

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
CAMP COURT ABBOTTABAD

Service Appeal No. 1370/2017

Date of Institution... 12.12.2017

Date of decision... 21.03.2018

Miss Sana Yousaf daughter of Muhamad Yousaf, Food Grain Supervisor (BPS-7)  
resident of House No. 296/C Mohallah Gami Lala, Upper Malikpura, Tehsil and  
District, Abbottabad. ... (Appellant)

Versus

1. The Secretary Food, Khyber Pakhtunkhwa, Peshawar and 6 others.  
.... (Respondents)

MR. SAHIB KHAN,  
Advocate

... For appellant.

MR. USMAN GHANI,  
District Attorney

... For respondents.

MR. NIAZ MUHAMMAD KHAN,  
MR. AHMAD HASSAN,

... CHAIRMAN  
... MEMBER

JUDGMENT

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

FACTS

2. The appellant was transferred on 26.10.2017 from the office of DFC Abbottabad to DFC  
Haripur. Against this order she filed departmental appeal on 30.10.2017 which was rejected on  
5.12.2017 and thereafter she filed the present service appeal on 12.12.2017.

ARGUMENTS

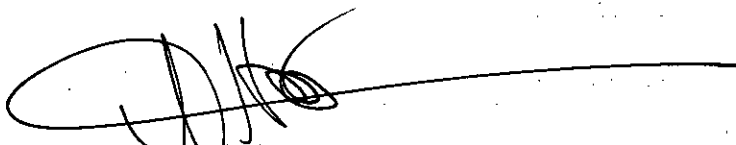
3. The learned counsel for the appellant argued that the appellant was posted at Abbottabad  
on 13.03.2017. That she was transferred only after seven months which was in violation of the  
posting/transfer policy. That she was on probation period and during the probation period she  
could not be transferred.

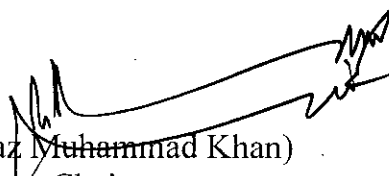
4. On the other hand, the learned District Attorney argued that the transfer was made by the competent authority in the public interest. That under Section-10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 a civil servant was liable to be transferred anywhere in the province. That tenure was not binding on the competent authority if public interest so demanded.

### CONCLUSION.

5. The appellant was admittedly posted at Abbottabad on 13.03.2017. She remained there for a period of seven months and then she was transferred to Haripur. This Tribunal in a number of cases has decided that Section-10 mentioned above does not give unfettered powers to the authority to transfer a civil servant at any time in anywhere. This powers is controlled by the policy issued by the government from time to time. If an executive authority violates the policy then it will have to give the reasons. No such reason have given by the authority. This Tribunal has already decided similar points in many appeals.

6. In view of the above discussion, the transfer order is set aside. It may be added here today that the departmental representative has produced an order issued by the Director Food, Khyber Pakhtunkhwa dated 12.01.2018 again posting the present appellant back at Abbottabad. From the perusal of the said order it transpired that the order was made on the basis of an order of this Tribunal dated 12.12.2017. The order dated 12.12.2017 was passed at the time of admitting the appeal for regular hearing and till the date fixed the transfer order was suspended. The case was never decided and the Director Food has wrongly interpreted the order issued dated 12.12.2017 as if the appeal had been decided. This order of 12.01.2018 is set aside and the department is directed to comply with the present judgment of this Tribunal. Parties are left to bear their own costs. File be consigned to the record room.

  
(Ahmad Hassan)  
Member

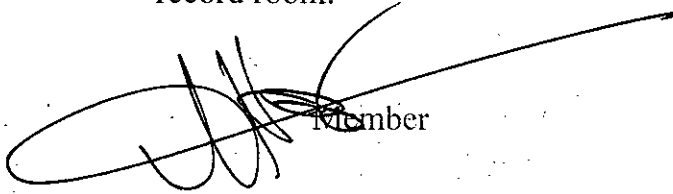
  
(Niaz Muhammad Khan)  
Chairman  
Camp Court, A/Abad

ANNOUNCED  
21.03.2018

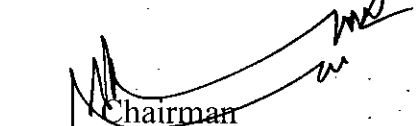
21.03.2018

Counsel for the appellant and Mr. Usman Ghani, District Attorney alongwith Imtiaz Muhammad Khan, Divisional Assistant Director for official respondents and private respondents No. 4, 5 and 7 in person present. Arguments heard and record perused.

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



Member



Chairman  
Camp Court, Abbottabad.

ANNOUNCED  
21.03.2018

1370/17

15.1.2018

Counsel for the appellant, Mr. Usman Ghani, District Attorney alongwith Imtiaz Muhammad Khan, Divisional A.D for respondents No. 1 to 4 present and reply submitted. Private respondents No. 5 and 7 in person present and reply submitted. None is present for respondent No. 6 proceeded ex-parte. Counsel for the appellant also submitted application for action in accordance with the suspension order dated 12.12.2017. Copy provided to the respondents. To come up for rejoinder, if any, and arguments on 20.02.2018 before the D.B at camp court, Abbottabad. The restraint order shall continue till the date fixed.

Chairman  
Camp court, A/Abad.

20.02.2018

Appellant alongwith counsel and Addl. AG alongwith Imtiaz Muhammad Khan, Divisional Assistant Director Food for the official respondents and private respondents in person present. Rejoinder submitted. To come up for arguments on 21.03.2018. The restraint order shall continue till the date fixed.

Member

Chairman  
Camp court, A/Abad.

12.12.2017

Learned counsel for the appellant present. Preliminary arguments heard. The learned counsel for the appellant argued that the appellant was appointed in the present post on 13.3.2017 and has been transferred to Haripur on 26.10.2017 against which the appellant filed departmental appeal on 30.10.2017 which has been rejected on 05.12.2017.

The ground taken by the learned counsel for the appellant is that the transfer is premature and against the posting/transfer policy.

The points raised need consideration. The appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents. To come up for written reply/comments on 15.01.2018 before S.B at camp court, Abbottabad. The appellant has also moved a misc. application for suspension of the impugned order. Notices of the application shall also be issued to the respondents for the date fixed. The impugned order is suspended till the date fixed.

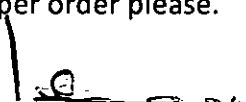

Appellant Deposited  
Security & Process Fee

Chairman

FORM OF ORDERSHEET

Court of \_\_\_\_\_

Case No. 1370 /2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	12/12/2017	<p>The appeal of Mst. Sana Yousaf presented today Mr. Sahib Khan Advocate may be entered in the Institution Register and put up to Worthy Chairman for proper order please.</p> <p style="text-align: right;">                       REGISTRAR 12/12/17                 </p>
2-	12-12-2017	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12-12-2017</u>.</p> <p style="text-align: right;">                       CHAIRMAN                 </p>



20/3/18

GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE, OF FOOD  
PESHAWAR.

No 209 /ET-378

Dated Peshawar, the 12 /January, 2018

**OFFICE ORDER**

In compliance of order sheet dated 12-12-2017 in Service Appeal No. 1370/2017 of Miss. Sana Yousaf, Foodgrain Supervisor in Khyber Pakhtunkhwa, Service Tribunal Peshawar, the following postings / transfers of Foodgrain Supervisors are hereby ordered with immediate effect.

S.No	Name of Official	From	To
1.	Mr. Mauzzam Ali FGS	DFC Office Abbottabad	DFC office Haripur
2.	Miss. Sana Yousaf FGS	DFC office Haripur	DFC Office Abbottabad

Sd/-  
DIRECTOR FOOD  
KHYBER PAKHTUNKHWA  
PESHAWAR.

**Endorsement No & Dates Even**

- Copy for information to:-
1. PS to Minister Food Khyber Pakhtunkhwa.
  2. PS to Secretary Food Khyber Pakhtunkhwa
  3. The District Accounts Officers Haripur and Abbottabad.
  4. The Assistant Directors Food Hazara Division.
  5. The District Food Controllers Abbottabad & Haripur.
  6. Officials concerned.
  7. Personal File.

  
DEPUTY DIRECTOR FOOD (E)  
KHYBER PAKHTUNKHWA  
PESHAWAR.

HC / Asst.  
For need get P/S

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,  
PESHAWAR

Service Appeal No. 1370 /2017

Miss Sana Yousaf daughter of Muhammad Yousaf, Food Grain Supervisor (BPS-7), resident of House No. 294/C Mohallah Gami Lala, Upper Malikpura, Tehsil and District, Abbottabad.

...APPELLANT

VERSUS

The Secretary Food Khyber Pakhtunkhwa, Peshawar & others:

...RESPONDENTS

SERVICE APPEAL


INDEX

S.#	Description	Page No.	Annexure
1.	Service appeal along with affidavit	1 to 5	
2.	Addresses of the parties	6	
3.	Suspension application alongwith affidavit	7 to 8	
4.	Copy of order No. 864/ET-Appointment of FGS, dated 13 March, 2017	9	"A"
5.	Copies letter No. 3068-70/(ADFH) dated 30/10/2017	10-11	"B" & "C"
6.	Copy of order bearing No. 4249/ET-378 dated 26 Oct, 2017	12	"D"
7.	Copy of appeal (departmental)	13-25	"E"
8.	Copy of letter No. 5065/PF-1382 dated 05/12/2017	26	"F"
9.	Wakalatanama	27	

...APPELLANT

Through

Dated: 11/12/2017

  
(SAHIB KHAN)  
Advocate Abbottabad



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

Service Appeal No. 1370 /2017

Miss Sana Yousaf daughter of Muhammad Yousaf, Food Grain Supervisor (BPS-7), resident of House No. 294/C Mohallah Gami Lala, Upper Malikpura, Tehsil and District, Abbottabad.

...APPELLANT

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1408

Dated 12-12-2017

VERSUS

- ✓ 1. The Secretary Food, Khyber Pakhtunkhwa, Peshawar.
- ✓ 2. The Director Food, Khyber Pakhtunkhwa, Peshawar.
- ✓ 3. The Divisional Assistant Director Food Hazara Division, Abbottabad.
- ✓ 4. The District Food Controller, Abbottabad.
- ✓ 5. Mr. Mauzzam Ali Food Grain Supervisor, Office of the District Food Controller, Haripur.
- ✓ 6. District Accounts Office, Abbottabad.
- ✓ 7. Arshad Farooq Khan, office Assistant, Office of the Divisional Assistant Director Food, Hazara Division, Abbottabad.

E20-partee  
15/1/18

6

...RESPONDENTS

Filed to-day

Registrar

12/12/17

**SERVICE APPEAL:** UNDER SECTION 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDERS OF RESPONDENT NO. 2 BEARING NO. 4249/ET-378 DATED 26 OCT, 2017 AND OF RESPONDENT NO. 1 BEARING NO. 5065/PF-1382 DATED 05/12/2017, BEING AB-INITIO VOID, ILLEGAL, UNLAWFUL, ARBITRARY, BASED ON MALAFIDE INTENTIONS AND AGAINST THE NATURAL JUSTICE.

---

**PRAYER:** ON ACCEPTANCE OF THE APPEAL THE IMPUGNED ORDERS REFERRED TO ABOVE MAY KINDLY BE SET ASIDE BEING ABINITIO VOID, ILLEGAL, UNLAWFUL, ARBITRARY, BASED ON MALAFIDE INTENTIONS AND AGAINST THE NATURAL JUSTICE.

---

---

**Respectfully Sheweth:-**

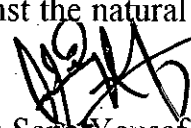
1. That the appellant was appointed as Food Grain Supervisor (BPS -7) in the office of DFC, Abbottabad vide Directorate of Food, Khyber Pakhtunkhwa, Peshawar office order No. **864/ET-Appointment of FGS**, dated 13 March, 2017. Copy of order is attached as Annexure "A".
2. That after appointment the appellant performed her duties in the office of DFC, Abbottabad, quite satisfactorily.
3. That on making complaint by Mr. Arshad Farooq Khan Office Assistant, Divisional Assistant Director-Food, Hazara Division, Abbottabad to Respondent No. 3, a formal enquiry was conducted by respondent No. 3 vide his letter No. 3068-70 / (ADFH) dated 30/10/2017. Copies of Complaint and letter are attached as Annexure "B" & "C".
4. It will not be out of place to mention that respondent No. 7 with collusion of some other companion has always disgraced the appellant and narrated false / fabricated story to harass, defame and torment the appellant. Respondent No. 7 himself admitted in his complaint (Para-1) (Annexure "B") that he has abused the appellant. Complete details have been given in the departmental appeal of the appellant.

