

Appeal No. 1511/2013

13.08.2018

Ali-ur-Rehman vs Govt

Appellant Ali Ur Rehman in person alongwith Mr. Yasir Saleem, Advocate present. Mr. Muhammad Jan, Deputy District Attorney for respondents present.

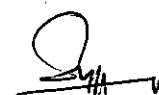
The appellant is aggrieved from the impugned order dated 12.07.2013 wherein he was relieved from additional charge of Dy: Project Director, (FDRD) Irrigation Department, Peshawar with immediate effect on the ground of "misconduct" as conveyed verbally by Director General, (FDRD) Irrigation Department Peshawar. Now the appellant did not stress the remaining prayer. He contended that the addition of word "misconduct" in the impugned order was neither based on solid grounds nor any departmental enquiry was conducted rather it was the result of personal grudge of the respondents. He straightway requested that if the word "misconduct" deleted from the impugned order, he would not press the remaining prayer of the appeal. This contention was opposed by the learned Deputy District Attorney.

From the record, available before this Tribunal, one thing is clear rather proved from the impugned notification dated 12.07.2013 that on verbal complaint of D.G (FDRD), the word "misconduct" was mentioned, but there is nothing on record to support this charge of misconduct nor it was proved in any disciplinary proceedings. In the above stated scenario of the case, the request of the learned counsel for the appellant is not only forceful but fully supported from the available record and certainly need interference of this Tribunal under its appellate jurisdiction.

As a sequel to the above discussion, the appeal in hand is partly allowed to the extent that the word "misconduct" stands deleted/expunged from the impugned notification dated 12.07.2013. In the circumstances, parties are left to bear their own costs. File be consigned to the record room.


Announced:
13.08.2018



Member

 SW'
Chairman 13-8-2018

14.02.2018

Agent to counsel for the appellant and Mr. Muhammad Jan, learned DDA for the respondents present. Due to general strike of the bar, the case is adjourned. To come up for arguments on 13.04.2018 before D.B.


(Ahmad Hassan)
Member(E)


(M. Hamid Mughal)
Member(J)

13.04.2018


None for the appellant present. Addl: AG for respondents present. Adjourned. To come up for ~~present~~^{arguments} on 02.07.2018 before D.B.



(Ahmad Hassan)
Member

(M. Hamid Mughal)
Member

02.07.2018

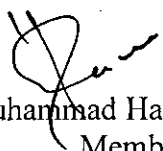
Counsel for the appellant and Addl: AG for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 13.08.2018 before D.B.


(Ahmad Hassan)
Member


(M. Amin Khan Kundi)
Member


06.09.2017


Clerk of the counsel for appellant present. Mr. Usman Ghani, District Attorney for respondents present. Arguments could not be heard due to incomplete bench. To come up for arguments on 29.09.2017 before D.B.


(Muhammad Hamid Mughal)
Member

29.09.2017

Appellant with counsel present. Mr. Ziaullah, Deputy District Attorney for the respondents also present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 10.11.2017 before D.B.



(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

10.11.2017

Junior counsel for the appellant present. Mr. Ziaullah, Deputy District Attorney for the respondents also present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Adjourned. To come up for arguments on 12.12.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

12.12.2017

Clerk of counsel for the appellant and Mr. Kabeerullah Khattak, Addl. AG for the respondents present. Due to general strike of the bar, counsel for the appellant is not in attendance. To come up for arguments on 14.02.2018 before the D.B.

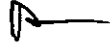

Member



Chairman

26.08.2016

Agent to counsel for the appellant and Mr. Abdur Razaq, Assistant alongwith Mr. Muhammad Jan, GP for respondents present. Due to non-availability of learned counsel for the appellant case is adjourned for arguments to

29.12.16 before D.B.


Member


Member

29.12.2016 :

Clerk to counsel for the appellant and Shams, Assistant alongwith Addl. AG for respondents present. Arguments could not be heard due to incomplete bench. Case adjourned to 15.05.2017 for arguments before D.B.


Chairman

15.05.2017

Clerk of the counsel for appellant and Mr. Shams Khan, Assistant alongwith Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Clerk of the counsel for appellant requested for adjournment. Adjourned for arguments to 06.09.2017 before D.B.


(GUL ZEB KHAN)
MEMBER



(MUHAMMAD AMIN KHAN KUNDI)
MEMBER


17.06.2015

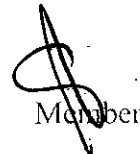
Counsel for the appellant and Mr. Abdur Razaq, Assistant for respondents No. 1 & 2 with Asst: AG for the respondents present. Rejoinder not submitted. To come up for arguments on 04.12.2015. Rejoinder, if any, in the meantime.


Member

04.12.2015

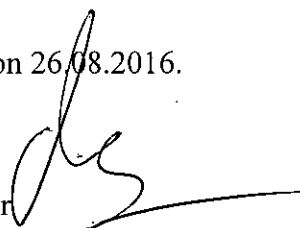
 Clerk to counsel for the appellant and Mr. Abdur Razaq, Assitant alongwith Mr. Ziaullah, GP for respondents present. Clerk to counsel for the appellant requested for adjournment. Therefore, the case is adjourned to 3.5.16 for arguments.


Member


Member

03.05.2016

Appellant with counsel Mr. Ziaullah, GP for respondents present. Arguments could not be heard due to paucity of time. To come up for the same on 26.08.2016.


Member


Member

05.08.2014

Counsel for the appellant (Mr. Sajid Amin, Advocate) and Mr. Muhammad Jan, GP with Shamsud Din, Assistant for the respondents present and requested for time. To come up for written reply on 28.10.2014.


MEMBER

28.10.2014

Junior to counsel for the appellant and Mr. Muhammad Jan, GP with Shamsud Din, Assistant for the respondents present and reply filed. Copy handed over to junior to counsel for the appellant. To come up for rejoinder on 29.12.2014.


MEMBER

29.12.2014

Clerk to counsel for the appellant and Mr. Muhammad Jan, GP with Shamsud Din, Assistant for the respondents present. The Tribunal is incomplete. To come up for the same on 05.3.2015.


MEMBER

05.3.2015

Counsel for the appellant present and Addl. AG with Shamsud Din, Assistant for the respondents present. Counsel for the appellant needs time to file rejoinder. To come up for the same on 17.6.2015.


MEMBER

Appeal No. 1511/2013.
Mr. Ali-Ul-Rehman

13.05.2014

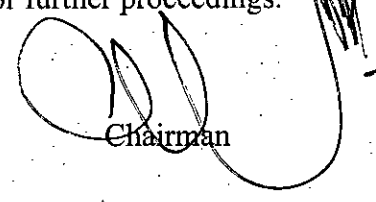
Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Preliminary arguments heard and case file perused. The instant appeal has been filed by the appellant against the order dated 12.07.2013 and prayed that the same be set aside and the order dated 28.01.2011 and order dated 11.04.2011, be restored and the appellant to continue his duties as Deputy Project Director(FDRD) Irrigation Department and that the baseless and unfounded charge of misconduct leveled expunged/set aside. Counsel for the appellant stated that the departmental appeal has been filed against the original order dated 12.07.2013 which has not been responded within the statutory period of 90 days, hence the instant appeal on 13.11.2013. He further stated that the appellant has not been treated in accordance with law/rules.

The learned Government Pleader while assisting the Tribunal was of the view that the original order basically relate to relieving of the appellant from the additional charge. Additional charge is not a vested right and can be withdrawn in time hence there is no violation and the appellant has got no cause of action regarding posting and transfer under Section-10 of the Khyber Pakhunkhwa Civil Servant Act 1973 is quit clear. Moreover the appeal is bad by non-joinder of necessary parties, hence not sustainable.

Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents. To come up for written reply/comments on 05.08.2014.


Member

This case be put before the Final Bench TS for further proceedings.


Chairman

13.05.2014

*Appellant deposited
Process fee & Security
Rs. 2000/- Bank Receipt
attached with file*

9.

7.

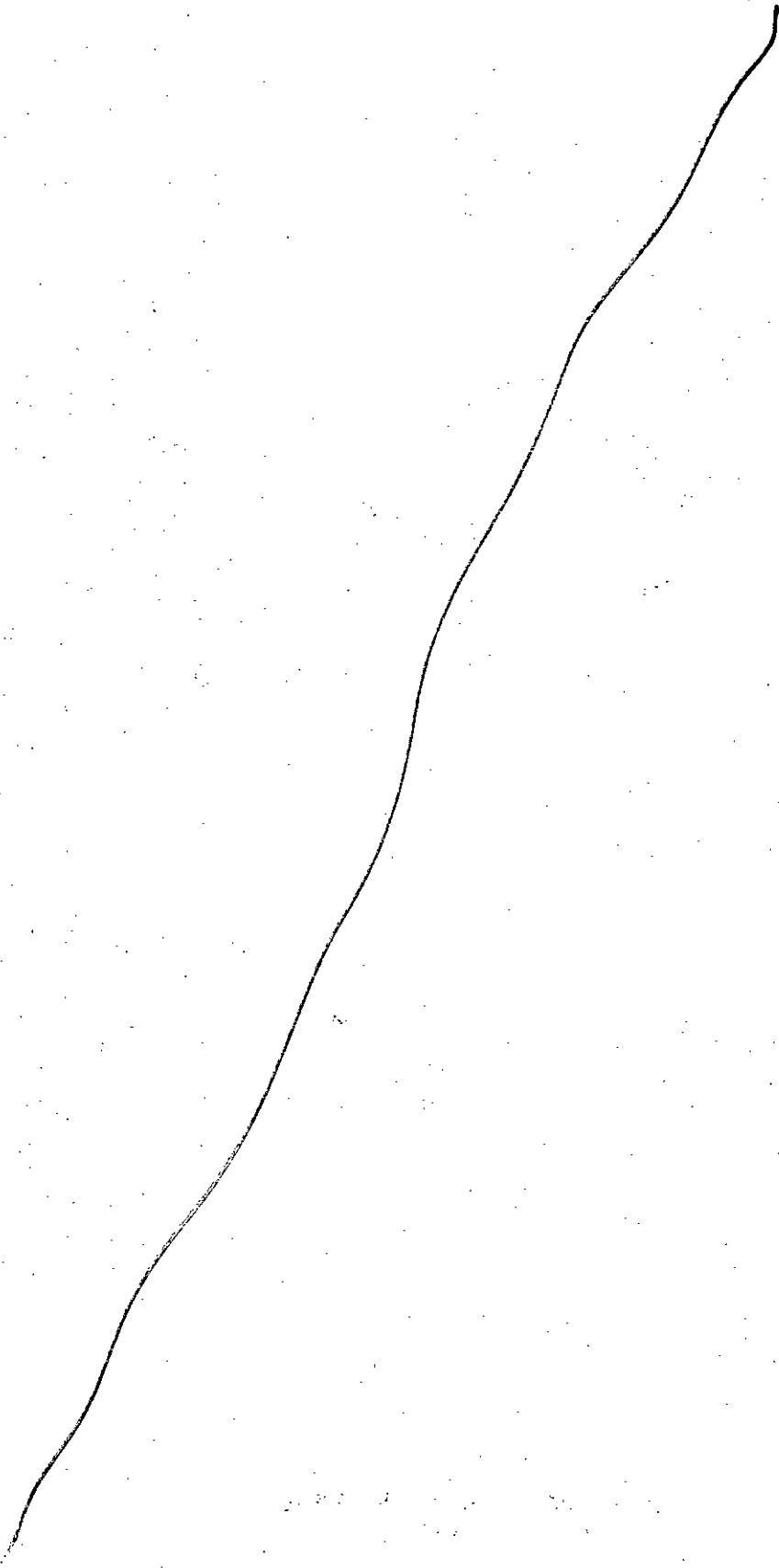
9.04.2014

Counsel for the appellant and Mr. Ziaullah, GP for the respondents present. The learned counsel for the appellant requested for adjournment. To come up for preliminary hearing on 13.05.2014.



Member

c



3.

17.01.2014

Counsel for the appellant present. Pre-admission notice be issued to the learned Government Pleader to assist the Tribunal for preliminary hearing on 11.02.2014


Member

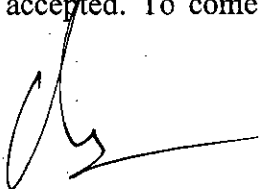
4.
11.02.2014

Appellant with Counsel and Mr. Zia Ullah, GP for the respondents present. Preliminary arguments to some extent heard. The learned counsel for the appellant requested for time. To come up for further preliminary hearing on 25.02..2014.


Member


5.
25.02.2014

Counsel for the appellant and Mr. Muhammad Jan, GP for the respondent present. Counsel for the appellant requested for time for preliminary arguments. Request accepted. To come up for preliminary hearing on 27.02.2014.


Member

6.
27.02.2014



Appellant with counsel and Mr. Zia Ullah, GP for the respondents present. Preliminary arguments partly heard. The learned counsel for the appellant requested for adjournment. To come up for preliminary hearing on 09.04.2014


Member

Form A
FORM OF ORDER SHEET

Court of _____

Case No. 1511/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	13/11/2013	<p>The appeal of Mr. Ali-ur-Rehman presented today by Mr. Ijaz Anwar Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	19-11-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>17-1-2014</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE THE KHYBER PAKHTUNKWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No. 1511 /2013

Ali-ur-Rehman Assistant Engineer (Leave Reserve) Office of the
Chief Engineer (South) Irrigation Department Warsak Road
Peshawar.

Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary Khyber
Pakhtunkhwa, Peshawar and others.


Respondents

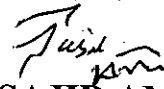
INDEX

<i>S. No</i>	<i>Description of Documents</i>	<i>Annexure</i>	<i>Page No</i>
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3	Copies of the withdrawal Order of vehicle and other correspondence	B	13-19
4	Explanations and other relevant correspondence	C	20-64
5	Transfer order dated 12.07.2013	D	65-
6	Departmental Appeal	E	66-70
7	Vakalatnama		


Appellant

Through


IJAZ ANWAR
Advocate, Peshawar
&


SAJID AMIN
Advocate, Peshawar

**BEFORE THE KHYBER PAKHTUNKWA
SERVICE TRIBUNAL PESHAWAR**

Appeal No. 1511/2013

WJ Peshawar
No. 1559
Dated 13-11-13

Ali-ur-Rehman Assistant Engineer (Leave Reserve) Office of the Chief Engineer (South) Irrigation Department Warsak Road Peshawar.

Appellant

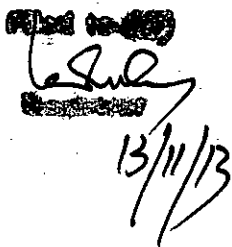
VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar
2. Secretary Irrigation Department, Khyber Pakhtunkhwa Peshawar.
3. Director General Flood Damages Restoration Directorate Irrigation Department Bungalow No 2, Canal Bank Road, near Abpara Market, behind University Town, Peshawar.

Respondents

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the Notification No SOE/IIRI/4-9/2010 dated 12.07.2013, whereby the appellant has been relieved of his duties as Deputy Project Director-1 Flood Damages Restoration Directorate Irrigation Department, and posted as Assistant Engineer (Leave Reserve) Peshawar Canals Division Peshawar, against which his Departmental Appeal dated 29.07.2013 has not been responded despite the lapse of statutory period.

Prayer in Appeal;


13/11/13

On acceptance of this appeal the impugned order dated 12.07.2013 may please be set aside and the orders dated 28.01.2011 and subsequently modified Order dated 11.04.2011, may be restored and the appellant be allowed to continue his duties as Deputy Project Director (FDRD) Irrigation Department Peshawar and the baseless and unfounded charge of misconduct leveled against the appellant may also be expunged / set aside.

Respectfully Submitted:

1. That the Appellant was directly appointed as Sub- Engineer BPS-11 in accordance with the Khyber Pakhtunkhwa Irrigation & Public Health Engineering Department (Recruitment & Appointment) Rules, 1979. The appellant was holding the qualification of DAE at the time of his appointment and improved his qualification and passed B.Sc Engineering during service, accordingly he was given promotion to the post of Assistant Engineer BPS-17 with in the quota of 10% reserved for B.Sc Engineers.
2. That the Appellant further improved his qualification and passed M.Sc Engineering from the then NWFP (now Khyber Pakhtunkhwa) University of Engineering & Technology Peshawar. It is pertinent to point out here that there are very few Officers who have such a higher qualification of M.Sc Engineering in the Irrigation Department.
3. That the Appellant during the course of his service performed his duties with zeal and dedication, he remained upright, have a clean service record, never indulged himself in corruption or corrupt practices nor allowed any extraneous influence either from the high ups nor from outsiders. He remained posted at different stations and on different posts as and when assigned any responsibilities he complied with the posting orders considering it to be in exigencies of service.
4. That after the *Devastating Floods* of 2010 which hit different parts of this Province, it was felt essential to establish a separate Directorate in the Irrigation Department. The Provincial Govt thus created Flood Damages Restoration Directorate (FDRD) vide notification dated *05.08.2010* within the Irrigation Department. Similarly a structure as well as TOR was also notified vide notification of the even date. On the Establishment of the new Directorate, the Chief Secretary Khyber Pakhtunkhwa posted the Appellant as Assistant Director Flood Damages Restoration Directorate vide notification dated *05.08.2010*. The Appellant performed his duties to the best of his ability and tried his leveled best to coup with the emergency situation where his services were required. The Appellant was posted as Deputy Project Director FDRD vide notification dated *28.01.2011* and dated *11.04.2011* and was attached with Peshawar Canals Division for salary purpose. (Copies of the Orders are attached as Annexure A).

