlement amount from Budget and special grants, etc., and recommends that:-

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Budget and Accounts Branch of the Directorate may be directed to calculate the total amounts of budget and special grant allocated to GC Agra from the period (2006-2011). And Audit Branch to find the embezzlement out of this. The amount so calculated may be recovered as per following detail:-

i. Mr. Fazal-i-Ghafoor,	Ex-Principal-----	10%
ii. Mr. Zia ul Haq	Ex-Principal-----	10%
iii. Mr. Hidayatullah Khan	Ex-Principal-----	05%
iv. Mr. Fazal Wahid	Ex-Principal-----	05%
v. Mr. Fida Muhammad	Accounts officer-----	05%
vi. Mr. Pervez Khan	Senior Clerk-----	05%
vii. Mr. Muhammad Rehman,	Lab. Asstt.-----	60%

Part C. Pupils fund and Tuition/Admission/ Hostel Fee

In order to estimate realization of pupils fund and Govt. fee, the experts from Budget, Accounts and the Audit Branches of the Directorate of Higher Education may be directed to form joint venture and visit GDC, Agra to search for exact strength of students duly admitted from 1st-Year to 4th-Year during the academic sessions starting from 2006 to 2011. This combined team should meet members of admission committees constituted during different academic sessions, incharge students' affairs, bursar of the college, warden of the hostel and other members of the college administration during the unaudited period. The committee may also be directed to visit concerned BISE and the university to find out the exact numbers of students registered for that period and took exams. Result gazettes from 2006 to 2011 be consulted for cross checking of actual number of students admitted in the said period. The total amount so estimated may be added 10% extra for struck off students and for those who did not take exam for other reasons.

The difference between the genuine amount so estimated and that of Govt. fee deposited in Govt. treasury and pupils fund in the college account maintained in the bank may be reconciled respectively. All the money estimated should be subjected to audit for expenditure made in the period 24-04-2006 to 30-06-2011. The doubtful amount not satisfying the team may be declared as amount embezzled and be recovered from the following offers/officials as per percentage ratio given against each.

i. Mr. Fazal-i-Ghafoor,	Ex-Principal-----	10%
ii. Mr. Zia ul Haq	Ex-Principal-----	10%
iii. Mr. Hidayatullah	Ex-Principal-----	10%
iv. Mr. Fazal Wahid	Ex-Principal-----	10%
v. Mr. Pervez Khan	Senior Clerk-----	10%
vi. Mr. Muhammad Rehman,	Lab. Asstt.-----	50%

The report is submitted for perusal and necessary action please.

Committee:-

1. Prof. Munsif Khan,
Principal, GPGC, No. 1 A.G.L. (Chairman)
2. Prof. Ajmal Shah
Principal, GDC, Khairabad (Mardan) (Member)
3. Prof. Qutbud Din
Principal, GDC, Lahor (Swabi) (Member)

Anex - B (19) 108
F-31

DIRECTORATE OF HIGHER EDUCATION

GOVERNMENT OF KHYBER PAKHTUNKHWA PESHAWAR

Phone No.9211025-9210242-9210217 Fax No.9210215

Subject:- MINUTES OF DEPARTMENTAL PROMOTION COMMITTEE ON
19.01.2016 REGARDING PROMOTION OF SENIOR CLERKS (BPS-14)
TO THE POST OF ASSISTANTS (BPS-16).

A meeting of the Departmental Promotion Committee (DPC) was held under the Chairmanship of Professor Noorullah Khan Wazir, Director Higher Education, Khyber Pakhtunkhwa in his office at 10.00 AM on 19.01.2016. The following attended the meeting.

- (i) Mohammad Roz Khan, Additional Director, Directorate of Higher Education, Khyber Pakhtunkhwa.
 - (ii) Mohammad Bashir, Deputy Director (Establishment), Directorate of Higher Education Khyber Pakhtunkhwa.
 - (iii) Mst. Zubia Qamar Deputy Director (Female), Directorate of Higher Education Khyber Pakhtunkhwa.
 - (iv) Mr. Shah Saud, Section Officer (Colleges-IV), Higher Education Department Khyber Pakhtunkhwa.
 - (v) Mr. Muhammad Javed Deputy Director (FATA), Directorate of Education (FATA), Warsak Road Peshawar.
2. After recitation from the Holy Quran, the Chair welcomed all members of the Committee, and asked Deputy Director, (Establishment), to throw light on the promotion of Senior Clerks (B-14) to the post of Assistant (B-16). Consequently the Deputy Director (Establishment), apprised the committee on the promotion of senior clerks (B-14) to the post of Assistants (B-16), overall sanctioned positions as well as the rules under which promotion is to be made.
3. The DPC recommends the following Senior Clerks (B-14) for promotion to the post of Assistant (B-16) on the basis of Seniority cum fitness as per details given below.
4. Pertinent to mention that some of the cases have been superseded and deferred due to peculiar reasons mentioned against their names.

NO	NAME OF OFFICIAL	RECOMMENDATION OF THE DPC
1.	Asghar Ali, Senior Clerk, GPGJC, Swat	Superseded due to his un-willingness.
2.	Rahim Gul, Senior Clerk, Senior Clerk GPGC, Nowshera.	Deferred due to his missing ACRs.
3.	Pervez Khan, Senior Clerk, GDC, Agra (Malakand Agency)	Deferred due to non depositing of outstanding amount against him.
4.	Burhan-Ud-Din, Senior Clerk, Govt. College Peshawar.	Not considered for promotion due to his un-willingness dated 18.12.2014. The committee recommends that he should wait for four years for the promotion as per policy in vogue.
5.	Sajjad Aziz, Senior Clerk, GPGC, No 1 Abbottabad.	Recommended for promotion to the post of Assistant B-16.
6.	Shoukat Aziz, Senior Clerk, GGC, Cheeti Dehri Manshera	Recommended for promotion to the post of Assistant B-16
7.	Shah Khan, Senior Clerk, GDC, Landi Kotal (Khyber Agency)	Recommended for promotion to the post of Assistant B-16
8.	Wajih-Ud-Din, Senior Clerk, GDC, Akora Khttak	Recommended for promotion to the post of Assistant B-16.

	Mohammad Nisar, Senior Clerk, Directorate Higher Education Peshawar	Recommended for promotion to the post of Assistant B-16.
	Khawaja Akhtar Ali, Senior Clerk, DHE, Peshawar	Recommended for promotion to the post of Assistant B-16.
11.	Khurshid Hussain, Senior Clerk, DHE, Peshawar.	Recommended for promotion to the post of Assistant B-16.
12.	Mohammad Rehman, Senior Clerk, GGC, Thana	Recommended for promotion to the post of Assistant B-16.
13.	Wajid Ali, Senior Clerk, GGC, No. 1 Charsadda	Recommended for promotion to the post of Assistant B-16.
14.	Mohammad Sohail, Senior Clerk, GGC, Manki (Swabi)	Recommended for promotion to the post of Assistant B-16.
15.	Mohammad Arif, Senior Clerk, GGC, Kulachi (D.I.K)	Recommended for promotion to the post of Assistant B-16.
16.	Mrs. Gulshan Bibi, Senior Clerk, GGC, No.1 Abbottabad	Recommended for promotion to the post of Assistant B-16.
17.	Haseen-Ud-Din, Senior Clerk, GDC, Yar Hussain	Recommended for promotion to the post of Assistant B-16.
18.	Muzafar Khan, Senior Clerk, GDC, K.D.A Kohat	Recommended for promotion to the post of Assistant B-16.
19.	Fazli Akbar, Senior Clerk, GPGC, Swabi	Recommended for promotion to the post of Assistant B-16.
20.	Abdul Ghaffar, Senior Clerk, GPGC, Nowshera	Recommended for promotion to the post of Assistant B-16.
21.	Umar Gul, Senior Clerk, Directorate Higher Education	Recommended for promotion to the post of Assistant B-16.
22.	Dilawar Khan, Senior Clerk, GSSC Peshawar.	Recommended for promotion to the post of Assistant B-16.
23.	Muhabat Khan, Senior Clerk, GGC, Karak.	Recommended for promotion to the post of Assistant B-16.
24.	Alamzeb, Senior Clerk, DHE Peshawar.	Recommended for promotion to the post of Assistant B-16.
25.	Rehmat Ullah, Senior Clerk, GDC. Banda Daud Shah (Karak).	Recommended for promotion to the post of Assistant B-16.
26.	Ghulam Yasin, Senior Clerk, GDC Parova (D.I.Khan)	Recommended for promotion to the post of Assistant B-16.
27.	Sanaullah, Senior Clerk, GDC Eask Khel	Recommended for promotion to the post of Assistant B-16.
28.	Ahmad Hassan, Senior Clerk, GGC No.1 Manshera	Recommended for promotion to the post of Assistant B-16.
29.	Abdul Khaliq, Senior Clerk, GPGC, Bannu	Recommended for promotion to the post of Assistant B-16.
30.	Noor Ali Khan, Senior Clerk, GGC Ghorl Wala	Recommended for promotion to the post of Assistant B-16.
31.	Abdul Khalil, Senior Clerk, GPGC Kohat	Recommended for promotion to the post of Assistant B-16.
32.	Saleem Akhtar, Senior Clerk, GSSC, Peshawar	Recommended for promotion to the post of Assistant B-16.
33.	Saifullah Khan, Senior Clerk, GGC, Takht Nasrati	Recommended for promotion to the post of Assistant B-16.
34.	Waseem Ahmad Shah, Senior Clerk GSSC, Peshawar	Recommended for promotion to the post of Assistant B-16.
35.	Fazal Din, Senior Clerk, GPGC, Manshera	Recommended for promotion to the post of Assistant B-16.
36.	Mohammad Shahid, Senior Clerk, DHE, Peshawar	Deferred due to non depositing of outstanding amount against him
37.	Haji Ahmad Ullah, Senior Clerk, DHE, Peshawar	Recommended for promotion to the post of Assistant B-16
38.	Sanobar Khan, Senior Clerk, GGC Umerzai	Recommended for promotion to the post of Assistant B-16.