- 4.A. That it is a matter of grave concern that Assistant Director Food Hazara Division, ATD has verbally requested for transfer of the appellant from her home town Abbottabad to Haripur as mentioned in the Director of Food K.P.K. Peshawar letter No. 4249/ET-378 dated 26<sup>th</sup> October 2017 marked Annexure "D".
5. That the appellant submitted her application dated 30/10/2017 as referred to in the above said letter (Para - 3) for provision of copies of some documents but the same was not considered by the Divisional Assistant Director Food, Hazara Division as mentioned in his letter at (Annexure "C").
6. That the appellant has since been transferred to DFC office, Haripur vide office order of respondent No. 2 bearing No. 4249/ET-378 dated 26<sup>th</sup> October 2017. Copy of which is attached as Annexure "D".
7. That the appellant being aggrieved due to her transfer within a period of 8 months, especially out from his home station. Moreover, she being unmarried, submitted her departmental appeal to the Secretary Food, KPK, Peshawar (Respondent No. 1), the copy of which is attached as Annexure "E". it is further submitted that the appeal dated 30/10/2017 was within time.
8. That the appeal of the appellant has since been rejected by respondent No. 1 on "Administrative Grounds" but not on right / just grounds vide his letter No. 5065/PF-1382 DATED 05/12/2017. The Copy of which is attached as Annexure "F".
9. Hence, being aggrieved by the aforesaid orders of transfer and rejection of appeal, the instant appeal is being filed inter-alia, amongst other, on the following grounds:

**GROUNDS:-**


- a. That transfer of the appellant within a period of 8 months is against the law, illegal, against the natural justice, and therefore, liable to be set aside.
- b. That the appellant has performed her duties diligently.
- c. That respondents No. 1 and 2 have not treated the appellant i.e an Unmarried Female in accordance with the rules of Justice but arbitrarily.
- d. That the impugned orders are not sustainable in the eye of law, hence, liable to be set aside.
- e. That the instant appeal is well within time.

It is, therefore, prayed that both the impugned orders of respondent No. 2 and respondent No. 1 respectively bearing No. 4249/ET-378 dated 26 Oct, 2017 and No. 5065/PF-1382 dated 05/12/2017 being void, illegal, unlawful, arbitrary, based on malafide intentions and against the natural justice, be set aside.

  
 ..Miss Sana Yousaf  
 Food Grain Supervisor  
 ....APPELLANT

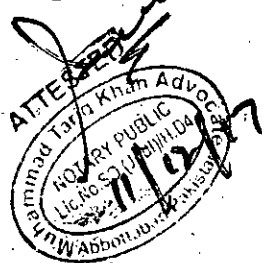
Through

Dated: 11/12/2017

  
 (SAHIB KHAN)  
 Advocate Abbottabad

**VERIFICATION:-**

Verified on oath that the contents of above appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.



  
 ....Miss Sana Yousaf  
 ...APPELLANT

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

Service Appeal No. \_\_\_\_\_/2017

Miss Sana Yousaf daughter of Muhammad Yousaf, Food Grain Supervisor (BPS-7), resident of House No. 294/C Mohallah Gami Lala, Upper Malikpura, Tehsil and District, Abbottabad.

....APPELLANT

**VERSUS**

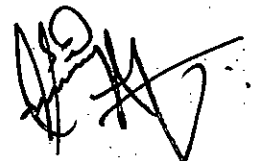
The Secretary Food Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

**SERVICE APPEAL**

**AFFIDAVIT**

I, Miss Sana Yousaf daughter of Muhammad Yousaf, Food Grain Supervisor (BPS-7), resident of House No. 294/C Mohallah Gami Lala, Upper Malikpura, Tehsil and District, Abbottabad, do hereby solemnly affirm and declare that the contents of foregoing Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.



...DEPONENT

Identified by:-

*Sahib Khan*  
 Advocate  
 (Sahib Khan)  
 Mohallah Gami Lala, Upper Malikpura, Tehsil and District, Abbottabad.

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

Service Appeal No. \_\_\_\_\_/2017

Miss Sana Yousaf daughter of Muhammad Yousaf, Food Grain Supervisor (BPS-7), resident of House No. 294/C Mohallah Gami Lala, Upper Malikpura, Tehsil and District, Abbottabad.

....APPELLANT

**VERSUS**

The Secretary Food Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

**SERVICE APPEAL**

**ADDRESSES OF THE PARTIES**

Respectfully Sheweth:-

Addresses of the parties are as under:-

Miss Sana Yousaf daughter of Muhammad Yousaf, Food Grain Supervisor (BPS-7), resident of House No. 294/C Mohallah Gami Lala, Upper Malikpura, Tehsil and District, Abbottabad.

....APPELLANT

**VERSUS**

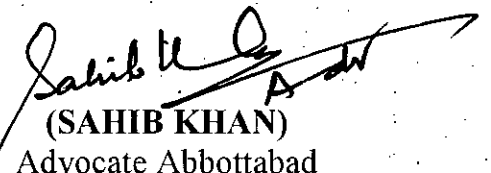
1. The Secretary Food, Khyber Pakhtunkhwa, Peshawar.
2. The Director Food, Khyber Pakhtunkhwa, Peshawar.
3. The Divisional Assistant Director Food Hazara Division , Abbottabad.
4. The District Food Controller, Abbottabad.
5. Mr. Mauzzam Ali Food Grain Supervisor, Office of the District Food Controller, Haripur.
6. District Accounts Office, Abbottabad.
7. Arshad Farooq Khan, office Assistant, Office of the Divisional Assistant Director Food, Hazara Division, Abbottabad.

...RESPONDENTS

....APPELLANT

Through

Dated: 11/12/2017

  
 (SAHIB KHAN)  
 Advocate Abbottabad

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

Service Appeal No. \_\_\_\_\_/2017

Miss Sana Yousaf daughter of Muhammad Yousaf, Food Grain Supervisor (BPS-7), resident of House No. 294/C Mohallah Gami Lala, Upper Malikpura, Tehsil and District, Abbottabad.

**....APPELLANT**

**VERSUS**

The Secretary Food Khyber Pakhtunkhwa, Peshawar & others.

**...RESPONDENTS**

**SERVICE APPEAL**

=====

**APPLICATION** FOR SUSPENSION OF THE  
IMPUGNED ORDERS OF RESPONDENT NO. 2  
BEARING NO. 4249/ET-378 DATED 26 OCT, 2017  
AND OF RESPONDENT NO. 1 BEARING NO.  
5065/PF-1382 DATED 05/02/2017 TILL FINAL  
DISPOSAL OF THE TITLED APPEAL.

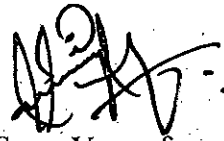
=====

Respectfully Sheweth;-

1. That the appellant has filed the titled appeal in this Honourable Tribunal the contents of which may graciously be treated as a part of this application.
2. That the appellant has brought a good prima facie case which may ultimately be decided in her favour by this Honourable Tribunal.

3. That the balance of convenience is also in favour of the appellant.
4. That in case the impugned orders referred to above are not suspended, the appellant would suffer irreparable loss.

It is, therefore, prayed that on acceptance of this application, the impugned orders of respondents No. 1 and 2 referred to above be suspended, till final disposal of the case.

  
..Miss Sana Yousaf  
Food Grain Supervisor  
....APPELLANT

Through

Dated: 11/12/2017

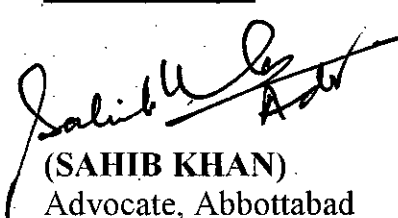
  
(SAHIB KHAN)  
Advocate Abbottabad

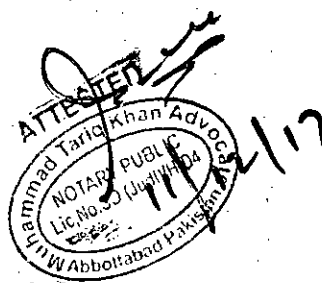
**AFFIDAVIT:-**

I, Miss Sana Yousaf daughter of Muhammad Yousaf, Food Grain Supervisor (BPS-7), resident of House No. 294/C Mohallah Gami Lala, Upper Malikpura, Tehsil and District, Abbottabad, do hereby solemnly affirm and declare on 11/12/2017 that the contents of above application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Tribunal.

  
DEPONENT

**Identified by:-**

  
(SAHIB KHAN)  
Advocate, Abbottabad





Annex 'A'

9



GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE OF FOOD  
PESHAWAR.

No 864 /ET-Appointment of FGS  
Dated Peshawar, the 13 /March, 2017

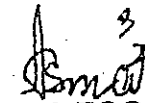
OFFICE ORDER

On the recommendations of the Departmental Selection Committee adduced in its meeting held from 08-03-2017 to 09-03-2017, Miss Sana Yousaf D/O Muhammad Yousaf, House No 294/C Mohallah Sami Lala Upper Malik Pura District Abbottabad is hereby appointed as Foodgrain Supervisor (BPS-07) against initial recruitment quota and posted in the office of District Food Controller Abbottabad with immediate effect:-

2. Her appointment against the post of Foodgrain Supervisor (BS-07) shall be on the following terms and conditions:-

- Her appointment as Foodgrain Supervisor (BS-07) in Food Department Khyber Pakhtunkhwa would be purely on temporary basis.
- Benevolent Fund and G.P. Fund will be deducted from her as required under the relevant rules.
- She will join duty at her own expenses.
- She will furnish attested copies of her original documents.
- Her Services will be subject to medical fitness for Government Service for which she shall produce Health and Age Certificates from the concerned Medical Superintendent.
- She will be governed by the rules and regulation issued by the Government from time to time for such category of Government Servants to which she belongs.
- In case of resignation at any time one month's notice will be necessary other wise one month's salary will be forfeited from her, in lieu thereof.
- She shall be on probation for a period of one year, which can be extended subject to her performance as per rules

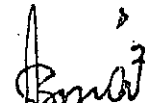
3. She shall submit her arrival report for duties to the Office of District Food Controller, Abbottabad by 27th March, 2017. If she fails to report for duties, within the stipulated period her appointment order shall stand cancelled.

  
DIRECTOR FOOD  
KHYBER PAKHTUNKHWA  
PESHAWAR 13/03/17

Endorsement No & Even Date

Copy forwarded to :-

- PS to Minister Food Government of Khyber Pakhtunkhwa Peshawar.
- PS to Secretary Food Government of Khyber Pakhtunkhwa Peshawar.
- The District Accounts Officer Abbottabad
- The Assistant Director Food Hazara Division at Abbottabad.
- The District Food Controller, Abbottabad.
- Miss Sana Yousaf D/O Muhammad Yousaf House No 294/C Mohallah Sami Lala Upper Malik Pura District Abbottabad
- / Personal File..

  
DIRECTOR FOOD  
KHYBER PAKHTUNKHWA  
PESHAWAR 13/03/17

The Divisional Assistant Director Food,  
Hazara Division Abbottabad.

Subject:- APPLICATION / COMPLAINT AGAINST MRS. SANA YOUSAF FGS DFC  
OFFICE ABBOTTABAD.

R.Sir:-

Most respectfully I beg to submit that I was setting in the office alongwith other office staff members today on 11/10/2017 at 10:00 A.M but suddenly Mrs. Sana Yousaf FGS DFC Office Abbottabad who were absent from duty since last two months has entered into my office today and directly using bad language for me and also hitting physically to Mr.Bilal Chowkidar of this office & slap his face without cogent reason for which her was directed to stop this attitude & go out from office, therefore on this resistance, the said female once again strike me for using abuse language in the presence of Mr.Junaid Tahir Khan Office Assistant of District Food Controller Office Abbottabad who will company with her as the entire situation was occurred in the presence of office staff for which they are witness. At that time your goodself as well as Office Superintendent was engaged with DFC Mansehra for inspection of their office.

The above supervisor has already involved in private matters for which the enquiry in this respect has already been lodged vide your office letter No.2862-63/ET-02(ADFH) dated 10/10/2017 & in this case District Food Controller Abbottabad & Assistant Food Controller HQ Abbottabad are appointed enquiry officer, therefore on this reason she has stroked me and entered the office with prior permission of the District food Controller Abbottabad & concerned Assistant Food Controller HQ Abbottabad, which clearly shows that she strike me through pre-planned & also the attitude of her is totally against the office rules/regulations.

It is therefore requested that necessary action against all concerned may kindly be taken please.

*Arshad Parsoq Khan*  
(Arshad Parsoq Khan)  
OFFICE ASSISTANT  
DADF OFFICE ABBOTTABAD

11/10/2017  
formal inquiry

*Supdt / Ault*  
*write down to DF Peshawar*  
*alongwith all details of*  
*previous record for conduct*

*Jehanzeb Khan*  
Jehanzeb Khan  
Abbottabad



OFFICE OF THE  
DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD  
Phone & Fax No. 0992-9310296  
No. 3068-70 / (ADFH)  
Dated 30 / 10/2017.

To,


Miss Sana Yousaf,  
Foodgrain Supervisor,  
DFc Office Abbottabad.