5. That ever since his posting the Appellant was running the affairs in the Directorate smoothly and without any complaint whatsoever from any quarter. Unfortunately Mr. Muhammad Naeem Khan, Director General FDRD was transferred and Respondent No 3 took over the charge of the post of Director General FDRD on 14.05.2013. Hardly after 3 / 4 days of his posting he called the Appellant to his office and directed him that he shall collect 2% commission in the developmental works from contractors, while 1.5% in the consultancies. The appellant straight away refused and rejected such illegal demand and told him that during his entire service he never supported such illegal practice thus it is impossible. The appellant was however, threatened of dire consequences. The appellant thereafter went to his Project Director Nasir Ghafoor Khan and informed him about the demand of the Director General, who also condemned this act and supported the view point of appellant. After a week AD-II FDRD Mr. Muhammad Younas was called by the Respondent no 3 and put forward the same demands who also expressed his inability to accede to his demands, *he than openly told "you people might be honest but I am not, I need money at all cost"*. In this regard an inquiry was ordered by Secretary Irrigation vide Notification No SOE / IIRI / 4-9 / 2010 / FDRD dated 31.07.2013, the competent authority directed the inquiry committee for submission of its report in the matter within 07 days, which stands expired on 07.08.2013, but the appellant is not yet informed of the findings.
6. That again Respondent No. 3 on 27.06.2013 directed the appellant for arranging of some amount to purchase new tyres to please some official in the Ministry who was having the Vehicle of the Irrigation Department. This time again the appellant showed his inability to succumb to such illegal demands. Other Officers of FDRD were also contacted later on who also refused.
7. That after this happening the appellant became mindful that the Respondent No 3 will now try to spoil the service career on lame excuses as he has openly threatened. In the first instance the official vehicle allotted to the appellant was withdrawn vide Office Order dated 28.06.2013, alleging winding up of the FDRD Project, though non others were deprived of their official vehicle nor there is any such winding up of the FDRD in the official correspondence. It is pertinent to mention here that he himself was holding two official vehicles in violation of rules and law. Which was pointed out by the appellant in his departmental appeal dated 29.07.2013. The Respondent No 3 surrendered one out of the two vehicles, No AA-1756 vide letter No 1476-

77/1-T/KRC/RWCP, dated 23.08.2013. (Copies of the withdrawal Order of vehicle and other correspondence are attached as Annexure B).

8. That in this continuation certain directions were issued to the appellant which were never related to the ambit of Directorate (FDRD) nor relatable to his duties/post, The appellant showed his no concern with the same with the understanding the Director General being recently transferred might not be aware of the details of duties assigned to FDRD. This was made a base for taking action against the appellant. (Copies of the explanations and other relevant correspondence are attached as Annexure C).
9. That unfortunately vide notification dated 12.07.2013. The Administrative Secretary of the Irrigation Department without ascertaining the true facts withdrawn the Additional Charge of the post of Deputy Project Director (FDRD) allegedly on account of misconduct on the verbal complaint of the Respondent No 3. The Secretary Irrigation issued the reliving orders of the appellant on the verbal complaint of Respondent No 3 with the ground of misconduct. This would have not happened if the Secretary has asked for his explanation or had given the appellant a five minutes time of personal hearing but he took all one sided decision. In such like cases even a personal servant is also given a chance of hearing but the appellant have been treated worst then personal servant and in no way like a civil servant. (Copy of the transfer order dated 12.07.2013 is attached as Annexure D).
10. That in order to have some thing in Black & White quite illegally after the transfer of the appellant on the same day dated 12.07.2013 the Respondent No 3 issued him explanation letter, which was duly replied by the appellant, clarifying the terms used "that the appellant has no concern with the same". (Reference Annexure 'C' above).
11. That on the transfer of the appellant now the Respondent No 3 is openly telling his subordinates that the same will be the fate of those who can't fulfill his demands.
12. That the Respondent No 3 has made every effort to spoil the bright service career of the appellant, The transfer of the appellant allegedly for misconduct is completely alien to service laws, similarly the term misconduct can be used only when proper proceedings are initiated under the law and charges are proved. Thus all the acts and omission are malafide and due to personal grudges.

13. That all the proceedings conducted against the Appellant were illegal, violative of law, malafide and against the principles of natural justice and were for extraneous reasons and never in the exigencies of service.
14. That in order to ensure job security and not to be punished for trying to become loyal to his duties and defying the illegal orders / demands, the subject transfer order requires your kind interference.
15. That the appellant submitted his Departmental Appeal dated 29.07.2013, however it was not Respondent despite the lapse of 90 days statutory period hence this appeal. (Copy of the Departmental Appeal is attached as Annexure E).

It is, therefore, very humbly prayed that on acceptance of this appeal the impugned order dated 12.07.2013 may please be set aside and the orders dated 28.01.2011 and subsequently modified Order dated 11.04.2011, may be restored and the appellant be allowed to continue his duties as Deputy Project Director (FDRD) Irrigation Department Peshawar and the baseless and unfounded charge of misconduct leveled against the appellant may also be expunged / set aside.

Through

Appellant

Ijaz Anwar
IJAZ ANWAR
Advocate, Peshawar

Sajid Amin
&
SAJID AMIN
Advocate, Peshawar

AFFIDAVIT

I, *Ali-ur-Rehman Assistant Engineer (Leave Reserve) Office of the Chief Engineer (South) Irrigation Department Warsak Road Peshawar*, do hereby solemnly affirm and declare on oath that the contents of the above noted appeal are true and correct and that nothing has been kept back or concealed from this Honourable Tribunal

Identified by:

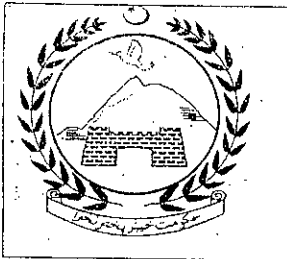
IJAZ ANWAR
Advocate, Peshawar



Deponent

6

ANNEXURE 'A'



GOVERNMENT OF KHYBER PAKHTUNKHWA
 ESTABLISHMENT & ADMIN: DEPARTMENT
 (REGULATION WING)
 Dated Peshawar, the 5th August, 2010

NOTIFICATION.

NO. SO(O&M) /E&AD/2-41/2010. The competent authority, in the backdrop of colossal damages caused to the public infrastructure due to recent floods, and the need for early restoration/ reconstruction, is pleased to approve the creation of the following three **Flood Damages Restoration Directorates** with immediate effect in:-

- (i) Communication & Works Department.
- (ii) Irrigation Department.
- (iii) Public Health Engineering Department.

2. The following will be the activities/ responsibilities of the above directorates, to be carried out under direct supervision of Secretaries concerned:-

- i. To assess damages and undertake rehabilitation work to the damages caused by recent floods by pooling up human resources, on detailment basis. They would have to put in place their own M&E set up.
- ii. To coordinate with their respective Departments and the Provincial Disaster Management Authority (PDMA).
- iii. The detailment orders in pursuance of this notification shall be issued with approval of Chief Secretary.
- iv. The detailed officers shall draw pay from their present places of posting.
- v. The detailed structure of the Directorate, TORs, detailment and further instructions on the subject shall be issued with approval of the Chief Secretary, separately.

4. The ACS P&D shall review performance of the above Directorates periodically.

5. The above arrangement shall remain in existence till further orders.

**CHIEF SECRETARY
 GOVT. OF KHYBER PAKHTUNKHWA**

Endst: No & date even.

Copy to:-

- 1. Additional Chief Secretary, P&D Department, Khyber Pakhtunkhwa.
- 2. Additional Chief Secretary, Home Department, Khyber Pakhtunkhwa.
- 3. Additional Chief Secretary, FATA.
- 4. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
- 5. The Secretary to Governor, Khyber Pakhtunkhwa.
- 6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 7. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 8. All Heads of Attached Departments, Khyber Pakhtunkhwa.
- 9. Director Information, Khyber Pakhtunkhwa.
- 10. Accountant General, Khyber Pakhtunkhwa.
- 11. Registrar Peshawar High Court, Peshawar.
- 12. Registrar Service Tribunal, Khyber Pakhtunkhwa Peshawar.
- 13. Secretary Public Service Commission, Khyber Pakhtunkhwa.
- 14. Private Secretary to Governor, Khyber Pakhtunkhwa.
- 15. Private Secretary to Chief Minister, Khyber Pakhtunkhwa.
- 16. All P.Ss to Provincial Ministers in Khyber Pakhtunkhwa.
- 17. PS to Chief Secretary, Khyber Pakhtunkhwa.
- 18. Controller, Government Printing Press Peshawar.
- 19. The Section Officer (Secret), Establishment Department, Khyber Pakhtunkhwa.

(Signature)
 (JAN SAID)
 SECTION OFFICER (O&M)

ATTESTED
(Signature)



7

**GOVT. OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMN: DEPARTMENT
(REGULATION WING)**

Dated Peshawar, the 5th August, 2010

NOTIFICATION

No. SO(O&M)/E&AD/2-41/2010: In continuation of this Department Notification of even number & date, the competent authority is pleased to approve the following structure and TORs of Flood Damages Restoration Directorate in the Irrigation Department, Khyber Pakhtunkhwa with immediate effect, in the public interest.

Structure

1. Director General
2. Project Director-I
3. Project Director-II
4. Deputy Director (Accounts)
5. Deputy Project Director-I
6. Deputy Project Director-II
7. Deputy Project Director-III
8. Deputy Project Director-IV
9. Assistant Director-I
10. Assistant Director-II
11. Assistant Director-III
12. Assistant Director-IV
13. Audit Officer-I
14. Audit Officer-II

TORs

- i. Assessment of damages.
- ii. Planning for restoration activities.
- iii. Prequalification of Contractors/Consultants.
- iv. Preparation of PC-I and its approval by the competent forum.
- v. Works will be out sourced for detail supervision by the Consultants.
- vi. Tendering of restoration works.
- vii. Monitoring and Top supervision of restoration works.
- viii. Control of payment against work done as verified by the Consultants.
- ix. Ensurance of in time completion of restoration works on fast track basis.
- x. Director General will be entrusted with independent financial and administrative power of Category-I Officer.
- xi. Director General under direct control of the Administrative Secretary of the Department.

**CHIEF SECRETARY
GOVT. OF KHYBER PAKHTUNKHWA**

Endst: No. & Date Even

Copy to:-

1. Additional Chief Secretary, P&D Department, Khyber Pakhtunkhwa.
2. Additional Chief Secretary, Home Department, Khyber Pakhtunkhwa.
3. Additional Chief Secretary, FATA.
4. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
5. The Secretary to Governor, Khyber Pakhtunkhwa.
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. All Heads of Attached Departments, Khyber Pakhtunkhwa.
9. Director Information, Khyber Pakhtunkhwa.
10. Accountant General, Khyber Pakhtunkhwa.
11. Registrar Peshawar High Court, Peshawar.
12. Registrar Service Tribunal, Khyber Pakhtunkhwa Peshawar.
13. Secretary Public Service Commission, Khyber Pakhtunkhwa Peshawar.
14. Private Secretary to Governor, Khyber Pakhtunkhwa.
15. Private Secretary to Chief Minister, Khyber Pakhtunkhwa.
16. All PSs to Provincial Ministers in Khyber Pakhtunkhwa.
17. PS to Chief Secretary, Khyber Pakhtunkhwa.
18. Controller, Government Printing Press Peshawar.
19. The Section Officer (Secrete), Establishment Department, Khyber Pakhtunkhwa.

(Signature)
(JAN SAID)
SECTION OFFICER (O&M)

ATTENDED



8

**GOVT. OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMIN. DEPARTMENT
(REGULATION WING)**

4684 Dated Peshawar, the 16th August, 2010
187872

NOTIFICATION

No. SO(O&M)/E&AD/2-41/2010. In continuation of this Department Notifications of even number dated 05-08-2010, the competent authority is pleased to approve the following Terms of Reference of Flood Damages Restoration Directorate in the Communication & Works Department, Khyber Pakhtunkhwa with immediate effect, in the public interest:-

TORs

- i. Assessment of Damages in Communication and Building Sector.
- ii. Prioritization of Restoration Work to be taken in hand.
- iii. Planning for the restoration activities.
- iv. Hiring of consultants.
- v. Pre-qualification of Contractors.
- vi. Detailed planning, designing, estimation and detailed construction supervision of the damages structure, roads, bridges and building through consultants.
- vii. Preparation of PC-1 and approval from the competent forum.
- viii. Tender processing, bid evaluation and award of contract.
- ix. Monitoring and top supervision of restoration works.
- x. Payment for works verified by the consultants.
- xi. Vetting of the consultants prepared designs through third party, if deemed necessary.
- xii. Ensuring the completion of works on the fast track basis in accordance with the prioritized list.
- xiii. Submission of completion reports.
- xiv. Necessary interaction with the donors on behalf of the provincial government and signing of the Memorandum of Understanding with approval of the provincial government.
- xv. Director General to have full financial and administrative powers as of category 1 officer.
- xvi. Director General shall work directly under the Administrative Secretary.

**CHIEF SECRETARY
GOVT. OF KHYBER PAKHTUNKHWA**

Endst: No. & Date Even

Copy to:-

1. Additional Chief Secretary, P&D Department, Khyber Pakhtunkhwa.
2. Additional Chief Secretary, Home Department, Khyber Pakhtunkhwa
3. Additional Chief Secretary, FATA.
4. All Administrative Secretaries to Govt. of Khyber Pakhtunkhwa.
5. The Secretary to Governor, Khyber Pakhtunkhwa.
6. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
7. All Divisional Commissioners in Khyber Pakhtunkhwa.
8. All Heads of Attached Departments, Khyber Pakhtunkhwa.
9. Director Information, Khyber Pakhtunkhwa.
10. Accountant General, Khyber Pakhtunkhwa.
11. Registrar Peshawar High Court, Peshawar.
12. Registrar Service Tribunal, Khyber Pakhtunkhwa Peshawar.
13. Secretary Public Service Commission, Khyber Pakhtunkhwa Peshawar.
14. Private Secretary to Governor, Khyber Pakhtunkhwa.
15. Private Secretary to Chief Minister, Khyber Pakhtunkhwa.
16. All PSs to Provincial Ministers in Khyber Pakhtunkhwa.
17. PS to Chief Secretary, Khyber Pakhtunkhwa.
18. Controller, Government Printing Press Peshawar.
19. The Section Officer (Secrete), Establishment Department, Khyber Pakhtunkhwa.
20. The Secretary, Communication and Works Department, Khyber Pakhtunkhwa with the request to take up case on TOR No. xv with Finance Department.

(JAN SAIDI)

SECTION OFFICER (O&M)

on 18/8
Secy Irrigation
AS/IST

18/8/2010

RECEIVED



**GOVERNMENT OF
KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT**

Dated Peshawar the 5th August 2010

NOTIFICATION

NO. SO(E-I)/ E&AD/9-232/2010 Consequent upon creation of **Directorate of Flood Damages Restoration, Irrigation Department**, as Notified vide Notification No: SO(O&M)E&AD/2-41/2010 dated 5th August 2010; the Competent Authority is pleased to order the postings/transfers of the following officers of **Irrigation Department**, on detailment basis in the said Directorate, in the public interest, with immediate effect, till further orders:-

S.#	NAME OF OFFICERS	FROM	TO
1.	Engr. Muhammad Naeem Khan	G.M. (Tech.), FATA Dev. Authority	Director General, Directorate of Flood Damages Restoration.
2.	Engr. Nasir Ghafoor Khan	P.D. Rehabilitation Project	Project Director, Directorate of Flood Damages Restoration
3.	Engr. Nasim Goira	Director P&D o/o C.E. Dev.	Project Director, Directorate of Flood Damages Restoration
4.	Engr. Wasim Malik	SDO, Hydrology Abbottabad	Dy. Project Director, Directorate of Flood Damages Restoration.
5.	Egr. Akhtar Rashid	Dy. Project Director, Rehabilitate Project, Irrigation Deptt.	Dy. Project Director, Directorate of Flood Damages Restoration
6.	Engr. Shafiq	XEN, Flood Timergara	Dy. Project Director, Directorate of Flood Damages Restoration
7.	Engr. Rohail Mohsin	Dy. Director Bazai Irrigation	Dy. Project Director, Directorate of Flood Damages Restoration
8.	Engr. Asif Khan	Asstt. Director Rehabilitate Project	Asstt. Director, Directorate of Flood Damages Restoration
9.	Engr. Idrees Khan	Asstt. Director Rehabilitate Project	Asstt. Director, Directorate of Flood Damages Restoration
10.	Engr. Farid Gul	SDO, Small Irrigation Scheme	Asstt. Director, Directorate of Flood Damages Restoration
11.	Engr. Ali Khan	SDO, Swabi Irrigation Division	Asstt. Director, Directorate of Flood Damages Restoration

2. The officers will report immediately to Director General, Directorate of Flood Damages Restoration, Irrigation Department, Peshawar.