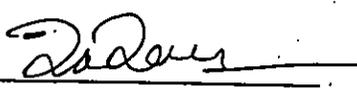
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43	Mrs. Farzana Rehman, Clerk, GFC(W), Peshawar.	Recommended for promotion to the post of Assistant B-16.
44	Obaidullah Khan, Senior Clerk, GDC, No. 2 Bannu	Recommended for promotion to the post of Assistant B-16.
45	Yahya Jan, Senior Clerk, GDC, Darra Adam Khel :	Recommended for promotion to the post of Assistant B-16.
46	Hujjatullah, Senior Clerk, GDC, Eakka Ghund	Recommended for promotion to the post of Assistant B-16.
47	Shakir Ullah, Senior Clerk, GGC, Dadam Khel Bara	Recommended for promotion to the post of Assistant B-16.
48	Irfan Ullah, Senior Clerk, GGC, Ekka Ghund	Recommended for promotion to the post of Assistant B-16.
49	Salim Khan, Senior Clerk, GDC, Miran Shah NWA	Recommended for promotion to the post of Assistant B-16.
50	Azmat Ayaz, Senior Clerk, GDC, Mir Ali NWA	Recommended for promotion to the post of Assistant B-16.
51	Naeem Gul, Senior Clerk, GDC, Sabir Abad (Karak)	Recommended for promotion to the post of Assistant B-16.
52	Mohammad Haroon, Senior Clerk, GGC, Qalandar Abad	Recommended for promotion to the post of Assistant B-16.
53	Mohammad Salim, Senior Clerk, GPGJC, Swat	Recommended for promotion to the post of Assistant B-16.
54	Mohammad Nawab, Senior Clerk, GDC, Kabal Swat	Recommended for promotion to the post of Assistant B-16.
55	Irfan Ghani, Senior Clerk, GGC, Mandian	Recommended for promotion to the post of Assistant B-16.
56	Abdul Qadoos, Senior Clerk, GGC Bari Kot Swat	Recommended for promotion to the post of Assistant B-16.

1. Professor Noorullah Khan Wazir,
Director, Higher Education
Khyber Pakhtunkhwa, Peshawar

Chairman 

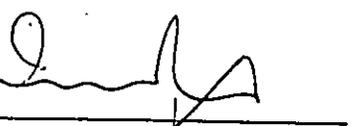
2. Professor Mohammad Roz Khan,
Additional Director, Higher Education
Khyber Pakhtunkhwa, Peshawar.

Member 

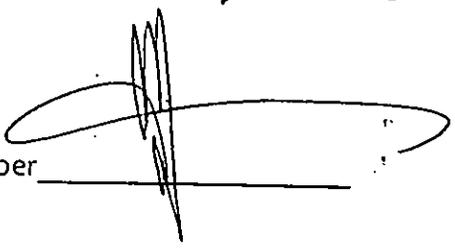
3. Mohammad Bashir, Deputy Director
(Establishment), Higher Education
Khyber Pakhtunkhwa, Peshawar

Member 

4. Mr. Shah Saud, Section Officer, (C-IV)
Govt. of Higher Education
Khyber Pakhtunkhwa, Peshawar

Member 

5. Mr. Mohammad Javed, Deputy Director,
Directorate of Education (FATA)

Member 

Anex - C

H/28/12
22

GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES AND
LIBRARIES DEPARTMENT

No. SO(C-IV)HE/19-1/2016/Ministerial Staff/RF-2

Dated Peshawar-the, May 12th, 2016 /2702



The Director Higher Education,
Khyber Pakhtunkhwa, Peshawar.

SUBJECT: APPEAL FOR JUSTICE

I am directed to refer to your letter No.10526 dated 12-04-2016 on the subject noted above and to state that after thorough examination of the appeal in respect of Mohammad Khalid, Senior Clerk Directorate of Higher Education, the competent authority has been pleased to decide as under :-

- i. Appeal is rejected having sufficient materials against the appellant on record.
- ii. Efforts may be made for recovery of amount of G.P Fund, as allegedly embezzled from the defaulting persons.
- iii. Efforts may also be made for reteriveing of the official record stolen by Muhammad Rehman Lab: Assistant of GDC Agra Malakand.

The appellant may be informed accordingly.

(RAHIM GUL)
SECTION OFFICER (C-IV)

Copy to
1. PS to Secretary Higher Education Department.

SECTION OFFICER (C-IV)

OFFICE OF THE DIRECTOR HIGHER EDUCATION KHYBER PAKHTUNKHWA PESHAWAR.

Endst.No. 19452 CA-VII/Estt:Branch/GPGC, Haripur

Dated 20/7 2016

Copy of the above is forwarded to Mr. Muhammad Khalid, Senior Clerk Directorate of Higher Education for information and strict compliance.

BY: DIRECTOR (ESTABLISHMENT)

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

Service Appeal No.753/2016

Mr. MUHAMMAD KHALID. V/S HIGHER EDUCATION DEPTT.

.....
REJOINDER ON BEHALF OF APPELLANT
.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-8) All objections raised by the respondents are incorrect. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Partially admitted by the respondents department and remaining Para is also not denied by the respondents, which mean they have admitted para-1 of the appeal as correct.
- 2 Partially admitted by the respondents department and remaining Para is also not denied by the respondents, which mean they have admitted para-1 of the appeal as correct.
- 3 Incorrect. While para-3 of the appeal is correct. The appellant name was not mentioned in those official against whom inquiry was initiated and provided not any chance of defense to appellant and recommended 5% recovery from total amount which injustice.
- 4 Admitted correct by the respondents, so no comments.
- 5 Admitted correct by the respondents, so no comments.

6 Admitted correct by the respondents, so no comments.

GROUNDS:

- A) Correct. While Para-A of the appeal is correct. The impugned order dated 12/5/16, 16/7/15, 1/2/16 were issued without the four corner of law ,rules ,norm of justice therefore not tenable.
- B) Incorrect, while Para-B of the Ground of Appeal is correct.
- C) Incorrect. While Para-C of the appeal is correct. The appellant was recommended by the fact finding inquiry which is not permissible in the eye of law.
- D) Incorrect, while Para-D of the ground of Appeal is correct.
- E) Incorrect. While Para-E of the appeal is correct The appellant has forwarded only the GP Fund claim to the different officials according to the law and no embezzlement or misappropriate was made by the appellant.
- F) Incorrect, while Para-F of the Ground of Appeal is correct.
- G) Incorrect, while Para-G of the Ground of Appeal is correct.
- H) Incorrect, while Para-H of the Ground of Appeal is correct.
- I) Incorrect, while Para-I of the Ground of Appeal is correct.
- J) Incorrect, that the appellant has not been treated in accordance with law.
- K) Legal.

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

APPELLANT
MUHAMMAD KHALID

Through:

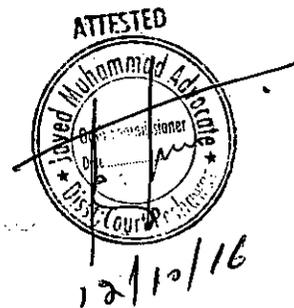


(M. ASIF YOUSAFZAI)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of appeal and rejoinder are true and correct to the best of my knowledge and belief.


DEPONENT



1

INQUIRY REPORT

REGARDING

EMBEZZLEMENT / CORRUPTION

At Govt: Degree College: AGRA (MALAKAND)

Inquiry Officer:- Professor Dr. Fazli Subhani (Gold Medalist, Roll of Honour)

Principal Govt: Post Graduate College Dargai (Malakand.)

Submitted to: Honourable Director Higher Education

Khyber Pakhtunkhwa Peshawar

With Special reference to letter No:-16232/CA-VII/Estt; Branch dated Peshawar the 20/06/2011.

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INDEX

<u>S.No</u>	<u>Content</u>	<u>Page Number</u>
1.	Inquiry report	1
2.	Complaint	31
3.	Questionnaire-1 issue to Mr.Fazli Wahid A/P Ex: Principal	32
4.	Reply to Questionnaire by Mr Fazli Wahid Ex.Principal	36
5.	F I R	44
6.	Statement of 03 elites of Agra	45
7.	Questionnaire-2 issue to (Mr Hidayat Ullah I/C Principal	51
8.	Reply to Questionnaire-2 by Mr Hidayatullah I/C Principal	53
9.	Questionnaire-3 issue to (Mr Abdul Hadi lecturer in HPE)	57
10.	Reply to Questionnaire-3 by	58
11.	SPOT Directives for SMART Plan	62
12.	Utility Bills. (Electricity & PTCL)	64
13.	Questionnaire-4 issue to (Mr. Islam Ud Din lecturer in Pak: Study)	73
14.	Reply to Questionnaire- 4 by Mr. Islam Ud Din	74
15.	Statement - 5 of Mr. Zia Ud Din lecturer in Maths GDC Agra	77
16.	Questionnaire Explanation issue to (Mr. Pervez Khan S/Clerk	80
17.	Reply to Questionnaire/ Explanation by Pervez Khan S/Clerk	81
18.	Statement of Mr. Shahab Ud Din A/Prof: of Economics.	82
19.	Complaint (GPF) of Mr. Parvez Khan Senior Clerk	86
20.	Complaint (GPF) of Mr Hakim Zada Mali	87
21.	Complaint (GPF) of Mr Faqir Shah Zada Chowkidar	89
22.	Complaint (GPF & loan) of Mr. Zair Nabi (N/Qasid)	91
23.	Collective complaint for Charcoal Allowance by class IV servants	94
24.	Collective Appeal to High ups by affectees.	95
25.	Recoveries of GPF Advance.	97
26.	Fraudulent payment out of GPF	99
27.	Collective application (GPF) to AG Khyber Pakhtunkhwa	100

Handwritten notes in Urdu at the bottom of the page, including the name "العارفين" and other illegible text.

