


802/16

08.12.2016

Appellant in person and Mr. Noshrawan, Principal alongwith Mr. Muhammad Zubair, Sr.GP for the official respondents No. 1 to 4 present. Written reply submitted on behalf of respondents No. 1 to 4 already submitted. Learned Sr.GP relies on the same on behalf of respondent No. 5 while none is present on behalf of private respondent No. 6. Proceeded ex-parte. The appeal is assigned to D.B for rejoinder and final hearing for 08.02.2017 at camp court, Swat. Status quo be maintained.

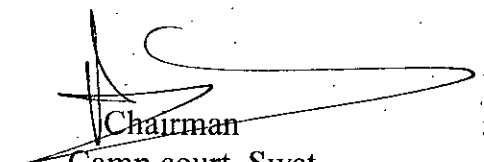

Chairman
Camp court, Swat

08.02.2017

Counsel for the appellant and Mr. Muhammad Zubair, Senior Government Pleader alongwith Noshrawan Principal for respondents present. Appellant submitted application for withdrawal of the appeal as his grievance has been redressed.

In view of the above the appeal is dismissed as withdrawn. File be consigned to the record room.


Member
ANNOUNCED
08.02.2017


Chairman
Camp court, Swat
08.02.17.

802/16

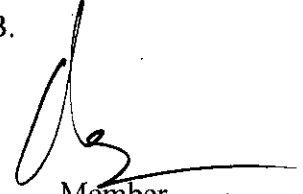
07.10.2016

Clerk of counsel for the appellant and Mr. Noshrawan, Principal for respondents No. 1 to 4 alongwith Mian Amir Qadar, GP, for respondents present. Written reply by respondents No. 1 to 4 submitted. Fresh notices be issued to respondents No. 5 & 6. To come up for written reply of respondents No. 5 & 6 on 08.12.2016 at camp court, Swat. Status quo be maintained.


Chairman
Camp Court, Swat

16.08.2016

Counsel for the appellant present. Preliminary arguments heard and case file perused. Since the matter required further assistance as it involves recovery of outstanding arrears as per audit report available ^{on file} Therefore, pre-admission notice be issued to the learned Additional Advocate General. To come up for further preliminary arguments on 29.08.2016 before S.B.


Member

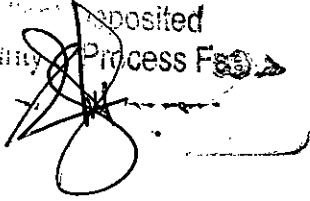
29.08.2016

Appellant with counsel present. Learned counsel for the appellant argued that the appellant was serving as Lecturer. That vide impugned order dated 05.04.2016 orders regarding recovery of Conveyance Allowance from the salary of the appellant was passed where-against he preferred departmental appeal on 03.05.2016 which was not responded and hence the instant service appeal on 09.08.2016.

That the impugned order of recovery of Conveyance Allowance is against facts and law as no notice of any such liability or recovery was issued to the appellant and, moreover, the appellant was neither within the using of the said house nor the same was legally allotted to him.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 07.10.2016 before S.B at camp court, Swat as the same pertains to territorial limits of Malakand Division. Status quo be maintained.

Appellant deposited
Security & Process Fee

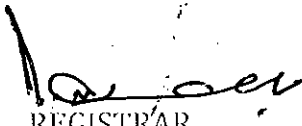




Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 802/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	09/08/2016	<p>The appeal of Mr. Rafiq Ahmad presented today by Mr. Shamsul Hadi Advocate may be entered in the Institution Register and put up to Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	10-08-2016	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>16-08-2016</u></p> <p style="text-align: right;"> MEMBER</p>

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. 802 /2016

Rafiq Ahmad.....Appellant

V E R S U S

Principle Govt College Dagger Bunir and othersRespondents

INDEX

S.N	Description of Documents	Annex	Pages
1.	Memo of Appeal.		1-4
2.	Application for Status-quo along with Affidavit		5-6
3.	Addresses of Parties.		7
4.	Copy of allotment order	A	8-
5.	Copies of Application and audit para.	B	9-16
6.	Copy of impugned Audit Para No.2.	C	17
7.	Copies of Notices.	D	18-22
	Copy of Departmental appeal.	E	23-
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Appellant

Through

Shams ul Hadi

Advocate, Peshawar.

Office: St/3 Abshar Colony

Warsak Road Peshawar.

Cell No. 0313-9772262

Dated: 07/08/2016.

BEFORE THE KHYBER PAKHTOON KHWA SERVICES
TRIBUNAL, PESHAWAR

Service Appeal No. 802 /2016.

G.W.F. PROVINCE
Service Tribunal
Diary No. 819
Dated 09/08/2016

Rafiq Ahmad (Lecturer)

Presently posted at Govt College Daggar, Bunir.....Appellant

V E R S U S

1. Principal Govt College Daggar, Bunir.
2. Director Higher Education Khyber Pakhtunkhwa, Peshawar.
3. Assistant Director Accounts, Directorate of Higher Education Khyber Pakhtunkhwa Peshawar.
4. Deputy Director Establishment, Higher Education KPK, Peshawar.
5. District Account Officer, Bunir.

Ex-parte
8/12/16
⑥ Zia ur Rehman (Ex-Principal Govt College Daggar Bunir)

R/o Street No.5 Shaheen Town P/O Tehkal Bala Peshawar .

..... Respondents

APPEAL UNDER SECTION 4 OF KHYBER
PUKHTUNKHWA SERVICES TRIBUNAL ACT
1974 AGAINST THE IMPUGNED OFFICE
ORDER/AUDIT PARA No.2 of 2012-13
DATED:05/04/2016.

Filed to-day

W. S. M.
Registrar

9/8/16

PRAYER IN APPEAL:

On acceptance of this appeal, the impugned Office Order Dated: 05.04.2016 may kindly be set aside and the respondents may kindly be directed not to recover the disputed amount in shape of Conveyance allowance Rs, 1,21,220/- and further the respondents may kindly be directed issue/release the recovered amount to the appellant.

Respectfully Sheweth:

1. That the appellant being "Lecturer" joined the respondent/department since long and as such performing his duties with zeal and zest.
2. That initially for residential purpose, the Respondent No.6 allotted Bungalow No.1 to the appellant (it is pertinent to mention here that the said Bungalow was actually allotted and used by Respondent No.6 for his own personal use and as such he was resided in it and he used to shown the same as allotted to appellant) .
(Copy of allotment order is annexure-A)
3. That latter on when the respondent No.6 got retired from the service so the appellant filed an application for cancellation of the Bungalow and for granted of House Rent and as such the matter was inquired by the concerned authorities and finally it was decided that the recovery in shape of Conveyance allowance should be made from the respondent No.6 and as such the appellant was discharge from the liabilities.(Copies of Application and audit para are annexure-B)
4. That latter on, reasons best known to the respondents again according to impugned audit para No.2 at serial No.50, of 2012-13 dated:05.04.2016 some directions were given to the appellant that Rs, 1,21,220/- is still out standing against you and the same be deposit by the appellant as soon as possible.(Copy of impugned Audit Para No.2 is annexure-C)
5. That in compliance of the impugned audit para/order the respondent No.1 issued various notices to the appellant for recovery of disputed amount without caring for his

earlier letters where he himself discharged the appellant from the recovery of disputed amount hence the actions and inactions of the respondents are classical example of victimization and harassment. (Copies of Notices are annexure-D)

6. That against the said impugned order the appellant approached the concerned authorities through written representation but the same was not decided within statutory period. (Copies of Departmental Representation is annexure-E)

That being aggrieved from the impugned order, the appellant approached this Hon'ble Tribunal on the following grounds amongst other inter alia:

GROUND:

- A. That the impugned order dated:05.04.2016 for recovery of the disputed amount is against the law and procedure, hence, untenable being unjust and unfair.
- B. That the appellant was not treated in accordance with law and rules, thus acted in violation of the relevant laws laid down for the purpose .
- C. That it is clear from the surface of the record and relevant documents that the Bungalow was actually used by the then principle/respondent No.6 for his personal use and only the dummy name of the appellant was shown in documents as the same was and is a routine practice of the high ups of the college and the same fact too earlier clarified by the concerned authorities during the inquiry and because of that inquiry the appellant was discharge from any kind of liability of the Bungalow hence the


impugned order for recovery from the appellant is against the law and facts.


D. That the appellant pressurizing the appellant to deposit the disputed amount and they have now started deduction from monthly salary of the appellant and they are also now taking adverse action against the appellant in shape of imposition of major penalty which clearly show the ill intention of the respondents. (Copies of Show cause Notices are annexure-F)

E. That any other ground may be adduced during the course of argument, with the kind permission of this Hon'ble Court.

It is, therefore, most humbly prayed that On acceptance of this appeal, the impugned Office Order Dated: 05.04.2016 may kindly be set aside and the respondents may kindly be directed not to recover the disputed amount in shape of Conveyance allowance Rs, 1,21,220/- and further the respondents may kindly be directed issue/release the recovered amount to the appellant.

Appellant


Rafiq Ahmad (Lecturer)

Through 

Shams ul Hadi
Advocate, Peshawar.

Dated: 07/08/2016

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

Service Appeal No. _____/2016

Rafiq Ahmad.....Appellant

V E R S U S

Principle Govt College Dagger Bunir and othersRespondents

Application for Status-quo/Suspension of impugned office order/audit para No.2 of 2012-13 dated:05.04.2016 regarding recovery of amount Rs,1,21,220/- and further the respondents may kindly be directed not to recover the disputed amount or made deduction Rs,10000/- P.M from the monthly salary of the appellant and further the respondents may kindly be restrain from taking any adverse action against the appellant, till final disposal of the titled appeal .

Respectfully Sheweth:

1. That the appellant/petitioner filed instant application along with service appeal in which no date is fixed so far.
2. That facts and grounds of the appeal may kindly be considered part and parcel of this application.
3. That prima facie the appellant has good case and is sanguine about its success.
4. That if the impugned audit Para dated:05.04.2016 regarding recovery of amount Rs,1,21,220/- is not suspended at this stage the appellant will suffer irreparable loss.

So on acceptance of this application a staus-quo order may kindly be issued as prayed for in the headings of the instant application.

Through

Applicant

Shams-ul- Hadi
Advocate High Court

**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2016



Rafiq Ahmad.....Appellant

V E R S U S

Principle Govt College Dagger Bunir and othersRespondents

AFFIDAVIT

I, **Shams ul Hadi**, Advocate, Peshawar do hereby as per information conveyed to me by my client solemnly affirm and declare that the contents of the **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.


ADVOCATE
9-8-2016


**BEFORE THE HON'BLE KHYBER PAKHTOON KHWA SERVICE
TRIBUNAL, PESHAWAR**

Service Appeal No. _____/2016

Rafiq Ahmad.....Appellant

V E R S U S

Principle Govt College Dagger Bunir and othersRespondents

ADDRESSES OF THE PARTIES

APPELLANT:

Rafiq Ahmad (Lecturer)

Presently posted at Govt College Daggar, Bunir

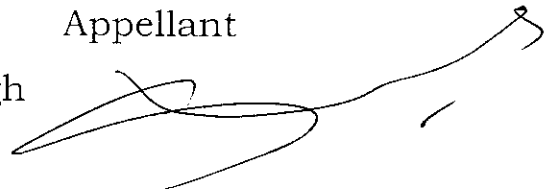
Cell No. 0337-477340nic = 15101-0334109-9.

RESPONDENTS:

1. Principal Govt College Daggar, Bunir.
2. Director Higher Education Khyber Pakhtunkhwa, Peshawar.
3. Assistant Director Accounts, Directorate of Higher Education Khyber Pakhtunkhwa Peshawar.
4. Deputy Director Establishment, Higher Education KPK, Peshawar.
5. District Account Officer, Bunir.
6. Zia ur Rehman (Ex-Principal Govt College Dagger Bunir R/o Street No.5 Shaheen Town P/O Tehkal Bala Peshawar.

Appellant

Through



Shams ul Hadi

Advocate, Peshawar.

Dated: 07/08/2016

8

Answer
A2

OFFICE OF THE PRINCIPAL GOVT. COLLEGE DARGAR HUNER.

No. 155-5B

Dated 2/05/12.

OFFICE ORDER.

College campus Fuzgalow No.1 is hereby allotted to Mr. Rafiq Ahmad, Lecturer in Islamiat u.o.f 01-05-2012.

Principal
Govt: College Dargaz Huner.

Copy to Tho :-

- 1. Distt: Account Officer Dargaz Huner.
- 2. Mr. Rafiq Ahmad, Lecturer in Islamiat.
- 3. Office Record.