**CHIEF SECRETARY,
GOVT. OF KHYBER PAKHTUNKHWA**

Endst. NO. & date even

Copy forwarded to the:-

1. Additional Chief Secretary, P&D/FATA and Home
2. Secretary to Governor, Khyber Pakhtunkhwa
3. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
4. Secretary to Government of Khyber Pakhtunkhwa, Irrigation Deptt: with the request to kindly inform all the officers to ensure their arrival in the said Directorate.
5. D.G. Disaster Management Authority, Peshawar.
6. Commissioner, Peshawar
7. Director General, Directorate of Flood Damages Restoration, Irrigation Department
8. Accountant General, Khyber Pakhtunkhwa
9. PS to Chief Secretary, Khyber Pakhtunkhwa.
10. PS to Secretary Establishment/S.O. (Secret) E&AD
11. Officers concerned
12. Manager, Govt. Printing Press Peshawar


(ZUBAIR AHMAD)
SECTION OFFICER (ESTT. I)

ATTESTED




10

**GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT**

Dated Peshawar the 28th January, 2011.

NOTIFICATION.

No. SOE/IRRI/4-9/2010: The competent authority is pleased to approve the postings/transfers of the following officers of Irrigation Department in the Flood Damages Restoration Directorate Peshawar, on detailment basis, with immediate effect in the public interest:-

S.No.	Name of officers	From	To
1.	Engr. Ali-ur-Rehman, Assistant Engineer (BS-17).	Assistant Director, Flood Damages Restoration Directorate, Peshawar	Deputy Project Director, Flood Damages Restoration Directorate.
2.	Engr. Asad Zaman Khan, Assistant Engineer (BS-17).	XEN F&D Division Peshawar.	Deputy Project Director, Flood Damages Restoration Directorate.
3.	Engr. Muhammad Younas, Assistant Engineer (BS-17)	SDO Mechanical Irrigation Sub-Division Mardan	Assistant Director, Flood Damages Restoration Directorate.
4.	Mr. Sherin Jan, Senior Sub- Engineer (BS-16)	ADE o/o Chief Engineer (Dev), Irrigation Department.	Assistant Director, Flood Damages Restoration Directorate.

Secretary to Govt of Khyber Pakhtunkhwa
Irrigation Department.

Endst: No. & date as above.

Copy of the above is forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Chief Engineer (O&M), Irrigation Department, Peshawar.
3. The Chief Engineer (Dev), Irrigation Department, Peshawar.
4. The Director General, Small Dams Organization, Peshawar.
5. The Director General, Flood Damages Restoration Directorate, Peshawar.
6. The Superintending Engineer, Northern irrigation Circle Mardan.
7. The Superintending Engineer, Flood & Drainage Circle Peshawar.
8. The Superintending Engineer, Central Irrigation Circle Peshawar.
9. The Executive Engineer, Swabi Irrigation Division Swabi.
10. The Executive Engineer, Malakand Irrigation Division Malakand.
11. The Executive Engineer, Flood & Drainage Division Peshawar.
12. PS to Minister for Irrigation Khyber Pakhtunkhwa, Peshawar.
13. PS to Chief Secretary, Khyber Pakhtunkhwa.
14. PS to Secretary, Establishment Department, Peshawar.
15. PS to Secretary, Irrigation Department, Peshawar.
16. Officers concerned.

Seen
Exor

(MISAL KHAN)
Section Officer (Establishment)

ATTENDED



**GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT**

Dated Peshawar the 11th April, 2011

NOTIFICATION.

NO.SO(E)IRR/4-10/77:

The competent authority is pleased to approve the following postings/transfers amongst the officers of Irrigation Department, with immediate effect, in the public interest:-

Sr. No	Name of Officers	FROM	TO	REMARKS
1	Mr. Wasim Malik	SDO Hydrology Abbottabad	Deputy Project Director-II, FDRD	SDO Abbottabad is authorized to look after the duties of SDO Hydrology Abbottabad.
2	Mr. Abdul Rauf	Assistant Director (Design) o/o Chief Engr. (O&M)	Deputy Project Director-III, FDRD	AID O/O Ch. Engr. (O&M) is authorized to look after the duties of Asstt. Director (Design)
3	Mr. Ali-ur-Rehman	SDO Peshur Irrigation S/Division, Swabi	Assistant Engineer BS-17 (Leave Reserve) post in Peshawar Canal Division.	He will continue as Deputy Project Director-IV, FDRD. He will retain his official vehicle for field duties in FDRD.
4	Mr. Muhammad Arif Khan	Assistant Director (Rehabilitation)	AD-I, Flood Damages Restoration Directorate on detailment basis.	Mr. Muhammad Hayat AD is authorized to look after the charge of Assistant Director (Rehabilitation).
5	Mr. Shireen Jan	AID, o/o C.E (Dev)	Assistant Engineer (Leave Reserve) post in Peshawar Canal Division.	The officer will perform the duties of AD-II, FDRD.
6	Mr. Muhammad Younis	SDO (Mech) Mardan.	AD-III, FDRD on detailment basis	SDO work shop Sub-Division Peshawar is authorized to look after the duties of SDO (Mech) Mardan.
7	Mr. Farid Gul	SDO, SIS, Division Peshawar	Assistant Engineer (Leave Reserve) post in Peshawar Canal Division.	The officer will perform the duties of AD-IV, FDRD.
8	Mr. Muhammad Idrees	AD (Rehabilitation)	Assistant Director-V, FDRD	Miss. Iabmda Nosheen, AD (Rehab) will look after the duties of Mr. Muhammad Idrees, AD (Rehab)
9	Mr. Shoukat Hussain Shah	SDO, Gohati, Irrigation Sub-Division, Swabi.	SDO Peshur, Irrigation Sub-Division, Swabi	Vice officer at Sr. No.3 above

SAA
Pl. Prepare
Change Papers
13/4/2011
SAA
Peshawar

ATTESTED

12

GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT

Rukhul Amin	SDO (OPS) Irrigation Sub-Division, Bunair	SDO (OPS) Gohati, Irrigation Sub-Division, Swabi.	Vice officer at Sr. No.9.
Subir Hussain	SDO (OPS) Irrigation Sub-Division Charsadda	SDO (OPS) Irrigation Sub- Division, Bunair	Vice Officer at Sr. No.10.

Secretary Irrigation

o. & Date as above:

Copy of the above is forwarded to:-

- The Accountant General, KPK Peshawar.
- The Chief Engineer (O&M), Irrigation Peshawar.
- The Chief Engineer (Dev), Irrigation Peshawar.
- The Director General, Flood Damages Restoration Directorate Peshawar.
- The Superintending Engineer (HQ) Peshawar.
- The Superintending Engineer, Central Irrigation Circle Peshawar.
- The Superintending Engineer, Flood & Drainage Circle Peshawar.
- The Superintending Engineer, Northern Irrigation Circle Mardan.
- The Superintending Engineer, MIC Swat.
- The Project Director, Rehabilitation for Irrigation System KPK Peshawar.
- The Executive Engineers, Mardan Irrigation Div. Mardan.
- The Executive Engineer, Irrigation Division, Swabi.
- The Executive Engineer, Irrigation Division, Swat.
- The District Accounts Officers, Charsadda, Bunair, Swabi and Swat.
- PS to Minister for Irrigation KPK Peshawar.
- PS to Secretary, Irrigation Department, Peshawar.
- Officers concerned.
- Personal Files.

(MISAL KHAN)

SECTION OFFICER (ESTABLISHMENT)

ATTESTED

(13) ANNEXURE "B"
GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR ABPARA MARKET, BEHIND
UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

No. 2439-41 /FDRD/MISC

Dated Peshawar the

28 /06/2013

OFFICE ORDER

Sequel to the winding-up of the Flood Damages Restoration Directorate, the vehicle bearing No. A-8710 on the charge of Mr. Ali-Ur-Rehman Deputy Project Director FDRD is withdrawn hence forth from the said officer and placed in the pool of this office till further orders.

DIRECTOR GENERAL

Coty to:-

1. Project Director FDRD, Irrigation Department Peshawar.
2. Deputy Project Director FDRD, Department Peshawar.

DIRECTOR GENERAL

ATTACHED



GOVERNMENT OF KHYBER PAKHTUNKHWA

14

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE

Irrigation Department Bungalow no. 2, Canal Bank Road, Near Abpara Market, Behind University Town, Peshawar.

Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

No. 2448-50 /FDRD/NIC

Dated Peshawar the

28 /06/2013

To

The Project Director,
FDRD, Irrigation Department
Peshawar.

Subject: OFFICE ORDER.

Kindly refer to Director General FDRD Irrigation Department Peshawar office order No.2439-41/FDRD/MISC dated: 28/06/2013 vide which vehicle bearing registration # A-8710 on the charge of the undersigned has been withdrawn and placed in the pool of this office till further order. In this regard I would like to submit the following points for your kind perusal and further direction in the matter.

1. The undersigned is supervising all the balance activities currently being under taken by the FDRD which include wireless communication centres situated scattered in remote districts of the province.
2. Works in the Amanadara Head works and AT works are in progress at its critical finishing stages where the staff colony and modification/motorization of AT Works gates need day to day supervision.
3. Regulation of Munda and Amanadara head works during the restoration period is being carried out by the undersigned as per Govt order issued by the office of Secretary Irrigation.
4. Restoration of Munda Head works and Tangi Lift Irrigation Scheme is in progress. The diversion of water to the canals is being carried out on need basis as due to frequent fluctuation in the pond level the feeding of Lower Swat canal and Doaba canal gets disturbed requiring personal inputs at the site.
5. Flood season has already started and the undersigned is in close coordination with various Divisions and their field level regulation staff beside frequent visits to the Head Works and worksites.
6. The planned scheduled visits with US monitoring consultants w.e.f. 2nd July 2013 onward to Amanadara and Munda Headworks shall also be get disturbed due to non-availability of government vehicle.
7. It is pertinent to mentioned here that FDRD has never been winded up and uptill now we were being instructed to concentrate more on early finishing of balance works, as provision for squeezed setup has been made in the ADP for the year 2013-14. We were also given direction by the higher up after high level meeting to tackle the matter of financing the FDRD setup along with balance consultancy expenditures out of USAID grant for which we are in liaison with the donors. The withdrawal of vehicle from the undersigned for the purpose of pool duty where all senior as well as junior officers of FDRD and RWCS have their own government vehicle available with them need reconsideration, as I being presently the most burdened officer of the setup will not be able to perform my above mentioned assigned duties in accordance with its requirement.

Keeping in view the above explained position it is therefore requested that the higher office be approached to reconsider the subject office order in the best interest of Government please.

*Supelt
Keep pending*

DEPUTY PROJECT DIRECTOR

Copy to

1. Director General FDRD, Irrigation Department Peshawar with similar request.
2. PS to Secretary to Govt. of Khyber Pakhtunkhwa Irrigation Department Peshawar for information
3. P.F

DEPUTY PROJECT DIRECTOR 28/06/2013

ATTESTED



GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE

Irrigation Department Bungalow no. 2, Canal Bank Road, Near Abpara Market, Behind University Town, Peshawar.

Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

No. 2475-76 /FDRD/NIC

Dated Peshawar the

01 /07/2013

To

The Director General,
FDRD, Irrigation Department,
Peshawar.

Subject: OFFICE ORDER.

Reference: - Your office letter No. 2439-41/FDRD/MISC dated: 28/06/2013 and Deputy Project Director letter No. 2448-50/FDRD/NIC dated: 28/06/2013.

Please refer to the above letters the undersigned was very much surprised and shocked as to why such an office order based on the winding-up of the FDRD has been issued by your good self as you are very well aware that a very thin staff is currently managing the affairs of the FDRD and all kind of facilities needs to be extended to them so that maximum efficiency of the staff can be cashed out of their capacities and capabilities as done in the past.

Withdrawing the vehicle from the Deputy Project Director FDRD and placing the same in the pool is not going to solve the management problems of the ongoing works and other assignments that are being carried out by him as being only Deputy Project Director available in FDRD instead complications and embarrassing situations might surface in the future after withdrawing of transport facilities from him being a field responder on our behalf. His refer letter also mention few of his current important assignments that are being looked out by him.

Further more creating a pool set up which is not in practice in the FDRD is also not understood as all the officers have their own entitled vehicles for use of Government duty and only withdrawing one vehicle from an important supervisor and execution post seems unfair reason may kindly be best known to you.

I feel that it would have been appropriate if the winding-up of FDRD has taken place then accordingly all assets could be then transferred. In light of the Deputy Project Director request and in the interests of the ongoing works it is requested that the office order may be withdrawn please.

Wesir ul-Haq

PROJECT DIRECTOR

Copy to,

01/07/13

1. Deputy Project Director FDRD, Irrigation Department Peshawar. For information.

Sd
PROJECT DIRECTOR

APPROVED



GOVERNMENT OF KHYBER PAKHTUNKHWA



DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR

ABPARA MARKET, BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

No. 3005-06 /FDRD/MISC

Dated Peshawar the

29 /07/2013

To

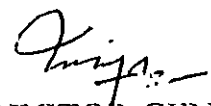
The Project Director,
FDRD Irrigation Department,
Peshawar.

Subject: OFFICE ORDER

Reference: No. 2475-76 FDRD/NIC dated 11/07/2013

It has been observed that un-necessary correspondence with this office is being practiced from the last two months. In the context of the subject, your supporting of the role of the Deputy Director Mr. Ali-Ur-Rehman in execution of works lacks impartiality. General perception of projects delay does exist under FDRD, whereby Minister for Irrigation has also expressed his concern over completion of Munda Dam.

2. Placing the vehicle under pool was directed with the understanding that it can be used for official purposes subject to prior permission of the undersigned.
3. It is sorrowful to note that the remarks of the Director General on the letter for placing the vehicle under pool use has not ever seen by you, which shows your disposal of official work. The concerned officer had casual attitude regarding the feeding of both the canals from Munda Head works, whenever called on for explanation.
4. The dissatisfaction of Minister Irrigation during his visit to Munda Head works on 6/07/2013 on the delays and lesser supply to Doaba Canal system vide letter No. SO(E)/IRR/4-9/2010/FDRD dated 11/07/2013 supports the impression of his non-serious attitude.
5. You had been continuously instilling that meaningful efforts were made for resolving the issue with Frontier Constabulary in respect of Fangi Lift Irrigation Scheme. But KSB vide their letter No. KSB/SER/HSN/12/1452-A dated July 16, 2013 attributed the resolution of issue with FC from their end (refer para -4) rather on your part.
6. In the light of foregoing, you are directed to accomplish the completion of the Munda Head Works Project by strictly following the revised implementation schedule of restoration works on Munda head works, completion of the bridge by February 2013 & other works by end of March 2013.


DIRECTOR GENERAL

Copy to;

1. Deputy Director FDRD Irrigation Department Peshawar.


DIRECTOR GENERAL



GOVERNMENT OF KHYBER PAKHTUNKHWA
 DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
 IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR
 ABPARA MARKET BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

(Handwritten marks)

No. 3071-72 /FDRD/MISC

Dated Peshawar the

01 /08/2013

To

The Director General,
 FDRD Irrigation Department,
 Peshawar.

Subject: OFFICE ORDER

Reference: No. 3005-06/FDRD/MISC dated 29/07/2013

It is kindly brought to your notice that the Opening Statement of your letter is not agreed upon as the undersigned has responded to other issues as per their happenings keeping in the interest of the project and by large the Govt. In the opinion of the undersigned no un-necessary correspondence has been made if any kindly be pointed out so that the undersigned can clarify the importance of those correspondences in context to the issue. It is to state that being the immediate boss of the Deputy Project Director (Mr. Ali-Ur-Rehman) since more than 2 1/2 years the performance of the officer has been upto the required standards and it is sad to observe that the officer could not live upto your required standards resultantly in posting out of the project. As far as the delay under FDRD works is concerned, the same is under inquiry and report shall be submitted shortly by the team but for the record, the FDRD has almost completed the assigned tasks as per their schedule which were spread over the entire province with no complaints from any quarters. The direction issued in case of the vehicle has never been challenged but the factual position regarding the nature of duty of the officer was supported as it was based on ground realities and keeping in view the project interest.

The remarks of Director General on the letter for placing the vehicle under pool use has not been received by the undersigned till date therefore accusing on disposal of official work is not based on factual position. An office order letter No. 2439-41/FDRD/MISC dated 28/06/2013 having a copy to the undersigned was received which did not contain any mechanism of usage of the pool vehicle like who was to maintain and repair the withdrawn vehicle and whose permission has to be sought out for duty. The accusation of the casual attitude of the officer in regards to the feeding of both the canals system from Munda Head works is not agreed upon at my level as for the past so many years no complaints regarding the feeding of the canal have been brought to the notice of undersigned except few occasions when there was less availability of water in source or due to restoration activities in the river bed structures etc.

The situation of lesser supply to Doana Canal system and its reasons have been brought to your kind notice by the officer through his letter No. 2778-81/FDRD/MISC dated 15/07/2013.

The land dispute between the Irrigation Department and the Frontier Constabulary in respect of Tangi Lift Irrigation Schemes still claimed to be resolved by the FDRD staff and through personal efforts of the undersigned and Deputy Project Director which is also available on record. The letter No. KSB/SER/HSN/12/1452-A dated 16/07/2013 has not been received by this office till date so no comments can be offered at this stage.