**Subject: - APPLICATION UNDER RIGHT TO INFORMATION ACT TO PROVIDE COPIES  
OF ALL DOCUMENTS RELEATED TO MY CASE AND INCIDENT OF 10/11/2017.**

Memo:-

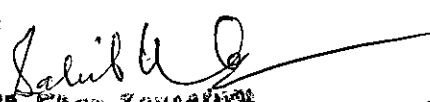
Reference to your application on dated 30/10/2017.

In this connection it is stated that each and every official of Food Deptt should submit their application to higher forum dully routed from the concerned office under which they are employed, therefore being employee of District Food Controller Office Abbottabad it was required to submit your application through proper channel and your written statement given and received in this office through courier has also not on proper manner & same was required to its submission in this regard directly to enquiry officers already appointed in this case and your previous application submitted to undersigned office has already been sent to enquiry officers for examination and finding the facts of application, therefore in future all such like your applications or written statements routed through proper channel.

  
DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD

Copy Is Forwarded to:-

1. The Director Food KPK Peshawa: for information please.
2. The District Food Controller Abbottabad for information ~~with the direction that enquiry report already entrusted to you should be finalized & submitted in this office to proceed further in the matter please.~~

  
Sana Khan Yousaf  
Foodgrain Supervisor,  
Abbottabad

DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD



GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE OF FOOD  
PESHAWAR  
No 4245/ST/17

Dated Peshawar, the 26<sup>th</sup> October, 2017

**OFFICE ORDER**

The following postings/transfers of Food Grain Supervisors are hereby ordered with immediate effect in the public interest:

S.No.	Name of Official	From	To
1.	Mr. Mazzam Ali IGS	DRC Office Haripur	DRC Office Abbottabad
2.	Miss. Sana Yousaf FGS	DRC Office Abbottabad	DRC Office Haripur

DIRECTOR FOOD  
KHYBER PAKHTUNKHWA  
PESHAWAR

**Endorsement No. & Dates Even**

Copy for information to:-

1. PS to Minister Food Khyber Pakhtunkhwa
2. PS to Secretary Food Khyber Pakhtunkhwa
3. The District Accounts Officers Haripur and Abbottabad
- ✓ 4. The Assistant Directors Food Hazara Division with reference to his letter No 2865/(HDFH) dated 11-10-2017 as well his verbal request for transfer of the official from Abbottabad to Haripur. He is further directed to afford opportunity of proper counselling to the official and keep close watch on her official duties / responsibilities.
5. The District Food Controllers Abbottabad & Haripur
6. Officials concerned
7. Personal File

DIRECTOR FOOD  
KHYBER PAKHTUNKHWA  
PESHAWAR

*[Signature]*  
Sana Yousaf  
Secretary, Abbottabad

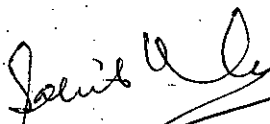
To,

THE SECRETARY FOOD KHYBER PAKHTUNKHWA PESHAWAR

Subject: APPEAL AGAINST TRANSFER ORDER NO.4249/ET-378 DATED PESHAWAR  
,THE 26 OCTOBER 2017 AS IT IS BASED ON SERIOUS AND GRAVE PERSONAL  
(HUMANITARIAN )GROUNDS,VIOLATION OF FUNDAMENTAL HUMAN RIGHTS  
AND PREMATURE TRANSFER IN VIOLATION OF PROVISIONS OF POSTING  
/TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

**FACTUAL POSITION AND TRUE GROUND REALITIES:**

- 1-I, Sana Yousaf Food Grain Supervisor was appointed in food department as food grain supervisor in bps-7 through Office Order No 864/ET-Appointment of FGS dated 13/03/2017 and posted in Abbottabad.
- 2-Being an unmarried female, I was posted on my home station i-e the residence of my parents, the district Abbottabad.
- 3-The original place of duty as per job description of food grain supervisor was at Provincial Reserve Center Havelian but from the very first day of my appointment I was forced to work at district food controller office Abbottabad. barring me from performing and doing my official duty just on the grounds that I was a female and thus was discriminated on the basis of gender and was never posted at that position for which I was recruited by the Provincial Government .
- 4-The Assistant Director Food hazara office is in the same premises that is in the premises of district food controller office abbottabad, mr Arshad Farooq was the assistant bps-16 in that office .His son named Arbaz Khan was also competing beside me for the same post in nts exam ,I was successful on merit and thus was appointed but this could not be tolerated by mr Arshad and he did not accept it ever .He kept on torturing me in one form or another, so that I could resign from my services and leave clear way for appointment of his son as he had already

  
 Sana Yousaf  
 Advocate, Abbottabad

been in contact with the Minister Food for his placement on waiting list as the Minister Food KPK is elected representative of the same constituency from where Arshad belong. He speculated that I had gained entry by bribing minister and Secretary Food ,he lobbied against me in the office and instigated against me .He kept on derailing me by fair or foul means for which I have recording as he was a frequent visitor ,abusing his position ,to female staff wing, which was not the part of his office ,which can be handed over to you sir as proof. When he acknowledged that I had recorded his conversation .he brain washed the office staff against me and pointed fingers at my character ,severely persecuted and defamed me in the entire department.My explanation was called the matter was settled when I replied in writing,

5-When this person acknowledged that I had his voice recordings got infuriated and started to defame me ,he involved mr bilal chowkidar of his office and some how cultivated relations with a driver who used to pick and drop me, like other school going teachers and students on payment ,when I was a teacher in a school before appointment to this post.

Mr Bilal chowkidar provided him information about my whereabouts ,that driver sent proposal of marriage which was a pre planned move by these three persons ,and was denied by me and my family, it was shocking for me .Then this driver named Nadeem resident of Pawa Tehsil and district Abbottabad started blackmailing me for severe consequences if I don't accept the Proposal. A complaint was lodged on in the city police station Abbottabad on which police took action a jirga was held in which he gave statement that he will never do it again and vowed on the Quran Sharif ,for which the matter was resolved(copy enclosed of 13/9/2017) .But on 10/10/2017 this person nadeem was already present in the premises of district food controller office Abbottabad .Mr bilal and arshad farooq ,chowkidar and assistant of the office of assistant director food respectively, shielded him and provided him safe passage to penetrate at my work place .There is a separate sitting and working room for the female employees ,I was sitting alone there as afc uzma was in the office of dfc , that person entered into my room , I ran out of the office and went to clerical wing , I was so much terrified that I called my brothers.when my brother reached at the

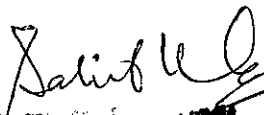
*Sahib Ullah*  
 2400/Elben Tansafer  
 Advocate Abbottabad

spot he was still there, taking refuge in Assistant Director Food office ,my brother confronted him ,the staff of dfc office intervened and presented him before the assistant director and dfc,we insisted them to get him arrested and hand him over to police but instead of doing so they held a private jirga in the office and provided him safe passage to leave the office premises with his uncle after taking a statement without our consent .(Statement Is Attached As Attachment.No. )

6-I submitted an application to the district food controller about mr bilal as he was providing information about me to that driver,an enquiry was constituted to probe into the matter in which DFC and AFC were nominated as inquiry officers.(reference ADFH office letter NO.2862-63/ET-02(ADFH)) dated 10/10/2017.)

7-The very next day that is on 11/10/2017 when I went to assistant director food office to take the copy of statement which was taken by that driver ,the same person mr arshad farooq told me that assistant director and superintendent were in mansehra .When I asked about the proceedings he called in mr bilal chowkidar in his office ,when he came to the office I asked him about his involvement in the matter he got infuriated ,because I already had lodged written complaint against him, and abused me regarding my character and threatened me of severe consequences, held my left arm ,as soon as I felt his hand on my arm I slapped him in the face ,mr arshad started abusing me we were amidst of heated brawl then head clerk of dfc office came inside and separated us and took me back to the dfc office,these two persons rushed behind me but seeing dfc in the chair just insulted me and threatened me of severe consequences in front of dfc and assistant and then went back to adf office.(mr bilal in his own statement accepts that he had relations with that driver nadeem and he used to entertain him in return of favours at assistant director food office dated 11/10/2017)

8-Arshad assistant and bilal chowkidar wrote their statements contacted with the naeem lodhi the nephew of minister food and rallied his support, as the minister food is elected form the constituency where bilal ,nadeem and arshed reside, circle sherwan ,they are his voters /supporters and thay have very close relations with the minister food and his family members ,when the assistant director food

  
**Salim Ullah**  
 District Food Controller  
 District, Abbottabad

came back,dfc sent me an explanation for which I had to produce reply within 15 minutes under pressure,assistant director forwarded those statements and my explanation to the minister food and director,with his covering letter No.2865/ADFH dated 11/10/17 it can be seen clearly that in the second paragraph ADFH had committed defamation on the enticement of bilal & arshad as there statement speak volumes about defamation of my character ,these all documents were based on severe defamation of my character and are self explanatory ,which is clear political influence,abuse of power and position,worst ignorance and lack of Islamic values & defamation.Mr arshad and his company cannot dare to tell Minister food the true facts ,they constructed all that cock and bull story to divert the attention from the main issue the infringement of my fundamental right of security & honour .

9-The divisional assistant director the highest ranking officer in the division should have been impartial and neutral ,he shall have constituted an enquiry to probe the matter ,but he got misguided and committed determined defamation which is clearly evident form his letter No2865/adfh dated 11/10/2017dated which is enclosed here. His office premises and staff was involved in all these acts for which he should have taken action ,but he tempered the facts and forwarded the defamatory letter along with enclosures to the minister food and director food ,which was made the basis for my transfer order for clarification order NO 4249/ET-378 dated 26 october 2017 can be seen in which it is clear that this transfer was not carried out in public interest but under the facts forwarded by adf hazara vide his above cited letter directed to director food No 2865/ADFH dated 11/10/2017 in endorsement No 4 which states that

**"4.THE ASSISTANT DIRECTORS FOOD HAZARA DIVISION WITH REFERENCE TO HIS LETTER NO .2865/(HDFH) DATED 11/10/2017 AS WELL HIS VERBAL REQUEST FOR TRANSFER OF THE OFFICIAL FROM ABBOTTABAD TO HARIPUR .HE IS FURTHER DIRECTED TO AFFORD AN OPPORTUNITY OF PROPER COUNSELING TO THE OFFICIAL AND KEEP CLOSE WATCH ON HER OFFICIAL DUTIES/RESPONSIBILITIES."**

*Saleem Khan*  
**Saleem Khan**  
 Advocate, Abbottabad



I don't know what report he verbally presented to the director food about my official duties /responsibilities because I was never allowed to work in PRC Havelian as it was my original duty place as per job description .I was forcibly confined to sit in the office of assistant food controller uzma shah what could I learn sitting there as there was no practical experience related to my work.It is very sorrowfully stated that adfh has forwarded wrong reports about me and my characters ,he didn't had revelations but misguided by his own staff members or he only blamed me to protect his office position .

10-I wrote an appeal to the assistant direction to clarify my position and point of view but he was not present in the office for two consecutive days as he was in meeting in Peshawar,as it was getting late I couriered it to ADF office on 17/10/2017 as it was now no go area for me ,the receipt of that courier and appeal it self is enclosed here in which it was clearly requested to initiate inquiry and proceedings about harassment of female and institution of fir against mr nadeem through official channel as the over all responsibility regarding security of staff is the responsibility of officer incharge.But on the contrary adf inorder to hide the involvement of his staff fabricated the situation and forwarded false and defamatory reports to the concerned quarters .copies are enclosed for reference .I time and again requested adfh to provide me the copies of coordination related to this case as it was my right of defence but he used delaying tactics ,when I filed a written application under right to information act on30/10/2017 in response he issued order No.3068-70/adfh dated30/10/2017 which is open violation of write to information law.

11-In response of this coordination I had been transferred from dfc office Abbottabad the place were my partents and I reside to dfc office haripur ,openly violating the provisions of posting and transfer policy of the Government Of Kpk,although this is a premature transfer as my total service in department and in present posting was only about nine months and secondly it was based only on severe personal (humanitarian grounds) along with defamation of my character in the entire department.

*Sahib Ullah*  
 Sahib Ullah  
 Advoate, Abbottabad

12-It is clear case of victimization by transferring only me from duty station without any genuine reason leaving all others involved intact at their positions just in order to put and strengthen their blames on me,without any enquiry about the incident which occurred on 10/10/2017,they did all that just to force me not to raise my voice against the violation of my fundamental rights.

13-All their moves right from the day of my appointment ,for forcing me to work at office instead of food grain godown just on the basis that I was a female is contrary to the article 25 of the constitution of Islamic republic of Pakistan dealing with fundamental human rights.

14-They also committed violation of article 27 of constitution of Islamic republic of Pakistan dealing with discrimination in services as they have their own separate criteria contrary to the provincial policy for male and female employees working in government institutions. By excluding me to perform my duties at PRC Havelian the original place of my duty just taking shield of their own narrow minded approach.

15-They have openly defamed me in my entire department verbally and in writing which is a criminal offence,and is clear from the impugned office order NO 4249/TE-378 dated Peshawar 26/10/2017 and letter of ADFH along with enclosure No.2865/(ADFH)11/10/17 which was made the basis of my transfer.