[Handwritten Signature]

Principal
Govt: College Dargaz Huner.

A-C

[Handwritten Signature]

1/15/12
1/16/12
1/17/12

Subject - CANCELLATION OF ACCOMMODATION ALLOTMENT

The Principal,
Gout. College Dargan

Amusey
B
9

It is stated that Bangalou No. 1 of Dargan college campus had been allotted to one in which the Principal (Koll) Tea ut Rabman was residing. He has been retired on 17.11.2013. The navigation has been vacated with 18.11.2013 but income sent deduction is regularly made by one. It is therefore, requested that the said allotment may please be cancelled w.o.f 18.11.2013 in order to give me relief.

Yours
Rafiq Ahmad

Rafiq Ahmad
Secretary in Government
30-07-2014

The application is forwarded in original to Mr. DHE KPK for necessary favourable consideration please.

PROVINCIAL
Govt. of Bihar
Distt: Buxar

Govt. on 01/01/14

02/01/14

C.A.C

To

The Director Higher Education
K.P.K, Peshawar

9

10

Through Proper Channel

Subject:- DEDUCTION OF CONVEYANCE ALLOWANCE.
Memo:-

It is stated that the ex-principal Mr. Prof: Zia ur Rahman had asked me that I should allot bungalow No.1 at Daggar Collage Campus at my name and that he (the principal) will reside in it .Being my immediate boss I honored his request and allotted the bungalow at my name and he started residing in it.


The audit party per para No.2 (2012-2013) demanded Rs. 82,360/- as outstanding amount under the head of conveyance allowance (w.e.f 01-03-2012 to 31-12-2013 for 22 months) which I had drawn in my pay. In compliance with the audit para the college administration has started deduction from me.

It is worth mentioning that in the same para the audit party has made a footnote stating that as the bungalow was occupied by the then principal Mr. Zia ur Rahman, so the deduction in question may be materialized from the actual occupant i.e Zia ur Rahman and not from the allottee i.e Rafiq Ahmad lecturer.

So it is requested that this outstanding amount of Rs: 82360/- my be realized from Mr. Zia ur Rahman and not from me.

Moreover since the retirement of Prof: Zia ur Rahman the bungalow is lying vacant and I have been deprived from my house rent allowance without any fault on my part from 18-11-2013 upto date.

It is therefore requested that House rent allowance for the mentioned period may please by granted to me.


Rafiq Ahmad,
Lecturer in Islamiat
Govt: College Daggar Buner

office of the Principal G.C Daggar.
No 674 Dated 13.10.2014

Forwarded in original to the DHE KPK
Peshawar for favourable consideration


PRINCIPAL
Govt: College Daggar
Dist: Buner

C-1-C





DIRECTORATE OF HIGHER EDUCATION

KHYBER PAKHTUNKHWA, KHYBER ROAD PESHAWAR
Telephone No.091-9211025-9210217-9210242 Fax-9210215

No. 27578 N-4/Fund,

Dated Peshawar the 12/11/2014.

To

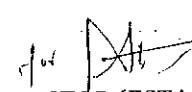
The Principal,
GDC Daggar (Buner).

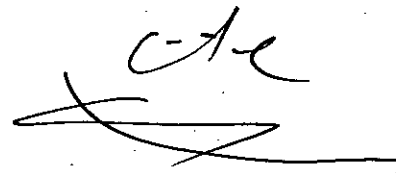
Subject:- **CANCELATION OF ACCOMMODATION ALLOTMENT.**

Memo:

I am directed to refer to your memo: No. 674 dated 13-10-2014 on the subject noted above and to inform that the following information's may be furnished in order to proceed further into the matter.

- 1) When was allotted the Bungalow to the Lecturer.
- 2) What is the date of occupation of Bungalow by the Principal?
- 3) Wheather the Principal/occupants was paying rent/conveyance to the Lecturer.
- 4) After Vacation of Bungalow by the Principal it is occupied by the Lecturer or other-wise
- 5) Claiming of period/Months by the Lecturer for the purpose.


DEPUTY DIRECTOR (ESTABLISHMENT).





OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

19

No. 823/

Dated: 28 /11 /2014

To

The Deputy Director (Establishment)
Directorate of Higher Education
K, P, K Peshawar.

Through Proper Channel

Subject: - CANCELATION OF ALLOTTED ACCOMMODATION.

Memo:-

Reference your Memo No. 27578/N-4/Fund dated 12-11-2014 on the above subject.

It is pertinent to mention that the bungalow was actually not needed by Mr. Rafiq Ahmad Lecturer but when the then principal (Retd) Zia ur Rahman took charge in this college he was in need of accommodation so he asked Mr. Rafiq Ahmad lecturer to allot the said bungalow to himself and then the principal will reside in it. Verbally it was decided between them that house rent deducted by Mr. Rafiq Ahmad lecturer will be paid to him by the principal in cash at the end of each month and the conveyance will be claimed by the allottee in the monthly pay.

Parawise Comments are as under.

1. Date of Bungalow allotment = 01-03-2012.
2. Date of Occupation by the principal = 01-03-2012.
3. Date of Vacation by the principal = 17-11-2013.
4. Rent was regularly paid by the principal to the lecturer in cash while conveyance allowance was taken by the lecturer in his pay.
5. After vacation of the bungalow by the principal on 17-11-2013 it was not occupied by any one because non needed it.
6. Claiming of period of rent by the lecturer is from 18-11-2013 up to date.

It is further clarified that, (Rafiq Ahmad) submitted an application for the bungalow cancellation w.e.f 18-11-2013. After a long lapse the bungalow was cancelled by the principal w.e.f 01-04-2014 vide this office Memo No.223-25 dated 07-04-2014 and later it was declared as college Guest House with effect from 01-05-2014 vide this office Memo No.302 dated 05-05-2014. The Directorate endorsed this decision and vide Memo No. 22006/ N-4 /Fund 21-09-2014 the bungalow was declared as college Guest House.

It is now requested that the issue may be settled for ever and give me relief of the mental agony and financial burden.

As for as the deduction of conveyance allowance vide audit para No.2 (2012-2013) amounting to Rs.82,360/- is concerned, it should be recovered from the then principal Mr. Zia ur Rahman (Retd) and not from Rafiq Ahmad.

C-1-C

Principal

Govt. College Dagggar Buner

PRINCIPAL
Govt. College Dagggar
Dist. Buner



DIRECTORATE OF HIGHER EDUCATION

KHYBER PAKHTUNKHWA, KHYBER ROAD PESHAWAR
Telephone No.091-9211025-9210217-9210242 Fax-9210215

(13) 5

No. 55 / P-7/A. Note,,

Dated Peshawar the 11 /2015


To

The Principal,
GDC Daggar (Buner).

Subject-
Memo:

CANCELATION OF ALLOTTED ACCOMMODATION.

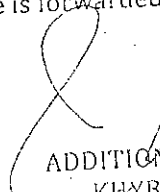
I am directed to refer to your memo: No. 823 dt: 28-11-14 on the subject noted above and to inform that the Bungalow allotted to Mr. Rafiq Ahmad Lecturer in Islamiyat may be ~~cancelled~~ since the dates of its vacation by Prof: Zia-ur-Rehman (R) Principal and House Rent and conveyance if deducted since vacation of the Bungalow may be paid to the concerned subject to the fulfilment of laid down procedure.


ADDITIONAL DIRECTOR HIGHER EDUCATION,
KHYBER PAKHTUNKHWA PESHAWAR

Endst: No. 56

(Buner).

Copy of the above is forwarded to the Distt: Accounts Officer Daggar


ADDITIONAL DIRECTOR HIGHER EDUCATION,
KHYBER PAKHTUNKHWA PESHAWAR



A. Rehman
AB

14

53.	Para No. 44 (08-11) Illegal and Unauthorized Expenditure out of Additional Shift Fund on a/cs of various purposes for Rs. 106100/-	-do-
54.	Para No. 48 (08-11) Physical verification report.	-do-

PARA NO. 1 (2012-2013) CASH BOOK.

It was written upto and for 22-1-2014 representing Nil balance during scrutiny neither initial of the Principal (Prof. Zia-ur-Rehman) on income/payment side found nor his signature in the months of August 2012 and to November 2012 to November, 2013 found, whereas Pages No: 70-71 in May 2013 Pages 74-84 from July, 2013 to November, 2013 are left blank and un-signed.

Principal/DDO is advised to clarify and either the drawn amounts from Govt. exchequer should be recorded in proper months if other-wise may be signed as Nil and ensure its maintenance according to CTR-77 in future and compliance reported.

PARA NO. 2 (2012-2013) NON-DEDUCTION OF CONVEYANCE ALLOWANCE FROM THE OCCUPANTS OF BUNGLOWS AND IN SUMMER VACATION FOR RS. 748360/- UPTO DECEMBER, 2013.

As per Practice in vogue as well as decision of the Honorable High Court Peshawar to the effect that conveyance allowance should be deducted from the occupants residing in the Premises or by walking distance, contrary to the above the following persons are residing in the Bungalows situated in the heart of the college duly facilitated by Water and Electricity but a single Penny on a/cs of conveyance allowance has not been recovered from them since 1-7-2011 to date, resultantly loss of Rs 748360/- has been given to Govt. exchequer whereas Rs. 24840/- have been paid to the teachers noted at S.No. 12-19 in Summer vacation i.e July, 2012 & 2013 which should be explained.

Detail of occupants with period and out-standing amounts is as per. (List Attached).

It has also been noticed that one Mr. Rafiq Ahman Lecturer was allotted Bungalow but actually Prof. Zia-ur-Rehman Principal was reside in it, Hence conveyance allow shown out-standing against him may be recovered from the actual occupant in order to not damage right of the nominee/occupant.

Principal/DDO is advised to ensure recovery from all occupants with 5% of House Rent of the out-standing amounts now as well as in future and compliance reported in annotation.

PARA NO. 3 (2012-2013) NON-PRODUCTION, NON-ENTRY IN GOVT. CASH BOOK AND NON-RECONCILIATION OF RS. 870573/-.

Rs. 870573/- were drawn out of Govt. exchequer through the following cheques No: & Dates on a/cs of various purposes. The irregularities noticed their in are noted against each amounts whereas auditable record in support of expenditure also not produced

Detail is as under:-

C-A-C
[Signature]


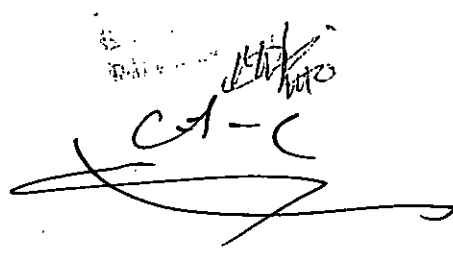
15

Conveyance Allowance

	Designation	Period	Amount	Remarks
1	Rafiq Ahmad	Lecturer	1/3/2012 to 30/6/2012(7 months)@Rs.2480/- 1/7/2012 to 31/12/2013(13 months)@Rs.5000/- Total:-	17360 65000 82360 By the date was occupied by Prof. Ria-ur-Rahman
2	Khalid Mahmood	Assitt;Prof;	1/7/2011 to 30/6/2012(10 months)@Rs.2480/- 1/7/2012 to 31/12/2013(13 months)@Rs.5000/- Total:-	24800 65000 89800 ✓
3	Muhammad Irfan	Assitt;Prof;	1/7/2011 to 30/6/2012(10 months)@Rs.2480/- 1/7/2012 to 31/12/2013(13 months)@Rs.5000/- Total:-	24800 65000 89800 ✓
4	Hazb ur Rahman	Lecturer	1/7/2011 to 30/6/2012(10 months)@Rs.2480/- 1/7/2012 to 31/12/2013(13 months)@Rs.5000/- Total:-	24800 65000 89800 ✓
5	Sher Muhammad	Lecturer	1/8/2013 to 31/12/2013(4 months)@Rs.5000/-	20000 ✓
6	Dilaram Khan	Lecturer	1/10/2012 to 31/12/2013(12 months)@Rs.5000/-	60000 ✓
7	Rafiullah	Lecturer	1/7/2011 to 30/6/2012(10 months)@Rs.2480/- 1/7/2012 to 31/12/2013(13 months)@Rs.5000/- Total:-	24800 65000 89800 ✓
8	Muhammad Ilyas	Lecturer	1/10/2012 to 31/12/2013(12 months)@Rs.5000/-	60000 ✓
9	Sirtaj Wali	Lecturer	1/7/2011 to 30/6/2012(9 months)@Rs.2480/- 1/7/2012 to 31/12/2013(13 months)@Rs.5000/- Total:-	22320 65000 87320 ✓
10	Syed Hasan Jan	Lecturer	1/7/2011 to 30/6/2012(9 months)@Rs.2480/- 1/7/2012 to 30/9/2012(2 months)@5000/- Total:-	22320 10000 32320 ✓
11	sultan Zeb	Lecturer	1/7/2011 to 30/6/2012(9 months)@Rs.2480/- 1/7/2012 to 31/12/2013(13 months)@Rs.5000/- Total:-	22320 65000 87320 ✓

22320 ✓

Audit Para - No. 2
(2012-13) Non Deduction
of conveyance allowance
from the occupants.