28.	Mega Mistake-1 by Mr. Fazli Wahid A/P Ex. Principal.	101
29.	Mega Mistake-2 by Mr Fazli Wahid A/P Ex. Principal.	102
30.	Bribe complaint of Mr. Sadiq Hussain, of Agra	103
31.	Complaint of Mr. Waheed Ullah Lab: Attendant. (loan) Rs.20000/-	104
32.	Complaint of Mr. Fazli Hayat Chowkidar (Fixed Pay)	106
33.	Collective application/complaint of 3 rd year students (Rs.78000/-)	107
34.	Complaint of Mr. Rahim Ullah, 2 nd year student for MORA Scholar Ship	108
35.	Complaint of Mr. Yasir Afghan, student, for Migration certificate.	109
36.	Enhancement of Admission seats. GDC Agra	110
37.	Revised estimates (2010-11)	113
38.	Mr. Muhammad Rahman Transfer order	115
39.	Bank Balance sheets and Transactions.	116
40.	GDC Agra Malakand staff statements	127
41.	GDC Agra monthly statistical return & Result.	128
42.	GDC Agra map and court decision	132
43.	Post Inspection orders	142
44.	Contact Number of Muhammad Rahman Lab: Asstt.	146
45.	College Time Table.	147
46.	Three Authority letters to Muhammad Rahman Lab: Asstt: by Principal	148
47.	Authority letter to Mr. Pervaz Khan S/Clerk. By the Principal	151
48.	Absence from duty of Muhammad Rahman (03 reports).	152
49.	Complaint of Mr. Pervaz Khan regarding Non-availability of college record.	155
50.	Attendance Register of Govt Servants. GDC Agra	156
51.	Two letters of criminal activities of Mr. Muhammad Rahman	160
52.	Authority cancellation of Mr. Muhammad Rahman by the Principal	163
53.	Authority letter i/r of Pervaz Khan S/Clerk by the Principal	164
54.	Letter of Accounts freezing. by the Principal	165
55.	Illegal Possession of cash by the Principal.	166
56.	Procurement.	167
57.	Letters for posts creation at GDC Agra.	168

58.	Vacant Posts GDC Agra.	179
59.	Students complaint to DCO Malakand for Degree classes.	180
60.	Letter for Missing facilities.	184
61.	Staff Statement.	185
62.	Results teaching	186
63.	Students strike for teaching staff deficiency	188
64.	Ledgers stealing by Muhammad Rahman	189
65.	Vacant Posts (Teaching)	190
66.	Request for Transport facility.	191
67.	Electricity Transformer fault (05 letters).	192
68.	Failure of Registration of 3 rd students. (2010)	197
69.	Long absentee report of Muhammad Rahman since 23/8/2010.	198
70.	WAPDA / PTCL problem (letter) and pending bills	199
71.	Appointment order of Mr. Fazli Ghafoor (Associate Professor as Principal	209
72.	Case withdrawl	212
73.	GDC Agra (1985-2011) A birds eye view.	213
74.	GDC Agra, Malakand (Prospectus).	215-222



REPORT

Brief out line:

Reference complaint lodged by residents of Agra District Malakand namely Haji Raftad Gul Phone No.0932-344015, Haji Bahri Karam Phone No. 0932-344111 and Haji Noor Zaman Khan Phone No.0932344058 against Muhammad Rahman Laboratory Assistant (Chemistry) GDC Agra Malakand, as per letter No.16232/CA-VI/Estt: Branch dated Peshawar the 20/6/2011. Directorate of Higher Education Khyber Pakhtunkhwa.

The complaint may be summarised as:

1. Total academic failure of GDC Agra.
2. Heavy corruption and embezzlement in the college accounts and Private Fund, G.P. Fund Medical allowance, TA/DA, Charcoal allowance, Admission fee / Tuition fee.
3. Fake signs by the concerned Laboratory Assistant Muhammad Rehman.
4. Initiation of inquiry against Muhammad Rehman, Lab: Asstt: G.D.C Agra Malakand.
5. College problems such as staff deficiency and transport etc.

As per directive of Director Higher Education Khyber Pakhtunkhwa Peshawar vide letter No. 16232/CA-VII/Estt; Branch dated Peshawar the 20/06/2011, the undersigned Professor Dr. Fazli Subhani, Principal Post Graduate College Dargai (Malakand) being an Inquiry Officer visited Govt. Degree College Agra on 21st - 23rd July 2011 along with Mr. Muhammad Hussain Asstt: Professor of English (Vice Principal) G.P.G.C Dargai and Mr. Zahoor Khan Accountant G.P.G.C Dargai to probe into the matter and to conduct a fact finding inquiry. In this connection various questionnaires were served upon various officers and officials such as:

Questionnaire : 1

Served upon Mr. Fazli Wahid Assistant Professor of Chemistry Ex. Principal GDC Agra Malakand now retired on 10th May 2011. (p 32 to 35) in which he was asked .

To explain the Financial position of college funds at the time of taking over charge as Principal as well as on the date of retirement i.e 10/05/2011 along with Fund statement, Bank Balance sheet, Bank transactions, college account number and Bank branch address.

To explain the Official status of Mr. Muhammad Rahman Lab: Asstt: and why he was given such an important position and Financial management of the college.

To explain about the FIR number 6 (10:30) dated 24/06/2011 (P 44) against Mr. Fazli Wahid Principal / DDO and Laboratory Asstt: Muhammad Rahman lodged by Mr. Islam Uddin lecturer in Pak Study G.D:C Agra, Parvez Khan Senior Clerk, Faqir Shah Zada (Chowkidar) , Hakim Zada (Mali) , Zair Nabi (Naib Qasid) , Sahib Gul (Behishti) , Muhammad Bashir (Lab: Asstt) , Zahir Hussain (Cook) , Abid Hussain (Lab: Attendant), Sher Muhammad (Chowkidar) and Fazli Hayat (Chowkidar).

FIR Summary. The accused Mr. Fazli Wahid Principal and Mr. Muhammad Rahman (Lab. Asstt) both have embezzled the college funds and the Ex. Principal is now retired while Lab. Asstt Muhammad Rahman is absent since long

(P 44)

To explain the position of non-salary budget of the college during his tenure as principal and fund statements; Student enrollment, fee concessions, all types of scholarships, expenditure details. Expenditure statement and charcoal allowances, as well as admission fees details Medical allowances and TA/DA

Why you have not registered FIR against Muhammad Rahman Lab. Asstt: and why you have not informed the high ups regarding this massive corruption.

Explain why you have not shown sense of responsibility in this case and if you fail to justify your position it will be assumed that you have nothing in your defense.

7. Mr. Sadiq Hussain a local resident of Agra has claimed in his application (P 103) that he has bribed Muhammad Rahman Lab: Asstt: with Rs.20,000/- on your directive for the post of college Tube Well Operator Explain your position?

8. You started 3rd year classes only in Arts in 2010, but all the admissions and tuition fees of the regular students of B.A Part 1st have been taken away by Mr. Muhammad Rehman. All such students have appeared in B.A Part 1st exam recently but as private candidates with new private admission as you failed in the college affiliation with University of Malakand. Explain?

9. Why you have failed in correspondence with Higher Authorities of Higher Education Department.

10. Mr. Fazli Hayat s/o Fazli Bahadar r/o Agra has submitted a complaint (P 106) that he has served as college chowkidar during your tenure for six months @ Rs.1500/- per month out of college private funds but has not received any pay. Explain your position.

11. Submit complete year wise report especially college results, Bank transactions withdrawals, disbursement, fee concession, scholarships reconciliation and student enrollments;

- i. Haji Raidad Gul CNIC No.15402-9541134-5 #.No:- 0932344015 cell No.0344-9241031. (P-45-47/48 to 50)
- ii. Haji Bahari Karam CNIC No.15402-8983435-5 #.No:-0932344111 cell No.03449018741. (P-45-47)
- iii. Haji Noor Zaman Khan CNIC No.15401-1425385-9, Phone No.- 0932344058 and cell No.03422952445 (P 45-47)

Serial No. I,II,III elites of Agra who have submitted the complaint to Director Higher Education Khyber Pakhtunkhwa regarding the deterioration of the college conditions and requested for an inquiry. (P 3)

In their joint statement they stated that Muhammad Rahman has embezzled the G.P Fund, Medical allowance, TA/DA, college budget, college Private Fund and the college is facing a complete academic and financial crisis.

They have further stated that Ex. Principal Mr. Fazli Wahid is clear and simple man with out any doubt but culprit Muhammad Rahman Lab: Asstt: has tactfully involved him in this scheme and we consider the Ex. Principal Mr. Fazli Wahid as an innocent man but Muhammad Rahman may be handed over to Army Monitoring cell. The college condition is zero therefore we being the local residents request for the following suggestions. (P 46-47)

- i. For starting Intermediate as well as Degree level education.
- ii. To open the college hostel for non-local students.
- iii. To provide two Vehicles for the students.
- iv. To transfer the teacher of Physics and Chemistry to this college as there are no lecturers in these subjects.
- v. To appoint a local Principal for the college for the betterment of the area.
- vi. Most of the staff members are not fit and are disabled and they may be transferred to other college one by one.
- vii. B.A/ B.Sc examination halls may be arranged for private students as both boys and girls appear in the annual examination.
- viii. Hard Area allowance may be introduced in this remote hilly area as incentive for attraction.
- ix. A local committee of residents of Agra may be constituted for coordination with Principal and staff regarding college problems.
- x. Plantation with planning may be started in the 30 kanals uncovered area of the college out of 43 kanals of total area.
- xi. Boundary wall of college may be constructed.
- xii. N.I.P lecturers may be appointed at this college by DCO Malakand and Adhoc appointment by the Director Higher education Khyber Pakhtunkhwa.
- xiii. The honorable Director may visit this college along with inquiry team for solution of the college problems on the spot.
- xiv. Computer classes may be started and lecturer in computer Sciences may be arranged.