16-

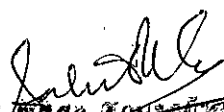
REQUEST:

It is prayed that the impugned transfer order from the Director Food Khyber Pakhtunkhwa No.4249/ET-378 dated 26/10/2017 may please be set aside.

I shall be posted at my proper duty station that is PRC Havelian

Strict administrative/legal action may please be recommended against all those involved in this heinous act.

Inquiry under protection of women at work place act 2010 & anti harassment laws please.

  
**Ms. Shan Zaidi**  
 Advocate, Abbottabad

17- IMMEDIATE RELIEF REQUESTED:

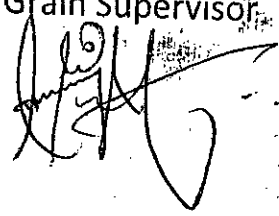
Honourable Sir ! It is appealed that till the decision of this appeal I shall not be disturbed from my present position that is Abbottabad as it is difficult for me to travel to Haripur on daily basis from my home in Abbottabad and as this order is without any law full authority and is violation of fundamental human rights and transfer policy of the provincial government please.

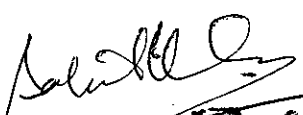
Yours Obediently

Dated :30/10/2017

Sana Yousaf

Food Grain Supervisor



  
Sana Yousaf  
Food Grain Supervisor,  
Abbottabad

707 SAAX  
میں

کیزوٹ جناب SAH صہ صہ صہ

صہ - صہ!

گزارش ہدیہ میں صہ صہ لورہ کا ریلنگ ہونے میں میری بچی سکول میں  
 میں ٹیگ کرتی تھی۔ جسکی ڈیوٹی ایک سرکاری ڈرائیور نے لیا اور وہ  
 مشین لکھ پاوا گاڑی LAF 6156 میں لے گیا۔ 0312-07725  
 ہے اس وقت۔ ایک دن میری بچی کا سرور میں بیگ رہ گیا۔ صہ صہ  
 میری بچی کا جو بائیل لے گیا۔ جو بائیل اس نے چوری کر دیا۔ اور اس  
 جو بائیل سے میری بچی کے ہزار اور ٹوٹے لے لے۔ اور اسے بدلتے  
 کرنے لگ گیا۔ ہتھیارے میرے بچی کو اتنا اس نے بدلتے میں کیا ہتھیار  
 آپ چھوٹے کورٹ میں جا کرو۔ اگر نہیں کرو گی تو میں ہتھیار  
 جان سے ماروں گا۔ جس سے میری بچی انتہائی خوفزدہ ہے۔  
 اب میرے اس کے عیاشی والے کو بھی پتہ ہے۔ اسے چاہو دیکھو مذکورہ  
 ڈرائیور باز نہیں ہو گا۔ اب وہ مزید بدلتے مسئلے اور دھمکیاں دے  
 رہا ہے۔ درخواست اس کے عیاشی مذکورہ ڈرائیور کے خلاف  
 قانونی کارروائی کی جا سکے۔ اور یہ الفاظ فراموش نہ کیا جا سکے۔

العارضہ

1319/17  
محمد یوسف ولد محمد عمران ساکنہ ایمر صہ لورہ خان بی 294/3 مہم کاٹی لال

ایس ایم ایف 7-28-52-8345-01-131  
0343-9476370

~~محمد یوسف~~  
راشد علی

SAH PS. City  
13-9-17

Signature  
Lahore Suburban  
Municipal Corporation

0402 1944  
0402 1944

10/12  
n/a  
Mrs Forward  
ADP  
ADP  
ADP

10/10  
10/17  
Figs (Sena Yany)  
Lovers tangi

Thanks

Respected Sir,  
It is stated that I am suffering from extreme mental torture because some carry driver is bullying me. And there is a bus-fare office, where name is Bidal, giving information about me to CID. It is therefore requested to take strict action against Bidal.

District Food Controller,  
Abotabad.

بیان

ندیم ولد شفیق الرحمن قوم اعران تقریباً 20 سال پیشہ ڈراپور  
سائن پورا تحصیل ذیلی ایسٹ آباد

بیان کیا منظر آج در فیہ 15 دفترا سٹریٹ فورڈ کنٹرولر  
ایسٹ ایگرائی نمبری 6156-6157 کے ذریعے ثناء یوسف 1995 کو  
ملنے آیا۔ اسی دوران ثناء یوسف نے بیانی موقع پر پہنچائے اور منظر  
تہ ساتھ تلخ نکالنے کی اور معافی چہین لیا۔ اس دوران دفتر کے عملہ  
نے مداخلت کرتے ہوئے دونوں فریقین کو پکڑ کر روہد ADF ہزارہ اور  
ڈی۔ ایف۔ سی ماہیگیری کے مابین کیا۔ اور تہ بعد منظر تھا چچا سپر داد  
ولد فضل داد سائن پورا تحصیل ذیلی ایسٹ آباد اور سردار سید مراد  
ناظم ایگریکلچر ڈیپارٹمنٹ ایسٹ آباد آئے اور منظر کو  
خمانت پر سناہ لگے۔

منظر حلقہ بیان کرتا ہے کہ آج تہ بعد ثناء یوسف 1995 سے نہ ہی  
رابطہ رکھتے تھا اور نہ ہی ملنے دینمبرہ کی کوشش کرے گا۔

الحکومت

ندیم ولد شفیق الرحمن  
0312-0772527

ضامن

سردار دل خان  
ممبر تحصیل کوٹلی ڈیپارٹمنٹ ایگریکلچر  
ایسٹ آباد  
المقام  
0314-5014947

گزراؤں پکڑے گا کہ آپ کا دستہ

اور اس جہتی کا خود نکال دیکھنے کے بعد  
اور اس جہتی کا خود نکال دیکھنے کے بعد  
اور اس جہتی کا خود نکال دیکھنے کے بعد  
اور اس جہتی کا خود نکال دیکھنے کے بعد

آج حروفہ 2017-10-11 کو میں اپنے دستہ  
آج حروفہ 2017-10-11 کو میں اپنے دستہ  
آج حروفہ 2017-10-11 کو میں اپنے دستہ  
آج حروفہ 2017-10-11 کو میں اپنے دستہ

SAHIB ZAIN BOND/CO  
ADVOCATE, ADDISSABAB

To,  
District Food Controller,  
Abbottabad.


Respected Sir,

It is stated that I am suffering from extreme mental torture because it's been a month, some carry driver is bullying and harrassing me. And there is a class-four in your office, whose name is Bilal, giving information about me to that driver. It is therefore requested to take strict action against Bilal.

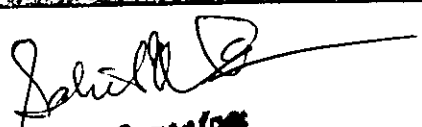
Thanks,

Yours truly,

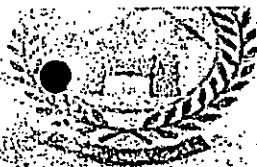
Fqs (same person)



10/10/17

  
OADM Khan  
District Abbottabad





OFFICE OF THE  
DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD  
Phone & Fax No. 0992-9310296  
No. 2865 / (ADFH)  
Dated 11 /10/2017

To,

The Director Food,  
Khyber Pakhtun Khwa,  
Peshawar.

Subject: - CONDUCTING OF FORMAL ENQUIRY.

Memo:-

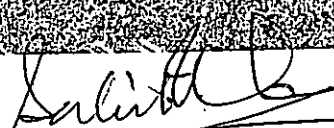
As reported by Mr. Arshad Farooq Khan Assistant of this office that Sana Yousaf FGS office of the District Food Controller Abbottabad has entered the undersigned office today on 11/10/2017 at 10:00 AM & she threaded to the above named officer without any reason and also by slapping on the face of Mr. Bilal Chowkidar of this office & using abuse language with the above both named officials. This attitude of the said Foodgrain Supervisor was also highlighted by District Food Controller Abbottabad vide his letter No. 3265-67/ET-69 dated 11/10/2017 (Copies enclosed).

The concerned Foodgrain Supervisor having some affairs with the private person namely Nadeem who was also appeared in the office on dated 10/10/2017 and disclosed that he has best relations with her & she using his vehicle for pick and drop, therefore the said person retained for the some time in office. In the meantime member Tehsil Council Municipal Service Abbottabad has came in the office for giving guarantee for releasing to him and as such after obtaining written statement from the above private person he was then released from office premises (Copy enclosed). The attitude of the said FGS is totally doubtful and she is not paying due attention on the official matters & progress of her official duties is not satisfactory and the same has been pointed out/shown for the last three months in the Minutes of the Monthly Meeting held in the undersigned office.

It is therefore requested that in order to settle this issue once for all a formal enquiry in this case may kindly be conducted please.

Enclosure:- 04 Pages

  
DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD

  
Sana Khan Yousaf  
District Food Controller, Abbottabad

Amex 'E'

GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE OF FOOD  
PESHAWAR

No. 3065 /PF-1382

Dated 05/12/2017



The Asstt Director Food  
Hazara Division at Abbottabad

Subject - APPEAL FOR CANCELLATION OF TRANSFER ORDER NO. 4249/ET-378 DATED 26-10-2017

Memo -

Reference appeal of Miss Sana Yousof, Foodgrain Supervisor dated 17-10-2017 and your letter Nos 2865(ADFH) dated 11-10-2017 No 3068, 70(ADFH) dated 30-10-2017 and No 3201-02(ADFH) dated 03-11-2017 on the subject noted above

2 On appeal of Miss Sana Yousof, FGS against her transfer order from [FC office Abbottabad to DFC office Haripur, the Secretary Food Khyber Pakhtunkhwa recorded the following remarks:

In view of administrative grounds explained above for transfer of the official her appeal is rejected. However, being female (g?) Director order consider her posting in her district of domicile or nearest station in the adjacent district.

3 In view of the above, the official may be directed to immediate report for duty in the office of DFC Haripur under intimation to this Directorate.

DEPUTY DIRECTOR FOOD (E)  
KHYBER PAKHTUN KHWA  
PESHAWAR

Endorsement No and Equivalent to  
Copy for information to

- 1) The District Food Controllers Haripur and Abbottabad
- 2) Miss Sana Yousof Foodgrain Supervisor with reference to her appeal dated 17-10-2017, she is directed to immediate report for duty in the office of DFC Haripur without further loss of time. In case of failure strict disciplinary action will be initiated against her under the relevant rules.

DEPUTY DIRECTOR FOOD (E)  
KHYBER PAKHTUNKHWA  
PESHAWAR

Pr. Sana Yousof FGS Dated 30-11-2017

SAAD KHAN ROSHTAN  
ADDRESS: ABBOTTABAD

DBA number 126  
 BC No. 10 + 0982  
 Name of Advocate صاحب خان

S.No. 65793



HEAD CLERK  
District Bar Association  
Abbottabad

وکالت نامہ

بعدالت فیابہ چٹوہن سروس ٹریڈنگ کمپنی پرائیویٹ لمیٹڈ  
 عنوان: مسن ٹنہا لوسف  
 منجانب: ایبٹ آباد  
 نوعیت مقدمہ سروس ایسٹ  
 باعث تحریر آنکہ ایبٹ آباد

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام پشاور  
صاحب خان ایڈووکیٹ ایبٹ آباد

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ مکمل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ پکھری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا پکھری کے اوقات سے آگے پیچھے پیش ہونے پر منظر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا معافی کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پرداخت صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کاروبار وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ثالثی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے پیر و نجات از پکھری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا قرقی یا گرفتاری قبل از گرفتاری و اجراء ڈگری بھی صاحب موصوف کو بشرط ادا ایسی علیحدہ معائنہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزوی کارروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔  
 مورخہ: 11/12/2017  
 دن 11 ماہ 12 سال

Accepted  
 Advocate, Abdullah Khan Pousaf  
 Advocate Abbottabad

کے لئے  
 اس ٹنہا لوسف ولد محمد لوسف (فرد کربین پوساف) BPS-7  
 مکمل وضع و ضلع ایبٹ آباد  
 294/C عدلہ کامی لالہ ایڈر ملکپورہ

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

**APPEAL NO. 1370/2017**

Miss Sana Yousaf,  
D/O Muhammad Yousaf

Food Grain Supervisor Abbotabad.....**APPELANT**

**V/S**

1. Secretary Food, Govt: of Khyber Pakhtunkhwa
2. Director Food Govt: of Khyber Pakhtunkhwa
3. Assistant Director Food, Hazra Division at Abbotabad
4. District Food Controller Abbotabad.....