(Counter signed)



No: & Dates on a/cs of Purchase of Stationery. The irregularities/shortcomings noticed their in are noted against each: -

Detail is as under: -



(16)
OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 49 /

Dated: 9 / 01 / 2015

To

The District Accounts Officer
Buner at Daggar.

Subject:- ENTITLEMENT TO CONVEYANCE AND HOUSE RENT ALLOWANCE.
Memo:-

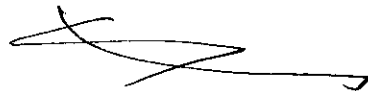
Reference Memo No. 55/P-7/A. Note dated 01-01-2015 issued by Directorate of Higher Education KPK Peshawar on the above subject.

As per directive of this Memo the bungalow No. 1 situated at Daggar College residential campus which has been allotted to lecturer Rafiq Ahmad, has been cancelled with effect from November 2013.

It is, therefore, requested that all the deduction made from him from November 2013 to January 2015, if any, may please be refunded to him accordingly.
Copy attached.


PRINCIPAL
Govt. College
Daggar Buner.

dec



	of Newspapers out of Private funds amounting to Rs. 4893/-.	follow original audit para and take necessary action accordingly and Para stand
42	Para No. 35 (08-11) Illegal and Unauthorized Payment to Hostel Warden amounting to Rs. 10800/-	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
43	Para No. 36 (08-11) Irregular and Unauthorized Expenditure out of Private Funds on accounts of Purchase of Plants of Rs. 12990/-	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
44	Para No. 37 Illegal and Unauthorized Expenditure out of Private Funds and non observance of codal formalities for Rs. 78371/-.	Already deferred vide this office No. 15284 dt: 2-7-14 but nothing produce during the audit which should be explained and Para Stand.
45	Para No. 38 (08-11) Irregular and unauthorized Purchase/Printing of receipt books for Rs. 6700/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
46	Para No. 39 (08-11) Irregular and unauthorized collection of Fine amounting to Rs. 611656/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
47	Para No. 40 (08-11) Illegal and double payment out of Sports Fund amounting to Rs. 308075/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
48	Para No. 44 (08-11) Illegal and unauthorized expenditure out of additional shift fund on accounts of various purposes for Rs. 106100/-	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
49	Para No. 48 (08-11) Physical verification.	Already deferred vide this office No. 15284 dt: 2-7-14 but nothing produce during the audit which should be explained and Para Stand.
50	Para No. 2 (2012-2013) Non-deduction of Conveyance Allowance from the occupation of Banglow and the Summer Vacation for Rs. 748360/- upto December, 2013.	1) Rs. 1, 21,220/- is still out-standing against Mr. Rafiq Ahmad Lecturer in Islamiyat, he is directed to recover the said amount immediately, -under intimation to audit. 2-19) The case of Conveyance Allowance is under process with Distt: Account Officer Dagger (Buner and the Principal is directed to deduct the Conveyance Allowance @ Rs. 10000/- per month on equal installment from all concerned and intimate the documentary proof at the completion of recovery and hence Para stand.
51	Para No. 3 (2012-2013) Non-Production, Non entry in Govt: Cash Book and non-reconciliation of Rs. 870578/-.	1-24) Entries in Cash Book and stock register seen vide Pages 52 62 64 66 56 62 72, 72. The voucher and recoupment into Private Fund Seen & Para Settled.
52	Para No. 4 (2012-2013) Irregular drawl of Rs. 23650/- on accounts of Purchase of Stationary.	1-2) Entries vide Page-43 of the stock register seen. 3) The sign has now been found in Stock register. 4) Demand of the concerned seen. 5) The stock register has been signed by the Principal seen vide Page 41 and Page

Answer
C²
17

[Handwritten signature]

(18) Answer - (8)

OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 345-46 /a-12

Dated: 25 /04/2016

To


Mr. Rafiq Ahmad
Lecturer in Islamyat
Govt: College Daggar Buner

Subject: DEPOSITING OUT STANDING AMOUNT

Memo:-

It is to inform that an amount of Rs. 121220/-- on account of receiving and unauthorized conveyance allowance is outstanding against your for bungalow No.1 w.e.f 01-03-2012 to 31-12-2013.

You are directed to deposit the amount in order to settle the pare No. 02 (2012-13)


Principal
Govt: College
Daggar Buner

Copy to the:-

1. Director Higher Education his letter No. 9871/ dated 05-04-2016 for information.

/

Principal
Govt: College
Daggar Buner

C.A.C


نوٹس :-

19

بکوریف 10/5/2016

رضویہ الہم سنگھ (راسلہ عثمان) کو پندرہ سو نو سو اٹھارہ روپیہ جاری
 ہے، کہ ہنگل غرا (Connagmore Abb) عطالیق آڈٹ ویسٹ اگریز 2 ان
 کا فرقہ (Recovery) Rs. 121220/- ہے، جو کہ اس سے پہلے
 بحوالہ جی ٹی نمبر 46-345 بکوریف 25/4/2016 آگاہ کیا گیا ہے۔ اس میں
 اسی سنگھ کالج دفتر سے رابطہ نہیں کیا، آڈٹ ویسٹ اگریز 2 کا
 جواب (D.H.E) مینا ور کو دینا ہے، اس کے لوکل کالج کے دفتر سے
 رابطہ کرتے کہ اس (Month wise) کی کوئی -/Rs. 10,000 آڈٹ ویسٹ
 نمبر 2 کے عطالیق شروع کیا جائے۔

① رضویہ الہم سنگھ
 Despatch: No. 409/Dt: 10/5/2016,

PRINCIPAL
 Govt. College Daggas
 Distt: Buner

وہما صحت سلسلہ نوٹس 10/20/2016 No. 409, پرنسپل آفس گورنمنٹ کالج ڈگر

آپ صاحبان کی جانب سے درج بالا تاریخ اور نمبر کے ساتھ آڈٹ پورا فرم کے حوالے سے دوبارہ نوٹس جاری ہوئے۔

حالانکہ اس سے پہلے بتاریخ 25/04/2016 کو بحوالہ جی پی فرم 12-19-46/9-345 کے درستی میں چھوڑ دیئے گئے تھے۔ آفس کے ذریعے ڈائریکٹر یا پرنسپل کی خدمت میں

ارسال کردہ درخواست نمبر 12/11-384-10 بتاریخ 4/2016 اور اس دوران مالاکہ کا روٹی کا اشتقاق رہے۔

تعمیراتی بند سہینہ بعد آج صاحبان کو دوبارہ نوٹس جاری کیا۔

تذکرہ ہے کہ اس دوران مالاکہ (D.H.E) کی سہولت کے حوالے

کا روٹی کے اشتقاق میں ہے۔

ابوبکر
بصیر

ڈائریکٹر (سہولت)
گورنمنٹ کالج ڈگر جوہنر
11-05-2016

Received

M. J. S. S. S.

12/5/2016

C.A.C

[Signature]

21



OFFICE OF THE PRINCIPAL
GOVT; COLLEGE DAGGAR BUNER.

No. 586-87/recovery C-A-

Dated: 13 /07/2016


To

Mr. Rafiq Ahmad
Lecturer in Islamyat
Govt: College Dagggar.

Subject:- COMPLIANCE OF AUDIT PARA.
Memo;

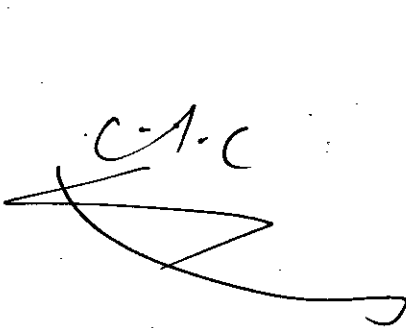
Reference this office memos No. 345 dated 25-04-2016 and No. 409 dated 10-05-2016 on the above subject.

You are once again directed to ensure the depositing of the outstanding amount of Rs. 121220/- in order to settle the audit para No. 02 (2012-13) otherwise deduction @ Rs. 10000/= per month will be automatically started with effect from 1-08-2016.


Principal
Govt: College
Dagggar Buner

Copy to the:-

1. Director Higher Education Khyber Pakhtunkhwa Peshawar.


Principal
Govt: College
Dagggar Buner



**PAYROLL SYSTEM
AMENDMENT FORM
SINGLE EMPLOYEE ENTRY**

GSSFD (WFRS) 43--FFC--3000 Folds of 100 L--17.03.2004--1221

Form: PAY02

Date: _____

Page No. 2

OFFICE OF THE: Principal Govt. College Dageer Buner.
FOR THE MONTH OF: Feb: 2015

DDO Code (Cost Center): 4025 Description: Adjustment of HRA/Convenience Allow.

Personnel Number: 00347472 Employee Name: Rafiq Ahmad

National ID Card No. _____

Grade (Pay Scale Group): 17 Lecturer

Salary Status: Start Stop

22

GENERAL DATA CHANGE 13		CHANGE IN PAYMENTS/DEDUCTIONS 17					Effective Date 21	Remarks 22
Info Type 14	Field ID 15	New Contents 16	Wage Type 18	Amount				
				Rupees 19	Paise	Adj 20		
1210		Convey Allow.		2	5295		25295/-	(Copy attached) Remission of C/A may please be granted. HRA for 14 months may please be granted. 5% Deduction of HRA may please be granted.
1000		House Rent		4	1370	14	41376/-	
		5% HRA		3	602		3162	
Total				6	9767		69767/-	
January				5	001		5000/-	

← لوئیبر 2013 تا دسمبر 2014

Approved By: _____
Hundred/checked by: _____

74767/-

74767/-

PRINCIPAL
Govt. College Dageer
Buner

Entered/verified by _____

ASSISTANT COMMISSIONER
GOVT. COLLEGE
DAGEER BUNER



Revenue

100000
100000

100000
100000

Ady Comenco = 25295
 Ady H/RT = 41370
 Ady 15% H/RT = 3102
68767

23

To

The Director Higher Education,
Khyber Pakhtunkhwa Peshawar.

Answer - E

(Through Proper Channel)

Subject:- DEPOSITING OF OUT STANDING AMOUNT/AUDIT PARA NO.02 2012-13.
Memo:-

Reference your office Memo No. 9871 dated 05-04-2016 on the above cited subject.

The para under reference (annexed-I) is regarding Non-deduction of conveyance allowance from the occupants of the bungalows where in I am one of the affectees because bungalow No.1 situated at G.C Daggar was allotted at my name. In the same para a footnote also includes which clarifies my position and exonerate me by saying that Mr. Zia ur Rahman. (retd Principal) being the actual occupant and not Mr. Rafiq Ahmad lecturer (allottee), has to pay the out standing amount in question.

My reply to this para was endorsed by the Principal Govt: College Daggar Buner Vide Memo No. 674 dated 13-10-2014 (copy attached annexed-II)

Reacting upon my request the Directorate vide Memo No.27578/N-4 /Fund dated 12-11-14 (Copy attached annexed III) for clarification of the position asked some queries from the principal of the college. The principal Govt: College Daggar replied/ answered the queries vide Memo No.823 dated 28-11-2014 which further clarified my stance and clearly stated that the amount is recoverable not from Mr. Rafiq Ahmad lecturer but from Mr. Zia ur Rahman Retard Ex- Principal (copy attached annexed IV)

In response to this letter the Directorate vide Memo No. 55/P-7/A. Note dated 01-01-2015 directed the principal G,C,Daggar to cancel the bungalow allotment to Mr. Rafiq Ahmad since the date of vacation of the bungalow by prof: Zia ur Rahman @ Principal and house rent and conveyance allowance if deducted since vacation of the bungalow may be paid back to Mr.Rafiq Ahmad lecturer concerned (Copy attached annexed V).

As per this directives the principal G,C Daggar vide Memo No. 49 dated 09-01-2016 asked District Accounts officer Buner to refund the deduction, if any, to Mr. Rafiq Ahmad (copy attached annexed IV). As a compliance the District Accounts Office refunded me an amount of about Rs. 25000/- as payable to me.

Keeping in view the above brief facts which testifies that the matter should have been settled for ever, I do not understand that why this para is time and again quouted against me. The directorate has acknowledged that the defaulter is Mr. Zia ur Rahman @ Principal and not Mr. Rafiq Ahmad. If some amount is outstanding against a person it is Mr. Zia ur Rahman and not me.