The recently posted Deputy Project Director has been directed to strictly monitor the implementation of the works and joint efforts as team work will be made so that the targets given should be achieved at the earliest as per approved schedule please.

(Handwritten signature)
 PROJECT DIRECTOR

Copy to;

1. Deputy Project Director, FDRD, Peshawar

(Handwritten signature and stamp)



18

GOVERNMENT OF KHYBER PAKHTUNKHWA
PROJECT DIRECTOR, KABUL RIVER CANAL & REMODELING OF WARSACK CANAL SYSTEM IN
DISTRICT PESHAWAR & NOWSHERA IRRIGATION DEPARTMENT,
Bungalow No. 2, Canal Bank Road, Near Appara Market, Behind University Town, Peshawar
Ph: 091-5844395, Fax: 091-5844396.

No. 396/1-T /KRC/RWCP
Dated Peshawar the 18/07/2013

To
The Secretary,
Govt. of Khyber Pakhtunkhwa,
Irrigation Department Peshawar.

Attention:- Section Officer (General)

Subject **INFORMATION REGARDING GOVERNMENT VEHICLES.**

Reference:- office letter No. SO(G) Ir. /4-3/2011 dated 11-07-2013

With reference to the above it is submitted that the following vehicles are under the use of officers and field formation of this office please

S.NO	VEHICLE	TO WHOM ALLOTTED
1	Suzuki Cultus	Advisor
2	Toyota Corolla	Project Director
3	Toyota Hilux Vigo Champ	Deputy Director-I, RWCS
4	Toyota Hilux (4x4)	Project Manager, RWCS
5	jimny Jeep	Deputy Director-II, RWCS
6	jimny Jeep	Assistant Director, RWCS
7	Pajero (FDRD Vehicle)	Assistant Director, RWCS
8	Double Cabin (FDRD Vehicle)	Deputy Director A/Cs, RWCS
9	Single Cabin (FDRD Vehicle)	Assistant Director, RWCS
10	Potohar Jeep (FDRD Vehicle)	Assistant Director, RWCS
11	Terios Jeep (FDRD Vehicle)	Director General FDRD
12	Double Cabin (FDRD Vehicle)	Deputy Project Director FDRD

FDRD= Flood Damages Restoration Directorate

RWCS= Remodeling of Warsak Canal System


PROJECT DIRECTOR

APPROVED




19

GOVERNMENT OF KHYBER PAKHTUNKHWA
PROJECT DIRECTOR, KABUL RIVER CANAL & REMODELING OF WARSAK CANAL SYSTEM IN
DISTRICT PESHAWAR & NOWSHERA IRRIGATION DEPARTMENT,
Bungalow No. 2, Canal Bank Road, Near Appara Market, Behind University Town, Peshawar
Ph: 091-5844395 Fax: 091-5844396

No. 436-97/1-T /KRC/RWCP
Dated Peshawar the 23 /08/2013

To
The Secretary,
Govt. of Khyber Pakhtunkhwa,
Irrigation department, Peshawar

Attention: Section Officer (G)

Subject **SURRENDER / RETURN OF VEHICLES**

With reference to above it is submitted that the following vehicles on the charge of this office are returned herewith the details as under:

S. No.	Engine / Chassis No.	Registration No.	Make	Model	Remarks
1	2KDU 329692 KUN25R- 9603467	Nil	Toyota Double Cabin	2013	Exchanged against A-8710 of FDRD Project
2		AA-1756	Daihatsu Terios	2011	Returned as FDRD Project is approaching Completion

Necessary handing / taking over of the aforesaid vehicles may please be carried out with the Assistant Director Gravity-I of this office please.

PROJECT DIRECTOR

Copy to Hafiz Muhammad Yasir, Assistant Director Gravity-I Remodeling of Warsak Canal System. He is directed to handover aforementioned vehicles to Section Officer (G) office of the Secretary Irrigation Peshawar under intimation to this office.

PROJECT DIRECTOR

ATTACHED

ANNEXURE C

GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO 2 CANAL BANK ROAD, NEAR ABPARA
MARKET BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395 Fax No 091-5844396 Flood Directorate KPK Pakistan



1641-45 /FDRD/NIC

Peshawar

08/07/2013

The Sub Divisional Officer
Civil Canal Sub Division Peshawar
Warsak Road Peshawar

Subject: Shortage in Doaba.
Reference: Your letter No. 476/1-M dated 05/07/2013

In response to the subject issue it is stated that on receiving the shortage issue of less supply in Doaba Canal from your end the field officer of FDRD immediately responded and as per demand the necessary pond level was maintained and the Doaba Canal System was supplied the discharge accordingly as per your requirements. The information in the source i.e. Swat River, the pond level do gets fluctuated but has been maintained at the required level so as to ensure supplies to Lower Swat Canal system and Doaba Canal System as per the demand.

For the record as per our information from the site the mob gathered on Friday after the Juma prayers at Munda Head works were demanding the nearly completion of the river crossing infrastructure and did not came for the increase in supply to the Doaba Canal System, as it is felt that further increase may result in over spilling at critical reaches. It is requested that a close liaison between the Sub Divisional Office and FDRD Staff be ensured so as to address the grievance of the farmers as well as local community.

Deputy Project Director

Copy to,

1. Director General FDRD Irrigation Department Peshawar
2. Project Director FDRD Irrigation Department Peshawar
3. Executive Engineer Peshawar Canal Division Peshawar
4. Assistant Director-I FDRD, Irrigation Department Peshawar

DRD
my pdt. call explanation of the officer. 12/7
Your correspondence should be based on gauges. Not a regulation detail has been mentioned. The level check the canal & minors.

Deputy Project Director
10/07/13
As per their requirement there is no head fixed at Doaba canal which has been confirmed by AD who visited the site on 10/07/13.


ATTESTED



(21)

GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR
ABPARA MARKET, BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396  "Flood Directorate KPK Pakistan"

No. 2758 /FDRD/MISC Dated Peshawar the 12 /07/2013

To

✓
Ali-Ur-Rehman,
Deputy Project Director,
FDRD Irrigation Department,
Peshawar.

Subject: SHORTAGE IN DOABA CANAL — EXPLANATION CALL.
Reference: No. 2641-45/FDRD/NIC dated: 08/07/2013.

Vide your letter referred above, addressed to Sub Divisional Officer Civil Canal Sub Division Peshawar and copy thereof to Director General FDRD, whereby on the face of letter the undersigned remarked that the regulation details regarding control of flow to Doaba Canals from Munda Dam were missing in the referred letter and you were directed to check the tail gauges of the Doaba Canal System for assessing the situation but regretfully, your reply that "I have no concern with the tail gauges of the system" comes under the purview of disobeying the orders of superior and misconduct in disposing off the officials matters.

You are hereby directed to explain your position within 3 days as to why not disciplinary action be initiated against you under the E&D rules.


Director General

Copy to;

1. Secretary to Govt: of Khyber Pakhtunkhwa Irrigation Department Peshawar for information please.

*Received today
on 15/07/2013 at 8.30AM*

Director General

*15/07/2013
DPD*

ATTACHED




(22)

GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE

IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD,

NEAR ABPARA MARKET, BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396 Flood Directorate KPK Pakistan

No. 2778-81 /FDRD/MISC

Dated Peshawar the

15/07/2013

To

The Director General,
FDRD Irrigation Department,
Peshawar.

Subject: SHORTAGE IN DOABA CANAL — EXPLANATION CALL.

Reference: Your letter No. 2758/FDRD/MISC dated: 12/07/2013.

1. It is humbly submitted that the issue basically pertain to the feeding / regulation of Doaba Canals System for which the undersigned has always but particularly after the instructions of Honorable Senior Minister for Irrigation, Energy & Power Government of Khyber Pakhtunkhwa, taken all out efforts to feed the system with maximum possible discharge by maintaining the pond level as per availability of water in the swat river. The operation of the head regulator gates of Lower Swat Canal and Doaba Canal are being operated by the respective divisional regulation staff. It is added that the vehicle bearing registration # A-8710 on the charge of the undersigned which was used for government duty has been withdrawn and placed in the pool duty of this office till further orders by your good self vide No. 2439-41/FDRD/MISC dated: 28/06/2013 with the reason best known to you. Detail position regarding the same has been explained to your good self vide this office letter No. 2448-50/FDRD/NIC dated: 28/06/2013, where in at para 3,4 and 5, your good self was informed about the critical situation of regulation problems in the system. The Project Director FDRD vide letter No. 2475-76/FDRD/NIC dated 01/07/2013, also supported my remarks. (Photocopies of correspondence enclosed). In response your good self marked the letter to office Superintendent with the remarks "Keep Pending" as on 01.07.2013, inspite of the above explained factual position. The undersigned did all efforts through private resources and made successful the visit of Honorable Senior Minister for Irrigation, Energy, & Power on 06/07/2013 to his satisfaction.

2. It is further added that I have alone as well as in the company of the Project Director visited the Munda Head works on regular basis and maintained the discharge requirements to both the feeding systems off taking from the Head Works.

3. On your direction dated: 10/07/2013 at 1:45 pm, both the Assistant Directors FDRD along with Sub Divisional Officer Civil Canal Sub Division Peshawar made a full day exercise of

D:\explanation.doc

ATTENDED
[Signature]

maintaining maximum pond level of 1127.90 in the available discharge of Swat River in order to enhance the head gauge of Doaba Canal beyond 5.5 ft, but due to over spilling and expected Canal breach, the gauge was reduced back from 6.20 ft to 5.50 ft after receiving subsequent directions from your good self. Detail situation report in this regard was submitted to your office vide No. 2738-45/FDRD/NIC dated: 11/07/2013. (Copy enclosed).

4. It is pertinent to mentioned over here that after restoration of all the Barrage gates, the feeding/ regulation of Lower Swat Canal as well as Doaba Canal no more remained an issue, as water if available at Munda Head works can be easily ponded up to any desired level. However the downstream problems in the Doaba Canal **distribution system like encroachments in the canal water way, siltation of the Canal bed, chowking of siphons and over drawl through outlets in the canal system with ultimate tail shortages do not fall in the purview of FDRD staff. As this is the sole duty of concerned staff of Peshawar Canal Division.**

5. As far as the reason for calling of my explanation on the basis of my remarks on this office letter No. 2641-45/FDRD/NIC dated 08/07/2013.(Photocopy enclosed) that **“Sir I have no concern with tail gauges of the system i.e Canal and Minors. I will feed the canal from head as per their requirements. However there is no guage fixed at head of Doaba Canal, which has been confirmed from Assistant Directors who visited the site on 10/07/2013”** is concerned, I have given these remarks with the understanding that you being recently transferred as Director General FDRD might not be aware of the fact that FDRD has been maintaining the required pond level within the available discharge in the source at the Munda Head works, so as to facilitate the respective regulation staff, who are responsible for diverting of demanded supplies in the two canal systems at the head regulators, **where as the downstream equitable distribution within the system lies purely in the purview of concern field divisions. The misunderstanding/ inconvenience in this regard is however excused please.**

6. Keeping in view the above stated position, it is requested that the explanation may be withdrawn please.

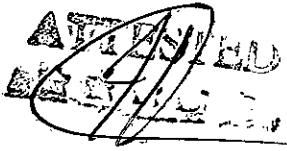

Deputy Project Director

Copy to;

- 1. Secretary to Govt: of Khyber Pakhtunkhwa Irrigation Department Peshawar for information please.
- 2. Project Director FDRD, Irrigation Department Peshawar.

✓ 3. P.P

 15/07/13
Deputy Project Director





24

GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL, FLOOD DAMAGES RESTORATION DIRECTORATE, IRRIGATION DEPARTMENT
Bungalow No. 2, Canal Bank Road, Near Aabpara Market, Behind University Town, Peshawar
Ph: 091-5844395, Fax: 091-5844396 (Face book) Flood Directorate KPK Pakistan"

No 2984

/FDRD/NIG

Dated Peshawar the 26/07/2013

The Director General
Flood Damages Restoration Directorate

Subject: - NOTIFICATION.

Reference: - No. SOE/IRRI/4:9/2010 dated 12-07-2013.

Sir, as per reference notification, Engineer Ali-Ur-Rehman having additional charge of Deputy Project Director, FDRD has been relieved of the charge of monitoring of FDRD works. It is worthwhile to mention that the officer has been attached to the ongoing works of FDRD since their commencement and was very much aware of all the technical, physical and financial parameters of the works.

In my opinion at this closing stage of projects replacing the officer can effect the project activities adversely as the new incumbent shall be requiring time to acquaint himself of the project activities where as during the recent visit to Munda Headwork honorable Mr. Aftab Ahmad Sherpao MNA in the presence of the honorable Senior Minister for Irrigation, Energy & Power Mr. Sikandar Khan Sherpao and Secretary Irrigation Department directed the FDRD staff to open up the communication route for crossing the river Swat by 28th February, 2014 on priority basis and to complete the entire project activities by the end of financial year 2013-14.

Furthermore, the officer was monitoring the entire portfolio of FDRD works along with having close liaison with US AID authorities, PDMA etc. and it is brought to your kind notice that his transfer can result in a setback to the project with ultimate delay from planned work schedule.

Keeping in view the crucial time frame in completion of the projects and factual picture as stated above, it is humbly requested that the competent authority may be approached for reconsideration of the transfer order of the officer in the best interest of Government works please.

Nasir Ghafour
PROJECT DIRECTOR

26/07/13

ATTEST



GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2 CANAL BANK ROAD, NEAR

ABPARA MARKET BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

No. 3014-17 /FDRD/NIC

Dated Peshawar the

29 /07/2013

To

The Project Director
FDRD, Irrigation Department
Peshawar.

Subject: Visit to Munda Head Works/ Doaba Canal.

The undersigned accompanied by Assistant Director-I & II visited Munda Head works and Doaba Canal on July 24, 2013 and observed the following.

Pond Level	=	1127.2 ft
Doaba Canal	=	5.6 (As per guage reader statement)
Doaba Canal Escape	=	Partially Operational

It is added that maintaining the pond level and its regulation is the sole responsibility of the concerned Division who may be asked to make efforts to accommodate the designed discharge in Doaba Canal and Lower Swat Canal System. Furthermore it was disclosed by Mr. Shah Mehmood Resident Engineer of the consultants present at site that gates No. 3 has got some Mechanical problem due to which it does not lower and though the Sill of the gate further informed that gate No. 7 is not functioning because of non concerting along the channel gate.

It is requested to approach the Executive Engineer Hydrology Irrigation Division Peshawar to manage measurement of discharge at the head of Doaba Canal in the presence of FDRD/ Peshawar Canal staff and calibrated guage be installed at suitable place.

Report submitted for information please.

— Sd —
Deputy Project Director

Copy to;

- ✓ 1. Director General FDRD, Irrigation Department Peshawar.
2. Assistant Director-I FDRD, Irrigation Department Peshawar.
3. Shah Mahmood Resident Engineer Camp Officer at Abaza near Irrigation Rest House Tehsil Tangi District Charsadda.

PD
Contractor to remove the defects and calibration of flow be ensured.

[Signature]
Deputy Project Director
29.7.2

ADP/ESTD



(26)

GOVERNMENT OF KHYBER PAKHTUNKHWA
PROJECT DIRECTOR, KABUL RIVER CANAL & REMODELING OF WARSAK CANAL SYSTEM IN
DISTRICT PESHAWAR & NOWSHERA IRRIGATION DEPARTMENT,
Bungalow No. 2, Canal Bank Road, Near Apparal Market, Behind University Town, Peshawar
Ph: 091-5844395 Fax: 091-5844396.

No. 1444-46/2-G /KRC/RWCP
Dated Peshawar the 13/08/2013

To
The Director General
Flood Damages Restoration Directorate
Irrigation Department Peshawar

Subject **NOTIFICATION.**

Reference:- Secretary Irrigation letter No. SO(E)/IRR1/4-9/2010 Dated: 12.07.2013

In context of the subject it is submitted that vide Secretary to Govt. of Khyber Pakhtunkhwa, Irrigation Department Notification No. SO(E)/IRR1/4-9/2010 dated: 12.07.2013, the competent authority has assigned additional charge of the post of Deputy Project Directorate-1, FDRD to the undersigned.

2. In compliance of the above referred notification the undersigned assumed the charge of the office of Deputy Project Director-1, FDRD on July, 16, 2013. Vide this office No. 2831-36/FDRD/Misc Dated: 16/07/2013.

3. The undersigned took the responsibility in the capacity of Deputy Project Director, Flood Damages Restoration Directorate Irrigation Department Peshawar in Addition to my own duties as Deputy Director, Remodeling of Warsak Canal System Peshawar.

4. The Remodeling of Warsak Canal System Project is about to take off and as such physical activities will commence very shortly which include Remodeling of Warsak Gravity Canal, Warsak Lift Canal & Remodeling of Warsak Pump House for discharge of 400 cusecs upto 60 meters lift beside construction of 5 KM long auxiliary tunnel for 700 cusecs discharge, including 300 cusecs for water supply of Peshawar city and its suburbs.