- v) Special grants may be approved for college special repair.
- vi) The college transformer is out of order which needs urgent repair.
- vii) The vacant posts of Clerks may be filled.

The Ex. Principal Fazli Wahid responded to the questionnaire Para wise, which may be summarised as below.

- i. He remained Principal vide Endst No. 598/600 dated the Peshawar 25/11/2004 from 11/11/2004 to 1/12/2005 in his first tenure and from 1/4/2009 to 10/5/2011 in his second tenure. (P 36 to 39)
- ii. Bank balance of GDC Agra Malakand was Rs.39397/- on 2/4/2009 while it was Rs.12476/- on 11/5/2011. (It is important to note that the current Bank Balance on 1/7/2011 is Rs.1176/- only). According to the statement of Mr. Fazli Wahid Asstt: Prof: Ex: D.D.O (Now retired) on 10/5/2011 the sum of the details of the amounts kept illegally in the possession of Muhammad Rahman are as follows. (P 40) P 43
- iii. Muhammad Rehman was dealing the financial management of the college since 2008 and by the Ex-Principal Fazal Karim Khan of Thana (Malakand) who retired on 10/11/2004.
- iv. There was no senior clerk in the college and the junior clerk Mr. Pervez Khan (now senior clerk was unable to handle financial affairs therefore Muhammad Rahman Lab: Asstt: of chemistry was asked to deal with college accounts.

Muhammad Rahman was transferred from GDC Alpuri (Shangla Swat) to GDC Agra due to financial corruption and has played a big drama of absolute corruption from 2000-2011. He was issued a letter No 280 dated 30/12/2011 by me for keeping Govt. Cash, money, illegally in possession since long along with MRCs, Charcoal and TA/DA. (P _____)

P-43 /

- vi. The whole record of the college such as cash book, ledgers etc have been stolen by Muhammad Rahman which has created hardships for the college administration to run the college smoothly.
- vii. A nineteen pages report was submitted by me to Director, Higher Education. No. 249 dated 1/10/2010 issued to Muhammad Rahman regarding absence from duty from 23/7/2010 to 30/9/2010 without any application (P) ^(152-154 and P 156-159) and taking away the college record illegally in his custody (P 55) ^{P-43 and} A similar letter No 267 dated 1/12/2010 has also been issued regarding the irregularities of Muhammad Rahman and for absence from duty 23/8/2010 to 30/11/2010 (P 156) . P 159
- viii. DAO Malakand office has bypassed their responsibility and are involved in this historic corruption (DAO) office and NBP Malakand have facilitated Muhammad Rahman by issuing huge amounts on bogus signatures, open cheques instead of cross cheques without any verification.
- ix. Fazal Hayat night chowkidar salary @ of Rs.1500/- per month out of college private funds was the pending matter of Mr. Fazli Karim Khan Ex: Principal (now retired). The whole record of the college has been stolen by Muhammad Rahman Lab Asstt: (P)

Questionnaire (2)

(P 51)

1. Served upon Mr. Hidayat Ullah Asstt: Prof. of Islamiyat I/c Principal GDC Agra since 10/5/2011. He was asked to explain that till 22/7/2011 even a single student has not been admitted to 1st year class either in science or Arts while admission procedures in other Govt. colleges is now near to completion.

2. To submit a class wise present students enrollment.
3. To explain why the college gives a deserted look and why dust is everywhere in the offices, classroom and Labs. Why the college lawns are not clean and without trimming of the ornamental plants.
4. Explain why the reconciliation has not been done and why Electricity and Telephone bills of Rs. approximately 80,000/- are due.
5. Explain why you are not taking interest in administrative and academic affairs of the college and why you have not written a single official letter to higher authorities for the improvement and development of this college.
6. Explain the current huge embezzlement in Govt. as well as college private fund by Muhammad Rahman Lab: Asstt.

Response.

(P 52-55)

1. The setting I/C Principal Mr Hidayat Ullah Asstt. Prof: submitted that it is the job of admission committee to carry out admissions.

2. There are a total 64 seats with the following break up:

Pre: Med: =23 Pre: Engg: = 27 Arts = 14 Total= 64

(It is highly astonishing for the inquiry team that not a single student was admitted till Friday 22th July, 2011 but the inquiry officer announced in Juma congregation at Makki Masjid Agra and requested the local residents to get their S.S.C passed children admitted to 1st year class and only two admissions became possible). (P 51)

The latest update record on 29/7/2011 from the present DDO Agra Mr. Abdul Hadi is that a total of 24 students have been admitted to 1st year.

It is worth mentioning that the DDO powers have been given to Mr Abdul Hadi on 29/7/2011 vide notification No:- 18439-41 dated 25/07/2011 (P 67) and the previous notification in this regard notification NoEndst No, 19387089/A-167/CA-1/Est: Branch dated 18/7/2011 (P 56) has been cancelled by Director Higher Education Khyber Pakhtunkhwa.

3. According to the statement of Mr. Hidayat Ullah Ex. DDO the college record has been taken away by Muhammad Rehman.

4. The Ex. DDO) Mr. Hidayat Ullah has further stated that DAO Office is not co-operating in this case of corruption. He further stated that the report regarding the out of order Electricity Transformer of the college has already been submitted to Director Higher Education Khyber Pakhtunkhwa i.e. Letter No. 255 dated 25/10/2010, Letter No.316 dated 9/4/2011 and Letter No.317 dated 28/4/2011. (P 192 - 195)

5. Mr. Hidayat Ullah Asstt. Prof. stated that Muhammad Rehman seemed to be a deceiver and when we knew in April 2011 that though Muhammad Rahman remained absent from duty for the last one year but again he has committed a major blunder by illegal drawal out of GP Fund of the college Govt. Employees. The DAO Office refused to show the ledgers; therefore we approached the anticorruption department. He further added that Muhammad Rahman has established relation in all relevant and concerned offices. He has finally requested that in such circumstances it is impossible for me to run the college. Therefore another DDO may be arranged.

6. He has further stated that according to the inspector anticorruption Malakand an amount of Rs.3,08,000/- has been illegally drawn out of my GP Fund Account. (P 53 - 54)

Questionnaire 3-

Served upon Mr. Abdul Hadi lecturer in HPE G.D.C Agra Malakand. (P 57)

He was asked about the following information.

i. Date of taking over charge on his transfer from G.P.G.C Dargai.

ii. Being a local person would you like to shoulder the responsibility as i/c Principal / DDO of G.D.C Agra as the non-local Principal Mr. Hidayat Ullah A/Prof. has submitted an application to the inquiry officer about his physical weakness and has requested to be relieved of Principal ship.

iii. Explain the current mismanagement, misappropriation and embezzlement in this college by Muhammad Rahman lab: Asstt. (P 57)

Record your statement regarding the local Class IV Govt. servants of this college whose G.P. Fund have been drawn illegally by Muhammad Rahman Lab: Asstt: and who have denied G.P. Fund recovery installments. (p.97) P-98

Why a single student has not been admitted to 1st year class till to day i.e. 22/7/2011 and what will be the future of this college if there is no admission and the total strength of this college is only 30 students in 2nd year.

Reply

(P 58-61)

Mr. Abdul Hadi s/o Fazli Mahmood lecturer in Health & Physical Education.

CNIC No.15401-0706909-3 a local resident of Agra said in his statement that.

1. He has taken charge as lecturer in H.P.E at this college on 1/5/2011 Vide. Higher Education Department Khyber Pakhtunkhwa Notification No. SO(A&L)HE/17/2010 Dated 28/4/2011 at S.No.2.

2. He has recorded that being a local person he is willing to act as I/c Principal as the college academic / administrative and financial condition is under crises.

3. Mr. Muhammad Rahman chemistry Lab Asstt: has left no stone unturned to completely destroy the college position and even has taken away the college Cash Books, Cheque Books and Ledgers. (P 166) He has further added that there was no student admitted to 1st year on 22/7/2011 but on 26/7/2011 the student enrollment in 1st year was 22 which is due to the encouragement of the inquiry team and High authorities of the department and Inshallah the college will once again become an ideal Govt. Educational Institute in future and the student enrollment in 1st year will be more than 70 very soon.

4. He has further stated that the illegal drawl of GPF of the Govt Employees by Muhammad Rahman is summarized as below.

(P-95,96)

S.No	Name & Designation	G.P.Fund No	Amount drawn Illegally	Date
i.	Pervez Khan S/Clerk	2276/CSS	Rs.84600/-	Sep:2008
ii.	Hakim Zada Mali	4612/CSS	Rs.20000/-	Oct: 2009
iii.	Faqir Shahzada Chowkidar	2277/CSS	Rs.40000/-	Oct: 2009

v. Zair Nabi N/Qasid, 2279/CSS Rs.40000/- Oct: 2009.
 v. Sher Muhammad Chowkidar 3671/CSS Rs.30000/- Sep: 2008.