It is therefore requested that I may be exonerated from this mental agony. The matter be handled as it is in reality and not on the basis that I was the occupant of the bungalow otherwise it will be presumed that all this correspondence made by the directorate was useless exercise. I hope sympathetic consideration.

no- 384-A/12 dt 4-5-2016

Forwarded to DHE in original

MAHS
PRINCIPAL
GOVT COLLEGE DAGGAR BUNER

CAC


Yours
Rafiq Ahmad
Rafiq Ahmad 3.5.2016
Lecturer in Islamiat
Govt: College Daggar Buner

24

Answer
c/f



DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA, KHYBER ROAD PESHAWAR
Telephone No.091-9211025-9210217-9210242 Fax-9210215
Email:- audit.higher.edu @ gmail.com.

No. 18931 / P-7/ A. Note,

Dated Peshawar the 13/9 /2016.

To

✓ The Principal,
GDC Daggar (Buner).

Subject: - DEPOSITING OF OUT STANDING AMOUNT/AUDIT PARA NO. 02 (2012-2013)

Memo:

I am directed to refer to your Endst: No. 384-A/12 dt: 4-5-2016 on the captioned subject and to state to deduct the out-standing amount of Rs.158435/- (detail attached) from Mr. Rafiq Ahmad Lecturer in Islamayat of your college without any further loss of time other-wise it will be presumed that you are not following the relevant rules. Since the Bunglow was allotted to Mr. Rafiq Ahmad, Lecturer therefore he is responsible to deposit the out-standing amount immediately. In case of failure/ non compliance, disciplinary action will be initiated against all concerned. Moreover, all sorts of sanctions out of Private Fund will not be honoured by this office and also Distt: Accounts Officer Buner will be informed to make the recoveries from all occupants residing in the. college premises under intimation to this office.

Encl: one

ASSISTANT DIRECTOR (ACCOUNTS)

Endst: No. _____/

Copy of the above alongwith detail of recoveries to Administrative Officer local Directorate with the remarks that disciplinary action may be taken against Mr. Rafiq Ahmad Lecturer in Islamiyat GDC Daggar for non compliance of the high ups.

ASSISTANT DIRECTOR (ACCOUNTS)

C.A.C

o/c

(25)

**DETAIL OF OUT-STANDING AMOUNT AGAINST MR. ROAFIQ AHMAD
LECTURER IN ISLAMAYAT GOVT. DEGREE COLLEGE DAGGAR (BUNER) ON
ACCOUNTS OF NON DEDUCTION OF HOUSE RENT ALLOWANCE + 5% AND
CONVEYANCE ALLOWANCE OCCUPATION OF RESIDENTIAL BENGLOW.**

1) House Rent Allowance for the period from	
2) 1-3-2013 to 30-11-2013	2955 x 9 = Rs. 26595/-
3) i) Deduction of 5% House Rent Allowance	
1-7-2011 to 30-11-12	980 x 17 = Rs. 19600/-
4) ii) Deduction of 5% House Rent Allowance	
1-12-12 to 30-11-12	1040 x 12 = Rs. 12480/-
5) Conveyance allowance 1-7-11 to 30-6-12	2480 x 12 = Rs. 29760/-
6) -do- 1-7-12 to 30-5-2013	5000 x 11 = Rs. 55000/-
7) -do- 1-9-13 to 30-11-13	5000 x 3 = Rs. 15000/-
	<hr/>
	Rs. 158435/-

Handwritten signature



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR**

(26)

Phone # 091-9210242, 9211025/Fax # 9211803
No. 20696 / CA-II/ Estt: Branch/A-17/Rafiq Ahmad/ Islamiyat

Dated Peshawar the 4/8/2016

To

**REGISTERED
MOST IMMEDIATE**

3 b me

Mr. Rafiq Ahmad
Lecturer in Islamiyat
Govt; Degree College, Daggar (Buner).

SUBJECT DEPOSITING OF OUTSTANDING AMOUNT/ AUDIT PARA
NO. 02 (2012/2013)/EXPLANATION.

Memo:

I am directed to refer to the subject cited above and to inform you that you had occupied a residential bungalow at Govt; Degree College, Daggar (Buner) in 2011-2013. During the course of internal audit on the accounts of the College, it was noticed that you have not made deductions amounting to Rs. 1,58,435/- on account of House Rent Allowance and 5 % of the basic pay as well as conveyance allowance.
1 2
3

2. I am, therefore, directed to ask you to explain your position as to why disciplinary proceedings may not be initiated against you under E&D Rules, 2011. Your explanation should reach this office within a week after the receipt of this letter through your Principal and in case your reply is not satisfactory, then disciplinary action will be initiated against you under the Rules ibid.

3. Besides, you are directed to deposit the said outstanding amount and proof thereof in shape of original challan may be sent to this office immediately, failing which action will be taken against you.

R. Rafiq
DY: DIRECTOR (ESTABLISHMENT)

Endst; No. _____

Copy of the above is forwarded to the Assistant Director (Accounts), local Directorate for information.

C. A. C.

Received

05/08/2016

[Signature]

To

The Deputy Director (Estab)
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar.

(27)

Through Proper Channel

Subject :- OUTSTANDING AMOUNT/ AUDIT PARA/EXPLANATION.

Memo:-

Reference your Memo No.20696/CA-II/Estab/A-12/Rafiq Ahmad/Islamiat dated 04-08-2016.

1. As per as the delay in depositing the amount in question is concerned it is not a fault on my part. The original audit para No.2 (2012-13) was not against me but the recoverable amount was outstanding against Mr. Zia ur Rahman Ex- Principal GC Daggar. (Annex-I)

2. later on the matter was reactivated during May 2016 (Annex-II) and as a response my pleas which is self explanatory was submitted through proper channel (Annex-III)

3. In its response another directives was issued (Annex-IV) and the college authorities immediately implemented and deduction @ Rs. 10000/- per month was started from me w.e.f July 2016 (Annex-V) as per decision of the principal vide Memo No. 595 dated 16-07-2016.

My humble submission, keeping in view the above facts, is that initiation of disciplinary action against me seem to me beyond justice. I am neither defying or delaying departmental directives. Time will prove that whether this deduction/recovery from my part was a justified one or otherwise.

I think the deduction from me in one instalment will be a great burden upon me. Because I have no other means of livelihood. I will pay the outstanding amount at an equal instalments of Rs.10,000/- per month. In the mean time Inshallah I shall convince the authorities that this recovery is unjustified.

I hope sympathetic consideration

Office of the Principal G.C. Daggari
No 652/A-12 Dated 6-8-2016

Forwarded in original to the
Deputy Director (Estab) Directorate
of Higher Education Khyber Pakhtunkhwa
Peshawar for consideration please.

Rafiq Ahmad
Principal
Govt. College Daggari
Distt. Buner

Yours
Rafiq Ahmad
Rafiq Ahmad
Lecturer in Islamiat
Govt: College Daggari Buner.
Dated: 05-08-2016

C-A-E

[Signature]

53.	Para No. 44 (08-11) Illegal and Un-authorized Expenditure out of Additional Shift Fund on a/cs of various purposes for Rs. 106100/-	-do-
54.	Para No. 48 (08-11) Physical verification report.	-do-

PARA NO. 1 (2012-2013) CASH BOOK.

It was written upto and for 22-1-2014 representing Nil balance during scrutiny neither initial of the Principal (Prof. Zia-ur-Rehman) on income/payment side found nor his signature in the months of August 2012 and to November 2012 to November, 2013 found, whereas Pages No: 70-71 in May 2013 Pages 74-84 from July, 2013 to November, 2013 are left blank and un-signed.

Principal/DDO is advised to clarify and either the drawn amounts from Govt. exchequer should be recorded in proper months if other-wise may be signed as Nil and ensure its maintenance according to CTR-77 in future and compliance reported.

PARA NO. 2 (2012-2013) NON-DEDUCTION OF CONVEYANCE ALLOWANCE FROM THE OCCUPANTS OF BUNGLOWS AND IN SUMMER VACATION FOR RS. 748360/- UPTO DECEMBER, 2013.

As per Practice in vogue as well as decision of the Honorable High Court Peshawar to the effect that conveyance allowance should be deducted from the occupants residing in the Premises or by walking distance, contrary to the above the following persons are residing in the Bungalows situated in the heart of the college duly facilitated by Water and Electricity but a single Penny on a/cs of conveyance allowance has not been recovered from them since 1-7-2011 to date, resultantly loss of Rs 748360/- has been given to Govt. exchequer whereas Rs. 24840/- have been paid to the teachers noted at S.No. 12 -19 in Summer vacation i.e July, 2012 & 2013 which should be explained.

Detail of occupants with period and out-standing amounts is as per.

(List Attached).

It has also been noticed that one Mr. Rafiq Ahman Lecturer was allotted Bungalow but actually Prof. Zia-ur-Rehman Principal was reside in it, Hence conveyance allow shown out-standing against him may be recovered from the actual occupant in order to not damage right of the nominee/occupant.

Principal/DDO is advised to ensure recovery from all occupants with 5% of House Rent of the out-standing amounts now as well as in future and compliance reported in annotation.

PARA NO. 3 (2012-2013) NON-PRODUCTION, NON-ENTRY IN GOVT. CASH BOOK AND NON-RECONCILIATION OF RS. 870573/-.

Rs. 870573/- were drawn out of Govt. exchequer through the following cheques No: & Dates on a/cs of various purposes. The irregularities noticed there in, are noted against each amounts whereas auditable record in support of expenditure also not produced

Detail is as under:-

CAC

[Handwritten signature]

	Of Newspapers out of ... amounting to Rs. 4893/-.	necessary action accordingly and Para stand
42	Para No. 35 (08-11) Illegal and Un-authorized Payment to Hostel Warden amounting to Rs. 10800/-	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
43	Para No. 36 (08-11) Irregular and Un-authorized Expenditure out of Private Funds on accounts of Purchase of Plants of Rs. 12990/-	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
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45	Para No. 38 (08-11) Irregular and un-authorized Purchase/Printing of receipt books for Rs. 6700/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
46	Para No. 39 (08-11) Irregular and un-authorized collection of Fine amounting to Rs. 611656/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
47	Para No. 40 (08-11) Illegal and double payment out of Sports Fund amounting to Rs. 308075/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
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49	Para No. 48 (08-11) Physical verification.	Already deferred vide this office No. 15284 dt: 2-7-14 but nothing produce during the audit which should be explained and Para Stand.
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51	Para No. 3 (2012-2013) Non-Production, Non entry in Govt: Cash Book and non-reconciliation of Rs. 870578/-.	1-24) Entries in Cash Book and stock register seen vide Pages 52 62 64 66 56 62 72, 72. The voucher and recoupment into Private Fund Seen & Para Settled.
52	Para No. 4 (2012-2013) Irregular drawl of Rs. 23650/- on accounts of Purchase of Stationary.	1-2) Entries vide Page-43 of the stock register seen. 3) The sign has now been found in Stock register. 4) Demand of the concerned seen. 5) The stock register has been signed by

Annex II
29

S.H. id.

S.H. id.

Handwritten signature

Annex - 111

To

The Director Higher Education,
Khyber Pakhtunkhwa Peshawar.

30

(Through Proper Channel)

Subject:- DEPOSITING OF OUT STANDING AMOUNT/AUDIT PARA NO.02, 2012-13.

Memo:- Reference your office Memo No. 9871 dated 05-04-2016 on the above cited subject.

The para under reference (annexed-I) is regarding Non-deduction of conveyance allowance from the occupants of the bungalows where in I am one of the affectees because bungalow No.1 situated at G.C Daggar was allotted at my name. In the same para a footnote also includes which clarifies my position and exonerate me by saying that Mr. Zia ur Rahman. (retd Principal) being the actual occupant and not Mr. Rafiq Ahmad lecturer (allottee), has to pay the out standing amount in question.

My reply to this para was endorsed by the Principal Govt: College Daggar Buner Vide Memo No. 674 dated 13-10-2014 (copy attached annexed-II)

Reacting upon my request the Directorate vide Memo No.27578/N-4 /Fund dated 12-11-14 (Copy attached annexed III) for clarification of the position asked some quarries from the principal of the college. The principal Govt: College Daggar replied/ answered the quarries vide Memo No.823 dated 28-11-2014 which further clarified my stance and clearly stated that the amount is recoverable not from Mr. Rafiq Ahmad lecturer but from Mr. Zia ur Rahman Retard Ex- Principal (copy attached annexed IV)

In response to this letter the Directorate vide Memo No. 55/P-7/A. Note dated 01-01-2015 directed the principal G,C,Daggar to cancel the bungalow allotment to Mr. Rafiq Ahmad since the date of vacation of the bungalow by prof: Zia ur Rahman @ Principal and house rent and conveyance allowance if deducted since vacation of the bungalow may be paid back to Mr.Rafiq Ahmad lecturer concerned (Copy attached annexed V).