5. Such mega project with an approved cost of Rs. 4537.09 Million requires full time and untiringly attention for its implementation on fast track as per Honourable Chief Minister's Commitment for which the undersigned has already been assigned Project execution in the capacity of Deputy Director.

In light of the above it is requested that I may kindly be relieved from the additional duty of Deputy Project Director FDRD so that proper attention to the execution of aforesaid project is carried out in the best interest of the work.

Hope that your kind honour will give due consideration to my request please.

— Sd —
DEPUTY DIRECTOR

Copy to the:

1. Secretary, Govt. of Khyber Pakhtunkhwa, Irrigation Department, Peshawar.
- ✓ 2. Project Director, FDRD Irrigation Department, Peshawar.

— R. Badshah —
DEPUTY DIRECTOR 13-8-

ATTACHED



27

GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTOR GENERAL, FLOOD DAMAGES RESTORATION DIRECTORATE, IRRIGATION DEPARTMENT
Bungalow No. 2, Canal Bank Road, Near Aabpara Market, Behind University Town, Peshawar.
Ph: 091-5844395, Fax: 091-5844396 (Face book) Flood Directorate KPK Pakistan"

No. 3251-53 /FDRD/MIC

Dated Peshawar the 16/08/2013

To

The Secretary,
Govt. to Khyber Pakhtunkhwa
Irrigation Department, Peshawar

Subject **NOTIFICATION.**

Reference:- Office No. SO(E)/IRR/49/2010 Dated 12.07.2013

In context of the subject, please find herewith a letter bearing No. 1444-46/2-G/KRC/RWCS dated, 13.08.2013 received from Deputy Director, Remodeling of Warsak Canal System Peshawar addressed to this office which is in detail & self explanatory for favour of further necessary action.

It is added here that the Deputy Director has been engaged in various project activities of Remodeling of Warsak Canal System and as such the request made by the Deputy Director vide his letter above is factual and recommended for sympathetic consideration.

It is therefore requested that a suitable replacement against the post of Deputy Project Director, Flood Damages Restoration Directorate may kindly be notified, in the best interest of the work, please.

Encl: As above.

DIRECTOR GENERAL

Copy to the:

1. Project Director, FDRD Irrigation Department Peshawar for information.
2. Deputy Project Director, FDRD Irrigation Department Peshawar for information.


DIRECTOR GENERAL

ACCEPTED


28



GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRI/3/10/No.1/RI/2013

Dated: Peshawar 22nd August, 2013.

NOTIFICATION

No. SOE/IRRI/4-9/77:

The member of the Government is pleased to order postings/transfers of the following officers of Irrigation Department with immediate effect in the public interest.

S.No	Name of Officer & Designation	From	To
1	Engr. Haider Ali, Executive Engineer (BS-18)	Deputy Director, Remodeling of Warsak Canal System, Peshawar.	Executive Engineer, Mechanical Irrigation Division, Peshawar. Vice No. 2
2	Engr. Sardar Muhammad Zafar, Assistant Engineer (BS-17)	Executive Engineer (OPS), Mechanical Irrigation Division, Peshawar.	Deputy Director (OPS) Remodeling of Warsak Canal System, Peshawar. Vice No. 1. The officer will look after the duties of Deputy Project Director, PRD in addition to his own duties, relieving Engr. Abdur Rehman Badshah from additional charge of the post on his own request.
3	Engr. Syed Ahmad Shah, Assistant Engineer (BS-17)	Assistant Director, Rehabilitation for Irrigation System, Project, Peshawar.	Sub Divisional Officer, Irrigation Sub Division, Mardan. Vice No. 4
4	Mr. Sabir Hussain, Sub Engineer	Sub Divisional Officer (OPS), Irrigation Sub Division, Mardan.	Assistant Director (OPS), Small Dams. Vice No. 5
5	Mr. Habib-ur-Rehman, Sub Engineer	Assistant Director (OPS), Small Dams.	Sub Divisional Officer (OPS) Drainage Irrigation Sub Division, Mardan. Vice No. 6
6	Mr. Niaz Badshah, Sub Engineer	Sub Divisional Officer (OPS), Drainage Irrigation Sub Division, Mardan.	Assistant Director for Rehabilitation for Irrigation System, Project, Peshawar. Vice No. 3
7	Mr. Habib Ullah Khan, Assistant Engineer (BS-17)	Assistant Director (Design) o/o Chief Engineer, South.	Sub Divisional Officer, Irrigation Sub Division, Dargai. Vice No. 8
8	Mr. Muhammad Hoya, Sub Engineer	Sub Divisional Officer (OPS), Irrigation Sub Division, Dargai.	Assistant Director (Design) o/o Chief Engineer, South). Vice No. 7

Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department

Supdt
23/8

ATTACHED

Endst. No. & Date as above

- Copy of the above is forwarded to
- 1- The Accountant General, Khyber Pakhtunkhwa, Peshawar.
 - 2- The Chief Engineer, North Irrigation Department.
 - 3- The Chief Engineer, South Irrigation Department.
 - 4- The Director General, Small Farms, Peshawar.
 - 5- The Project Director, Rehabilitation of Wabak Canal System, Peshawar.
 - 6- The Superintending Engineer, Irrigation Circle, Peshawar.
 - 7- The Superintending Engineer, Irrigation Circle, Mardan.
 - 8- The Director (PMO) Irrigation Department.
 - 9- The Project Director, Rehabilitation of Irrigation System, Peshawar.
 - 10- The District/Agency Accounts Officers, Kohat, Mardan & Malakand.
 - 11- PS to Senior Minister of Irrigation, Khyber Pakhtunkhwa.
 - 12- The Officers concerned.
 - 13- PS to Secretary to Government, Khyber Pakhtunkhwa Irrigation Department.
 - 14- No. SO(E)Irr:4-10/77 file.
 - 15- Personal Files of the Officers.

Misal Khan
 (MISAL KHAN)
 SECTION OFFICER (ESTT:)

ATTESTED
[Signature]



GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR ABPARA
MARKET, BEHIND UNIVERSITY TOWN, PESHAWAR.
Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

30

No 9736-37 /FDRD/NIC

Dated Peshawar the

11/07/2013

To

The Deputy Project Director,
FDRD Irrigation Department,
Peshawar.

Subject:

Report
Situation of Doaba Canal Discharge.

It is submitted for your information that today i.e. 10/07/2013 at 1:45 pm Director General FDRD telephonically directed that discharge of Doaba Canal submitted to Secretary Irrigation is 295 Cfs against 366 Cfs. The Secretary directed to make necessary arrangements and to ensure that the canal should run with discharge of 366 Cfs.

In compliance to the direction the undersigned along with Assistant Director-I rushed to the site at 3:30 pm. During the course of inspection it was observed that escape at RD+ 15660 of Doaba Canal was found open and about 50 Cfs discharge was observed in the escape channel. Syphon at Rd 9750 of Michni Branch was also checked and only 3 inch free board was noticed at upstream of Syphon at the running discharge of 295 Cfs.

Accordingly we proceeded to head of Doaba Canal and informed Director General of the prevailing situation at site. The undersigned informed the Director General further increase of discharge in the system will ultimately cause spill over at critical reaches, which might breach the canal. In the mean time Sub Divisional Officer Civil Canal Sub Division as per direction of Director General was contacted to reach the site for joint monitoring of the situation. Director General further directed to clear the main Doaba Canal from RD 0 to 4000 through machinery.

He also directed to increase the supply to 6.20 guage. As per direction the canal supply was increased upto 6.20 measured through leveling staff due to non availability of guage at head. During increased supply the system was monitored and observed the following.

- i. The Canal prism at various location was noticed without free board.
- ii. Heading up was noticed at upstream of bridges/coverts at various location.
- iii. Over spilling of 4" was observed at upstream of Syphon at RD 9750 of Michni Branch which caused Erosion of approaches.
- iv. Due to the over spilling water entered into Matla Bazar.

The situation was finally discussed with Director General who informed that the matter was brought into the notice of Superintending Engineer Peshawar Irrigation Circle Peshawar and directed the supply may be decreased from guage of 6.20 to 5.5 to run the canal as per discharge of 295 Cfs. The supply was decreased accordingly.

It is suggested that discharge within the existing supply at guage of 5.5 may be checked through Executive Engineer Hydrology Peshawar jointly with FDRD and Peshawar canal division staff with fresh calibration of guage so as to avoid misunderstanding in future.

May Report to
higher up -

AD-I

11/07/13
DAD

10/17/13 10/17/13

Assistant Director-I & II

STE



GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR ABPARA
MARKET BEHIND UNIVERSITY TOWN PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396, E-mail: Flood.Director@KPK.Pakistan.gov.pk

30

No. 2738-45 /FDRD/NIC

Dated: Peshawar the

11/07/2013

To

The Project Director,
FDRD Irrigation Department
Peshawar.

Subject: Situation Report of Doaba Canal Discharge.

It is jointly reported by Assistant Directors I & II that on 10/07/2013 at 1:45 pm, the Director General FDRD telephonically directed them that discharge of Doaba Canal submitted to Secretary Irrigation by operating division i.e. 295 Cusecs against 366 Cusecs is required to be enhanced. The Secretary Irrigation has shown concern and directed to make necessary arrangements to ensure that the canal should run with discharge of 366 Cusecs.

In compliance to the direction the Assistant Directors I & II rushed to the site at 3:30 pm. During the course of their inspection it was observed that escape at RD 15+660 of Doaba Canal was found open and about 50 Cusecs discharge was observed in the escape channel released into the local Nullah. Syphon at RD 9+750 of Michni Branch was also checked and only 3 inch free board was noticed at upstream of Syphon at the running discharge of 295 Cusecs, which was an alarming situation.

Accordingly the Assistant Directors proceeded to the head of Doaba Canal and informed Director General of the prevailing situation at site. They informed the Director General that further increase of discharge in the system will ultimately cause spill over at critical reaches, which might breach the canal. In the mean time Sub Divisional Officer Civil Canal Sub Division, as per direction of Director General was contacted to reach to the site for joint monitoring of the situation. The Sub Divisional Officer Civil Canal immediately responded and rushed to the site. Director General further directed to clear the main Doaba Canal from RD 0 to 4000 through machinery and further directed to increase the supply to 6.20 guage. As per direction the canal supply was increased upto 6.20 guage measured through leveling staff due to non availability of guage at head. On increase of supply the system was monitored and following observed:

- i. Over spilling of 4" was observed at upstream of Syphon at RD 9+750 of Michni Branch which caused Erosion of approaches.
- ii. Due to the over spilling water entered into Malva Bazar.
- iii. The Canal prism at various locations was noticed without having any free board.
- iv. Heading up was noticed at upstream of bridges and drainage culverts at various location.

The situation was finally discussed by the Assistant Directors with Director General who informed that the matter was brought into the notice of Superintending Engineer Peshawar Irrigation Circle Peshawar and directed the supply may be decreased from guage of 6.20 to 5.5 to run the canal as per discharge of 295 Cusecs and the supply was decreased accordingly.

The Assistant Directors further suggested that discharge within the existing supply at guage of 5.5 may be checked through Executive Engineer Hydrology Peshawar jointly with FDRD and Peshawar canal division staff with fresh calibration of guage so as to avoid misunderstanding in future as the relation between the canal gauges / depth measurement and its discharge has presently been co-related by the operating field formation of Peshawar Canals division.

Report is submitted for further necessary action please.

Encl: Photographs

Deputy Project Director

Copy;

1. Director General FDRD Irrigation Department Peshawar.
2. Chief Engineer (South) Irrigation Department Peshawar.
3. Superintending Engineer Peshawar Irrigation Circle Peshawar.
4. PS to Secretary Govt. of Khyber Pakhtunkhwa Irrigation Department Peshawar.
5. Executive Engineer Peshawar Canal Irrigation Division Warsak Road Peshawar.
6. Sub Divisional Officer Civil Canal Irrigation Sub Division Warsak Road Peshawar.

Assistant Director-I & II FDRD, Irrigation Department Peshawar with reference to their letter No. 2736-37/FDRD/NIC dated: 11/07/2013 for information.

Deputy Project Director

RECEIVED

11/7/13

32

OFFICE OF THE SUB DIVISIONAL OFFICER,
HYDROLOGY, IRRIGATION SUB DIVISION,
PESHAWAR.

NO. 955 / 1955 / 1
Dated Peshawar the 29 / 08 / 2013.

To,

Executive Engineer,
Hydrology Irrigation Division,
Peshawar.

Subject: SITUATION OF DOABA CANAL DISCHARGE

Ref:- Chief Engineer (South) office letter No. 1323/IB/WO/708/W-sub, dated 23-08-2013

As per your direction, a joint measurement of discharge of Doaba Canal was conducted along with the staff of FDRD, Peshawar Canal Division Peshawar (Annex -1) and the undersigned along with my team on 28-08-2013. Following are the details of the survey.

1. Pond level of 1126.14 against required level of 1125 at Munda H/W was observed, while water level at head of Doaba canal was 1126.12 ft, which seems submerged flow condition. In addition, as per long ^{section} station sheets the full supply depth of the canal is 1123.
2. The gauge installed at the head of Doaba Canal is temporary and wrongly calibrated since it was damaged after floods of 2010. The gauge was showing 218 cusecs for 4.4 ft stage as per rating curves which was found inaccurate after the calculation of gauge and discharge data at the end of survey.
3. Four (04) controlled stations were selected jointly for the calculation of the gauge and discharge at different location/ RDs of Doaba Canal.
4. 1st controlled station was a V.R culvert at RD 1500, the discharge of the canal was found to be 236±3 cusecs with an average velocity of 1.84 ft/ sec against the design velocity of 2.34 ft/s calculated from the L/S sheets. X-section attached.
5. 2nd controlled station was a V.R culvert at RD 6900, the discharge at that station was found to be 243.39 ± 3 cusecs with an average velocity of 1.80 ft/scc against the design velocity of 2.34 ft/s. X-section attached.
6. 3rd controlled station was selected near trifurcation point at RD 8700. Discharge of third station was 235.45 ±3 cusecs with an average velocity of 1.5 ft/s against the design velocity of 2.34 ft/s. X-section attached.
7. 4th controlled station was on New Michnai branch D/S of trifurcator at RD 200. Discharge and average velocity was 66 ±3 cusecs & 1.3 ft/s respectively. The gauge of the New Michnai branch was showing stage of 3.8 ft which is also not correct as per rating curve.

New Michnai branch and Ichri branch were having the same crest levels & was drawing the same discharge.

ATTN: [Signature]

As evident from measurement of discharges at 3 No control stations (S. No 4 to 6) average velocity measured at site is much more less then the design velocity as per long section. Full supply depth is also not matching with the design full supply level. Undersigned is of the opinion that there is a siltation or adverse slope problem or structures bed level in the canal due to which Doaba canal cannot withdraw the required discharge from Munda Head Works. Therefore, the matter may kindly be checked and investigated please.

Sub Divisional Officer,
Hydrology Irrigation Sub Division,
Peshawar.

Copy of the above is forwarded to the:-

- 1. Deputy Project Director, FDRD Peshawar Bungalow No. 2 Canal Bank Road near Abpara Market, Behind University Town Peshawar
- 2. SDO Civil Canal Sub Division Peshawar.

[Signature]
Sub Divisional Officer,
Hydrology Irrigation Sub Division,
Peshawar.

ATTESTED
[Signature]

34

ANNEX-1

1. Sardar Muhammad Zafar, Deputy Project Director FDRD
2. Farid Gul Assistant Director
3. Mohammad Younas Assistant Director
4. Mohammad Idris Marwat, SDO Civil Canal Sub Division Peshawar
5. Jehanzaib SDO Charsadda
6. Sohail Khan SDO Hydrology Irrigation Sub Division Peshawar
7. Mohammad Saced Surveyor

ATTACHED
BY

35

X-section at 1500

C.A = 42 ft

F.B.L = 112.63

D.B.L =

112.63

112.63

112.63

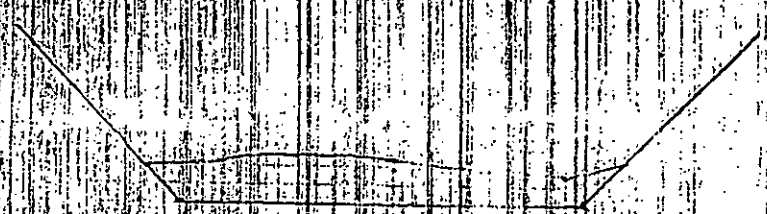
ATTESTED

36

X- Section of A.D. B. 100

C.A. 32 ft²

D.B. 4 ft



34.2 ft

23.8 ft

21.5 ft

20.5 ft

ATTACHED
[Signature]

37

X-Section of R.D. 6700

C.A = 480 ft²



1119.78

1119.16

1119.28

1119.52

1119.60

D.R. 116.17

APPROVED
[Signature]



38

GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL, FLOOD DAMAGES RESTORATION DIRECTORATE, IRRIGATION DEPARTMENT
Bungalow No. 2, Canal Bank Road, Near Aabpara Market, Behind University Town, Peshawar
Ph: 091-5844395; Fax: 091-5844396 (Face book) Flood Directorate KPK Pakistan

No. 3515-20 /FDRD/NIG

Dated Peshawar the 29/08/2013

To
The Project Director,
FDRD, Irrigation Department,
Peshawar.