4. Mr. Abdul Hadi has stated that 400 students pass SSC Examination each year from Agra but due to academic and administrative anarchy of this college, all of them opt to study at the remote areas. Mr Abdul Hadi has also mentioned some of the burning issues of the college such as:

1. Staff deficiency
2. Out of order college Transformer.
3. Administrative mismanagement.
4. Deficiency of Labs. and Library.
5. No Vehicle in college.
6. No hard area allowance.
7. Funds deficiency.
8. Disappointment among the teaching and class IV servants due to the huge corruption and embezzlement as well as mismanagement and misappropriation.
9. Recovery of fraudulent and illegal amount from the culprits.
10. No Degree classes since 2004.

He has also stated that the non-local teaching staff remained absent from 20/12/2010 up to 1/9/2011. Therefore we made correspondence with Director Higher Education in this connection to stream line the college affairs for the best interest of the public service.

Questionnaire = 4;

(P 73)

Served upon Mr. Islam Uddin lecturer in Pak. Std: GDC Agra Malakand and his response (P 74 to 76). Contact No.0932344040,0932344382

A local resident of Agra Mr. Islam Uddin's name is included in the list of the Govt. servants who registered FIR against Ex. Principal Mr. Fazli Wahid and Lab. Asstt Muhammad Rahman (P 44). Mr. Islam Uddin was asked to write the whole scenario of mismanagement, misappropriation and embezzlement carried out by Muhammad Rahman Lab: Asstt:

Response

In his response Mr. Islam Uddin has stated that GDC Agra was established in 1985 at a distance of 45km towards west of Batkhela and 45km of from Dargai. The college has 7 classrooms, 4 Labs & 4 offices. The population of the area was 40000 in 2004 and this college is the only college of the whole area of Agra. He has stated that the failure is majorly due to the lack of interest by administration and Govt. because normally when some one is transferred to the college is physically disabled or underreport. He has also stated that the college is on the point of complete deterioration. He has also suggested a few suggestions such as:

- a. A good Principal may be appointed. (P 75)
- b. The Principal and staff are absent from 23rd December 2010. (P 76)
- c. A computer is stolen by Muhammad Rahman. (P ..)
- d. G.P. Funds of officers and officials are drawn illegally. (P ..)
- e. Electricity and Telephone bills are not paid. (P ..)
- f. Newspaper bills drawn but newspapers are never provided. (P ..)
- g. Transformer required for college. (P ..)
- h. Reconciliation with DAO office is needed. (P ..)
- i. Charcoal charges since 2010-2011 not paid. (P ..)
- j. Chowkidar Sher Muhammad is absent from the last one year. (P ..)
- k. Medical bills drawn but not paid to the concerned servants. (P ..)
- l. Student admissions fee of Rs.45000/- has been taken away illegally. (P ..)
- m. Account record not available in the college. (P ..)
- n. Fixed pay of Fazli Hayat Class IV not paid. (P ..)
- o. Special grant of the college needs clarification. (P ..)
- p. Cash amount of Rs.20000/- from Lab: Attendant Wahid taken away. (P ..)
- q. Muhammad Rahman Lab: Asstt: of Chemistry Department has been transferred to GDC Matta (Swat) with out any clarification. (P ..)
- r. No audit of the retired Principal tenure D.D.O Mr. Fazli Wahid has been done till now. (P ..)

Post of lecturers in physics and chemistry are vacant. (P 75)
 The accounts and deficiencies may be verified from the college account record. (P 76)

Statement of Zia Ud Din Lecturer in Maths GDC Agra Malakand.

Regarding computer stealing and Rs.20,000/- as bribe (Page 77)

Mr. Ziaud Din Lec: GDC Agra has submitted a statement to the inquiry officer that:

1. Muhammad Rahman lab: Asstt: has torn a page from the stock register which contains the computer details and the computer has been taken away by him. He has also involved Mr. Sami Ul Haq lecturer in Isl: GDC Agra in this stealing. Mr. Sami Ul Haq lecturer in Isl: and In charge stock register has submitted a report on 13/9/2009 that page 41 of the stock register has been torn by mistake (P 78).

He has recorded that Ex. Principal Mr. Fazli Wahid has informed the Director Higher Education Khyber Pakhtunkhwa via letter No.264 dated 7/8/2009 (P 79) regarding this sensitive matter but the Directorate has not responded so far. The computer is still missing.

2. Muhammad Rahman, Lab: Asstt: has taken a bribe of Rs.20000/- from a local resident of Agra Mr. Sadiq for his appointment against the post of Tube Well Operator at GDC Agra. He has further witnessed the occasion when Muhammad Rahman was receiving Rs.20000/- from Mr. Sadiq. (P 77)

Questionnaire - 6

(P 80)

Explanation (P 80) Mr. Perviz Khan Senior Clerk GDC Agra contact
 No.03458897430 CNIC No:-15402-1399030-5.

He was asked to submit a written statement about the

- i. Till to day 22/7/2011 no student has been admitted to first year though a number of admission forms (06) have been submitted by the candidates so you please Explain why you are not following the rules and regulations of the Govt. Colleges of Khyber PakhtunKhwa.

- ii. Submit your reconciliation statement, Wapda clearance, Telephone bill payment and funds statements immediately.
- iii. Submit a complete report regarding students enrollment from 1st year to Degree classes, college Time Table, Staff list, Registration, Fee concessions, Scholarships, Bank transactions with out fail otherwise, strict disciplinary action will be taken against you.
- iv. Submit college Bank statement, Private Fund details, Bank branch and address.
- v. Submit a report of MRC,s, TA/DA and AC bills etc.

Response.

He has responded by submitting the written statement (P 81) that; Admission are given to the students but the students turnout as low is there is no lecturer in Physics & Chemistry.

The Electricity and Telephone bills have not been deposited yet (Rs.50,000/- Electricity bill (P 69-71) and Rs.30,000/- due Phone bill) (P 72).

In 1st year total students are 44 and 2nd year 45, 3rd year Sc: Nil and 3rd year Arts 15 (it is very shocking that the total number of the students as checked by inquiry officer is only 30 in 2nd year, while the remaining information provided by the S/Clerk is wrong till by 22/7/2011).

He has stated that the staff list is enclosed (P 127) and I am working in this college since 4/8/1985.

Muhammad Rahman was transferred to this college as Lab: Asstt: in 2004 and on 16/6/2005 D.D.O Mr. Fazli Wahid cancelled my dealing authority of the accounts office and National Bank and handed over the accounts record to Muhammad Rahman. (P)

Muhammad Rahman has not provided any office copy in connection with MRCs bills and AC bills.

He has also submitted the following information.

1. Statistical return for June 2011, Faculty-Wise,
2. Information regarding student Hostel

(P 128)

(P 128)

3. Subject Wise and class Wise enrolment from June 2011. (P 129)
 4. Subject Wise / Teacher statement for June 2011 (P 130)
 5. Posts details of teaching staff, ministerial staff and class IV staff (P 131)
 6. Pending Electricity bills. (P 69-70)

S.No	Meter No	Amount due.	Page No.
1.	0000003464	Rs.33711/-	-69
2.	083792	Rs.111301/-	-70
3.	083682	Rs.3708/-	-71
7.	Pending Telephone bills of Rs.28720/-		(P 72)
8.	College Time Table		(P 147)
9.	College admission committee office order.		(P)
10.	Official letter dated 25/7/2011 (P) to Accountant General Khyber Pakhtunkhwa regarding un authorized G.P Fund drawal.		

Application of the Class IV Govt. servants G.D.C Agra regarding charcoal allowance (P 94).
 Thirteen Class IV Govt. servants have submitted a collective application regarding the above cited subject that Muhammad Rahman Lab: Asstt: has taken away all the charcoal allowance of this college for the class IV servants, which may be recovered and disbursed among the class IV Govt. servants, of G.D.C Agra.

The application is signed by the followings:

SNO	NAME OF CLASS IV SERVANT	CNIC NO	DESIGNATION.
1	Faqir Shah Zada	15402-8700844-7	Chowkidar
2	Zain Nabi	15402-1427252-1	N/Qasid
3	Sahib Gul	-----	Beheshti.
4	Sher Muhammad	-----	Sweeper
5	Hakim Zada	-----	Mali
6	Abid Hussain	15402-1436917-3	Lab: Attendant
7	Wahid Ullah	15402-1401236-3	-do-
8	Muhammad Sadiq	15402-2559363-7	-do-

9.	Muslim Khan	-----	Sweeper
10.	Zakir Hussain	15402-1404131-1	Cook
11.	Abbas Ali	15402-8540685-7	Bearer
12.	Fazal Hayat	15402-1426511-3	Chowkidar
13.	Sher Muhammad	-----	-do-

It is worth mentioning that the Govt. servants / affectees of GDC Agra have submitted an application with copies to (P95).

1. IGP Khyber Pakhtunkhwa Peshawar.
2. AG Khyber Pakhtunkhwa Peshawar.
3. Secretary Finance Khyber Pakhtunkhwa Peshawar.
4. Secretary Higher Education Khyber Pakhtunkhwa Peshawar.
5. Director F.I.A Khyber Pakhtunkhwa Peshawar.
6. D.O Malakand.
7. Anticorruption Cell Malakand.
8. D.A.O Malakand.
9. Principal Govt. Degree College Agra Malakand.

In which they have stated that an under report Lab: Asstt: Muhammad Rahman has drawn money and has made embezzlement in various heads, on fake signatures through open cheques via D.A.O office Malakand.

They have mentioned further that the following affectees request the honorable authorities for justice.

S.NO	NAME	DESIGNATION	AMOUNT
1.	Pervez	S/Clerk	Rs.84,600/-
2.	Hakim Zada	Class IV	Rs.20000/-
3.	Shahab Uddin	Asstt: Prof:	Rs.60000/-
4.	Zair Nabi	N/Qasid	Rs.40000/-
5.	Faqir Shah Zada	Class IV	Rs.45800/-
6.	Sher Muhammad	-do-	Rs.30000/-

8. Hadiyah Ullah	Asstt: Prof:	Rs.300000/-
9. Charcoal charges embezzled		Rs.215600/- ✓
9. Special Grant Charges embezzled		Rs.160000/- ✓
10. Students B.A/ BSc (A) Exam: 2010-11 Admission Fee		RS.45000/- ✓

Written complaint received to the inquiry officer at GDC Agra regarding the unauthorized drawal of GP Fund of the officers and officials of G.D.C Agra.