As per this directives the principal G,C Daggar vide Memo No. 49 dated 09-01-2016 asked District Accounts officer Buner to refund the deduction, if any, to Mr. Rafiq Ahmad (copy attached annexed IV). As a compliance the District Accounts Office refunded me an amount of about Rs. 25000/- as payable to me.

Keeping in view the above brief facts which testifies that the matter should have been settled for ever, I do not understand that why this para is time and again quouted against me. The directorate has acknowledged that the defaulter is Mr. Zia ur Rahman @ Principal and not Mr. Rafiq Ahmad. If some amount is outstanding against a person it is Mr. Zia ur Rahman and not me.

It is therefore requested that I may be exonerated from this mental agony. The matter be handled as it is in reality and not on the basis that I was the occupant of the bungalow otherwise it will be presumed that all this correspondence made by the directorate was useless exercise. I hope sympathetic consideration.

no- 384-A/12 dt 4-5-2016
Forwarded to DHE in original

Principal
Govt College Buner

Yours
Rafiq Ahmad
3.5.2016
Lecturer in Islamiat
Govt: College Daggar Buner

ctc



DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA, KHYBER ROAD PESHAWAR
Telephone No.091-9211025-9210217-9210242 Fax-9210215
Email:- audit.higher.edu@gmail.com.

Annex IV

31

No. 48931 / P-7/ A. Note, Dated Peshawar the 13/9 /2016.

To

✓ The Principal,
GDC Daggar (Buner).

Subject: - DEPOSITING OF OUT STANDING AMOUNT/AUDIT PARA NO. 02
(2012-2013)

Memo:

I am directed to refer to your Endst: No. 384-A/12 dt: 4-5-2016 on the captioned subject and to state to deduct the out-standing amount of Rs.158+35/- (detail attached) from Mr. Rafiq Ahmad Lecturer in Islamayat of your college without any further loss of time other-wise it will be presumed that you are not following the relevant rules. Since the Bunglow was allotted to Mr. Rafiq Ahmad, Lecturer therefore he is responsible to deposit the out-standing amount immediately. In case of failure/ non compliance, disciplinary action will be initiated against all concerned. Moreover, all sorts of sanctions out of Private Fund will not be honoured by this office and also Distt: Accounts Officer Buner will be informed to make the recoveries from all occupants residing in the college premises under intimation to this office.

Encl: one

ASSISTANT DIRECTOR (ACCOUNTS)

Endst: No. _____/

Copy of the above alongwith detail of recoveries to Administrative Officer local Directorate with the remarks that disciplinary action may be taken against Mr. Rafiq Ahmad Lecturer in Islamiyat GDC Daggar for non compliance of the high ups.

ASSISTANT DIRECTOR (ACCOUNTS)

o/c

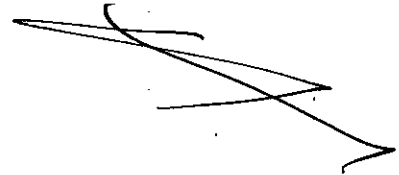
32

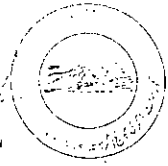
DETAIL OF OUT-STANDING AMOUNT AGAINST MR. ROAEIQ AHMAD
LECTURER IN ISLAMAYAT GOVT. DEGREE COLLEGE DAGGAR (BUNER) ON
ACCOUNTS OF NON DEDUCTION OF HOUSE RENT ALLOWANCE + 5% AND
CONVEYANCE ALLOWANCE OCCUPATION OF RESIDENTIAL BENGLOW.

- 1) House Rent Allowance for the period from
- 2) 1-3-2013 to 30-11-20132955 x 9 = Rs. 26595/-
- 3) i) Deduction of 5% House Rent Allowance
1-7-2011 to 30-11-12 980 x 17 = Rs.19600/-
- 4) ii) Deduction of 5% House Rent Allowance
1-12-12 to 30-11-121040 x 12 = Rs.12480/-
- 5) Conveyance allowance 1-7-11 to 30-6-12..... 2480x12 = Rs. 29760/-
- 6) -do- 1-7-12 to 30-5-2013..... 5000 x 11 = Rs. 55000/-
- 7) -do- 1-9-13 to 30-11-135000x3 = Rs.15000/-

Rs.158435/-

A.C





Annex - V

**OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.**

No. 595/ Recovery

Dated: 16/07/2016

To

33

T 276

20/7/2016

The District Accounts Officer
Buner at Daggar.

Subject: - RECOVERY OF OUTSTANDING AMOUNT.
Memo:-

As per directives of Directorate Higher Education KPK Peshawar Memo No. 180931/P-7/ A. Note Dated 13-7-2016 an amount of Rs.158435/- is outstanding against Mr. Rafiq Ahmad lecturer in Islamiat of this college. the amount is pertaining to Audit Para No.02 (2012-13).

For the compliance of the said directives your good office is requested to ensure the recovery of the amount from the concerned official from his salary @ Rs.10,000/- per month w.e.f the month of July 2016 positively. Copy of source is attached.

Principal
Govt. College Daggar Buner.

Copy to the:-

1. The Assistant Director (Accounts).
2. Directorate of Higher Education KPK Peshawar with reference to his above Memo.

Principal
Govt. College Daggar Buner.

6/e

Recd
file

C.A.C

PAY ROLL SYSTEM
 AMENDMENT FORM
 SINGLE EMPLOYEE ENTRY

Handwritten initials/signature

Principal GDC Dargagan Buner

(34)

FOR THE MONTH OF 7/2016
 DDO CODE BD-4025
 PERSONAL NUMBER 00347472 Employee Name: Rafiq Ahmad NIC No. _____
 Grade(Pay Scale Group): BD3-17 Status: START

Lecturer in Bd

General Data Change		Change in Payments/Deduction			
Field ID	NewContents	Wage Type	Amounts	Effective Date	Remarks
	Recovery Over Payment Cover: Allowance (EROP)	3990	10000/-		Recovery Over payment Convenience allowance from Rafiq Ahmad Lecturer in Bd. GDC Dargagan. observation of Audit DHE Peshawar. Para No. 2 Letter no 18931/P-7-A Note Dated: Peshawar the 13/7/2016 Total Recovery = 188435/- monthly instalment = 10000/- Letter Director H. Pdu: Attached

FOOT'S
 PRINCIPAL
 Dargagan Buner

بعدالت کروں شریونل صبحر کھوٹا مارہ

کورت فیس	قیمت ایک روپیہ
----------	----------------

مورخہ
مقدمہ
دعوی
جرم

۲۰ منجانب
رفیق احمد
بنام
گورنمنٹ آف سندھ

باعث تحریر آنکہ

مقدمہ مندرجہ بالا میں اپنی طرف سے واسطے پیروی وجواب دہی و کل کاروائی متعلقہ آن مقام سروں شریونل صبحر کھوٹا مارہ سندھ انسپشن آف ساری مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ ڈائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب سے ہا گا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند ہے

۱۵۱۰۱-۰۳۳۴۱۰۹-۹

المرقوم ۵ ماہ السنہ ۱۳۱۶ھ

العبد گواہ شدہ العبد بمقام

Attested and accepted by
Shams ul Huda Ahsanullah

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, SWAT.

Service Appeal No.802/2016

Mr. Rafique AhmadApplicant

VERSUS

Govt of Khyber Pakhtunkhwa through Director, Higher Education, Peshawar and others
.....Respondents.

REPLY TO STAY APPLICATION ON BEHALF OF RESPONDENTS NO 1,2,3 AND 4

Respectfully Sheweth;

Preliminary Objections:


1. That the applicant has got no locus standi/cause of action to file the instant application.
2. That the applicant is trying to conceal material facts from the Honourable service Tribunal.
3. That the applicant has not come to the Tribunal with clean hands.
4. That this Honourable service Tribunal lacks jurisdiction to entertain the stay application.
5. That the instant application is based on mis-conception /mis-statement and therefore, liable to be dismissed.
6. That the applicant is estopped by his own conduct to file the instant application.


Reply.


1. Needs no comments.
2. That facts and grounds of the parawise comments may kindly be considered part and parcel of reply to stay application.
3. Needs no comments.
4. Incorrect. If the impugned audit para dated 05-04-2016 regarding recovery of amount Rs. 1,21,220/- is suspended at this stage , the government exchequer will suffer irreparable loss.

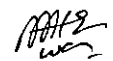
Prayer;

It is, therefore, humbly prayed that the instant stay application is based on mis-conception /mis-statement and hence, may graciously be dismissed with costs.


Director, Higher Education.
Respondent No.2


Assistant Director, (Accounts)
Respondent No.3


Deputy Director, Higher Education.
Respondent No.4


Principal, GDC, Daggar, Buner.
respondent No.1

1

—

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, SWAT.

Service Appeal No.802/2016

Mr.Rafique Ahmad.....Appellant.

VERSUS

Govt; of Khyber Pakhtunkhwa,

Through Secretary and Director,

Higher Education Department and Others..... Respondents.

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO 1,2,3 and 4.

Preliminary objections.

Respectfully Sheweth.

1. That the Appellant has got no cause of action/locus standi to file the instant Service Appeal.
2. That the honourable Service Tribunal lacks jurisdiction to entertain the instant Service Appeal.
3. That the Appellant has not come to the Tribunal with clean hands.
4. That the Appellant is estopped by his own conduct to file the instant Appeal.
5. That the instant Service appeal is based on mis-conception/mis-statement of facts, hence liable to be dismissed.
6. That the instant Service appeal is time barred.
7. That the Appellant is trying to conceal material facts from the Honourable Tribunal.

Facts.

1. Needs no comments.
2. Correct to the extent that the appellant had applied for the allotment of bungalow No.1' on 1/3/2012 (Annex A) and the Respondent No.6 had allotted the same bungalow to the Appellant from the same date vide Office No.155-56 dated 7/3/2012 (Annex B).It is worth mentioning that the appellant personally allotted the same bungalow to someone else for residential purpose, which was illegal.
3. Correct to the extent that the Appellant had applied for cancellation of allotment (Annex C) and the allotment was cancelled by the then Principal w.e.f 01/4/2014 vide office order No.223-25/dated 7/4/2014 (Annex D),hence ,it means that the allotment to the Appellant was legal as he had himself requested for the allotment and then for cancellation.
4. Correct to the extent that Respondent No.1 in compliance of further audit observation memo;No.9871 dated 05/4/2016 para No.2(2012-13) (Annex E) issued notices to Appellant for depositing outstanding amount vide office order No.345-46/A-12 dated 25/4/2016 (Annex F) and on 10/5/2016 Second notice was issued (Annex G) and third notice was issued on 13/7/2016 (Annex H). In response of the appellant's appeal, the Director, Higher Education Department, Peshawar, issued directives to the Respondent

No.1 for strict action (Annex I) and hence, recovery was started vide office memo No.595/recovery dated 16/7/2016 (Annex J).

- 5. Correct to the extent that several notices have been issued to the appellant for the recovery of outstanding amount but no such notice has been issued in which the appellant has been discharged from the recovery of the amount in question.
- 6. Correct to the extent that the appellant had approached to the Higher Education Department and in response, the Director, Higher Education issued directives to the Respondent No.1 for strict action and hence, recovery was started. The department appeal filed by the appellant was devoid of merits and hence, it was not considered. It is worth mentioning that the Director, Higher Education has also called explanation from the Appellant (Annex K) and his reply is attached for ready reference (Annex L).

Grounds.

- A. Incorrect. The recovery of outstanding amount is based on facts, law and procedure and hence, tenable being just and fair.
- B. Incorrect. The Appellant has been treated in accordance with law.
- C. Incorrect. No such inquiry has ever been conducted and no such documents exist. He has never been discharged from any kind of liability of the bungalow in question, hence, the recovery order is neither against law nor facts.
- D. Incorrect. The Respondents have never exhibited any ill-intention for the appellant. The Appellant has never been pressurised except to the extent that he has time and again directed to deposit the outstanding amount.
- E. The Respondents may be allowed to raise additional arguments at the time of hearing.

Prayer.

It is, therefore, humbly prayed that the instant Service appeal is based on mis-conception/mis-statement and hence, may graciously be dismissed with costs.