Subject: - ACUTE SHORTAGE OF IRRIGATION WATER IN THE CANALS.
DOABA CANAL FEEDING PROBLEM.

Reference: - Xen Mardan letter no 2306/39-M Dated 27.08.2013.

The subject noted matter which was not only communicated by Executive Engineer Mardan Division vide ref quoted letter but was also asked by the Chief Engineer (South) office in not maintaining the design supplies in Lower Swat and Doaba Canals systems by the FDRD.

In response, the undersigned requested the Executive Engineers of Mardan, Peshawar canals and Hydrology divisions to have a joint inspection to the Munda Head Works for calculating actual discharge in the Doaba canal and to dig out the reasons for the shortfalls that they are facing in LSC and Doaba systems.

On 28.08.2013, the undersigned along with the FDRD field officers, SDO Civil Canals, SDO Charsadda and SDO Hydrology visited the site, where it was apprised by the regulation staff that the pond level on that day was 1126.14 ft. Question was, whether it is the pond level that is not maintaining/diverting the requisite discharges or depositions in the pond that is creating blockage in not feeding both the systems.

For that purpose, Pond level of Munda Head Works and F.S.L of Doaba canal were taken which were 1126.14 ft and 1126.12 ft (against 1123.12 ft the design F.S.L require for Doaba in the long section) accordingly, however, the gudge of the canal was also checked which was erected on some sort of retaining wall on the left bank not at a confined and controlled section rather too widened. As the calibration was not accurate as per site condition, therefore, it was necessary to calculate the actual discharge against the reading of the gauge station showing 4 ft stage.

In presence of all the concerned, the Hydrology staff was requested to take detail readings of the three bays of Doaba head regulation gates where it was found that each gate was having 4.85 ft of head of water over the sills with 10.0 ft width and delivering smooth flows in the canal. Sounding was also carried out on the cross about 15 ft downstream of regulation gates where the gauge has been installed and it was found 4.85 ft, 6.0 ft, 7.5 ft and even more than 9.0 ft. Afterward discharge of the Doaba canal was measured at three different locations and found 243.25 (av) cusecs. Whereas, the available record showed 218 cusecs against gauge from the gauge discharge rating curve. So, it was noticed that the gauge doesn't shows correct discharges.

Secondly as per design parameters level of the pond should be kept 1125 ft, whereas the achieved pond level on that day was 1126.14 ft because of the raised Head works gates.

ATTESTED

Recent floods have deposited boulders and debris which are stucked in the gates channels/ sill. The same could be removed but they are nowatways helping the head works in flushing out the heavy silt load from the pond just like under sluices. If the gates are closed then the surplus discharges comparatively having less silt load would spill over the gates and secondly the pond would also descend to the designed level of 1125ft.

The full supply level of 1126.12 ft of Doaba Canal against 1123.1 ft was found just downstream of Regulation gates and the issue of its functioning can be addressed by the concerned operating staff. It is suggested to clear the canal from the deposition for getting the requisite discharge and ensuring supplies in the tail reaches. Under current circumstances, as a remedial measure of the shortages in Doaba the alternate channel which was plugged during floods shall be reopened in order to avoid any kind of hue and cry from the irrigators. But keeping in mind that the discharges in the river will decrease day by day for which the Peshawar Canals Division must clear the canal before normal closure schedule in order to maintain design supply in Doaba canal.

Similarly same problem of non clearance of the Main canal in head reaches might be confronting by the LSC system in not attracting its design discharge from the pond. Even then on particular day the canal was found running with full supply discharge i.e 1800 cusecs.

You are requested to apprise the higher-ups with the situation that FDRD is consistently maintaining the required pond level and history of the head works also reveals that having the same pond level the LSC was functioning properly and not experiencing any shortages. Furthermore, there are no problems with the gates rather some boulders and debris are stucked in the channels/ sill of the gates which will be removed sooner and gates are not having any fault and are smoothly operated.

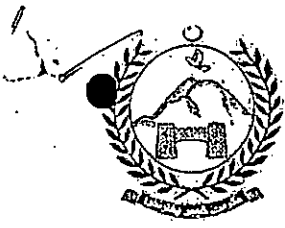
Deputy Project Director

Copy to

- 1. Director General FDRD, Irrigation Department Peshawar.
- 2. Superintending Engineer (HO) D/O. the Chief Engineer (South) Irrigation Department Peshawar.
- 3. Superintending Engineer Mardan Irrigation Circle Mardan.
- 4. Executive Engineer Peshawar Canal Division Peshawar for information.
- 5. Executive Engineer Mardan Irrigation Division Mardan for information with reference to his quoted letter.
- 6. Assistant Director-I FDRD, Irrigation Department Peshawar.

Deputy Project Director

ADP
DE



GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR

ABPARA MARKET, UNIVERSITY TOWN PESHAWAR.

Ph No 091-5844396, Fax No 091-5844395 "Flood Directorate Pakistan"

740

No. 3812-14 /FDRD/NIC

Dated Peshawar the

16/09/2013

To

The Director General,
FDRD Irrigation Department,
Peshawar.

Subject: - SHORTAGE OF WATER IN DOABA CANAL.

Reference: This office letter No. 3515-20/FDRD/NIC dated 29/08/2013.

Attached please find herewith comprehensive report regarding subject noted issue communicated by Sub Divisional Officer Hydr. Irrigation Sub Division Peshawar vide letter No. 955/GSD I dated 29/08/2013 (which is self explanatory).

You are requested to apprise the Chief Engineer (O&M) South Wing that the shortages of Doaba Canal required to be addressed by the respective division for ensuring design discharges.

DEPUTY PROJECT DIRECTOR

Copy to.

- ✓ Project Director FDRD, Irrigation Department Peshawar for information.
2. Superintending Engineer (HQ) O/O The Chief Engineer (South) Irrigation Department Peshawar..

DEPUTY PROJECT DIRECTOR

16/9/13

ATTACHED



GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR
ABPARA MARKET, UNIVERSITY TOWN PESHAWAR.

Ph No 091- 5844396, Fax No 091-5844395



"Flood Directorate KPK Pakistan"

No. 3925-33 /FDRD/NIC

Dated Peshawar the

20/09/2013

The,
Chief Engineer (South),
Chairman Enquiry Team (Munda Project),
Irrigation Department,
Government of Khyber Pakhtunkhwa Peshawar.

Subject:- **1. SITUATION REPORT OF DOABA CANAL DISCHARGE.**
2. ACUTE SHORTAGE OF IRRIGATION WATER IN THE DOABA CANAL FEEDING PROBLEM.

Kindly refer to Deputy Project Director, FDRD Irrigation Department Letter No 3515-20/FDRD/NIC dated 29.08.2013 and letter No. 3812-14/FDRD/NIC dated 16-09-13 (copies enclosed) and SDO Hydrology Irrigation Sub Division, Peshawar Letter No 955/GSG1 dated 29.08.2013 (copy enclosed) on the subject issue. Both these report reveals that the Doaba Canal system is not operating as per its requirement and the farmers are suffering badly due to the reason mentioned in these reports.

Unfortunately the cause of acute shortages of Doaba Canal feeding has been attributed to Flood Damages Restoration Directorate and also has been made part of TOR of the ordered inquiry on Munda Head Work restoration. These reports shall clarify a lot of misperception that has been created against the Flood Damages Restoration Directorate staff and one of the Engineer has been removed/transferred from this Directorate due to the subject mentioned reason.

It is strongly recommended that in light of the above findings, an independent and proper technical inquiry on the acute shortages of irregular water supply in Doaba Canal System be ordered so as to fulfill the norms of justice and be fair to the staff either belonging to FDRD or of the concerned Sub Division by finding out the facts which are continuously causing acute shortages along with recurring expenditure on the operation of the system.

As per SDO Hydrology situation report carried out on the instructions of your office, joint site visit was conducted by SDO Hydrology Irrigation Sub Division Peshawar accompanied with him was Sub Engineer Saeed, on 28-08-2013 in the presence of Deputy Project Director FDRD, Assistant Director I & II of FDRD, SDO Civil Canals Sub Division Peshawar along with his Sub Engineer and respective canal staff. The observations are as under;

1. Design velocity as per long section is 2.34 ft/s. Velocities measured at three different locations i.e. at RD 1500 was 1.84 ft/sec at RD 6900 was 1.80 ft/sec and at RD 8700 was 1.5 ft/sec.
2. Design Discharge is 350 cusecs at pond level of 1125 ft. The pond level measured that day was 1126.14 on Munda Head Works while at Doaba Canal it was 1126.12. The Discharges calculated at RD 1500 was 236±3, at RD 6900 was 243.39±3 and at RD 8700 was 235.45±3 cusecs.

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42

3. Full supply level as per long section is 1123 ft while at site it was 1126.12, which clearly indicates that the canal is silted up and the full supply level found 3.12 feet higher than the design.

It is requested to make both these letters part and parcel of the Munda Head Works delay inquiry and the request of the undersigned be accommodated positively so as to fulfill the norms of justice please.

Project Director

FDRD,

Irrigation Department

Copy to;

1. Secretary Irrigation, Government of Khyber Pakhtunkhwa Peshawar for information please.
2. D.G, Flood Damages Restoration Directorate, Peshawar for information please.
3. Engr. Syed Muhammad Mujahid Saeed, Superintending Engineer (H/Q) South, O/o the Chief Engineer (South) Irrigation Department, Peshawar
4. Engr. Niaz Sarwar Baloch, Project Director Bazai Irrigation Project Mardan.
5. Executive Engineer Malakand Irrigation Division Malakand.
6. Deputy Project Director, Flood Damages Restoration Directorate, Peshawar to keep the project related record ready for the enquiry team please.
- 7/8. Assistant Director I/II, Flood Damages Restoration Directorate, Peshawar for similar action as above please.

Ussai Ghafar
20/09/13

Project Director

FDRD,

Irrigation Department

ATTACHED
[Signature]



GOVERNMENT OF KHYBER PAKHTUNKHWA

93

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR
ABPARA MARKET, BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

No. 2632 /FDRD/MISC Dated Peshawar the 08/07/2013

To
The Deputy Project Director,
FDRD Irrigation Department,
Peshawar.

Subject: Restoration of Munda Head works Decision to Breach coffer dam, suspension of work inside barrage, Feeding of Doaba Canal, suspension of work on right abutment and alternate solution of construction of Bridge Span-8.

As directed care may be taken in future and the green note may not be allowed to be used by the consultants or contractor please.

Project Director

Copy to:
1. Director General FDRD, Irrigation Department Peshawar. For information.

PD
The undersigned has
referred matter directed
to
12/7

Nasir Khan
Project Director
08/07/13

PK
File
Nasir
12/07/13

ATTACHED



GOVERNMENT OF KHYBER PAKHTUNKHWA

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR
ABPARA MARKET, BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

44

No. 9756-57 /FDRD/MISC

Dated Peshawar the

11 /07/2013

To

The Project Director,
FDRD Irrigation Department,
Peshawar.

Subject: Restoration of Munda Head works Decision to Breach coffer dam, suspension of work inside barrage, Feeding of Doaba Canal, suspension of work on right abutment and alternate solution of construction of Bridge Span-8.

Kindly refer to your office letter No. 2632/FDRD/MISC dated: 08/07/2013 vide which your good self directed that care may be taken in future and the green note may not be used by the consultants or contractor please. In this regard I would like to clarify the factual position that M/S Technicon contractor submitted letter No. TE/Munda/13-0617 dated 17/06/2013, for immediate decision and proposed various options. The same was processed by your good self through green note on 18/06/2013. The green note was under correspondence with your good self and Director General from 18/06/2013 to 21/06/2013, in the mean time the EPC contractor submitted letter No. TE/Munda/2206/13 dated 22/06/2013, received in this office on 24/06/2013, who requested for change of strategy proposed in letter dated 17th June, 2013. The letter was put by the undersigned on green note dated 26/06/2013, with my view points requesting for approval of the competent authority. The Director General give remarks on the green note dated 27/06/2013 that "the measure proposed to be verified by the consultants".

Incidentally the consultants was called for meeting on 27/06/2013 to this office for rationalization of consultancy cost. The Project Co-ordinator ACE Lahore and Resident Engineer JV of ACE, BARQAAB and CA were present in FDRD office (Attendance sheet attached), and due to emergency situation Resident Engineer Munda was directed to report in the matter. Resident Engineer agreed with the proposal and endorsed his remarks on 27/06/2013. In my opinion-the undersigned has not taken any illegal step under the rules of business, as the consultants are a part of project and obtaining their views on the emergency issue does not seems to fall in the category of any violation. The Director General vide remarks dated: 4/07/2013, on green note stated the Deputy Project Director is agitating the issue which is not understood. As the green note was under correspondence with your good self and Director General from 01/07/2013 to 04/7/2013.

Therefore I have processed the case as per rules of business in the best interest of the project and carefully handling the Government issues in accordance with the rules and regulations.

Deputy Project Director

Copy to;

1. Director General FDRD, Irrigation Department Peshawar. For information.

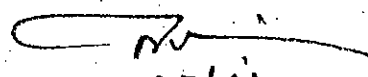
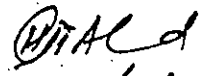
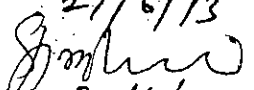
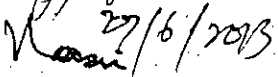
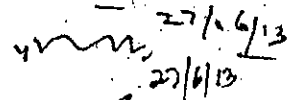
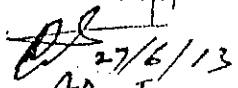
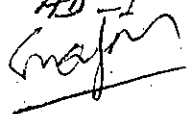
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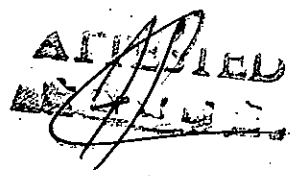
Deputy Project Director

ATTACHED
11/07/13

MEETING REGARDING RATIONALIZATION OF
CONSULTANCY COST DATED 27/6/2013

45

S.No	Name	Designation	Signature
1.	Engr. Ali-ur-Rehman	DPD FORD Pesh.	 27/6/2013
2.	Haji Ahmad	Senior Engr ACE	 27/6/13
3.	Sheh Mahmud	PE-ACE	 27/6/2013
4.	Nasir Ghaffar Khan	P.D FORD	 27/6/2013
5.	Muhammad Younis	AD RWES/FORD	 27/6/13
6.	Engr: Fareed Gull	AD RWES/FORD	 27/6/13
7.	Shafiq Ali Malik	GM ACE / Project Coordinator	 AD-I

APPROVED





GOVERNMENT OF KHYBER PAKHTUNKHWA

46

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT, BUNGALOW NO. 2, CANAL BANK ROAD, NEAR

ABPARA MARKET, BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396  "Flood Directorate KPK Pakistan"

No. 2798

/FDRD/MISC

Dated Peshawar the

15/07/2013

To

The Director General,
FDRD Irrigation Department,
Peshawar.

Subject: Restoration of Munda Head works Decision to Breach coffer dam, suspension of work inside barrage, Feeding of Doaba Canal, suspension of work on right abutment and alternate solution of construction of Bridge Span-8.

Reference: Deputy Project Director Letter No. 2756-57/FDRD/NIC dated 11/07/2013.

Kindly refer to the letter above which is self explanatory and it is requested that the view point of the Deputy Project Director are based on facts, the issue has been discussed and it was assured that he processed the case with good intention keeping in view the urgency of the matter therefore the issue should be filed please.

Project Director

Copy to;

1. Deputy Project Director FDRD, Irrigation Department Peshawar. For information.


Project Director 15/07/13





GOVERNMENT OF KHYBER PAKHTUNKHWA

97

DIRECTOR GENERAL FLOOD DAMAGES RESTORATION DIRECTORATE
IRRIGATION DEPARTMENT BUNGALOW NO. 2, CANAL BANK ROAD, NEAR
ABPARA MARKET, BEHIND UNIVERSITY TOWN, PESHAWAR.

Ph No 091-5844395, Fax No 091-5844396 "Flood Directorate KPK Pakistan"

No. 2632 /FDRD/MISC

Dated Peshawar the

08/07/2013

To

The Deputy Project Director,
FDRD Irrigation Department,
Peshawar.

Subject: Restoration of Munda Head works Decision to Breach coffer dam, suspension of work inside barrage, Feeding of Doaba Canal, suspension of work on right abutment and alternate solution of construction of Bridge Span-8.

As directed care may be taken in future and the green note may not be allowed to be used by the consultants or contractor please.

Masih Khan
Project Director
08/07/13

Copy to;

1. Director General FDRD, Irrigation Department Peshawar. For information.

[Signature]
Project Director

[Signature]
Project Director

A letter has been received by U/S on June 17th 2013 sent by Technicon (EPC contractor) of Munda restoration project.

The contractor has requested for certain decisions regarding restoration of headwork keeping in view the changed planned scenario.

As per decision made on site the coffer dam has been breached to decrease the pond level due to the recent unprecedent flood.

The contractor has highlighted that the pond level fluctuates between EL 1129 to EL 1131 even when all gates are fully opened and the right wing wall of the right abutment can be threatened in case of unexpected floods as currently the water is being feed through it to the Doaba Canal system being operated ungated currently due to restoration process.