(P 43)

S.NO	NAME	DESIGNATION	AMOUNT OF GP FUND
1.	Mr. Fazli Wahid	A/Prof:	Rs.204000/- (P 43)
2.	Mr. Shahab Uddin	Ex: Principal A/P	Rs.60000/- (P 22-) 83
3.	Mr. Hadayat Ullah	A/Prof:	Rs.308000/- (P 54)
4.	Mr. Pervaz Khan	S/Clerk	Rs.84600/- (P 86)
5.	Mr. Faqir Shah Zada	Chowkidar	Rs.45800/- (P 90)
6.	Mr. Zair Nabi	N/Qasid	Rs.40000/- (P 92)
7.	Mr. Sher Muhammad	Chowkidar	Rs.30000/- (P)
8.	Mr. Hakim Zada	Mali	Rs.20000/- (P 87)

Total Amount of Rs.1332400/- G.P Fund has been drawn illegally by Muhammad Rahman.

List of embezzlement in MRC, Charcoal, TA/DA, Govt. Cash as loan etc is as follows.

S.NO	NATURE	AMOUNT
1.	MRC,s, Charcoal, TA/DA of Principal Fazli Wahid 2009	Rs.1,00,000/-
2.	MRC,s of Principal Fazli Wahid 2010.	Rs.60000/-
3.	Charcoal I/R Principal Fazli Wahid	Rs.14000/-
4.	Cash as loan due to salary stoppage	Rs.15000/-
		Total Rs.2,91,000/-

Embezzlement in Special Grant of GDC Agra.

SNO	NATURE OF SPECIAL GRANT	AMOUNT	(P 43)
1	Library Books	Rs.50000/-	
2	Sports	Rs.50000/-	
3	Science Items	Rs.30000/-	
4	Machinery	Rs.30000/-	

Grant Total Rs.1,60,000/-

Contact Numbers of the officers and officials effected in the Embezzlement / Corruption.

SNO	NAME	DESIGNATION	CONTAC NO
1	Mr.Hidayat Ullah A/Prof: Ex.I/C	Principal	0932344001, 0345271332
2	Mr. Fazli Wahid Ex. Principal	retired on 10/5/11	0946712161,03444040842
3	Mr.Muhammad Rahman Lab: Asstt: (Chem)		03005158545,03458006852, 03333053335,03454413848, 03005004057,03339449269, 03455810611,03005800855
4	Mr. Fazli Amin	Lecturer in Islamiyat	03065766605,03459429550
5	Mr.Bahram Zakhir	A/Prof: Pashto	03468150988
6	Mr. Muhammad Anwar	Lecturer in English	0932554900
7	Mr. Shahab Ud Din	A/Prof: of Econ:	03469384573son, 03459409881(self)
8	Mr. Abdul Hadi	Lecturer in HPE	09323440022,03469457922
9	Mr.Pervaz Khan	S/Clerk	0932344164,3468897430
10	Mr.Hakim Zada	Mali	0932344324,03429713536
11	Mr. Zair Nabi	N/Qasid	0932344205
12	Mr. Faqir Shah Zada	Chowkidar	0932344371
13	Mr. Sher Muhammad	-do-	--
14	Mr. Islam Uddin	Lecturer in Pak Std:	0932344040
15	Mr. Sahib Gul	Bishti	03453159477
16	Mr. Muhammad Bashir	Lab: Asstt:	0932344065

17	Mr. Zakir Hussain	Cook	0932344223
18	Mr. Abid Hussain	Lab: Attendant	0932/344371
19	Mr. Fazli Hayat	Chowkidar	0932-344040, 0343-9745795
20	Mr. Ziaud Din	Lect: in Maths	03463115005
21	Mr. Sher Muhammad	Sweeper	0932-344072

Contact Number of local residents of Agra who submitted complaints to Director Higher Education Khyber Pakhtunkhwa against Muhammad Rahman Lab. Asstt: and his embezzlement.

S.NO	NAME	ADDRESS	CONTACT No
1.	Mr. Haji Raidad Gul	Village Agra	0932-344015
2.	Mr. Haji Bahri Karam	-do-	0932-344111
3.	Mr. Haji Noor Zamin Khan	-do-	0932344058
4.	Mr. Rahim Ullah	Agra 2 nd year C.No-58 Pre.Eng: Mora S/Ship taken away by Muhammad Rahman)	0932-344150 (2 nd year)

Complaints of local Govt: officials, residents / villagers of Agra against Mr. Muhammad Rahman (Lab: Asstt: G.D.C Agra Malakand.

Complaint -1

(P/03)

Submitted to the inquiry officer by Sadiq Hussain s/o Zarif Khan (Late) of college colony, Agra CNIC No:- 15402-1402363-9 and Ph: No.0932-344255 that I am a private electrician and I was told by the Ex. Principal Mr. Fazli Wahid Asstt: Prof: to contact Muhammad Rahman Lab: Asstt: and clarify the matter of your appointment as Tube Well Operator at GDC Agra Muhammad Rahman received a sum of Rs.20000/- in the presence of, Perviz Khan (S/Clerk) and Mr Ziauddin lecturer in Maths. My amount may kindly be recovered and provided.

Complaint -2.

104
(P__)

The inquiry officer received another complaint from a local of Agra Malakand named Mr. Wahid Ullah Lab: Attendant at G.D.C Agra CNIC No:- 15402-1401236-3 and contact No:- 0932-344099 that Muhammad Rahman Lab: Asstt: has got a loan from him amounting to Rs.20000/- which may be recovered from him as he is away since long.

He has also submitted a photocopy of receipt dated 2/11/2010 from Muhammad Rahman Lab: Asstt: regarding this loan. (P 105)

Complaint -3 (P 106)

Another written complaint was received from Fazli Hayat (Chowkidar) s/o Haji Bahadar, CNIC No:-15402-1426511-3 contact No. Ph.0932344040 and cell No.0943-9745795, that before my regular appointment as Chowkider, I worked on fixed Pay for two years but my fixed pay has been engulfed by Ex. Principal Mr. Fazli Wahid & Lab Asstt: Muhammad Rahman. Therefore clearance certificate may not be issued to the Ex. Principal Fazli Wahid till the recovery of my fixed pay from him.

Complaints of the students against Muhammad Rahman (Lab: Asstt: G.D.C Agra Malakand.

Complaint -1 (P-107)

Inquiry officer received a collective statement dated 21/7/2011 of 06 students duly signed by them that we 15 students were admitted in 3rd year Arts class in 2010. Later at the end of the session we were told that our total amount of admission Rs.48000/- @ of Rs.3200/- per student has been engulfed by Muhammad Rahman Lab: Asstt:. Moreover, he has also taken away Rs.30000/- from all of us, in connection with the Exam; the Total amount is thus, Rs.78000/-. Therefore justice may be done as the money and one academic year is lost and wasted.

Complaint -2 (P 108)

A students Mr. Rahim Ullah s/o Chamny Khan (Late) class 2nd year Pre: Engg: and class No.58 resident of Gul Abad (Agra) has submitted a written complaint duly signed by him along with photocopy of the CNIC of his late father that my MORA scholarship Rs.2250/- for the 2nd year session 2011 has not been received by me till today.

Complaint-3 (P 109)

A student Mr. Yasir Afghan s/o Muhammad Ullah village & P/O Agra Malakand Ph.No.0932-344144 has submitted an application / complaint to the inquiry officer that his Migration Certificate was submitted to Muhammad Rahman Lab: Asstt: GDC Agra at the time of admission but was lost. He has requested for the recovery of his Migration Certificate from Muhammad Rahman as it is urgently needed for the University Registration upto July 27, 2011 positively

Detail of relevant correspondence to the Investigation proceedings.

1. Letter No.375 dated 25/7/2011 to Director Higher Education Khyber Pakhtunkhwa
 subject:- stealing of ledgers of GDC Agra by Muhammad Rahman Lab: Asstt: (P___)

Summary:

Ledgers, private fund registers, Govt. Cash Book, Tuition Fee register, Challan Book, AC Bill, Contingency register, has been stolen by Muhammad Rahman On 17/6/2005 but the administration of the college did not take any action.

2. Letter No.376 dated 25/7/2011 to Director Higher Education Khyber Pakhtunkhwa.
 Subject:- Transfer / Adjustment of Teaching Staff against vacant posts (P___)

Summary:

Two posts of Associate Professors and Two posts of Assistant Professors are lying vacant since long. Moreover, lecturer in Physics and Chemistry are needed urgently.

3. Letter No.377 dated 25/7/2011 to Director Higher Education Khyber Pakhtunkhwa Peshawar.
 Subject: Request for Transport facility. (P___)

Summary:

The students are facing problems due to nonavailability of Transport facility at GDC Agra and also due to poor public Transport (P___)

4. Letter No. 378 dated 26-7-2011 to the Director Higher Education Khyber Pakhtunkhwa Peshawar.
 Subject:- Fault in Transformer at GDC Agra. (P___)

Summary:

The College Transformer is out of work since 15/10/2010. Director Higher Education was informed vide letter No.255 dated 25-10-2010 & letter No. 266 dated 12/12/2010 but no reply received so far.

5. Letter No.379 dated 26-7-2011 to Director Higher Education Khyber Pakhtunkhwa Peshawar.
 Subject:- Failure in Registration of 3rd year of the students of G.D.C Agra (P___).