[Signature]

Director,
Higher Education Department.
Respondent No.2

[Signature] 4/10/16

Deputy Director,
Higher Education Department.
Respondent No.4

[Signature]

Assistant Director (Accounts),
Higher Education Department.
Respondent No.3

[Signature]

Principal, GDC, Daggar, Buner.
Respondent No.01

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT SWAT.

Service Appeal No. 802/2016

Mr. Rafiq AhmadAppellant

VERSUS

Govt of Khyber Pakhtunkhwa through Director Education, Peshawar and others
.....Respondents.

AFFIDIVAT

I, Nowsherwan, Principal Govt College Daggar Buner Respondent -1, do hereby declare and affirm on oath that the content of para wise comments are correct to the best of my knowledge and belief and that nothing has been concealed from this Honorable Service tribunal camp court Swat.



Dependent

Nowsherwan

Principal Govt College Daggar

Respondant-1

CNIC 15602-0310834-5

The Principal
Govt. College Dargun.

(11)

Subject: Allotment of official accommodation

Sir,

With due respect it is stated that I intend to reside on college campus. It is, therefore, requested that Bangalore No. 1 room please be allotted to me.

Amrith

[Signature]
PRINCIPAL
Govt. College Dargun
Distt: Bunnar

Yours:

[Signature]
RAMESH MURTHI
Lecturer
Govt. College Dargun
1-3-2012

(5)

Anex-B.

OFFICE OF THE PRINCIPAL, COLLEGE CAMPUS BANGALOR No. 1

No. LSS-5B

Date: 2/15/19

(15)

OFFICE ORDER.

College campus Bangalore No. 1 in which allotted to
Mr. Rafiq Ahmad, Lecturer in Islamic Studies (M-02-2010).

Siddiq

Principal

Copy: College Campus Bangalore

Copy to the :-

- 1. Distt: Account Officer Bangalore
- 2. Mr. Rafiq Ahmad, Lecturer in Islamic Studies
- 3. Office Record.

Siddiq

Principal

Copy: College Campus Bangalore

mp

The Principal,
Govt. College Daggan

Subject: CANCELLATION OF ACCOMMODATION ALLOTMENT

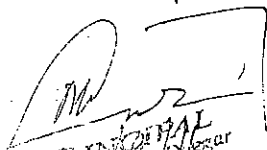
It is stated that Bungalow No. 1 of Daggan College campus had been allotted to me in which the then principal (Retd) Jia ul Rahman was residing. He has been retired on 17.11.2013. The bungalow has been vacated with 18.11.2013 but house rent deduction is regularly made by me till.

It is, therefore, requested that the said allotment may please be cancelled w.e.f 18.11.2013 in order to give me relief.

Yours
Rafiq

Rafiq Ahmad
Lecturer in Islamiyat
30-09-2014

The application is forwarded in original to the DHE, KPK Peshawar for necessary favourable consideration please.


PRINCIPAL
Govt. College Daggan
Distt: Mardan

Recd on 2/11/14
Rafiq Ahmad
2/11/14

Amer-D

1



OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 223-25 /

Dated 07 /04 /2014

NOTIFICATION.

Bungalow No.I situated at Govt: College Daggar Buner at Swari allotted to Mr. Rafiq Ahmad lecturer in Islamiat is hereby cancelled w.e.f 01-04-2014 and the said bungalow is declared as vacant.

noted
[Signature]
7/4/2014

Principal
Govt: College Daggar Buner

Copy to the :-

1. Distt; Account Officer Daggar Buner.
2. Mr. Rafiq Ahmad lecturer in Islamiat.
3. Office Record.

[Signature]

Principal
Govt: College Daggar Buner



DIRECTORATE OF HIGHER EDUCATION

KHYBER PAKHTUNKHWA, KHYBER ROAD PESHAWAR
Telephone No.091-9211025-9210217-9210242 Fax-9210215

No. 9871

Dated Peshawar the 7/4 2016.

To

y b
N.P.1
The Principal,
Govt. Degree College
Dagger (Buner).

Subject: - FURTHER AUDIT OBSERVATIONS.

Memo: I am directed to refer to your memo: No. Nil dated 30-11-2015 on the subject noted above and to convey you further audit observations which are as under:-

S#	Para No. / Caption.	Remarks.
1	Para No. 27 (95-98) Non entry of stock.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and hence para stand.
2	Para No. 27 (98-2001) Non-Production of Private Fund Book No. 4025.	Already deferred vide this office No. 15284 dt: 2-7-2014 but nothing produced for verification during audit which should be explained and hence para stand.
3	Para No. 30 (98-2001) Irregular expenses on Game and Sports.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and para stand.
4	Para No. 31 (98-2001) Loan for Electricity T&T Newspapers.	The Principal in chair is directed to recoup the amount-immediately and Para Stand.
5	Para No. 32 (98-2001) Expenditure without sanction of the competent authority and without stock entry, and without observance of codal formalities.	The Principal in chair is directed to follow original audit para and have the factual position other-wise recovery be made and Para Stand.
6	Para No. 36 (98-2001) Irregular expenditure and Mis-appropriation of Security and sport fund for Rs. 15850/-	The Principal in chair is directed to follow original audit para and have the factual position other-wise recovery be made and Para Stand.
7	Para No. 37 (95-98) Diesel charges.	The Principal in chair is directed to follow original audit para and have the factual position other-wise recovery be made and Para Stand.
8	Para No. 16 (98-2001) Irregular Purchase of various articles through A.C Bill.	The Principal in chair is directed to follow original audit para and have the factual position other-wise recovery be made and Para Stand.
9	Para No. 1 (2001-2006) Irregular drawl of Special Grant for Purchased of Furniture, Machinery and Science Equipment.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para Stand.

41	Para No. 34 (08-11) Loan for Payment of Newspapers out of Private Funds amounting to Rs. 4893/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
42	Para No. 35 (08-11) Illegal and Un-authorized Payment to Hostel Warden amounting to Rs. 10800/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
43	Para No. 36 (08-11) Irregular and Un-authorized Expenditure out of Private Funds on accounts of Purchase of Plants of Rs. 12990/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
44	Para No. 37 (08-11) Illegal and Un-authorized Expenditure out of Private Funds and no observance of codal formalities for Rs. 78371/-.	Already deferred vide this office No. 15284 dt: 2-7-14 but nothing produce during the audit which should be explained and Para Stand.
45	Para No. 38 (08-11) Irregular and un-authorized Purchase/Printing of receipt books for Rs. 6700/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
46	Para No. 39 (08-11) Irregular and un-authorized collection of Fine amounting to Rs. 611656/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
47	Para No. 40 (08-11) Illegal and double payment out of Sports Fund amounting to Rs. 308075/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
48	Para No. 44 (08-11) Illegal and un-authorized expenditure out of additional shift fund on accounts of various purposes for Rs. 106100/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
49	Para No. 48 (08-11) Physical verification.	Already deferred vide this office No. 15284 dt: 2-7-14 but nothing produce during the audit which should be explained and Para Stand.
50	Para No. 2 (2012-2013) Non-deduction of Conveyance Allowance from the occupation of Banglow and the Summer Vocation for Rs. 748360/- upto December, 2013.	1) Rs. 1, 21,220/- is still out-standing against Mr. Rafiq Ahmad Lecturer in Islamiyat, he is directed to recover the said amount immediately under intimation to audit. 2-19) The case of Conveyance Allowance is under process with Distt: Account Officer Dagger (Buner and the Principal is directed to deduct the Conveyance Allowance @ Rs. 10000/- per month on equal installment from all concerned and intimate the documentary proof at the completion of recovery and hence Para stand.
51	Para No. 3 (2012-2013) Non-Production, Non entry in Govt: Cash Book and non-reconciliation of Rs. 870578/-.	1-24) Entries in Cash Book and stock register seen vide Pages 52 62 64 66 56 62 72, 72. The voucher and recoupment into Private Fund Seen & Para Settled.
52	Para No. 4 (2012-2013) Irregular drawl of Rs. 23650/- on accounts of Purchase of Stationary.	1-2) Entries vide Page-43 of the stock register seen. 3) The sign has now been found in Stock register. 4) Demand of the concerned seen. 5) The stock register has been signed by the Principal seen vide Page 41 and Para Settled.

10
AUA-F

OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 345-46 /a-12 Dated: 25 /04/2016

To


Mr. Rafiq Ahmad
Lecturer in Islamyat
Govt: College Dagggar Buner

Subject: DEPOSITING OUT STANDING AMOUNT

Memo:-

It is to inform that an amount of Rs. 121220/- on account of receiving and unauthorized conveyance allowance is outstanding against your for bungalow No.1 w.e.f 01-03-2012 to 31-12-2013.

You are directed to deposit the amount in order to settle the pare No. 02 (2012-13).


Principal
Govt: College
Dagggar Buner

Copy to the:-

1. Director Higher Education his letter No. 9871/ , dated 05-04-2016 for information.

Principal
Govt: College
Dagggar Buner

Handwritten scribble

نوٹس :-

P

Annex 9 11

مخبرہ 18
2016

رضیق احمد سکیم (رہاسلہ جاتی) کو بیڑا رسم نوٹس، اظہار وی جاتی
 کے ذریعہ (Recovery) Rs. 121220/2 کے روپے اس سے قبل
 جو الہ آباد میں 345-46 مخبرہ 25/4/2016 کو لیا گیا ہے۔ اس سے پہلے
 اسے ایک دفعہ سے رالپہ میں لیا گیا اور اس سے پہلے اس کا
 جوائن (D.H.E) مینا ور کو دینا ہے۔ اس کے لئے اس کے دفتر سے
 رالپہ سہ ماہی (Month wise) کی رقموں کا ایک دفعہ سے
 نمبر 2 کے مطابق شروع کیا جائے گا۔
 Rs. 10,000/- اس کے لئے اس کے دفتر سے

Received
 07/05/2016
 ① رضیق احمد

No-409 / Dt. 10/5/2016

PRINCIPAL
 Govt. College Dagga
 Distt. Buner

(Signature)



12
Amex-H

OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 586-87/recovery C-A-

Dated: 13 /07/2016

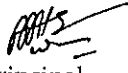
To

Mr. Rafiq Ahmad
Lecturer in Islamyat
Govt: College Dagggar.

Subject:- COMPLIANCE OF AUDIT PARA.
Memo;


Reference this office memos No. 345 dated 25-04-2016 and No. 409 dated 10-05-2016 on the above subject.

You are once again directed to ensure the depositing of the outstanding amount of Rs. 121220/- in order to settle the audit para No. 02 (2012-13) otherwise deduction @ Rs. 10000/= per month will be automatically started with effect from 1-08-2016.


Principal
Govt: College
Dagggar Buner

Copy to the:-

1. Director Higher Education Khyber Pakhtunkhwa Peshawar.


Principal
Govt: College Dagggar Buner



DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA, KHYBER ROAD PESHAWAR
Telephone No.091-9211025-9210217-9210242 Fax-9210215
Email:- audit.hgher.edu@gmail.com

No. 187/31 / P-7/ A. Note,

Dated Peshawar the 13/9 /2016.

To

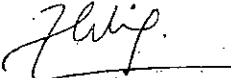
The Principal,
GDC Daggar (Buner).

Subject: - DEPOSITING OF OUT STANDING AMOUNT/AUDIT PARA NO. 02
(2012-2013)

Memo:

I am directed to refer to your Endst: No. 384-A/12 dt: 4-5-2016 on the captioned subject and to state to deduct the out-standing amount of Rs.158435/- (detail attached) from Mr. Rafiq Ahmad Lecturer in Islamayyat of your college without any further loss of time other-wise it will be presumed that you are not following the relevant rules. Since the Bunglow was allotted to Mr. Rafiq Ahmad, Lecturer therefore he is responsible to deposit the out-standing amount immediately. In case of failure/ non compliance, disciplinary action will be initiated against all concerned. Moreover, all sorts of sanctions out of Private Fund will not be honoured by this office and also Distt: Accounts Officer Buner will be informed to make the recoveries from all occupants residing in the college premises under intimation to this office.

Encl: 02


ASSISTANT DIRECTOR (ACCOUNTS)

Endst: No. _____/

Copy of the above alongwith detail of recoveries to Administrative Officer local Directorate with the remarks that disciplinary action may be ^{taken} against Mr. Rafiq Ahmad Lecturer in Islamiyat GDC Daggar for non compliance of the high ups.

ASSISTANT DIRECTOR (ACCOUNTS)



Annex 14

OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 595/ Recovery

Dated: 16/ 07/2016

To

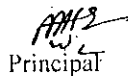
A

The District Accounts Officer
Buner at Dagggar.