**RESPONDENTS**

**INDEX**

<b>S.No.</b>	<b>Description of documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Para wise Comments		01-02
2.	Office Order	I	03
3.	Conducting of Formal Enquiry/ encloser	II	04-08
4.	Conducting of Formal Enquiry	III	09-13
5.	Office Order dt: 26/10/2017	IV	14
6.	Application under right to information and to provide copy of all documents	V	15-16
7.	Appeal for cancelation of transfer order no. 4249/ET-378 dated 26/10/2017	VI	17-25

**For respondents No. 01 to 04**

*Handwritten signature and date: 15/1/18*

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

**APPEAL NO. 1370/2017**

Miss Sana Yousaf,  
D/O Muhammad Yousaf  
Food Grain Supervisor Abbotabad.....**APPELANT**

**V/S**

1. Secretary Food, Govt: of Khyber Pakhtunkhwa
2. Director Food Govt: of Khyber Pakhtunkhwa
3. Assistant Director Food, Hazra Division at Abbotabad
4. District Food Controller Abbotabad.....**RESPONDENTS**

**INDEX**

<b>S.No.</b>	<b>Description of documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Para wise Comments		01-02
2.	Office Order	I	03
3.	Conducting of Formal Enquiry/ encloser	II	04-08
4.	Conducting of Formal Enquiry	III	09-13
5.	Office Order dt: 26/10/2017	IV	14
6.	Application under right to information and to provide copy of all documents	V	15-16
7.	Appeal for cancelation of transfer order no. 4249/ET-378 dated 26/10/2017	VI	17-25

**For respondents No. 01 to 04**

**BEFORE THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL PESHAWAR**  
**Appeal No.1370/2017**

Miss Sana Yousaf D/O Muhammad Yousaf, Foodgrain  
Supervisor (BS-07) R/O House No.294/C Mohallah Gami  
Lala, Upper Malikpura, Tehsil & District Abbottabad.

**Appellant**

**Versus**

- 1 The Secretary Food, Khyber Pakhtunkhwa Peshawar.
- 2 The Director Food Khyber Pakhtunkhwa,
- 3 The Assistant Director Food Hazara Division at  
Abbottabad
- 4 The District Food Controller Abbottabad.

**Respondents**

**PARA WISE COMMENTS ON BEHALF OF RESPONDENTS**  
**NO. 01, 02,03 and 04**

**Respectfully Sheweth**  
**Preliminary objections:-**

1. That the appeal is not maintainable as it is not in proper form.
2. That the appellant is estopped to file the present Appeal.
3. That the appellant has not come to the court with clean hands. Material facts have been concealed from this Honourable Court. Thus, the appellant is not entitled to the relief prayed for
4. That the appellant has got no locus standi to prefer the appeal against respondents.
5. That the appellant is neither aggrieved person nor she has locus standi to file the instant Appeal.
6. That the appeal is barred by Law, hence not maintainable and liable to be dismissed without any further proceedings.

**ON FACTS**

1. On the recommendations of the Departmental Selection Committee adduced in its meeting held from 08-03-2017 to 09-03-2017, appellant was appointed as Foodgrain Supervisor (BPS-07) against initial recruitment quota and posted in the office of District Food Controller Abbottabad vide Food Directorate Office Order No.864/ET-Appointment of FG dated 13-03-2017 (**Annex-I**).
2. The Assistant Director Food Hazara Division at Abbottabad reported vide letter No.2865/(ADFH) dated 11-10-2017 that:-

"As reported by Mr. Arshad Farooq, Assistant office of ADF Hazara Division that Miss Sana Yousaf, FGS office of the DFC Abbottabad has entered in the office of ADF Hazara Division on 11-10-2017 and threatened to the above named officer without any reason and also by slapping on the face of Mr. Bilal Chowkidar office of ADF Hazara Division, and used abusive language with the above both named officials. This attitude of the said Foodgrain Supervisor was also highlighted by the DFC Abbottabad vide his letter No.3265-67/ET-69 dated 11-10-2017.

The concerned Foodgrain Supervisor some affairs with the private person namely Nadeem who was also appeared in the office on dated 10-10-2017 and disclosed that he has best relations with her & she using his vehicle for pick and drop, therefore the said person retained for the some time in office. In the meantime member Tehsil council Municipal Service Abbottabad has came in the office for giving gurantee for releasing to him and as such after obtaining written statement from the above private person he was then released from office premises. The attitude of the said FGS is totally doubt full and she is not paying due attention on the official matters & progress of her official duties is not satisfactory and the same has been pointed out/ shown for the last three months in the Minutes of the Monthly meeting held in the under signed office"(**Annex-II**)

In the instant case, an enquiry was also conducted by the Assistant Director Food Hazara Division at Abbottabad. The enquiry committee submitted its finding of the report which is reproduced below:-

"Miss Sana Yousaf FGS in her statement clearly reveals that she was well acquainted with the person. Secondly that driver Nadeem also in his written statement says that he was here to meet Sana. When Sana Yousaf FGS filed the complaint about Bilal she was ensured of proper enquiry to redress her grievance but on the next day she wilfully herself took the matter in her

hand and slapped Mr. Bilal Chowkidar, which provoked serious, agitation among the Class-IV staff. This sort of attitude is intolerable for official decorum and discipline of any office which is a blunt threat to over all law and order situation. The Enquiry team is of the view that both FGS Sana Yousaf and Chowkidar Bilal shall dispersed from this office in order to avoid further conflict". (Annex-III)

In view of the above she was transferred and posted in DFC office Haripur on administrative grounds vide Food Directorate Office Order No.4249/ET-378 dated 26<sup>th</sup> October-2017 (Annex-IV)

3. As per reply given at Para-2 above.
4. As per reply given at Para-2 above
5. Miss Sana Yousaf Foodgrain Supervisor submitted an application dated 30-10-2017 to Assistant Director Food Hazara Division Abbottabad to provide photo copies of all documents related with the case and action on her application about Bilal Chowkidar.

The Assistant Director Food Hazara Division examined the application for provision of the said documents and directed to the petitioner vide letter No. 3068-70(ADFH) dated 30-10-2017 that the case may be routed through District Food Controller Abbottabad instead of applying to higher forum. (Annex-V)

6. As per reply given at Para-2 above
7. The appellant submitted an appeal to the Secretary Food for cancellation of her transfer from DFC Office Abbottabad to DFC Haripur. The appellate authority (Secretary Food examined the appeal and recorded the following remarks:-

"In view of administrative grounds explained above for transfer of the official, her appeal is rejected. However, being female (single) Director Food may subsequently, after compliance of the official with present order, consider her posting in her district of domicile, or nearest station in the adjacent district".

Accordingly She was informed vide Food Directorate letter No. 5065/PF-1382 dated 05-12-2017 with the direction to immediate report for duty in the Office of DFC Haripur under intimation to this Directorate. (Annex-VI)


8. As per reply given at Para-07 above.
9. The appellant has got no cause of action to till instant appeal.

#### ON GROUNDS.


- a. Incorrect. As per reply given at Para-2 of the facts.
- b. As per reply given at Para-2 of the facts.
- c. Incorrect. As per reply given at Para-2 of the facts
- d. Incorrect. As per reply given at Para-2 of the facts
- e. No comments.

In view of the above, it is therefore, humbly prayed that the instant appeal being frivolous and devoid of cogent & convincing stand-point may very graciously be dismissed with costs, please.

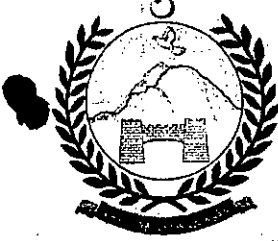
#### RESPONDANTS

  
Secretary Food,  
Khyber Pakhtunkhwa Peshawar  
Respondent No 01

  
Director Food,  
Khyber Pakhtunkhwa,  
Respondent No 02

  
Assistant Director Food,  
Hazara Division at Abbottabad.  
Respondent No 03

  
District Food Controller  
Abbottabad  
Respondent No 04



GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE OF FOOD  
PESHAWAR.

No 864 /ET-Appointment of FGS  
Dated Peshawar, the 13 /March, 2017

**OFFICE ORDER**

On the recommendations of the Departmental Selection Committee adduced in its meeting held from 08-03-2017 to 09-03-2017, Miss Sana Yousaf, D/O Muhammad Yousaf House No 294/C Mohallah Sami Lala Upper Malik Pura, District Abbottabad is hereby appointed as Foodgrain Supervisor (BPS-07) against initial recruitment quota and posted in the office of District Food Controller Abbottabad with immediate effect:-

2. Her appointment against the post of Foodgrain Supervisor (BS-07) shall be on the following terms and conditions:-

- a) Her appointment as Foodgrain Supervisor (BS-07) in Food Department Khyber Pakhtunkhwa would be purely on temporary basis.
- b) Benevolent Fund and G.P. Fund will be deducted from her as required under the relevant rules.
- c) She will join duty at her own expenses.
- d) She will furnish attested copies of her original documents.
- e) Her Services will be subject to medical fitness for Government Service for which she shall produce Health and Age Certificates from the concerned Medical Superintendent.
- f) She will be governed by the rules and regulation issued by the Government from time to time for such category of Government Servants to which she belongs.
- g) In case of resignation at any time one month's notice will be necessary other wise one month's salary will be forfeited from her, in lieu thereof.
- h) She shall be on probation for a period of one year, which can be extended subject to her performance as per rules

3. She shall submit her arrival report for duties to the Office of District Food Controller, Abbottabad by 27<sup>th</sup> March, 2017. If she fails to report for duties, within the stipulated period her appointment order shall stand cancelled.

*Bmat*  
DIRECTOR FOOD  
KHYBER PAKHTUNKHWA  
PESHAWAR 13/03/17

**Endorsement No & Even Date**

Copy forwarded to :-

- 1. PS to Minister Food Government of Khyber Pakhtunkhwa Peshawar.
- 2. PS to Secretary Food Government of Khyber Pakhtunkhwa Peshawar.
- 3. The District Accounts Officer Abbottabad
- 4. The Assistant Director Food Hazara Division at Abbottabad.
- 5. The District Food Controller, Abbottabad.
- 6. Miss Sana Yousaf D/O Muhammad Yousaf House No 294/C Mohallah Sami Lala Upper Malik Pura District Abbottabad
- 7. / Personal File..

*Bmat*  
DIRECTOR FOOD  
KHYBER PAKHTUNKHWA  
PESHAWAR 13/03/17



Annex-II

40



OFFICE OF THE  
DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD  
Phone & Fax No.0992-9310296  
No. 2865 / (ADFH)  
Dated 11 /10/2017

To,  
The Director Food,  
Khyber Pakhtun Khwa,  
Peshawar.

Subject: - CONDUCTING OF FORMAL ENQUIRY.

**Memo:-**

As reported by Mr. Arshad Farooq Khan Assistant of this office that Sana Yousaf FGS office of the District Food Controller Abbottabad has entered the undersigned office today on 11/10/2017 at 10:00 AM & she threaded to the above named officer without any reason and also by slapping on the face of Mr.Bilal Chowkidar of this office & using abuse language with the above both named officials. This attitude of the said Foodgrain Supervisor was also highlighted by District Food Controller Abbottabad vide his letter No.3265-67/ET-69 dated 11/10/2017 (Copies enclosed).

The concerned Foodgrain Supervisor having some affairs with the private person namely Nadeem who was also appeared in the office on dated 10/10/2017 and disclosed that he has best relations with her & she using his vehicle for pick and drop, therefore the said person retained for the some time in office. In the meantime member Tehsil Council Municipal Service Abbottabad has came in the office for giving guarantee for releasing to him and as such after obtaining written statement from the above private person he was then released from office premises (Copy enclosed). The attitude of the said FGS is totally doubt full and she is not paying due attention on the official matters & progress of her official duties is not satisfactory and the same has been pointed out/shown for the last three months in the Minutes of the Monthly Meeting held in the undersigned office.

It is therefore requested that in order to settle this issue once for all a formal enquiry in this case may kindly be conducted please.

Enclosure:- 04 Pages

Please put up on file  
Recd/12 AD  
9/11/17

DF	
DDF (A & C)	
Diary No	6791
Dated	18.10.17

*[Signature]*  
DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD  
Subject down directed  
taw aeh  
acc

41

Office Of The  
District Food Controller  
Abbottabad  
Letter No. 3265-67  
Dated 11/10/17

To: Miss Sana Yousaf Food Grain Supervisor  
Subject: Explanation


It is reported to the under signed that today on 11 October 2017 in morning you have visited the Divisional Assistant Director Food Office and physically manhandled Class IV Chowkidar named Bilal by slapping him on his face. Such sort of gross misconduct is never tolerable and badly affected the environment and overall decorum and discipline of this office.

You are hereby directed to explain the reason why you took such grave step calling which strict disciplinary action will be initiated against you. Your reply must reach this office within a day positively.

DISTRICT FOOD CONTROLLER  
ABBOTTABAD.

A copy is forwarded to

1. The Director Food Khyber Pakhtunkhwa Peshawar for information please.
2. The Divisional Assistant Director Food Hazara Abbottabad for information please.

  
DISTRICT FOOD CONTROLLER  
ABBOTTABAD.

مذمت جناب ڈیپٹی سٹیٹ ڈائریکٹر جنرل سٹیٹ ڈائریکٹریٹ آف ایڈمنسٹریشن اسلام آباد

جناب عالی!