Summary:

The 15 students were admitted to 3rd year Arts in 2010. A total amount of Rs.45000/- @ of Rs.3000/- per student as admission and registration fee. Muhammad Rehman had failed in the registration procedure at University of Malakand. He has not returned the total amount of Rs.45000/- neither to the college nor to the students.

Ex-College administration has taken no action.

6- Letter No.380 dated 26-7-2011 to Director Higher Education Khyber Pakhtunkhwa Peshawar. (P___)

Subject:- Absentee Report of Muhammad Rahman Lab: Asstt.

Summary:

Muhammad Rahman is absent from duty since 23-8-2010. He was under report to your good office but was transferred to Govt. College Matta Swat.

7- Letter No.381 dated 26-7-2011 to Director Higher Education Khyber Pakhtunkhwa Peshawar.

Subject:- Wapda Electricity bill Rs.48920/- and Telephone bills dues Rs.28720/-.

Summary:

Approximately Rs.79000/- bills have not been submitted by Ex-Administration of GDC Agra.

Annexure:

- 1 Enhancement of admission seats GDC Agra at S.No.33 (1st year) and at S.No.33 (3rd year) (P___).
- 2 Revised estimates for the year 2010 -2011 under functional 09 Educational affairs and services by Govt. Khyber Pakhtunkhwa Finance Deptt: No.BOIX/FD/1-/2010-11 Dted 9/4/2011 GDC Agra (P___).
- 3 Transfer/adjustment of Muhammad Rahman from GDC Agra Malakand to GDC Matta Swat. Letter Endst No.12235-38/A-167/CA-VII/Est: branch dated Peshawar the 6/5/2011.
- 4 Request for Bank Balance sheet and all transactions of GDC Agra Account No.1187 letter No.372 dated 22/7/2011 office of the Principal GDC Agra (Malakand) (P___).
- 5 GDC Agra Bank balance sheet and Transaction (P___).
- 6 Contact No of officer / official involved in inquiry proceedings GDC Agra (Malakand). (P___)
- 7 Monthly staff statement of GDC Agra (P___)
- 8 Monthly statistical return June 2011. (P___)
- 9 Subject Wise, Faculty wise, Staff wise results 2011. (P___)
- 10 Subject Wise staff statement June 2011 (P___)
- 11 Posts details of GDC Agra (P___)
- 12 College Land map and Court decision. (P___)
- 13 Contact Numbers of Muhammad Rahman = (14) (P___)
- 14 Utility Bills pending of GDC Agra Rs.80000/-. (P___)
- 15 College Time Table. (P___)
- 16 Absence from duty. 3 Reports to Director Higher Education (P___)
- 17 Absentee in Attendance Register of Muhammad Rahman (P___)
- 18 Report against Mr. Muhammad Rahman by Mr. Pervaz Khan (S/Clerk) for taking away college record. (P___)

- 19 Two reports to Director Higher Education by the Principal Govt. Degree College Agra regarding criminal activities of Muhammad Rahman. (P____)
- 20 Authority letter to Muhammad Rahman by the Principal for financial matters. (P____)
- 21 Authority letter to Mr. Pervaz Khan by the Principal for Financial matters. (P____)
- 22 Freezing of Accounts of Muhammad Rahman by Principal (P____)
- 23 Cancellation of authority of Muhammad Rahman in Financial matters (P____)
- 24 Office order to Muhammad Rahman by Principal for illegal possession of Govt. money. (P____)
- 25 Sports item procurement for GDC Agra in 2007. (P____)
- 26 Procurement of items for GDC Agra (P____)
- 27 Purchase committee for GDC Agra. (P____)
- 28 Post creation letter for the post of library Attendant for GDC Agra. (P____)
- 29 Post creation letter for Lecturer in Computer Science. (P____)
- 30 Post creation letter for Tube Well Operator (P____)
- 31 Letter to Director Higher Education Khyber Pakhtunkhwa for fault in Transformer dated 9/4/2010. (P____)
- 32 Letter to Director Higher Education Khyber Pakhtunkhwa for fault in Transformer dated 25/10/2010. (P____)
- 33 Letter to Director Higher Education Khyber Pakhtunkhwa for fault in Transformer dated 1/11/2011. (P____)
- 34 Letter to Director Higher Education Khyber Pakhtunkhwa for fault in Transformer dated 9/4/2011. (P____)
- 35 Letter to Director Higher Education Khyber Pakhtunkhwa for fault in Transformer dated 28/4/2011. (P____)
- 36 Letter to Director Higher Education Khyber Pakhtunkhwa for hostel Chowkidar out of GDC Agra Private Fund. (P____)
- 37 Letter to Director Higher Education Khyber Pakhtunkhwa on the subject of appointment of Class IV employees (P____)
- 38 Letter to Director Higher Education Khyber Pakhtunkhwa for vacant posts (P____)
- 39 Four complaints of students for admission to 3rd year and 4th year classes at GDC Agra. (P____)
- 40 Letter to A.D P&D for spare motor for drinking water GDC Agra. (P____)
- 41 Post details at GDC Agra (P____)
- 42 FA/F.Sc results details. (P____)
- 43 Letter to DCO Malakand regarding students' strike for teaching staff deficiency. (P____)

- 44 Letter to Director Higher Education Khyber Pakhtunkhwa by the Principal regarding stealing of ledgers of GDC Agra No:-375 dated 25/7/2011. (P _____)
- 45 Letter to Director Higher Education Khyber Pakhtunkhwa by the Principal regarding transferred / adjustment for teaching staff against the vacant posts of GDC Agra No.376 dated 25/7/2011. (P _____)
- 46 Letter to Director Higher Education Khyber Pakhtunkhwa by the Principal regarding request to provide transport facility to GDC Agra No.377 dated 25/7/2011. (P _____)
- 47 Letter to Director Higher Education Khyber Pakhtunkhwa by the Principal regarding Fault in Transformer of GC Agra No.378 dated 26/7/2011. (P _____)
- 48 Letter to Director Higher Education Khyber Pakhtunkhwa by the Principal regarding Failure of the Registration of 3rd year students GC Agra No.379 dated 26/7/2011. (P _____)
- 49 Letter to Director Higher Education Khyber Pakhtunkhwa by the Principal regarding Absence report of Mr. Muhammad Rahman Lab Asstt: GDC Agra No.380 dated 26/7/2011. (P _____)
- 50 Letter to Director Higher Education Khyber Pakhtunkhwa by the Principal regarding WAPDA Electricity bill Rs.48929/- and PTCL dues 28720/- GDC Agra No.381 dated 26/7/2011. (P _____)
- 51 Mr. Fazli Ghafoor Associate Professor of English notification as Principal GDC Agra in 2005. (P _____ to _____)
- 52 GDC Agra in brief (P _____)
- 53 GDC Agra Prospectus complete (P _____)

Office orders issued by the Ex. Principal GDC Agra Mr. Fazli Wahid Asstt: Prof. regarding financial management of GDC Agra Malakand

Letter No:-119 dated 16-6-2005 to DAO Malakand. (P _____)

Subject: Authorities in respect of Muhammad Rahman Lab: Asstt...

Summary

Muhammad Rahman is authorized to deal with treasury of District Malakand, as S/Clerk Mr. Pervaz Khan is ill.

2. Letter No:-316 dated 19-3-2011 to DAO Malakand .

(P _____)

Subject: Authority letter to Muhammad Rahman Lab: Asstt,

P _____)

For dealing financial matters.

Summary: Muhammad Rahman Lab: Asstt: is authorized to deal with treasury and National Bank of Pakistan Malakand on behalf of GDC Agra.

Copy to: Manager National Bank Malakand.

3. Letter No:-204 dated 1/10/2009 to DAO Malakand .

(P _____)

Subject: Authority letter to Perviz Khan S/C with his specimen signatures to deal the official matters of GDC Agra with DAO Malakand.

MEGA MISTAKE of Ex-Principal Mr. Fazli Wahid Asstt: Prof:

Mega Mistake-1.

Mr. Fazli Wahid has signed a paper on the date of his retirement i.e 10/5/2011 with his office stamp as per statement. (P _____)

Summary: DDO Mr. Fazli Wahid solemnly affirm and declare that I have received a sum of Rs.18,93,000/- (Rupees Eighteen lacs and Ninety Three thousand) bills and GP Fund bills. The amount was drawn during the period of my DDO ship on my consent and permission. I have received the amount in cash and there is nothing outstanding against Muhammad Rahman, Lab:Asstt: of this college. According to the Ex; Principal Mr. Fazli Wahid a blank paper was stamped and signed by him for another purpose on 10/5/2011 (date of his retirement).

MEGA MISTAKE = 2.

Ex-Principal Mr. Fazli Wahid Asstt: Prof:

He has signed another paper duly stamped for payment attested (P _____) Principal receipt.

Summary.

Mr. Perviz Khan s/Clerk GDC Agra hereby declare that I have received a sum of Rs. 8,65000/- (Rupees. Eight Lac and Sixty Five Thousand only) from Muhammad Rahman Lab. Asstt:. This amount was drawn from the Agency Accounts Office relating to A.C bills, MRC,s bills, GP Fund,s bills of the college staff. The amount is received in cash.

(This paper is also signed by senior Clerk Mr. Pervaz Khan with his office stamp but according to Mr. Pervaz Khan his signature is bogus. But the Ex. Principal and S/Clerk deny the statements. The Ex: Principal admitted in front of the inquiry team that his signatures are real but according to S/Clerk his sign is fake)

CONCLUSION.