Subject:- **RECOVERY OF OUTSTANDING AMOUNT.**
Memo:-

As per directives of Directorate Higher Education KPK Peshawar Memo No. 180931/P-7/ A. Note dated 13-7-2016 an amount of Rs.158435/- is outstanding against Mr. Rafiq Ahmad lecturer in Islamyat of this college. The amount is pertaining to Audit Para No.02 (2012-13).

For the compliance of the said directives your good office is requested to ensure the recovery of the amount from the concerned official from his salary @ Rs.10, 000/- per month w.e.f the month of July 2016 positively. Copy of source is attached.



Principal
Govt: College Dagggar Buner.

Copy to the:-

1. The Assistant Director (Accounts);
2. Directivate of Higher Education KPK Peshawar with reference to his above Memo.

Principal
Govt: College Dagggar Buner.



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR**

Phone # 091-9210242, 9211025/Fax # 9211803
No. 20698 / CA-II/ Estt. Branch/ A-1/ Rafiq Ahmad/ Islamiyat

Dated Peshawar the 4/8/2016

15

Amex-12

To

**REGISTERED
MOST IMMEDIATE**

3 me

Mr. Rafiq Ahmad
Lecturer in Islamiyat
Govt; Degree College, Daggar (Buner).

SUBJECT DEPOSITING OF OUTSTANDING AMOUNT/ AUDIT PARA
NO. 02 (2012/2013)/EXPLANATION.

Memo:

I am directed to refer to the subject cited above and to inform you that you had occupied a residential bungalow at Govt; Degree College, Daggar (Buner) in 2011-2013. During the course of internal audit on the accounts of the College, it was noticed that you have not made deductions amounting to Rs. 1,58,435/- on account of House Rent Allowance and 5% of the basic pay as well as conveyance allowance.

2. I am, therefore, directed to ask you to explain your position as to why disciplinary proceedings may not be initiated against you under E&D Rules, 2011. Your explanation should reach this office within a week after the receipt of this letter through your Principal and in case your reply is not satisfactory, then disciplinary action will be initiated against you under the Rules ibid.

3. Besides, you are directed to deposit the said outstanding amount and proof thereof in shape of original challan may be sent to this office immediately, failing which action will be taken against you.

R. Rafiq

BY: DIRECTOR (ESTABLISHMENT)

Endst; No. _____

Copy of the above is forwarded to the Assistant Director (Accounts), local Directorate for information.

*Received on 5/8/2016
cd had over to Mr. Rafiq Ahmad
for compliance*

BY: DIRECTOR (ESTABLISHMENT)

To

Annex-L

(6) (16)

The Deputy Director (Estab)
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar.

Through Proper Channel

Subject :- OUTSTANDING AMOUNT/ AUDIT PARA/EXPLANATION.

Memo:- Reference your Memo No.20696/CA-II/Estab/A-12/Rafiq Ahmad/Islamiat dated 04-08-2016.

1. As par as the delay in depositing the amount in question is concerned it is not a facilt on my part. The original audit para No.2 (2012-13) was not against me but the recoverable amount was outstanding against Mr. Zia ur Rahman Ex- Principal GC Daggar. (Annex-I)

2. later on the matter was reactivated during May 2016. (Annex-II) and as a response my pleas which is self explanatory was submitted through proper channel (Annex-III)

3. In its response another directives was issued (Annex-IV) and the college authorities immediately implemented and deduction @ Rs. 10000/- per month was started from me w.e.f July 2016 (Annex-V) as per dicsion of the principal vide Memo No. 595 dated 16-07-2016.

My humble submission, keeping in view the above facts, is that initiation of disciplinary action against me seem to me beyond justice. I am neither defing or delaying departmental directives. Time will prove that whether this deduction/recovery from my part was a justified one or otherwise.

I think the deduction from me in one instalement will be a great burden upon me. Because I have no other means of livehood. I will pay the outstanding amount at an equal instalements of Rs.10,000/- per month. In the mean time inshallah I shall convence the authorities that this recovery is unjustified.

I hope sympathetic consideration

Office of the Principal G.C. Daggar
No 652/A-12 Dated 6-8-2016.

Yours
Rafiq Ahmad
Lecturer in Islamiat
Govt College Daggar Buner.
Dated: 05-08-2016

Forwarded in original to the
Deputy Director (Estab) Directorate
of Higher Education Khyber Pakhtunkhwa
Peshawar for consideration please.

PRINCIPAL
Govt College Daggar
Dist: Buner

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL CAMP COURT SWAT.**

Service Appeal No. 802/2016

Mr. Rafiq AhmadAppellant

VERSUS

Govt of Khyber Pakhtunkhwa through Director Education, Peshawar and others
.....Respondents.

INDEX

S.No.	Description of documents	Annexures	Page No.
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5	Application for cancellation	C	6
6	Notification for cancellation	D	7
7	Audit para	E	8,9
8	Notice for deduction of outstanding amount	F	10
9	Notice for recovery	G	11
10	Notice for compliance of audit para	H	12
11	Director Directives	I	13
12	Letter for recovery to DEO	J	14
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14	Reply of applicant	L	16

Respondents

AAH
Nowsherwan

Principal Govt College Daggar

Respondant-1

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, SWAT.

Service Appeal No.802/2016

Mr. Rafique AhmadApplicant

VERSUS

Govt of Khyber Pakhtunkhwa through Director, Higher Education, Peshawar and others
.....Respondents.

REPLY TO STAY APPLICATION ON BEHALF OF RESPONDENTS NO 1,2,3 AND 4

Respectfully Sheweth;

Preliminary Objections:


1. That the applicant has got no locus standi/cause of action to file the instant application.
2. That the applicant is trying to conceal material facts from the Honourable service Tribunal.
3. That the applicant has not come to the Tribunal with clean hands.
4. That this Honourable service Tribunal lacks jurisdiction to entertain the stay application.
5. That the instant application is based on mis-conception /mis-statement and therefore, liable to be dismissed.
6. That the applicant is estopped by his own conduct to file the instant application.

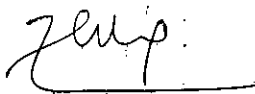
Reply.

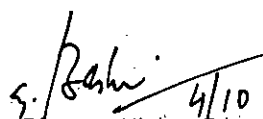
1. Needs no comments.
2. That facts and grounds of the parawise comments may kindly be considered part and parcel of reply to stay application.
3. Needs no comments.
4. Incorrect. If the impugned audit para dated 05-04-2016 regarding recovery of amount Rs. 1,21,220/- is suspended at this stage , the government exchequer will suffer irreparable loss.

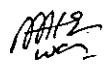
Prayer:

It is, therefore, humbly prayed that the instant stay application is based on mis-conception /mis-statement and hence, may graciously be dismissed with costs.


Director, Higher Education.
Respondent No.2


Assistant Director, (Accounts)
Respondent No.3


Deputy Director, Higher Education.
Respondent No.4


Principal, GDC, Daggar, Buner.
respondent No.1

1

—

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, SWAT.

Service Appeal No.802/2016

Mr. Rafique Ahmad.....Appellant.

VERSUS

Govt; of Khyber Pakhtunkhwa,

Through Secretary and Director,

Higher Education Department and Others.....Respondents.

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO 1,2,3 and 4.

Preliminary objections.

Respectfully Sheweth,

1. That the Appellant has got no cause of action/locus standi to file the instant Service Appeal.
2. That the honourable Service Tribunal lacks jurisdiction to entertain the instant Service Appeal.
3. That the Appellant has not come to the Tribunal with clean hands.
4. That the Appellant is estopped by his own conduct to file the instant Appeal.
5. That the instant Service appeal is based on mis-conception/mis-statement of facts, hence liable to be dismissed.
6. That the instant Service appeal is time barred.
7. That the Appellant is trying to conceal material facts from the Honourable Tribunal.

Facts.

1. Needs no comments.
2. Correct to the extent that the appellant had applied for the allotment of bungalow No.1 on 1/3/2012 (Annex A) and the Respondent No.6 had allotted the same bungalow to the Appellant from the same date vide Office No.155-56 dated 7/3/2012 (Annex B). It is worth mentioning that the appellant personally allotted the same bungalow to someone else for residential purpose, which was illegal.
3. Correct to the extent that the Appellant had applied for cancellation of allotment (Annex C) and the allotment was cancelled by the then Principal w.e.f 01/4/2014 vide office order No.223-25/dated 7/4/2014 (Annex D), hence, it means that the allotment to the Appellant was legal as he had himself requested for the allotment and then for cancellation.
4. Correct to the extent that Respondent No.1 in compliance of further audit observation memo; No.9871 dated 05/4/2016 para No.2(2012-13) (Annex E) issued notices to Appellant for depositing outstanding amount vide office order No.345-46/A-12 dated 25/4/2016 (Annex F) and on 10/5/2016 Second notice was issued (Annex G) and third notice was issued on 13/7/2016 (Annex H). In response of the appellant's appeal, the Director, Higher Education Department, Peshawar, issued directives to the Respondent

No.1 for strict action (Annex I) and hence, recovery was started vide office memo No.595/recovery dated 16/7/2016 (Annex J).

- 5. Correct to the extent that several notices have been issued to the appellant for the recovery of outstanding amount but no such notice has been issued in which the appellant has been discharged from the recovery of the amount in question.
- 6. Correct to the extent that the appellant had approached to the Higher Education Department and in response, the Director, Higher Education issued directives to the Respondent No.1 for strict action and hence, recovery was started. The department appeal filed by the appellant was devoid of merits and hence, it was not considered. It is worth mentioning that the Director, Higher Education has also called explanation from the Appellant (Annex K) and his reply is attached for ready reference (Annex L).

Grounds.

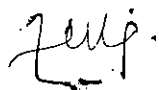
- A. Incorrect. The recovery of outstanding amount is based on facts, law and procedure and hence, tenable being just and fair.
- B. Incorrect. The Appellant has been treated in accordance with law.
- C. Incorrect. No such inquiry has ever been conducted and no such documents exist. He has never been discharged from any kind of liability of the bungalow in question, hence, the recovery order is neither against law nor facts.
- D. Incorrect. The Respondents have never exhibited any ill-intention for the appellant. The Appellant has never been pressurised except to the extent that he has time and again directed to deposit the outstanding amount.
- E. The Respondents may be allowed to raise additional arguments at the time of hearing.

Prayer.

It is, therefore, humbly prayed that the instant Service appeal is based on misconception/mis-statement and hence, may graciously be dismissed with costs.



Director,

Higher Education Department.
Respondent No.2


Assistant Director (Accounts),
Higher Education Department.
Respondent No.3


Deputy Director, 9/10/16

Higher Education Department.
Respondent No.4


Principal, GDC, Daggar, Buner.
Respondent No.01

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL CAMP COURT SWAT.

Service Appeal No. 802/2016

Mr. Rafiq AhmadAppellant

VERSUS

Govt of Khyber Pakhtunkhwa through Director Education, Peshawar and others
.....Respondents.

AFFIDIVAT

I, Nowsherwan, Principal Govt College Daggar Buner Respondent -1, do hereby declare and affirm on oath that the content of para wise comments are correct to the best of my knowledge and belief and that nothing has been concealed from this Honorable Service tribunal camp court Swat.



Dependent

Nowsherwan

Principal Govt College Daggar

Respondant-1

CNIC 15602-0310834-5

The Principal
Govt. College Dargan.

(11)

Subject: Allotment of official Accommodation

Sir,
With due respect it is stated that
I intend to reside on college premises.
It is therefore requested that Bangalore
No.1 may please be allotted to me.

Amith

[Signature]
PRINCIPAL
Govt: College Dargan
Distt: Bunsar

Yours
[Signature]
RAMES BUNDS
Lecturer
Govt. College Dargan
1-3-2012

OFFICE OF THE PRINCIPAL, COLLEGE CAMPUS BANGALORE NO. I

No. 155-58

Date 2/10/70

15

OFFICE ORDER.

College campus Bangalore No. I is hereby allotted to
Mr. Rafiq Ahmad, Lecturer in Zoology w.o.f. P.O. Bangalore.

Sidda
Principal

Govt. College Bangalore

Copy to the :-

- 1. Distt. Account Officer Bangalore.
- 2. Mr. Rafiq Ahmad, Lecturer in Zoology.
- 3. Office Record.

Sidda

Principal

Govt. College Bangalore

(6)

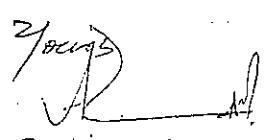
Anee-C

The Principal,
Govt. College Daggan

Subject: CANCELLATION OF ACCOMMODATION ALLOTMENT

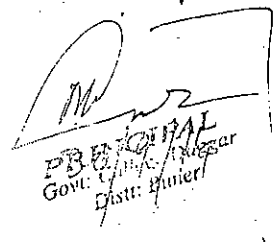
It is stated that Bangalore No. 1 of Daggan college campus had been allotted to me in which the then principal (Retd) Jia ul Rahman was residing. He has been retired on 17.11.2013. The Bangalore has been vacated with 18.11.2013 but house rent deduction is regularly made by me till.

