

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

C.M No. _____/2023

IN

Service Appeal No. 7938/2021

Muhammad Ismail.....**Applicant**

V E R S U S

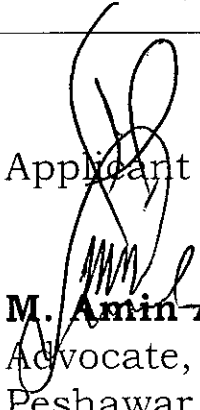
Govt of KPK and others.....**Respondents**

I N D E X

S.No	Description of Documents	Annex	Pages
1.	Application for placing documents	*	1-2
2.	Affidavit	*	3
3.	Copy of notification dated 16/08/2021	A	4

Through Applicant

Date: 06/12/2023


M. Amin Ayub
Advocate, High Court,
Peshawar

*20-03-2024
Peshawar*

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

C.M No. _____/2023

IN

Service Appeal No. 7938/2021

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 9728

Dated 06-12-2023

Muhammad Ismail.....**Applicant**

V E R S U S

Govt of KPK and others.....**Respondents**

**APPLICATION FOR PLACING ON
RECORD ADDITIONAL
DOCUMENTS AND BE READ AS
PART AND PARCEL OF THE
CAPTIONED SERVICE APPEAL**

Respectfully Sheweth:

1. That the above titled appeal is pending adjudication before this Honourable Court and is fixed for 20/03/2024.

2. That in fact appellant/applicant has called in question the impugned notification dated 31/08/2021 which is available at Page No. 39 of the main appeal which was issued in light of the notification dated 16/08/2021 passed by the worthy Secretary PHED. **(Copy of notification**

dated 16/08/2021 is attached as Annexure-
A)


3. That there is no legal bar on acceptance of instant application.

It is, therefore, most humbly prayed that on acceptance of this application, the petitioner may please be allowed to submit/file the annexed before this Honourable Tribunal and be read as part and parcel of the captioned Service Appeal and may be treated accordingly.

Through

Applicant

Date: 06/12/2023


M. Amin Ayub
Advocate, High Court,
Peshawar

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

C.M No. _____/2023

IN

Service Appeal No. 7938/2021

Muhammad Ismail.....**Applicant**

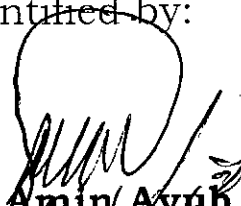
V E R S U S

Govt of KPK and others.....**Respondents**


AFFIDAVIT

I, **Muhammad Ismail (Sub Engineer) Public Health Engineering Division Nowshera (Applicant/Appellant)**, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Identified by:


M. Amin Ayub
Advocate, High Court,
Peshawar

DEPONENT


CNIC: 17102-1020725-1
Cell: 0331 59 00066





GOVERNMENT OF KHYBER PAKHTUNKHWA
PUBLIC HEALTH ENGG: DEPARTMENT

Dated Peshawar, the August 16, 2021

ORDER

No.SO(ESTT)/PHED/8-55/2019: WHEREAS the following officer/officials of the Public Health Engineering Department were proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, for the Irregularities regarding overpayment in shape of Improper re-measurement in 2nd running bill and signing of Cheque Classification Proforma in absence of work done and available funds which leads to advance payment:-

- i. Mr. Amil Muhammad,
the then Executive Engineer (BPS-18), PHE Division Karak
Now Executive Engineer PHE Division Orakzai
- ii. Mr. Muhammad Ismail,
the then Sub Engineer PHE Division Karak
Now Sub Engineer PHE Division Nowshera
- iii. Mr. Farid Khan,
S.D.A PHE Sub Division Takht-e-Nasratti Karak

2. AND WHEREAS, for the said act, they were served with charge sheets/ statements of allegations.

3. AND WHEREAS, Mr. Mahmood Aslam (PMS BS-19), the then Deputy Commissioner, Khyber and Engr. Naveed Khan, Executive Engineer (BS-18) C&W Division Kohat were appointed as Inquiry Committee, who submitted report.

4. AND WHEREAS, they were served with Show Cause Notices containing tentative minor penalties as noted against each to which they submitted their replies:-

S.No	Name & Designation of the accused	Penalty
1.	Mr. Amil Muhammad, Executive Engineer (BPS-18), PHE Division Orakzai	"Recovery of Rs.857,190/- and withholding of two annual increments for two years."
2.	Mr. Muhammad Ismail, The then Sub Engineer PHE Sub Division Karak	"Recovery of Rs.685,752/- and withholding of two annual increments for two years."
3.	Mr. Farid Khan, The then SDA PHE Sub Division Takht-e-Nasratti Karak	"Withholding of two annual increments for two years."

5. NOW THEREFORE, the Competent Authority after having considered the charges, material on record, inquiry report of the Inquiry Committee, explanation of the officer concerned during personal hearing held on 16-07-2021 and in exercising his powers conferred under Rule-14 (5) (ii) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, has been pleased to confirm the minor penalties already imposed upon the aforementioned officer/officials tentatively as noted against each in Para-4 above.

SECRETARY TO
Govt: of Khyber Pakhtunkhwa
Public Health Engg: Department

Endst: No.SO(ESTT)/PHED/8-55/2019:

Dated Peshawar, the August 16, 2021

Copy is forwarded for information & necessary action to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar w/r to his office letter No.Admn-I/Inquiry PHE Div Karak/1091 dated 02-09-2019.
2. Chief Engineer (South) PHE Khyber Pakhtunkhwa Peshawar
3. Superintending Engineer Public Health Engg: Circle Kohat
4. Executive Engineer Public Health Engg: Division Karak/Orakzai
5. District Accounts Officer Karak/Orakzai
6. PS to Chief Secretary, Khyber Pakhtunkhwa, Peshawar
7. PS to Secretary PHE Department, Khyber Pakhtunkhwa, Peshawar
8. Officer/officials concerned.
9. Office Order File / Personal File.

SECTION OFFICER (ESTT)

ATTESTED