Keeping in view the whole scenario of GDC Agra Malakand, the following deductions may easily be drawn:

Babocracy is dominant than any one and malignancy of corruption, embezzlement, mismanagement and misappropriation is spreading like malignant cancer which has engulfed each and every aspect of GDC Agra. The absolute responsibility of financial management with authoritative position in official capacity has been given to a single Laboratory Assistant Muhammad Rahman who has swept away everything like tsunami and who has left no stone unturned in engulfing the Government as well as Private funds along-with grants and G.P Funds of the officers and officials indiscriminately. It is also astonishing that special authority letters (P _____), P _____) have been issued by the Ex: DDO to DAO Malakand and Manager National Bank of Pakistan Malakand to deal all the financial matters of GDC Agra with Muhammad Rahman Lab: Asstt:.

The fraudulent drama played by Muhammad Rahman Lab: Asstt: under the auspices of the Ex: DDO, Mr. Fazli Wahid Asstt: Prof: (Retired on 10/5/2011), is highly shocking and astonishing for the Inquiry team.

The silent role of the Ex. DDO, Mr Fazli Wahid in this whole scenario is indeed doubtful as fifteen (15) students were admitted to B.A (Part 1st) but all of them appeared as private candidates just because of a single reason that the college administration failed to affiliate the college at Degree level with the University of Malakand in 2010 and the total admission fee amounting to Rs.78000/- (Seventy Eight thousand only) was taken away by Muhammad Rahman. It is further concluded that the pending utility bills of Electricity and Telephone amounting to Rs.80,000/- (Eighty Thousand only) approximately were not considered at all (Now paid by the undersigned from G.P.G.C Dargai fund on refundable basis). The Inquiry officer, therefore, recommends for the initiation of strict disciplinary action against the

... especially the Ex-DDO Mr. Fazli Wahid Asstt: Prof: (Retired) and Muhammad Rahman Lab: Asstt: etc, for this absolute academic and financial failure.

The unauthorized draws, approval by the higher authorities, role of the treasury / District Accounts office Malakand and National Bank Malakand, Fake signs, receipts, etc are to be further investigated. The current Bank Balance of Rs.1176/- (One Thousand One Hundred and seventy six only) in the college account after 26 years of the establishment in 1985 is beyond imagination.

MORA scholarships, TA bills, MRCs, G.P Funds, charcoal allowances, utility bills have been embezzled in this remote hilly area Agra, 45km towards west of Batkhela, located in Mountainous range near Bajawr, where no officer in history of the college has paid a visit except the Audit teams (last visit in 2008).

The first complaint to the Director Higher Education regarding this issue has been submitted by three (03) local residents / villagers and not by the principal.

The undersigned personally visited the college along with members of Inquiry team Mr. Muhammad Hussain Asstt: Professor GPGC Dargai and Mr Zahoor Khan Accountant GPGC Dargai and listened to the affectees both the officers, Officials as well as the students and other local residents. Every body was under tension, depression, anxiety and confusion about this major academic and financial failure / disaster as most of the affectees are extremely poor belonging to low socio-economic group. Most of the applicants were asking about justice especially the Govt. Class-IV servants of GDC Agra during the holy month of Ramazan as justice delayed is justice denied and helping the cruel is cruelty itself. The affectees have requested the Inquiry officer to convey their request to the High Ups and stakeholders of Higher Education Department for an immediate action and relief. It is worth mentioning that Muhammad Rahman has been transferred to GDC Matta (Swat) by Directorate Higher Education Khyber Pakhtunkhwa but has not been relieved and is regularly absent.

A special application to IGP Khyber Pakhtunkhwa, A.G Khyber Pakhtunkhwa Secretary finance, Secretary Higher Education Khyber Pakhtunkhwa, Director Higher

Education Khyber Pakhtunkhwa, DCO Malakand, Anti corruption Malakand, DAO Malakand, Principal DGC Agra by the Employees of GDC Agra viz; Mr Shahab Uddin A/Prof. , Mr. Hidayat Ullah A/Prof. Mr. Pervaz Khan S/Clerk, Mr. Hakim Zada (Mali) Mr. Zair Nabi Class IV, Mr. Faqir Shahzada (Chowkidar), Mr. Sher Muhammad (Chowkidar) dated June 24, 2011, on subject of Embezzlement of Accounts/GP Funds of the employees of GDC Agra, which may be summarized as That the employees were kept unaware of GP Funds drawn on Fake signatures by the under report Lab Asstt: Muhammad Rahman. It is further requested that Mr. Fida Muhammad D.A.O Malakand opened all the GP fund crossed cheques in this regard to make the funds drawn possible. Moreover, the regular students of BA Part 1st appeared as private candidates due to embezzlement, the ledgers have been taken away. Medical bills have been illegally engulfed. Therefore the authorities are humbly requested to provide complete Accounts statement of the employees accounts, recover the embezzled amount for payment and to take disciplinary action against the Ex: Principal Mr. Fazli Wahid, DAO Malakand and Muhammad Rahman Lab Asstt and to bring them to justice in order to safeguard the future generations specially in the backwards area like Agra so as to make GDC Agra a center of learning and research once again for the happiness and prosperity of our great Islamic Republic of Pakistan.

May Almighty Allah bless all of us with more & more blessings especially in this Ramazamul Mubarik and may each rising sun of each new tomorrow bring the messages of peace, happiness & prosperity for our great country.

RECOMMENDATIONS / SUGGESTION

The following suggestion / recommendations are hereby submitted to Honorable Director Higher Education, Khyber Pakhtunkhwa for onward transmission to higher authorities of Higher Education Department.

The multiangled complicated crisis / mismanagement, misappropriation, corruption and embezzlement case may be forwarded to anticorruption Deptt. and RAB/NAB for detailed study and research.

The A.D Budget and Accounts, Directorate of Higher Education may be directed to coordinate with DAO Malakand and Manager NBP Malakand in connection with GP Fund advance cases of the affected officers as well as officials. The college annual Budget allocation, Private fund, Govt. funds, Fee details, Fee concessions, scholarships, reconciliation's, Utility bills details, MRC, TA/DA, Charcoal allowance, Bank transactions and other matters regarding admission, registration, affiliation and migration may also be checked by internal audit team for a period of at least 10 years as the Ex-Principal Mr. Fazli Wahid has retired on 10th May, 2011 and even no pre or post retirement audit has been carried out so far.

3. FIR may be lodged against Muhammad Rahman Lab: Asstt: GDC Agra (by Director Higher Education in the light of previous FIR lodged against him in the local Police station Agra by the officers/officials of GDC Agra P _____)

4. In spite of Telephonic communication with Muhammad Rahman by the undersigned Prof. Dr. Fazli Subhani as inquiry officer on 21/7/2011 from the office of the Principal GDC Agra in the presence of a number of staff members, he did not appear before the inquiry team on 22/7/2011 despite the fact that he promised to come. Therefore he may be informed telephonically to attend office of Director Higher Education Khyber Pakhtunkhwa otherwise FIR may be lodged against him and arrest orders may be issued by the competent authority for further investigation by Court / Police followed by recovery as per rules and regulation of the Govt.

5. Strict Departmental Disciplinary action may be initiated against the Ex. Principal Mr. Fazli Wahid Asstt: Prof: now retired on 10th May, 2011 and Muhammad Rahman (Lab: Asstt:) against whom FIR has already been registered (P _____).

6. All the funds etc of both the Ex-Principal Mr. Fazli Wahid (Retired) and Muhammad Rahman are to be blocked till final decision.

7. The stolen College record, one Computer, and Ledgers & Cash Books etc may be recovered through Police Department from Muhammad Rahman for the smooth running of the college.

8. Special Grant of Repair of out of order Electricity transformer of the college may be approved as requested by the sitting Principal Mr. Abdul Hadi (P _____) which is a chronic demand since January 2011.

9. Special hilly area allowance may be approved for Govt; Degree College Agra as it is really a hard far flung mountainous area, 45 KMs away from Batkhela to the west just near to Bajawar Agency.
10. The undersigned (Professor Dr.Fazli Subhani Principal Govt; Post Graduate College Dargai (District Malakand) has issued an amount of Rs.77649/- to the sitting Principal Mr.Abdul Hadi on refundable basis as per directive of Honorable Director Higher Education vide letter No.18501-3 Dated.26/7/2011 for clearance of utility bills i.e Electricity pending bill of Rs.48928/- and pending Telephone Bill of Rs.28720 . A total amount of Rs,77649/- may be sanctioned /approved for Govt; Degree College Agra (District Malakand) so as to be refunded to Govt; Post Graduate College Dargai (District Malakand) in due course of time .
11. The long absence of Mr. Muhammad Rahman, Lab: Asstt: GDC Agra may be considered seriously and his salary may be stopped till final decision based on justice.
12. The Director Higher Education Khyber Pakhtunkhwa may kindly visit Govt; Degree College Agra (District Malakand) before Eid-ul-Fitar so as to encourage the affected staff, students and local inhabitants of Agra in order to reduce their tension, anxiety, depression and to restore their trust, courage & confidence.

INQUIRY OFFICER

Dated 13 - 8 /2011.



PROFESSOR DR.FAZLI SUBHANI
Gold Medallist Roll of Honour,
PRINCIPAL
GOVT; POST GRADUATE COLLEGE
DARGAI (DISTRICT MALAKAND).

- *. M.Sc (Zoology) University of Peshawar
- *. M.Phil (Parasitology) Quaidi Azam University Islamabad.
- *. Ph.D (Parasitology) Sunyat sen University of Medical Sciences, Guang Zhou, P.R. China.
- *.DMCL (Chinese Language) Beijing Languages & Cultural University Beijing, China.

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1284 /ST

Dated 9 / 5 / 2017

To

The Director Higher Education,
Government of Khyber Pakhtunkhwa,
Peshawar .

Subject: -

JUDGMENT IN APPEAL NO. 753/2016. MR.MUHAMMAD KHALID.

I am directed to forward herewith a certified copy of Judgement dated 3.5.2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.