2/4

گزارش بیکہ سائل کو آپ کا دفتر پہنچی نمبر 2859-61/2017

10-10-2017 حاصل ہوئی ہے۔ اور اس چیٹ کا خدوخال دیکھنے کے بعد آپ سے گزارش کرتا ہوں۔  
اس میں جو چارجز تھے، پر نشان ہیں۔ وہ سراسر غلط ہیں اور اس ضمن میں  
میں نے یہ کہہ دیا ہے کہ پندرہ گروہاں کھشیاں کا رالٹی ہوئے اور جو لوگ علاقہ دور دور  
کا رالٹی ہوئے اور ہر روز دفتر کی ڈیوٹی کیا، آتا ہوں۔ اور اس راستہ پر ہر ایک کی آد  
تھوڑی تھوڑی کا ہر ایک ہے۔ اس لیے جے جھوٹی گاڑیوں پر دفتر آنا پڑتا ہے۔ اور اسی اثنا میں  
فریک کیسری ڈب والا ایلا اور اس کا ساتھ سفر گاڑی تکن کارنا ہوں۔ اور اس سے  
میری جان و پیمان اس سے ہوئی۔ جس واقفیت کی بنیاد پر جو۔ تین دفعہ میرا دفتر  
پہنچا ہوا جان و پیمان کا اور روزانہ کی بنیاد پر اس کی گاڑی میں سفر کے لیے  
اس سے کوئی تعلق واسطہ نہیں۔

۲۲ مورفہ 10-10-2017 ۱۱ کو میں اپنے دفتر حذا کا کینی جیو جو

کہ اسی اثنا میں آر مشہد مہلب آ جس اسٹنٹ نا آواز دی اور میں اس کا کمرہ میں  
یا اور دیکھا کہ حیدر ثناء یوسف FGS کھڑی تھی۔ اور جے دیکھتے ہی میرا نام لیا اور آگ  
رولہ ہو کر جے ہر کھپڑوں کی بارش کے شروع کر دی۔ اور ساتھ میں جے نازیبا خان بیان میں  
شروع کر دی۔ جس پر میں نے استفسار کیا۔ مگر اس نے ایٹ بھی نہ مٹنی اور مسلسل جے  
پہنچا نازیبا خان کا وار کرتا رہی۔ حالانکہ اس کا مکمل مورفہ 10-10-2017 کو ناظم حکمت پورہ میں  
موجود تھا اور جو ہر ڈیپٹی ڈائریکٹر ناظمی نے اس کے رو بہ رو آپ جناب اور اس کے ساتھ  
میں بلال کے ساتھ کوئی حقیریاں کر دیئے جس میں اس نے کانے یہ واقعہ  
میں سلیک میں ناظم / حیدر کو نسل حکمت پورہ اپنا آہاد کی موجودگی میں  
میں نے سنا ہے۔ جو کہ آپ کا ریکارڈ میں موجود ہے۔ لہذا اس سے میرا جگہ  
جناب والا سے القاسم کے تاحوں جو چارجز حذر جہ بالا پہنچی ہیں کے

میں نے اپنے جیسے اس سے جے مشتاد کیا جا تا اور جو کچھ میرا ساتھ لیا ہے اس میں  
کوئی کیا گیا ہے۔ اس میں میری ڈاؤر سی کی جا تا۔ عین گزارش ہوئی۔  
10-10-2017  
القاسم  
one copy  
cpdtd/Anit

413

The Divisional Assistant Director Food,  
Hazara Division Abbottabad.

**Subject:- APPLICATION / COMPLAINT AGAINST MRS. SANA YOUSAF FGS DFC  
OFFICE ABBOTTABAD.**

**F.Sir:-**

Most respectfully I beg to submit that I was setting in the office alongwith other office staff members today on 11/10/2017 at 10:00 A.M but suddenly Mrs. Sana Yousaf FGS DFC Office Abbottabad who were absent from duty since last two months has entered into my office today and directly using bad language for me and also hitting physically to Mr. Bilal Chowkidar of this office & slap his face without cogent reason for which her was directed to stop this attitude & go out from office, therefore on this resistance, the said female once again strike me for using abuse language in the presence of Mr. Junaid Tahir Khan Office Assistant of District Food Controller Office Abbottabad who will company with her as the entire situation was occurred in the presence of office staff for which they are witness. At that time your goodself as well as Office Superintendent was engaged with DFC Mansehra for inspection of their office.

The above supervisor has already involved in private matters for which the enquiry in this respect has already been lodged vide your office letter No. 2862-63/ET-02(ADFH) dated 10/10/2017 & in this case District Food Controller Abbottabad & Assistant Food Controller HQ Abbottabad are appointed enquiry officer, therefore on this reason she has stroked me and entered the office with prior permission of the District food Controller Abbottabad & concerned Assistant Food Controller HQ Abbottabad, which clearly shows that she strike me through pre-planned & also the attitude of her is totally against the office rules/regulations.

It is therefore requested that necessary action against all concerned may kindly be taken please.

*Arshad Farooq Khan*  
(Arshad Farooq Khan)  
OFFICE ASSISTANT  
DADF OFFICE ABBOTTABAD

*Sup dt / Anlt*  
*write down to DF Peshawar*  
*alongwith all details &*  
*Previous record for conducty formal*  
*Inqur*

*11/10/2017*

مدرسہ دار الشفیع الرحمن قومی اعوان ٹیچنگ 25 سالہ بیٹہ ڈرائیور  
سکتے ہوا تحصیل و ضلع ایبٹ آباد

سان کا منظر آج مورفہ  $\frac{10}{17}$  10 دفتر ڈسٹرکٹ فورڈ کینٹر

ایبٹ آباد کی گاڑی نمبری LEA-6156 کے زریعے تھناہ یوسف FGS کو  
ملے آئے۔ اسی دوران تھناہ یوسف کے بھائی حوض پر پہنچ آئے اور منظر  
کے ساتھ تلخ مکالمے کی اور حویا بل چھین لیا۔۔۔ اسی دوران دفتر کے عمل  
نے مداخلت کرتے کرتے دونوں فریقین کو پکڑ کر روہرو ADF ہزارہ اور  
ڈی۔ ایف۔ سی صاحبہ کے ساتھ کھینچا۔ اس کے بعد منظر کا چچا سپر راد  
ولہ فضل داد سائڈ پورا تحصیل و ضلع ایبٹ آباد اور سرکار کے  
ٹائم ایئر میں فونکھل دفتر OFC ایبٹ آباد آئے اور منظر کے  
گمانت پر سائڈ لگے۔

منظر علیا بیان کرتا ہے کہ آج کے بعد تھناہ یوسف FGS سے ملنے  
رہنے و رکھ گھا اور نہ ہی ملے وغیرہ کی کوششیں کرے گا

الحکف

نظام وکٹر شفیع الرحمن  
0312-0772527

ضامن

مدرسہ دار الشفیع الرحمن

مدرسہ دار الشفیع الرحمن  
ایبٹ آباد

صدر داد ولہ فضل داد  
پورا تحصیل و ضلع ایبٹ آباد

123  
72

OFFICE OF THE  
DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD

Phone &amp; Fax No. 0992-9310296

No. 3201-02/ADFH

Dated 03 /11/2017

To,

The Director Food,  
Khyber Pakhtun Khwa,  
Peshawar.

Subject: - CONDUCTING OF FORMAL ENQUIRY.

DF	
DD	ESH
Diary No	7618
Dated	09-11-17

Memo:-

DDFCA201  
e.g. Through discuss4  
DF

In continuation of this letter No.2865/ADFH dated 11/10/2017.

In this connection it is submitted that on the application submitted by Sana Yousaf (FGS) Office of the District Food Controller Abbottabad, The District Food Controller Abbottabad and Assistant Food Controller HQ Abbottabad was appointed as a Enquiry Officer vide this office letter No.2862-63/ET-02(ADFH) Dated 10/10/2017 to giving their report of facts & finding of the instant case, therefore the enquiry Officers has conducted the enquiry against Mr. Bilal Chowkidar of the undersigned office. During the enquiry proceeding the written statements of all concerned have been taken by the enquiry officers which are enclosed and facts and finding of enquiry report showed that applications submitted by Mr. Arshad Farooq Khan Assistant & Bilal Chowkidar of this office are based on the facts and accordingly been acknowledges by the enquiry officers in their facts and finding report (Copies enclosed).

Although Sana Yousaf FGS office of the District Food Controller Abbottabad has been transferred by the Food Directorate KPK Peshawar vide office order No.4249/ET-378 dated 26/10/2017 to the office of the District Food Controller Haripur & already relieved by the District Food Controller Abbottabad vide his relieving order No.3171-75/ET-69(AD) dated 31/10/2017. Therefore action on the recommendation of enquiry committee has already been taken by the Food Directorate KPK Peshawar through above cited office order & concerned chowkidar has also been transferred to PRC Havelian on the requisite recommendation of enquiry committee and as such action regarding dispersed of both official from Abbottabad offices has completed. It is further verified through conducting of enquiry report she slipped to Mr. Bilal Chowkidar in the undersigned office on dated 11/10/2017, the report already submitted in this regard through above cited letter of the undersigned office is self explanatory.

However she also submitted the other application directly to the undersigned office & she was directed vide this office letter No.3068-70/ADFH dated 30/10/2017 to submit her application through proper channel instead of direct approaching to the undersigned office (Copy enclosed).

Moreover she is trying to makes it's controversial through different means. All the facts explained by her applications are not tallied with each other and also the report submitted by staff against her as well as finding of enquiry report reveals that application received by her side are not based on facts.

It is therefore requested that all the related documents of enquiry reports conducted by the enquiry officers are sending herewith for favour of further necessary action and advice please.

Encl (19) ~~only~~ *only*

DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD

Copy is forwarded to:-

1. P.S to Secretary Food KPK Peshawar for information please.

124 73

Facts finding committee was constituted in the instant case comprising of the District Food Controller and Assistant Food Controller Head Quarters Abbottabad to probe into the matter and dig out the facts .

Facts of the case are as under:

Sana Yousaf the Food Grain Supervisor filed an application with the District Food Controller Abbottabad against Mr. Bilal Chowkidar in which she leveled allegations that Bilal is leaking information about her location and activities to an alien named Nadeem the driver with whom she used to go to school before entry to government service .The application was forwarded to the Divisional Assistant Director Food Hazara, in response of which inquiry committee was constituted.

Miss SANA YOUSAF FGS submitted her statement to the inquiry team in which she acknowledges that she had know how with that driver as well as she also reported that she had slapped Mr. Bilal.

Statement of driver Nadeem is quite elaborate where he eloquently reports that he came in the office to meet Sana Yousaf which was the only intention of his presence here. Sardar She Dil the signatory of that statement is also member of negotiations committee which solved their previous dispute at police station.

Statement of Mr. MOHIBULLA Junior Clerk of the Assistant Director Food Office is also enclosed which testifies all this incident of manhandling the class IV Chowkidar .

ARSHAD FAROOQ KHAN Assistant Office of the Divisional Assistant Director Food also submitted his statement to the inquiry team.

Personal hearings of all those involved in one form or the other were conducted and written statements were produced as per provisions and procedure of relevant rules.

Following conclusion/findings were made:  
Miss Sana Yousaf FGS in her statement clearly reveals that she was well acquainted with that person secondly that driver nadeem also in his written statement says that he was here to meet Sana when sana Yousaf fgs filed the complaint about bilal she was ensured of proper inquiry to redress her grievance but on the next day she willfully herself took the matter in her hand and slapped mr bilal Chowkidar ,which provoked serious agitation among the class IV staff. This sort of attitude is intolerable for official decorum and discipline of any office which is a threat to over all law and order situation .

Recommendations:  
The inquiry team is of the view that both FGS sana Yousaf and Chowkidar Bilal shall be dispersed from this office in order to avoid further conflict, please.