Various options has been proposed in the letter to safe guard the structure.

The option no II. seems viable in the present instance and a temporary weed

ATTESTED
[Signature]

be constructed to EL-1128 where (2)
the velocity of the water will be much
less than option No I. (49)

Work on the right abutment / bridge 3rd
span shall be carried out during low
flow season as explained in the letter
and in absence of the backfill of the
abutment upto EL 1128 to EL 1130 has been
carried out for its stability and safety
to prevent it from overturning or collapse in
case of unprecedented floods.

Before the option of opening the bridge
for any traffic it is recommended that
the same be opened when the bridge is
fully constructed as per its loading
capacity as due to non availability of
space in the vicinity and priority of
construction of approach bridge on Doaba
land.

Submitted for necessary action please.

D/G

Vesin
12/06/13

- i) Re-assess the situation as per your telephonic
discussion yesterday where Doaba feeding problem
was being faced due to lower pond level.
- ii) Bridge activities to be continued as per plan

ATTACHED

③

50

but as Munda visit is due by Minister Irrigation,
further strategy will be adopted accordingly,

P.D.

Jm
19/6

Today the site was visited by the
UIS to catalyze the feeding activities
of the Doaba Canal. Approval to the
activities may be granted as proposed

Please

Vosin
25/06/13

D.S.

May specify the activities as per your
inspection dated 20/6/13

P.D.

Jm
21/6

Wain across the Doaba Canal was constructed.
Two nos. of dump trucks were being used to
make an approach to the inlet of Doaba Canal
system for reviving it back for its operation.
The excavator on site was having some
mechanical problems and got repaired at the
time of inspection. The loader was used
for filling purpose. Work of the hoist arrange-
ment of Bay 7 was in progress. The reach
made in the Doaba Canal at approx. RD. 4+800
was directed to be closed and efforts were
directed to be carried out on war footing
basis to operate the Doaba Canal system
through its gates arrangement 2000

ATTESTED

25/06/13

to ensure controlled supply in the (4) (51) system. The pond level was increased by lowering the gate of Bay # 6 and regular monitoring by the DPD and AD is being carried out with up dated status to the O/S to quickly overcome the shortages in the Dabha system.

Other activities of the project were being carried out in routine as per its schedule. The consultants were directed to strictly supervise the supply issue and to ensure a quick and prompt solution to the issue, please.

Nasir
21/06/13

D/S

Specify the activities where you want approval as per earlier meeting of yours. Is it part of EPC contract? Mode of payment if part of EPC or otherwise?

PD For n/a

J
21/6
Nasir
21/06/13

DPD For n/a

21.6.2013
DPD

AD-I

Kindly advise pl that what will be provided by the undersigned -

DPD

AD-I
21/6/13

APPROVED
[Signature]

5

52

EPC
 The Contractor vide letter no TE/Munda/2206/13
 dt 22/6/2013 received on 24.6.2013 have change
 the Strategy communicated vide letter no TE/Munda/13-06/13
 dt. 27/6/2013, who stated that they have started
 dumping along the abutment wall to prepare
 approach for heavy earth moving equipment to
 reach the doaba Canal intake for removal
 of boulders etc. The EPC requested that they will
 proceed as under:

- i) We are cleaning doaba gates for operation.
- ii) put gate 7 in operation
- iii) Plug Bay # 8 for sill beam and other repairs
- iv) plug alternate channel on wing wall D/shan doaba canal
- v) Dry doaba canal about 8 hours
- vi) clean doaba canal by mechanical means upto Rd-200
- vii) open doaba canal for requested flow.

Keeping in view the above new scenario, the proposal
 of EPC contractor is genuine and based on fact. But
 closing of doaba canal for (8) hours will require
 the approval of CE(S) and clearing of doaba canal
 upto Rd 100 is recommended.

It is therefore recommended to accord approval
 of above pl.

26/6/2013
 DPD

PD

The main point of DPD is supported plan

D/S

Measures proposed to be verified
 by the consultants

27/6/13

PD

For n/c

DPD

RE/Munda For Report

27/6
 27/06/13
 DPD

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I agree and support the above remarks of the DPP & PD.

Deputy Project Director

J. M. W.
RE 27/06/2013

View point of RE ACE added pl

PD

27/06/2013
DPP

The RE of the project was in ~~the~~ our office today and view points is added please.

W. M. W.

27/06/13

T. S.

Green note may only be restricted to govt. personnel. Consultant is to supervise and verify the measures proposed.

28/6

PD

For n/a

W. M. W.

01/07/13

D. P. D.

We did that to cope with the emergency like situation, the consultant one already on board. The alternate channel s.no (iv) has been plugged on 30.6.2013 due to expected floods in the Swat River, However approval of note dated 26/6/2013 may kindly be granted pl.

01/07/2013
DPP

PD The instruction given shall be followed in

APPROVED

future and brought into the notice of
the staff. May grant approval please.

(7)

(59)

D.P.

Umasi
01/07/13

Forwarding of DPD's note dated 1/1/2013 is
not understood. On one end, he is mentioning
emergency like situation but on the other hand,
he is still in the month of January. I have
strictly directed that green note not be used
by the consultant or contractor. Issue warning
to DPD from your end under intimation to
this office.

J
m

3/7

PD

It is brought to your kind notice that the
O/S has not forwarded the note dated 01/01/2013 as
it is bearing date 01/07/13 as read by me and I have
also intimated it on 01/07/13 to your office. The
note of DPD also clearly mention that "approval of
note dated 26/06/13 may be granted please". It seems
that their ~~note~~ ^{some} writing clarity issue and in response
to your instructions verbal directions to the staff has
been issued that in future clear dates be written
to avoid any confusion.

As far as the directions to the staff of not
using the green note by the consultants

ATTENDED
RECEIVED

and contractor is concerned my remarks on SS
the green note states that your directions has
been brought into the notice of the staff and in
future they shall follow to you issued directions
in letter and spirit.

I feel no warning is necessary at this stage
in light of the above clarification and your directions
of issuing warning to DPD may kindly be withdrawn
and approval to the subject matter may be
granted as being an emergent nature work please

D/G

Neer

04/07/12

I have already given my concurrence vide noting
dated 28/6. The DPD is agitating the issue which was
not required as clear directions were issued for green note.
He must be served with warning under intimation to
this office.

PD

Put up DFA (typed).

2

4/7

c/o

Letter Pul up

Neer

05/07/12

PD

Signed - issue

Amirullah Ja

08/07/2012

Supdt/R.R

Neer

08/07/12

ATTACHED


TECHNICON Engineers & EPC Contractors Group

Corp Office: No-94, Street-2, Sector K-5, Phase-III, Hayatabad, Peshawar, Ph:091-5825563, 5811317, 5810103
Fax: 091-5825564, Email: mundahntec@gmail.com

Our Ref: TE/MUNDA/13-0617

Dated: June 17, 2013

Project Director
Flood Damages Restoration Directorate
Irrigation Department
Peshawar

RESTORATION OF MUNDA HEADWORKS
Decision to Breach coffer dam, suspension of work inside
barrage, Feeding of Doaba Canal, Suspension of work on Right Abutment
and Alternate solution for construction of Bridge Span-8

Dear Sir,

We would like to outline the problems faced due to un-expected high ever water inflow as compare to the previous history on record due to high mercury, which was not foreseen in the work plan. We have discussed in detail the various problems and its possible solutions which needs your early decisions.

Some timely decisions are already taken by the worthy Director General on site which were highly appreciable and beneficial for the safety of work.

A... DECISION TO BREACH COFFER DAM

In continuation to our email dated July 11, 2013, regarding unexpected and alarming rise in the pond level endangering right abutment wing wall at the outlet of Alternate Doaba Channel as well as flooding of Doaba canal at various reaches. In response to which, the Director General called an emergency site visit to take immediate corrective measures/decision.

Site visit was chaired by the Director General FDRD and attended by Project Director, Deputy Project Director, Assistant Director-1 and other key staff of FDRD, Contractor's Chief Executive Technicon, P.M and all engineers and key staff of M/S Technicon.

After detail discussion on the site condition and taking into consideration the upcoming high inflow, the Director General instructed to immediately breach the coffer dam to decrease the pond level and to suspend all activities in side the barrage. This decision was immediately complied with to reduce differential pressure on the wing wall and to overcome flooding in Doaba Canal. Now the pond level fluctuates between 1129 to 1131 with all gates fully opened but there is still exist differential hydraulic pressure across the wing wall which is addressed as under.

It may also be noted that this year inflow from Swat and Panjkora is unexpected and is almost double as compare to the its previous record. For ready reference, we have enclosed the record of discharge for the previous 8 years.

SIR

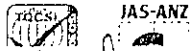
This Issue needs Joint discussion with DG/Consultant/EPC Contractor

DPD

may convene a meeting on the subject please or otherwise
17/6/2013
D.G

PD

To initiate action on the letter addressed to him
15/6



ATTESTED
[Signature]

As you are aware that there is forecast of more floods with higher intensities which is going to increase the pond level even more which will create the following complications:-

B...Doaba Alternate Channel Inlets/Wing wall:

The outlets of the Doaba alternate channel are un gated and hence the water cannot be regulated. We can fabricate and install temporary gates at its inlet on the up-stream of the wing wall, which will be operated by chain-blocks, but due to differential hydraulic pressure across the wing wall may endanger its stability.

Solution-1

Option-1

As discussed that to construct a temporary weir by gabions near to the downstream of the outlets across a stable rocky area to elevation EI 1128 (initially and then adjusted according to pond level). It will counter the differential pressure across the wing wall. We fear that this may damage the adjacent outlet structure.

Option-2

To construct a temporary weir away and on downstream of the main outlet structure. (Ref to the attached Photo)

Solution-2

To regulate feeding to Doaba Canal by the main gates. Doing so we will not be able to proceed according to agreed planned to repair Sill beam and Glacis/concrete-blocks etc. at Bay-8, by constructing a mini coffer dam passing through bay-7.

Secondly this gated outlet is plugged on the downstream as well as on the upstream with gabions/geo-membrane/sandbags etc. The plug at the upstream of inlet can be removed by mechanical mean for which approach from the downstream along the right abutment will be constructed. But to dismantle the plug on the downstream, the canal is to be closed to remove the gabions etc, which can only be done in low flow season so that we can plug the outlet of the Alternate channel without creating substantial differential across the wall. Yours advise in the mater will be appreciated.

C..Work On Right Abutment/Bridge 8th Span:

As you are aware that, we had excavated the back fill of the right abutment to elevation 1114 and the abutment is totally exposed to the hydraulic pressure with no backfill. Due to the present unexpected and unwarranted inflow/pond-level and specially the forecast for even more intense floods, it will not be possible to keep the backside of Abutment in dewatered condition during construction phase and hence it is advisable to immediately provide backfill to the abutment to elevation EI-1128 to 1130 (expected pond level during upcoming floods), and the work may be suspended till low flow workable season.



ATTESTED
[Signature]

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P 3/3

TECHNICON Engineers & EPC Contractors Group

Corp Office: No-94, Street-2, Sector K-5, Phase-III, Hayatabad, Peshawar, Ph: 091-5825563, 5811317, 5810103
Fax: 091-5825564, Email: mundahwtec@gmail.com

D...Alternate proposal for completion of Bridge for light vehicles:

As a consequence to the pressure by the locals and the government, we had been contemplating to find solution to this issue and have finally reached to a solution to complete the 8th span and open the bridge for traffic under the following conditions:

- a. Only LIGHT VEHICLES shall be allowed to pass IN THE HIGH FLOW SEASON ONLY.
- b. In Low flow season, when there is hardly any water in the river on the downstream, the traffic will be stopped on the bridge and given access through the temporary bridge on the downstream of barrage, and during this low-flow season the Counterfort Chambers to the abutment and other works on the bridge will be completed. The methodology will be prepared and discussed with the Consultants..

Your advise and patronage will be desired in this regard.

Thanking you , we remain

Yours Sincerely

SYED IQBAL YUNAS
(Chief Executive)

TECHNICON Engineers & EPC Contractors

Copy to:

- 1. Director General, FDRD, Irrigation department.
- ✓ 2. Deputy Project Director
- 3. ACE (pvt) Ltd, Lahore
- 4. Master file



ATTENDED

Average Discharge Through Munda Headworks, Abazai, Tesil Tangi, Distt: Charsadda

Year	April		May		June		July	
	Date	Discharge (Cusec)	Date	Discharge (Cusec)	Date	Discharge (Cusec)	Date	Discharge (Cusec)
2008	1-Apr	10,900	1-May		1-Jun	28,301	1-Jul	17,568
	7-Apr	23,301	7-May		7-Jun	22,281	7-Jul	28,680
	14-Apr	23,215	14-May		14-Jun	23,215	14-Jul	15,513
	21-Apr	23,215	21-May		21-Jun	41,871	21-Jul	
	28-Apr	22,129	28-May		28-Jun	29,138	28-Jul	8,650
2009	1-Apr	7,750	1-May	15,000	1-Jun	23,215	1-Jul	27,284
	7-Apr	11,350	7-May	28,686	7-Jun	21,586	7-Jul	19,950
	14-Apr	50,900	14-May	15,000	14-Jun	20,500	14-Jul	28,901
	21-Apr	20,500	21-May	33,215	21-Jun	18,740	21-Jul	29,697
	28-Apr	15,000	28-May	20,500	28-Jun	26,266	28-Jul	29,138
2010	1-Apr	15,000	1-May	17,568	1-Jun	20,500	1-Jul	19,912
	7-Apr	15,000	7-May	28,301	7-Jun	22,129	7-Jul	21,586
	14-Apr	17,568	14-May	17,568	14-Jun	11,800	14-Jul	21,586
	21-Apr	20,500	21-May	20,500	21-Jun	15,513	21-Jul	29,697
	28-Apr	15,000	28-May	20,500	28-Jun	21,043	28-Jul	250,000

Total Discharge	631,756	533,163	705,871	706,139
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Monthly AVG Discharge	11,325 April	11,325 May	11,325 June	11,325 July
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2010 Floods, Excluded from AVG

APPROVED

59

Technicon *Engineers & EPC Contractors*

Corp Office: No-94, Street-2, Sector K-5, Phase-III, Hayatabad, Peshawar,
Ph:091-5825563, 5811317, 5810103 . Fax: 091-5825564, Email: mundahwtec@gmail.com

Average Discharge Through Munda Headworks, Abazai, Tesil Tangi, Distt: Charsadda

Year	April		May		June		July	
	Date	Discharge (Cusec)	Date	Discharge (Cusec)	Date	Discharge (Cusec)	Date	Discharge (Cusec)
2005	1-Apr	17,568	1-May	20,500	1-Jun	23,215	1-Jul	36,141
	7-Apr	32,192	7-May	20,500	7-Jun	23,215	7-Jul	29,697
	14-Apr	20,500	14-May	23,214	14-Jun	23,215	14-Jul	43,750
	21-Apr	20,500	21-May	23,215	21-Jun	29,697	21-Jul	28,301
	28-Apr	28,301	28-May	23,215	28-Jun	41,871	28-Jul	28,301
2006	1-Apr	12,250	1-May	17,568	1-Jun	23,215	1-Jul	28,301
	7-Apr	15,000	7-May	17,568	7-Jun	22,129	7-Jul	28,580
	14-Apr	17,568	14-May	17,568	14-Jun	19,912	14-Jul	34,565
	21-Apr	15,000	21-May	23,215	21-Jun	21,043	21-Jul	17,563
	28-Apr	20,500	28-May	25,249	28-Jun	22,672	28-Jul	29,697
2007	1-Apr	43,750	1-May	20,500	1-Jun	15,513	1-Jul	28,301
	7-Apr	23,215	7-May	23,215	7-Jun	21,043	7-Jul	23,215
	14-Apr	28,301	14-May	22,129	14-Jun	28,301	14-Jul	23,215
	21-Apr	28,215	21-May	22,129	21-Jun	20,500	21-Jul	13,350
	28-Apr	17,568	28-May	16,540	28-Jun	24,232	28-Jul	15,000

ATTACHED

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Average Discharge Through Munda Headworks, Abazai, Tesil Tangi, Distt: Charsadda

Year	April		May		June		July	
	Date	Discharge (Cusec)	Date	Discharge (Cusec)	Date	Discharge (Cusec)	Date	Discharge (Cusec)
2008	1-Apr	10,900	1-May		1-Jun	28,301	1-Jul	17,568
	7-Apr	23,301	7-May		7-Jun	22,281	7-Jul	28,680
	14-Apr	23,215	14-May		14-Jun	23,215	14-Jul	15,513
	21-Apr	23,215	21-May		21-Jun	41,871	21-Jul	
	28-Apr	22,129	28-May		28-Jun	29,138	28-Jul	8,650
2009	1-Apr	7,750	1-May	15,000	1-Jun	23,215	1-Jul	27,284
	7-Apr	11,350	7-May	28,686	7-Jun	21,586	7-Jul	19,950
	14-Apr	50,900	14-May	15,000	14-Jun	20,500	14-Jul	28,901
	21-Apr	20,500	21-May	33,215	21-Jun	18,740	21-Jul	29,697
	28-Apr	15,000	28-May	20,500	28-Jun	26,266	28-Jul	29,138
2010	1-Apr	15,000	1-May	17,568	1-Jun	20,500	1-Jul	19,912
	7-Apr	15,000	7-May	28,301	7-Jun	22,129	7-Jul	21,586
	14-Apr	17,568	14-May	17,568	14-Jun	11,800	14-Jul	21,586
	21-Apr	20,500	21-May	20,500	21-Jun	15,513	21-Jul	29,697
	28-Apr	15,000	28-May	20,500	28-Jun	21,043	28-Jul	250,000
Total Discharge		631,756		533,163		705,871		706,139
Monthly AVG Discharge	21,058.5		21,326.5		23,529.0		24,349.0	
	April		May		June		July	

ATTACHED

2010 Floods, Excluded from AVG

Our Ref: TE/MUNDA/2606/13

Dated: June 26, 2013

Project Director – I
Flood Damages Restoration Directorate,
Irrigation Department,
Peshawar

RESTORATION OF MUNDA HEADWORKS
Duaba Canal Feeding

Dear Sir,

Please refer to our Letter No TE/MUNDA/2206/13 date 22nd June 2013, regarding the cited subject wherein we provided stepwise methodology for switching from "Doaba alternate un-gated feeding system" to Doaba main gates regulated feeding, as under:-

- i. Cleaning of plugged material from upstream of Doaba gates.
- ii. Put Gate-7 in operation.
- iii. Plug Bay-8 for sill beam and other repairs which are pending
- iv. Plug alternate channel on wing wall down stream
- v. Dry Duaba Canal for about 8 hours.
- vi. Clean Duaba Canal by mechanical means upto RD-200.
- vii. Open Duaba gates for regulated flow.