  
ASSISTANT FOOD CONTROLLER H/O  
ABBOTTABAD

  
DISTRICT FOOD CONTROLLER  
ABBOTTABAD

(FC  
an  
off  
of  
Ch  
ali  
of  
Bil  
en  
tra  
26  
Fo  
Th  
Fo  
al  
an  
co  
Ch  
re  
sh  
ap  
fo  
ex  
sta  
sid  
the  
ple  
nc

12/10/17

آج عورت 11-10-17 کو میں اپنے دفتر قعدا کے کچن میں

قعدا کے اسی اتنا میں ارشد صاحب آفس اسٹنٹ نے آواز دیا کہ

میں اس کمرے میں آیا اور دیکھا کہ فریم ٹاء بوسٹ ڈوٹ کمرے

میں اور دیکھے ہیں سیرانا یو جیا اور آگ بگولہ ہو کر چھو پیر کھڑوا

کی تلاش شروع کر دی۔ اور ساڈ ہی جیسے رازیا گالیاں دینے

شروع کر دی۔ حالانکہ اگلے روز 17-10-17 کو ناظم ملک پورہ

کا موجودگی میں میرے اور جو پرائیویٹ ڈرائیور ناظم پورہ

نے دوپہر آٹ جناب اور آفس سٹاف کے سامنے جو رواد سے

وہ سب کے سامنے عیاں کر دیے۔ جس میں اس نے واضح طور پر

اگرچہ بلال سے ٹیٹے کوئی عشق / اطلاع نہیں دی اور نہ اس

سارے معاملے سے بلال نے خبر ہے اور اس کا کوئی تعلق نہیں ہے اور

سارے معاملے سے۔ اور اس سارے واقع سے یہ بات صاف طور

پر بلال سے ہے کہ اس بات سے سیرا کوئی تعلق نہیں اور نہ

قعدا بوسٹ ڈوٹ کمرے میں اپنے ذاتی معاملے میں مجھے کوئی

بلال غولیداد

اے۔ ڈی ایٹ آفس

24-10-17

24/10/17





12/1/17

WRITTEN STATEMENT BEFORE THE ENQUIRY OFFICER, S

It is submitted that the superintendent of this office has directed to that office order regarding conducting of enquiry against Bilal Chowkidar issued by ADFH Office be delivered to concerned enquiry Officer's through Dak Bai after interning the said letter, therefore I was sitting in my Office for doing the need full but suddenly Sana Yousaf FGS entered my Office and asked/ enquired where is Bilal Chowkidar, therefore I called to Bilal Chowkidar who was in kitchen of the Office and then Mr. Bilal Chowkidar comes in my Office, the above FGS Sana Yousaf call to Bilal Chowkidar and rant in my Office after on the enquiry documents relating to her and directly slap on the face of Bilal Chowkidar and also using abuse language for Bilal Chowkidar. Therefore I told her to my Office but she stated that this Office is not property of your father. In the same time Mr. Junaid Tahir Assistant of DFC Office Abbottabad was talking with her in my room and the undersigned have directed to both officials to out my Office to avoid disturbance in the Office. This situation / mishaps were occurred in the presence of Mr. Mohibullah junior Clerk & Mustafa Javeed Chowkidar & Nasir Khan Chowkidar who was also available in my Office room at that time. I have no personal grudges with any official of the Office as the matter is totally relating to her private affairs with Mr. Nadeem taxi driver of carry Suzuki who was involved in respect of pick and drop for the last (03 years) when she teaching in private school and some personal dispute with the above person was brought to Office and the private person who was also comes in premises of Food Office one day ago to meet her before this mishaps. Therefore the said private person was directed by the Office management to call their guarantor to attend the Office in respect of their guaranty on account of his release from the Office in respect of illegal harassment to her FGS and as such after obtaining written under taking from Mr. Nadeem private person through witness of Sher Dil Tehsil member Malik Pura Abbottabad as well as his Uncle, and then said private person was allowed to go with the premises of the Office copy of written under taking given by him is also available on the Office record. This statement is based on the previous statement given by the undersigned. Moreover I have never concealed the evidence and today on 26-10-2017 written statement given by me is totally based on facts please.

*[Signature]*  
 ASSISTANT DEPUTY COMMISSIONER  
 HAZARA DIVISION ABBOTTABAD  
 26/10/17

Annex - IV

45



GOVERNMENT OF KHYBER PAKHTUNKHWA  
DIRECTORATE, OF FOOD  
PESHAWAR.

No 4249 /ET-378

Dated Peshawar, the 26 /October, 2017

**OFFICE ORDER**

The following postings / transfers of Foodgrain Supervisors are hereby ordered with immediate effect in the public interest.

S.No	Name of Official	From	To
1.	Mr. Mauzzam Ali FGS	DFC office Haripur	DFC Office Abbottabad
2.	Miss. Sana Yousaf FGS	DFC Office Abbottabad	DFC office Haripur

**DIRECTOR FOOD  
KHYBER PAKHTUNKHWA  
PESHAWAR.**

**Endorsement No & Dates Even**

Copy for information to:-

1. PS to Minister Food Khyber Pakhtunkhwa.
2. PS to Secretary Food Khyber Pakhtunkhwa
3. The District Accounts Officers Haripur and Abbottabad.
4. The Assistant Directors Food Hazara Division with reference to his letter No. 2865/(HDFH) dated 11-10-2017 as well his verbal request for transfer of the official from Abbottabad to Haripur. He is further directed to afford opportunity of proper counselling to the official and keep close watch on her official duties / responsibilities.
5. The District Food Controllers Abbottabad & Haripur.
6. Officials concerned.
7. Personal File.

**DIRECTOR FOOD  
KHYBER PAKHTUNKHWA  
PESHAWAR.**

Amesbury

Assistant Director Forest,

Haverhill Division,

Abbeottabad.

Subject: Application under right to information act to provide copies of all documents related to my case and included

To, 11 October 2017

It is requested to provide me all documents related with including the statement of Dr. B. B. Choudhary, arrested, forced as information called by DFC, my application order of enquiry, inquiry, order of your office and regarding my appeal which was concerned on my office. It is my right to get all information as it is dealing with me at your office.

Sincerely,  
Santosh Kumar  
Santosh Kumar

30<sup>th</sup> Oct, 2017



110  
68

OFFICE OF THE  
DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD  
Phone & Fax No. 0992-9310296  
No. 3068-70 / (ADFH)  
Dated 30 / 10/2017.

To,

Miss Sana Yousaf,  
Foodgrain Supervisor,  
DFc Office Abbottabad.

DF	
POESH	
7472	
Dated	6-11-17

**Subject: - APPLICATION UNDER RIGHT TO INFORMATION ACT TO PROVIDE COPIES OF ALL DOCUMENTS RELEATED TO MY CASE AND INCIDENT OF 10/11/2017.**

Memo:-


Reference to your application on dated 30/10/2017.

In this connection it is stated that each and every official of Food Deptt should submit their application to higher forum dully routed from the concerned office under which they are employed, therefore being employee of District Food Controller Office Abbottabad it was required to submit your application through proper channel and your written statement given and received in this office through courier has also not on proper manner & same was required to its submission in this regard directly to enquiry officers already appointed in this case and your previous application submitted to undersigned office has already been sent to enquiry officers for examination and finding the facts of application, therefore in future all such like your applications or written statements routed through proper channel.

DIVISIONAL ASSISTANT DIRECTOR FOOD  
HAZARA DIVISION ABBOTTABAD

Copy Is Forwarded to:-

1. The Director Food KPK Peshawar for information please.
2. The District Food Controller Abbottabad for information with the direction that enquiry report already entrusted to you should be finalized & submitted in this office to proceed further in the matter please.

  
DIVISIONAL ASSISTANT DIRECTOR FOOD

Annex - VI

143



GOVERNMENT OF KHYBER PAKHTUNKHWA,  
DIRECTORATE OF FOOD  
PESHAWAR

No. 5065 /PF-1382

Dated 05/12/2017

To

The Assistant Director Food  
Hazara Division at Abbottabad.

Subject: - **APPEAL FOR CANCELLATION OF TRANSFER ORDER NO. 4249/ET-378 DATED 26-10-2017**

Memo:-

Reference appeal of Miss Sana Yousaf, Foodgrain Supervisor dated 17-10-2017 and your letter Nos.2865/(ADFH) dated 11-10-2017, No. 3068-70/(ADFH) dated 30-10-2017 and No. 3201-02/(ADFH) dated 03-11-2017, on the subject noted above.

2. On appeal of Miss Sana Yousaf, FGS against her transfer order from DFC office Abbottabad to DFC office Haripur, the Secretary Food Khyber Pakhtunkhwa recorded the following remarks:-

"In view of administrative grounds explained above for transfer of the official, her appeal is rejected. However, being female (single) Director Food may subsequently, after compliance of the official with present order, consider her posting in her district of domicile, or nearest station in the adjacent district".

3. In view of the above, the official may be directed to immediate report for duty in the office of DFC Haripur under intimation to this Directorate.

  
DEPUTY DIRECTOR FOOD (E)  
KHYBER PAKHTUN KHWA  
PESHAWAR

**Endorsement No and Even date**

Copy for information to

- 1) The District Food Controllers Haripur and Abbottabad.
- 2) Miss Sana Yousaf, Foodgrain Supervisor with reference to her appeal dated 17-10-2017, she is directed to immediate report for duty in the office of DFC Haripur without further loss of time. In case of failure strict disciplinary action will be initiated against her under the relevant rules.

  
DEPUTY DIRECTOR FOOD (E)  
KHYBER PAKHTUNKHWA  
PESHAWAR



GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
FOOD DEPARTMENT

NO.SOG/FD/1-2/2016-17/Vol-II  
Dated Pesh: the 24-11-2017

144  
38

To

The Director Food,  
Khyber Pakhtunkhwa, Peshawar.

Subject:-

**APPEAL AGAINST TRANSFER ORDER NO.4249/ET-378  
DATED PESHAWAR, THE 26 OCTOBER 2017 AS IT IS  
BASED ON SERIOUS AND GRAVE PERSONAL  
(HUMANITARIAN) GROUNDS, VIOLATION OF FUNDAMENTAL  
HUMAN RIGHTS AND PREMATURE TRANSFER IN  
VIOLATION OF PROVISIONS OF POSTING/TRANSFER  
POLICY OF THE PROVINCIAL GOVERNMENT.**

Dear Sir,

I am directed to enclose herewith an appeal in r/o Miss. Sana  
Yousaf Food Grain Supervisor, District Abbottabad dated 30-10-2017, which  
is self-explanatory in its contents, for your necessary views/action, please

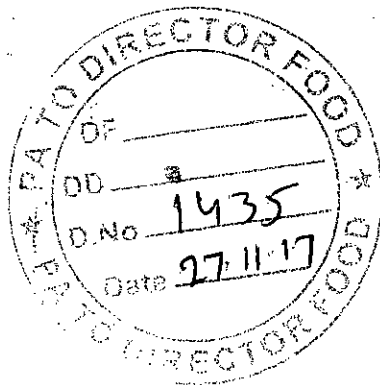
**Encl: as above**

Yours faithfully,

SECTION OFFICER (GENERAL)

**CC:-**

PS to Secretary Food, Khyber Pakhtunkhwa.



Supdt (G)  
28711

DD/Adm & Coordination  
Urgent: put up the  
factual position / views  
V  
DF

1-2  
1-6

10452  
01-11-17  
145  
1

To,

THE SECRETARY FOOD KHYBER PAKHTUNKHWA PESHAWAR

Govt. of Khyber Pakhtunkhwa  
Diary No. 5779  
Dated 02-11-2017  
S.O. Food.

Subject: APPEAL AGAINST TRANSFER ORDER NO.4249/ET-378 DATED PESHAWAR THE 26 OCTOBER 2017 AS IT IS BASED ON SERIOUS AND GRAVE PERSONAL (HUMANITARIAN )GROUNDS,VIOLATION OF FUNDAMENTAL HUMAN RIGHTS AND PREMATURE TRANSFER IN VIOLATION OF PROVISIONS OF POSTING /TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

**FACTUAL POSITION AND TRUE GROUND REALITIES:**

1-I, Sana Yousaf Food Grain Supervisor was appointed in food department as food grain supervisor in bps-7 through Office Order No 864/ET-Appointment of FGS dated 13/03/2017 and posted in Abbottabad.

2-Being an unmarried female, I was posted on my home station i-e the residence of my parents, the district Abbottabad.

3 The original place of duty as per job description of food grain supervisor was at Provincial Reserve Center Havelian but from the very first day of my appointment I was forced to work at district food controller office Abbottabad. barring me from performing and doing my official duty just on the grounds that I was a female and thus was discriminated on the basis of gender and was never posted at that position for which I was recruited by the Provincial Government.

4-The Assistant-Director Food hazara office is in the same premises that is in the premises of district food controller office abbottabad, mr Arshad Farooq was the assistant bps-16 in that office .His son named Arbaz Khan was also competing beside me for the same post in nts exam ,I was successful on merit and thus was appointed but this could not be tolerated by mr Arshad and he did not accept it ever .He kept on torturing me in one form or another, so that I could resign from my services and leave clear way for appointment of his son as he had already

Pls process.

01/11/17

S/c 03.11.17

2/11/2017

Put up after examination  
2/11/17



been in contact with the Minister Food for his placement on waiting list as the Minister Food KPK is elected representative of the same constituency from where Arshad belong. He speculated that I had gained entry by bribing minister and Secretary Food ,he lobbied against me in the office and instigated against me .He kept on derailing me by fair or foul means for which I have recording as he was a frequent visitor ,abusing his position ,to female staff wing, which was not the part of his office ,which can be handed over to you sir as proof. When he acknowledged that I had recorded his conversation .he brain washed the office staff against me and pointed fingers at my character ,severely persecuted and defamed me in the entire department.My explanation was called the matter was settled when I replied in writing,

5-When this person acknowledged that I had his voice recordings got infuriated and started to defame me ,he involved mr bilal chowkidar of his office and some how cultivated relations with a driver who used to pick and drop me, like other school going teachers and students on payment ,when I was a teacher in a school before appointment to this post.

Mr Bilal chowkidar provided him information about my whereabouts ,that driver sent proposal of marriage which was a pre planned move by these three persons and was denied by me and my family, it was shocking for me .Then this driver named Nadeem resident of Pawa Tehsil and district Abbottabad started blackmailing me for severe consequences if I don't accept the Proposal. A complaint was lodged on in the city police station Abbottabad on which police took action a jirga was held in which he gave statement that he will never do it again and vowed on the Quran Sharif ,for which the matter was resolved(copy enclosed of 13/9/2017) .But on 10/10/2017 this person nadeem was already present in the premises of district food controller office Abbottabad .Mr bilal and arshad farooq ,chowkidar and assistant of the office of assistant director food respectively, shielded him and provided him safe passage to penetrate at my work place .There is a separate sitting and working room for the female employees ,I was sitting alone there as afc uzma was in the office of dfc , that person entered into my room , I ran out of the office and went to clerical wing .I was so much terrified that I called my brothers.when my brother reached at the

147  
(3)

spot he was still there, taking refuge in Assistant Director Food office, my brother confronted him, the staff of dfc office intervened and presented him before the assistant director and dfc, we insisted them to get him arrested and hand him over to police but instead of doing so they held a private jirga in the office and provided him safe passage to leave the office premises with his uncle after taking a statement without our consent. (Statement Is Attached As Attachment No. 4 )

6-I submitted an application to the district food controller about mr bilal as he was providing information about me to that driver, an enquiry was constituted to probe into the matter in which DFC and AFC were nominated as inquiry officers. (reference ADFH office letter NO.2862-63/ET-02(ADFH)) dated 10/10/2017.)

7-The very next day that is on 11/10/2017 when I went to assistant director food office to take the copy of statement which was taken by that driver, the same person mr arshad farooq told me that assistant director and superintendent were in mansehra. When I asked about the proceedings he called in mr bilal chowkidar in his office, when he came to the office I asked him about his involvement in the matter he got infuriated, because I already had lodged written complaint against him, and abused me regarding my character and threatened me of severe consequences, held my left arm, as soon as I felt his hand on my arm I slapped him in the face, mr arshad started abusing me we were amidst of heated brawl then head clerk of dfc office came inside and separated us and took me back to the dfc office, these two persons rushed behind me but seeing dfc in the chair just insulted me and threatened me of severe consequences in front of dfc and assistant and then went back to adf office. (mr bilal in his own statement accepts that he had relations with that driver nadeem and he used to entertain him in return of favours at assistant director food office dated 11/10/2017)

8-Arshad assistant and bilal chowkidar wrote their statements contacted with the naeem lodhi the nephew of minister food and rallied his support, as the minister food is elected from the constituency where bilal, nadeem and arshad reside, circle sherwan, they are his voters /supporters and they have very close relations with the minister food and his family members, when the assistant director food

came back,dfc sent me an explanation for which I had to produce reply within 15 minutes under pressure,assistant director forwarded those statements and my explanation to the minister food and director,with his covering letter No.2865/ADFH dated 11/10/17 it can be seen clearly that in the second paragraph ADFH had committed defamation on the enticement of ,bilal & arshad as there statement speak volumes about defamation of my character ,these all documents were based on severe defamation of my character and are self explanatory ,which is clear political influence,abuse of power and position,worst ignorance and lack of Islamic values & defamation.Mr arshad and his company cannot dare to tell Minister food the true facts ,they constructed all that cock and bull story to divert the attention from the main issue the infringement of my fundamental right of security & honour .

9-The divisional assistant director the highest ranking officer in the division should have been impartial and neutral ,he shall have constituted an enquiry to probe the matter ,but he got misguided and committed determined defamation which is clearly evident form his letter No2865/adfh dated 11/10/2017dated which is enclosed here. His office premises and staff was involved in all these acts for which he should have taken action ,but he tempered the facts and forwarded the defamatory letter along with enclosures to the minister food and director food ,which was made the basis for my transfer order for clarification order NO 4249/ET-378 dated 26 october 2017 can be seen in which it is clear that this transfer was not carried out in public interest but under the facts forwarded by adf hazara vide his above cited letter directed to director food No 2865/ADFH dated 11/10/2017 in endorsement No 4 which states that

**"4.THE ASSISTANT DIRECTORS FOOD HAZARA DIVISION WITH REFERENCE TO HIS LETTER NO .2865/(HDFH) DATED 11/10/2017 AS WELL HIS VERBAL REQUEST FOR TRANSFER OF THE OFFICIAL FROM ABBOTTABAD TO HARIPUR .HE IS FURTHER DIRECTED TO AFFORD AN OPPORTUNITY OF PROPER COUNSELING TO THE OFFICIAL AND KEEP CLOSE WATCH ON HER OFFICIAL DUTIES/RESPONSIBILITIES."**

149 (5)

I don't know what report he verbally presented to the director food about my official duties /responsibilities because I was never allowed to work in PRC Havelian as it was my original duty place as per job description .I was forcibly confined to sit in the office of assistant food controller uzma shah what could I learn sitting there as there was no practical experience related to my work.It is very sorrowfully stated that adfh has forwarded wrong reports about me and my characters ,he didn't had revelations but misguided by his own staff members or he only blamed me to protect his office position .

10-I wrote an appeal to the assistant direction to clarify my position and point of view but he was not present in the office for two consecutive days as he was in meeting in Peshawar,as it was getting late I couriered it to ADF office on 17/10/2017 as it was now no go area for me ,the receipt of that courier and appeal it self is enclosed here in which it was clearly requested to initiate inquiry and proceedings about harassment of female and institution of fir against mr.nadeem through official channel as the over all responsibility regarding security of staff is the responsibility of officer incharge.But on the contrary adf inorder to hide the involvement of his staff fabricated the situation and forwarded false and defamatory reports to the concerned quarters .copies are enclosed for reference .I time and again requested adfh to provide me the copies of coordination related to this case as it was my right of defence but he used delaying tactics ,when I filed a written application under right to information act on 30/10/2017 in response he issued order No.3068-70/adfh dated 30/10/2017 which is open violation of write to information law.

11-In response of this coordination I had been transferred from dfc office Abbottabad the place were my partents and I reside to dfc office haripur ,openly violating the provisions of posting and transfer policy of the Government Of Kpk,although this is a premature transfer as my total service in department and present posting was only about nine months and secondly it was based only on severe personal (humanitarian grounds) along with defamation of my character in the entire department.

150/6

12-It is clear case of victimization by transferring only me from duty station without any genuine reason leaving all others involved intact at their positions just in order to put and strengthen their blames on me, without any enquiry about the incident which occurred on 10/10/2017, they did all that just to force me not to raise my voice against the violation of my fundamental rights.

13-All their moves right from the day of my appointment, for forcing me to work at office instead of food grain godown just on the basis that I was a female is contrary to the article 25 of the constitution of Islamic republic of Pakistan dealing with fundamental human rights.

14-They also committed violation of article 27 of constitution of Islamic republic of Pakistan dealing with discrimination in services as they have their own separate criteria contrary to the provincial policy for male and female employees working in government institutions. By excluding me to perform my duties at PRC Havelian the original place of my duty just taking shield of their own narrow minded approach.

15-They have openly defamed me in my entire department verbally and in writing which is a criminal offence, and is clear from the impugned office order NO 4249/TE-378 dated Peshawar 26/10/2017 and letter of ADFH along with enclosure No.2865/(ADFH)11/10/17 which was made the basis of my transfer.

16-

REQUEST:

It is prayed that the impugned transfer order from the Director Food Khyber Pakhtunkhwa No.4249/ET-378 dated 26/10/2017 may please be set aside.

I shall be posted at my proper duty station that is PRC Havelian

Strict administrative/legal action may please be recommended against all those involved in this heinous act.

Inquiry under protection of women at work place act 2010 & anti harassment laws please.

WSI

17- IMMEDIATE RELIEF REQUESTED:

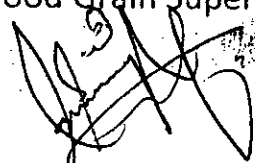
Honourable Sir ! It is appealed that till the decision of this appeal I shall not be disturbed from my present position that is Abbottabad as it is difficult for me to travel to Haripur on daily basis from my home in Abbottabad and as this order is without any law full authority and is violation of fundamental human rights and transfer policy of the provincial government please.

Dated :30/10/2017

Yours Obediently

Sana Yousaf

Food Grain Supervisor



- 1 -

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

**Appeal No.1370/2017**

Miss Sana Yousif

**V E R S U S**

The secretary Food KPK and others

**PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.5 & 7**

*Respectfully Sheweth;*

**PRELIMINARY OBJECTIONS:-**

- i. That the appeal is not maintainable as it is not in proper form.*
- ii. That the appellant is estopped to file the present Appeal.*
- iii. That the appellant had got no locus standi to prefer the appeal against respondents.*
- iv. That the appellant is neither aggrieved person nor she has locus standi to file the instant Appeal.*

- v. *That the appeal is barred by law, hence not maintainable and liable to be dismissed without any further proceedings.*

**ON FACTS:-**

1. Para No.1 is irrelevant, and need no reply.
2. Para No.2 is irrelevant, and need no reply.
3. Para No.3 is correct.
4. Para No.4 is incorrect, false, fictitious, presumptuous, hence denied and further stated for kind perusal that the appellant came to my office and not only used 'harsh and abusive language but also strike peon/Chowkidar namely Bilal and being bound by law I reported the matter to the higher authority for information as well as legal action and it pertinent to be mentioned here that respondent No.7 do not have any personal grudge with the appellant and the appellant is the just malign the responded No.7 to get relief



from this Honourable Tribunal. (***Copy of complaint annexed as Annexure "A"***)

4. Para No.4A is not related with respondent No.5 and 7, need no reply.
5. Para No.5 is not related with respondent No.5 and 7, need no reply.
6. Para No.6 is not related with respondent No.5 and 7, need no reply.
7. Para No.7 is not related with respondent No.5 and 7, need no reply.
8. Para No.8 is not related with respondent No.5 and 7, need no reply.
9. Para No.9 is not related with respondent No.5 and 7, need no reply.

**ON GROUNDS:-**

*To the extent of ground respondent No.1 To 6 have already given reply.*

***In view of the above, it is therefore, humbly prayed that the instant appeal being frivolous and devoid of cogent and***

convincing stand-point may very  
graciously be dismissed with costs,  
please.



...RESPONDENTS No.5  
(MAUZZAM ALI)



...RESPONDENTS No.7  
(MR.ARASHAD FAROOQ KHAN)

15-1-2018

Through:



(HAIBET KHAN)

Advocate High court, Abbottabad.

Dated:- 15/1 /2018

**VERIFICATION:-**

It is verified that the contents of the instant **Comments / Reply** are true and correct to the best of my knowledge and belief and that nothing have been concealed from this Honourable Tribunal.

Dated:- 15/1 /2018

...RESPONDENTS

113

The Divisional Assistant Director Food,  
Hazara Division Abbottabad.

**Subject:- APPLICATION / COMPLAINT AGAINST MRS. SANA YOUSAF FGS DFC  
OFFICE ABBOTTABAD.**

**F.Sir:-**

Most respectfully I beg to submit that I was setting in the office alongwith other office staff members today on 11/10/2017 at 10:00 A.M but suddenly Mrs. Sana Yousaf FGS DFC Office Abbottabad who were absent from duty since last two months has entered into my office today and directly using bad language for me and also hitting physically to Mr. Bilal Chowkidar of this office & slap his face without cogent reason for which her was directed to stop this attitude & go out from office, therefore on this resistance, the said female once again strike me for using abuse language in the presence of Mr. Junaid Tahir Khan Office Assistant of District Food Controller Office Abbottabad who will company with her as the entire situation was occurred in the presence of office staff for which they are witness. At that time your goodself as well as Office Superintendent was engaged with DFC Mansehra for inspection of their office.

The above supervisor has already involved in private matters for which the enquiry in this respect has already been lodged vide your office letter No. 2862-63/ET-02(ADFH) dated 10/10/2017 & in this case District Food Controller Abbottabad & Assistant Food Controller HQ Abbottabad are appointed enquiry officer, therefore on this reason she has stroked me and entered the office with prior permission of the District food Controller Abbottabad & concerned Assistant Food Controller HQ Abbottabad, which clearly shows that she strike me through pre-planned & also the attitude of her is totally against the office rules/regulations.

It is therefore requested that necessary action against all concerned may kindly be taken please.

*Arshad Farooq Khan*  
(Arshad Farooq Khan)  
OFFICE ASSISTANT  
DADF OFFICE ABBOTTABAD

11/10/2017

*Supdt / Asstt*  
*write down to DF Peshawar*  
*alongwith all details &*  
*Previous record for conducting*  
*Dr*

*formed*

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

No 668 /ST

Dated 30 /03/2018


To

The Director Food,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: **ORDER/JUDGEMENT IN APPEAL NO. 1370/2017, MST. SANA YOUSAF.**

I am directed to forward herewith a certified copy of Judgment/Order dated 21/03/2018 passed by this Tribunal on the above subject for strict compliance.

**Encl: As above**

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.

*oll*