We started the work on emergency basis considering the upcoming high inflow as well as expected floods, but after completion of major activities i.e dismantling and removing all plugging material such as dumped material, gabions, geomembrane, sand-bags etc from the upstream side, we were stopped by irrigation personnel from plugging alternate channel and drying Duaba Canal for mechanical cleaning thereby keeping pending all activities from Serial No iv to S/no-vii.

[Handwritten Signature]

1 | Page



Works-1: No: 85-C, Industrial Estate, Jamrud Road, PESHAWAR, Ph: 091-5817482-3
Works-2: No: 34-A, Industrial Estate, Jamrud Road, PESHAWAR.
Works-3: 90-B, Small Industrial Estate, Kohat Road, PESHAWAR

ATTESTED
[Handwritten Signature]

64

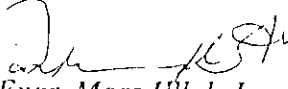
TECHNICON Engineers & EPC Contractors Group

Corp. Office: No-94, Street-2, Sector K5, Phase-III, Hayatabad, Peshawar, Ph: 091-5825563, 5811317, 5810103
Fax: 091-5825564, Email: mundahwtec@gmail.com

It is requested to please consider the gravity of situation and allow us to plug the said alternate channel to complete the pending activities to start feeding through regulation gates.

It may be noted that if the water level increases further then it will not be possible to complete these activities and Doaba canal will be flooded again.

Best regards,


Engr. Maaz Ullah Jan
Project Coordinator

AD - I
27/6/2013
DPD

Copy to ✓ DPD-I, FDRD
1. Master file



ATTACHED




GOVERNMENT OF KHYBER PAKHTUNKHWA
IRRIGATION DEPARTMENT

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ANNEXURE D

Dated Peshawar 12th July, 2013

NOTIFICATION

No. SOE/IRRI/4-9/2010: Consequent upon the verbal complaint of Director General, FDRD, regarding misconduct of Engr: Ali-ur-Rehman, Assistant Engineer (BS-17), the competent authority is pleased to relieve him from additional charge of the post of Deputy Project Director-I, Flood Damages Restoration Directorate (FDRD) with immediate effect in the public interest.

The competent authority is further pleased to assign additional charge of the post of Deputy Project Director-I, FDRD to Engr: Abdur Rehman Badshah, Deputy Director, Remodeling of Warsak Canal System, Peshawar in addition to his own duties till further orders.

Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department.

Endst: No. & Date as above

Copy of the above is forwarded to:-

- 1- The Chief Engineer (South), Irrigation Department.
- 2- The Chief Engineer (North), Irrigation Department.
- 3- The Director General, FDRD, Peshawar.
- 4- The Project Director, Remodeling of Warsak Canal System, Peshawar.
- 5- PSO to Senior Minister for Irrigation, Khyber Pakhtunkhwa.
- 6- The officers concerned.
- 7- PS to Secretary Irrigation Department.
- 8- Master file.
- 9- Personal files of the officers.
- 10-SO(E)Irri/4-9/77 file.
- 11-SO(E)Irri/4-10/77 file.


(MISAL KHAN)
SECTION OFFICER (ESTT)

ATTACHED


66

ANNEXURE "E"

To

The Executive Engineer,
Peshawar Canal Division,
Peshawar.

Subject: **Departmental appeal against the Notification No. SOE/IRRI/4- 9/2010 dated 12.07.2013 whereby the appellant has been relieved of his duties as Deputy Project Director-1, Flood Damages Restoration Directorate Irrigation Department, and posted as Assistant Engineer (Leave Reserve) Peshawar Canals Division Peshawar.**

Enclose please find herewith an appeal in respect of the undersigned is submitted herewith for onward submission to Chief Secretary Government of Khyber Pakhtunkhwa through proper channel.

[Handwritten signature]

(Engr: Ali ur Rehman) 29/07/2013
Assistant Engineer (Leave Reserve) Peshawar Canals Division Peshawar.

[Handwritten signature]
29/7/13

Copy in advance forwarded to the;

1. Chief Secretary Government of Khyber Pakhtunkhwa.
2. Secretary to Government of Khyber Pakhtunkhwa Irrigation Department Peshawar.

1081/41-42
29/7/13. PESHAWAR
CANALS DIVISION
PESHAWAR.

[Handwritten signature]

(Engr: Ali ur Rehman)
Assistant Engineer (Leave Reserve) Peshawar Canals Division Peshawar.

ATTACHED
[Handwritten signature]

67

The Chief Secretary,
Khyber Pakhtunkhwa Civil Secretariat Peshawar.

Through: Proper Channel

Subject: **Departmental appeal against the Notification No. SOE/IRRI/4- 9/2010 dated 12.07.2013 whereby the appellant has been relieved of his duties as Deputy Project Director-1, Flood Damages Restoration Directorate Irrigation Department, and posted as Assistant Engineer (Leave Reserve) Peshawar Canals Division Peshawar.**

Respected Sir,

The appellant respectfully submit as follows:

1. That the Appellant was directly appointed as Sub- Engineer BPS-11 in accordance with the Khyber Pukhtunkhwa Irrigation & Public health Engineering Deptt (Recruitment & Appointment) Rules 1979. The appellant was holding the qualification of DAE at the time of his appointment and improved his qualification and passed B. Sc Engineering during service, accordingly he was given promotion to the post of Assistant Engineer BPS-17 with in the quota of 10 % reserved for B. Sc Engineers.
2. That the Appellant further improved his qualification and passed M. Sc Engineering from NWFP University of Engineering & Technology Peshawar. It is pertinent to point out here that there are very few officers who have such a higher qualification of M. Sc Engineering in the Irrigation Department.
3. That the Appellant during the course of his service performed his duties with zeal and dedication, he remained upright, have a clean service record, never indulged himself in corruption or corrupt practices nor allowed any extraneous influence either from the high ups nor from outsiders. He remained posted at different stations and on different posts as and when assigned any responsibilities he complied with the posting orders considering it to be in exigencies of service.

FILED
12/07/2013
PESHAWAR

68

4. That after the devastating floods of 2010 which hit different parts of this province, it was felt essential to establish a separate Directorate in the Irrigation Department. The Provincial Govt thus created Flood Damages Restoration Directorate (FDRD) vide notification dated 5.08.2010 within the Irrigation Department. Similarly a structure as well as TOR was also notified vide notification of the even date. On the Establishment of the new Directorate, the Chief Secretary Khyber Pakhtunkhwa posted the appellant as Assistant Director Flood Damages Restoration Directorate vide notification dated 5.08.2010. The appellant performed his duties to the best of his ability and tried his leveled best to coup with the emergency situation where his services were required. The Appellant was formally posted as Deputy Project Director FDRD vide notification dated 28.01.2011. Lastly on account of his performance he was allowed the additional charge of the post of Deputy Director Flood Damages Restoration Directorate (FDRD) vide notification dated 11.04.2011 and was attached with Peshawar canals division for salary purpose.
5. That ever since his posting the appellant was running the affairs in the Directorate smoothly and without any complaint what so ever from any quarter. Unfortunately Mr. Muhammad Naeem Khan, Director General FDRD was transferred and Mr. Zahid Abbas took over the charge of the post of Director General FDRD on 14.05.2013. Hardly after 3 / 4 days of his posting he called the appellant to his office and directed him that he shall collect 2 % commission in the development works from contractors, while 1.5 % in the consultancies. The appellant straight away refused and rejected such illegal demand and told him that during his entire service he never supported such illegal practice thus it is impossible. The appellant was however threatened of dire consequences. The appellant thereafter went to his Project Director Nasir Ghafoor Khan and informed him about the demand of the Director General, who also condemned this act and supported the view point of appellant. After a week AD-II FDRD Mr. Muhammad Younas was called by the defendant and put forward the same demands who also expressed his inability to accede to his demands, *he than openly told "you people might be honest but I am not I need money at all cost"*.
6. That again Mr. Zahid Abbas (The DG Sahib) on 27.06.2013 directed the appellant for arranging of some amount to purchase new tyres to please some official in the Ministry who was having the Vehicle of the Irrigation department. This time again the appellant showed his inability to succumb to such illegal demands. Other officers were also contacted later on who also refused.

ATTACHED

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7. That after this happening the appellant became mindful that the DG Sahib will now try to spoil the service career on lame excuses as he has openly threatened. In the first instance the official vehicle allotted to the appellant was withdrawn vide office order dated 28.06.2013, alleging winding up of the Project though non others were deprived of their official vehicle nor there is any such winding up of the FDRD in the offing. It is pertinent to mention here that he himself is holding two official vehicles in violation of rules and law.
8. That in this continuation certain directions were issued to the appellant which were never related to the ambit of Directorate (FDRD) nor relatable to his duties/ post, The appellant showed his no concern with the same with the understanding the Director General being recently transferred might not be aware of the details of duties assigned to FDRD. This was made a base for taking action against the appellant.
9. That unfortunately the Administrative Secretary of the Irrigation Department without ascertaining the true facts vide notification dated 12.07.2013 withdraw the additional charge of the post of DD FDRD allegedly on account of misconduct on the verbal complaint of the DG Sahib. The Secretary Irrigation issued the reliving orders of the appellant on the verbal complaint of Director General FDRD with the ground of misconduct. This would have not happened if the Secretary has asked for my explanation or had given me a five minutes time of personal hearing but he took all one sided decision. In such like cases even a personal servant is given a chance of hearing but I have been treated worst then personal servant and in no way like a civil servant.
10. That in order to have some thing in Black & white quite illegally after the transfer of the appellant on the same day i.e 12.07.2013 the DG Sahib issued him explanation letter, which was duly replied by the appellant, clarifying the terms used "that the appellant has no concern with the same".
11. That on the transfer of the appellant now the DG Sahib is openly telling his subordinates that the same will be the fate of those who can't fulfill his demands.
12. That the defendant has made every effort to spoil the bright service career of the appellant, The transfer of the appellant allegedly for misconduct is completely alien to service laws, similarly the term misconduct can be used only when proper proceedings are initiated under the law and charges are proved. Thus all the acts and omission are malafide and due to personal grudges.

APPLIED
RECEIVED

70

13. That all the proceedings conducted against the Appellant were illegal, violative of law, malafide and against the principles of natural justice and were for extraneous reasons and never in the exigencies of service.
14. That in order to ensure job security and not to be punished for trying to become loyal to his duties and defying the illegal orders/ demands, the subject transfer order requires your kind interference.

It is, therefore, requested that on acceptance of this departmental appeal Notification No. SOE/IRRI/4-9/2010 dated 12.07.2013 whereby the appellant has been relieved of his duties as Deputy Project Director-1, Flood Damages Restoration Directorate Irrigation Department, and posted as Assistant Engineer (Leave Reserve) Peshawar Canals Division Peshawar may please be set aside and the appellant may be restored to his original position in accordance with law.

(Engr: Ali ur Rehman) 29/07/2013
Assistant Engineer (Leave
Reserve) Peshawar Canals
Division Peshawar

ATTENDED

POWER OF ATTORNEY

In the Court of KPK Service Tribunal Peshawar

Ali ur Rehman } For
} Plaintiff
} Appellant
} Petitioner
} Complainant

VERSUS

Govt of KPK and others } Defendant
} Respondent
} Accused

Appeal/Revision/Suit/Application/Petition/Case No. _____ of _____
Fixed for _____

I/W, the undersigned, do hereby nominate and appoint

IJAZ ANWAR ADVOCATE, SUPREME COURT OF PAKISTAN

Sajid Amir Adveer my true and lawful attorney, for me in my same and on my behalf to appear at Pesh to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Companies or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or subpoena and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

IN WITNESS whereof I/we have hereto signed at Pesh
the _____ day to _____ the year 12/11
Executant/Executants _____
Accepted subject to the terms regarding fee _____

*Attested and
Sajid Amir Adveer*

Ijaz Anwar

Advocate High Courts & Supreme Court of Pakistan

ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT
PK-3, Fourth Floor, Dilsan Plaza, Saddar Road, Peshawar Cantt
Ph:991-5272154 Mobile-0333-9107225

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No. 1511 OF 2013

Ali-ur-Rehman

(Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary & others.

(Respondents)

JOINT PARA WISE COMMENTS ON BEHALF OF OFFICIAL RESPONDENTS

Respectfully Sheweth:

Preliminary Objections.


- i. That the appellant has got no locus standi.
- ii. That the appeal is not maintainable in its present form.
- iii. That the appeal is bad for mis joinder and non joinder of necessary parties.
- iv. That the instant appeal is barred by law.
- v. That the Appellant has no cause of Action.
- vi. That this tribunal has no jurisdiction to entertain the Appeal.
- vii. That the tribunal has got no jurisdiction to entertain the appeal.

FACT/GROUNDS

1. Para-1 of the appellant needs comments to the extent of his appointment and qualification however appellant was promoted on reserved quota and may not have qualified for the position of Assistant Engineer (BS-17) through open competition. Whereas the Respondent No. 3 joined the department via open competition and held several important positions because of merit and experience with his current appointment as Project Director, Remodeling of Warsak Canal System, Peshawar with additional charge of Director General, FDRD.
2. Correct to the extent of appellants Qualification.
3. No reply.
4. Para-4 is incorrect. Assigning position in a department to different individuals is a standard operating procedure bases on shortage of staff. Additional charge assigned to the appellant was not based on performance.
5. Para- 5 is totally incorrect for want of proof.

6. Para-6 of the appellant is incorrect for want of proof, hence denied further. The vehicle mentioned is an official vehicle purchased from the project cost and was the property of the government.
7. Not correct. The authorization of vehicle for the officers of the appellant's office was the internal arrangement of the Respondent No. 3, therefore the issue pertains to Respondent No. 3.
8. Not correct. The appellant was supposed to adhere the directions of Respondent No. 3 who was his immediate responsible officer, refusal/denial of high officers orders, amounts to misconduct.
9. Not correct. The appellant being government servant would not object his transfer order or his internal adjustment; he has to obey the orders where he is posted as he accepted in the terms of condition of his service to perform his official duties where his services are required further Additional charge does not come with the terms & condition of service nor can be claim as of Right.
10. No reply. Pertain to respondent No. 3.
11. As per Para- 10 above.
12. Not correct the appellant instead of objecting his internal adjustment and other minor issues should concentrate on his official duties.
13. Not correct. No illegal proceedings conducted against the appellant.
14. Since the appellant has been transferred from the place of his posting and now he has proceeded on 730 days E.O.L and joined Water & Sanitation Services Peshawar (WSSP), therefore no action is pending in the instant case.
15. The department appeal of the appellant dated 29.07.2013 was forwarded to Chief Engineer (South) Irrigation for comments; however on the basis of simply relieving from additional charge of FDRD, the Chief Engineer did not consider it to respond.

In view of the above, it is therefore humbly prayed that the instant appeal is not maintainable at the present form and therefore may graciously be dismissed with cost.



Secretary to Govt. of Khyber Pakhtunkhwa
Irrigation Department
(For Respondent No. 1 & 2)

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

No: 1738 /ST

Dated 27 /8/ 2018

To

The Secretary Irrigation Department,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: -

JUDGMENT IN APPEAL NO. 1511/2013, MR. ALI UR RAHMAN.

I am directed to forward herewith a certified copy of Judgement dated 13.8.2018 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

O/C
Signature
REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 1531 /ST

Dated 3 /8 /2018

To

The Executive District Officer Swat at Gul Kada,
Government of Khyber Pakhtunkhwa.

SUBJECT: -

ORDER IN EXECUTION PETITION NO. 222/2016, MR. AMJID ALI.

I am directed to forward herewith a certified copy of order dated 1.08.2018 passed by this Tribunal on the above subject for strict compliance.

Encl: As above