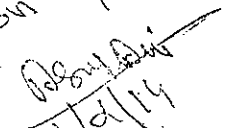
It is therefore, requested that the said allotment may please be cancelled w.e.f 18.11.2013 in order to give me relief.

Yours


Rajee Bhambhani
Lecturer in Islamic
30-09-2014

The application is forwarded in original to the DHE, KDK Pishawari for necessary favorable consideration please.


PRINCIPAL
Govt. College Daggan
Distt: Durrani

Recd on 2/11/14

2/11/14

Amer-D

7



OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 223-25 /

Dated 07 /04 /2014

NOTIFICATION.

Bungalow No.I situated at Govt: College Daggar Buner at Swari allotted to Mr. Rafiq Ahmad lecturer in Islamiat is hereby cancelled w.e.f 01-04-2014 and the said bungalow is declared as vacant.

noted
[Signature]
7/4/2014

Principal
Govt: College Daggar Buner

Copy to the :-

1. Distt; Account Officer Daggar Buner.
2. Mr. Rafiq Ahmad lecturer in Islamiat.
3. Office Record.

Principal
Govt: College Daggar Buner



DIRECTORATE OF HIGHER EDUCATION

KHYBER PAKHTUNKHWA, KHYBER ROAD PESHAWAR
Telephone No.091-9211025-9210217-9210242 Fax-9210215

No. 8871

Dated Peshawar the 9/4/2016

To

3 b
N.P.
The Principal,
Govt: Degree College
Dagger (Buner).

Subject: - FURTHER AUDIT OBSERVATIONS.

Memo:

I am directed to refer to your memo: No. Nil dated 30-11-2015 on the subject noted above and to convey you further audit observations which are as under:-

S#	Para No. / Caption.	Remarks.
1	Para No. 27 (95-98) Non entry of stock.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and hence para stand.
2	Para No. 27 (98-2001) Non-Production of Private Fund Book No. 4025.	Already deferred vide this office No. 15284 dt: 2-7-2014 but nothing produced for verification during audit which should be explained and hence para stand.
3	Para No. 30 (98-2001) Irregular expenses on Game and Sports.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and para stand.
4	Para No. 31 (98-2001) Loan for Electricity T&T Newspapers.	The Principal in chair is directed to recoup the amount immediately and Para Stand.
5	Para No. 32 (98-2001) Expenditure without sanction of the competent authority and without stock entry and without observance of codal formalities.	The Principal in chair is directed to follow original audit para and have the factual position other-wise recovery be made and Para Stand.
6	Para No. 36 (98-2001) Irregular expenditure and Mis-appropriation of Security and sport fund for Rs. 15850/-	The Principal in chair is directed to follow original audit para and have the factual position other-wise recovery be made and Para Stand.
7	Para No. 37 (95-98) Diesel charges.	The Principal in chair is directed to follow original audit para and have the factual position other-wise recovery be made and Para Stand.
8	Para No. 16 (98-2001) Irregular Purchase of various articles through A.C Bill.	The Principal in chair is directed to follow original audit para and have the factual position other-wise recovery be made and Para Stand.
9	Para No. 1 (2001-2006) Irregular drawl of Special Grant for Purchased of Furniture, Machinery and Science Equipment.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para Stand.

41	Para No. 34 (08-11) Loan for Payment of Newspapers out of Private Funds amounting to Rs. 4893/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
42	Para No. 35 (08-11) Illegal and Unauthorized Payment to Hostel Warden amounting to Rs. 10800/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
43	Para No. 36 (08-11) Irregular and Unauthorized Expenditure out of Private Funds on accounts of Purchase of Plants of Rs. 12990/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
44	Para No. 37 Illegal and Un-authorized Expenditure out of Private Funds and no observance of codal formalities for Rs. 78371/-.	Already deferred vide this office No. 15284 dt: 2-7-14 but nothing produce during the audit which should be explained and Para Stand.
45	Para No. 38 (08-11) Irregular and unauthorized Purchase/Printing of receipt books for Rs. 6700/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
46	Para No. 39 (08-11) Irregular and unauthorized collection of Fine amounting to Rs. 611656/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
47	Para No. 40 (08-11) Illegal and double payment out of Sports Fund amounting to Rs. 308075/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
48	Para No. 44 (08-11) Illegal and unauthorized expenditure out of additional shift fund on accounts of various purposes for Rs. 106100/-.	The Principal in chair is directed to follow original audit para and take necessary action accordingly and Para stand
49	Para No. 48 (08-11) Physical verification.	Already deferred vide this office No. 15284 dt: 2-7-14 but nothing produce during the audit which should be explained and Para Stand.
50	Para No. 2 (2012-2013) Non-deduction of Conveyance Allowance from the occupation of Banglow and the Summer Vacation for Rs. 748360/- upto December, 2013.	1) Rs. 1, 21,220/- is still out-standing against Mr. Rafiq Ahmad Lecturer in Islamiyat, he is directed to recover the said amount immediately under intimation to audit. 2-19) The case of Conveyance Allowance is under process with Distt. Account Officer Dagger (Buner and the Principal is directed to deduct the Conveyance Allowance @ Rs. 10000/- per month on equal installment from all concerned and intimate the documentary proof at the completion of recovery and hence Para stand.
51	Para No. 3 (2012-2013) Non-Production, Non entry in Govt. Cash Book and non-reconciliation of Rs. 870578/-.	1-24) Entries in Cash Book and stock register seen vide Pages 52 62 64 66 56 62 72, 72. The voucher and recoupment into Private Fund Seen & Para Settled.
52	Para No. 4 (2012-2013) Irregular drawl of Rs. 23650/- on accounts of Purchase of Stationary.	1-2) Entries vide Page-43 of the stock register seen. 3) The sign has now been found in Stock register. 4) Demand of the concerned seen. 5) The stock register has been signed by the Principal seen vide Page 41 and Para Settled.

10
Amct-F

OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 345-46 /a-12 Dated: 25 /04/2016

To

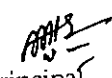
Mr. Rafiq Ahmad
Lecturer in Islamyat
Govt: College Dagggar Buner

Subject: DEPOSITING OUT STANDING AMOUNT

Memo:-

It is to inform that an amount of Rs. 121220/- on account of receiving and unauthorized conveyance allowance is outstanding against your for bungalow No.1 w.e.f 01-03-2012 to 31-12-2013.

You are directed to deposit the amount in order to settle the pare No. 02 (2012-13)


Principal
Govt: College
Dagggar Buner

Copy to the:-

1. Director Higher Education his letter No. 9871/ dated 05-04-2016 for information.

Principal
Govt: College
Dagggar Buner

Handwritten mark

18/5
2016

Annex - 9

نوٹس:-

رضیق احمد سکیم (ذرا سلاہ عیان) کو بیزاریم نوٹس، اطلاع دی جاتی ہے کہ منگل کے (Compromise) مطالبے آؤں اور وہیں 12/2/2016 سے پہلے جو رقم (Recovery) کی گئی ہے، جو کہ اس سے پہلے جو رقم دی گئی تھی 345-46 جو رقم 25/4/2016 کو دیا گیا ہے۔ اس کے بعد اسے اس کی ٹیکس دفتر سے رالپہ میں لیا گیا اور اس پر اس کے بارے میں جو ان (D.H.E) میں وارد کیا گیا ہے۔ اس کے بارے میں اس کے دفتر سے خبریں کے مطابق شروع سے اس کے بارے میں (Month wise) کی گئی ہے۔ اس کے بارے میں اس کے دفتر سے

Received
10/5/2016

① رضیق احمد

No-404 / Dt: 10/5/2016

PRINCIPAL
Govt. College Dagga
Distt: Buner

[Signature]



Area-H
12

OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 586-87/recovery C-A-

Dated: 13 /07/2016

To

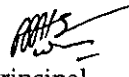
Mr. Rafiq Ahmad
Lecturer in Islamyat
Govt: College Dagggar.

Subject:- COMPLIANCE OF AUDIT PARA.

Memo;


Reference this office memos No. 345 dated 25-04-2016 and No. 409 dated 10-05-2016 on the above subject.

You are once again directed to ensure the depositing of the outstanding amount of Rs. 121220/- in order to settle the audit para No. 02 (2012-13) otherwise deduction @ Rs. 10000/= per month will be automatically started with effect from 1-08-2016.


Principal
Govt: College
Dagggar Buner

Copy to the:-

1. Director Higher Education Khyber Pakhtunkhwa Peshawar.


Principal
Govt: College Dagggar Buner



DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA, KHYBER ROAD PESHAWAR
Telephone No.091-9211025-9210217-9210242 Fax-9210215
Email:- audtLhigher.edu@gmail.com

No. 1387/31 / P-7/ A. Note, Dated Peshawar the 13/7 /2016.

To

The Principal,
GDC Daggar (Buner).

Subject: - **DEPOSITING OF OUT STANDING AMOUNT/AUDIT PARA NO. 02**
(2012-2013)

Memo:

I am directed to refer to your Endst: No. 384-A/12 dt: 4-5-2016 on the captioned subject and to state to deduct the out-standing amount of Rs.158435/- (detail attached) from Mr. Rafiq Ahmad Lecturer in Islamayat of your college without any further loss of time other-wise it will be presumed that you are not following the relevant rules. Since the Bunglow was allotted to Mr. Rafiq Ahmad, Lecturer therefore he is responsible to deposit the out-standing amount immediately. In case of failure/ non compliance, disciplinary action will be initiated against all concerned. Moreover, all sorts of sanctions out of Private Fund will not be honoured by this office and also Distt: Accounts Officer Buner will be informed to make the recoveries from all occupants residing in the college premises under intimation to this office.

Encl: one

ASSISTANT DIRECTOR (ACCOUNTS)

Endst: No. _____/

Copy of the above alongwith detail of recoveries to Administrative Officer local Directorate with the remarks that disciplinary action may be taken against Mr. Rafiq Ahmad Lecturer in Islamiyat GDC Daggar for non compliance of the high ups.

ASSISTANT DIRECTOR (ACCOUNTS)



Annex 14

OFFICE OF THE PRINCIPAL
GOVT. COLLEGE DAGGAR BUNER.

No. 595/ Recovery

Dated: 16/ 07/2016

To

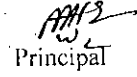
A

The District Accounts Officer
Buner at Daggar.

Subject: - **RECOVERY OF OUTSTANDING AMOUNT.**
Memo:-

As per directives of Directorate Higher Education KPK Peshawar Memo No. 180931/P-7/ A. Note dated 13-7-2016 an amount of Rs.158435/- is outstanding against Mr. Rafiq Ahmad lecturer in Islamyat of this college. The amount is pertaining to Audit Para No.02 (2012-13).

For the compliance of the said directives your good office is requested to ensure the recovery of the amount from the concerned official from his salary @ Rs.10, 000/- per month w.e.f the month of July 2016 positively. Copy of source is attached.


Principal

Govt: College Daggar Buner.

Copy to the:-

1. The Assistant Director (Accounts).
2. Directiyate of Higher Education KPK Peshawar with reference to his above Memo.

Principal
Govt: College Daggar Buner.



**DIRECTORATE OF HIGHER EDUCATION
KHYBER PAKHTUNKHWA,
KHYBER ROAD PESHAWAR**

Phone # 091-9210242, 9211025/Tax # 9211803
No. 20696 / CA-II/ Estt. Branch/ Asst. Rafiq Ahmad/ Islamiyat

Dated Peshawar the 4/8/2016

ES
Amex-K

To

**REGISTERED
MOST IMMEDIATE**

3/2/16

Mr. Rafiq Ahmad
Lecturer in Islamiyat
Govt; Degree College, Daggar (Buner).

SUBJECT DEPOSITING OF OUTSTANDING AMOUNT/ AUDIT PARA
NO. 02 (2012/2013)/EXPLANATION

Memo:

I am directed to refer to the subject cited above and to inform you that you had occupied a residential bungalow at Govt; Degree College, Daggar (Buner) in 2011-2013. During the course of internal audit on the accounts of the College, it was noticed that you have not made deductions amounting to Rs. 1,58,435/- on account of House Rent Allowance and 5 % of the basic pay as well as conveyance allowance.

2. I am, therefore, directed to ask you to explain your position as to why disciplinary proceedings may not be initiated against you under E&D Rules, 2011. Your explanation should reach this office within a week after the receipt of this letter through your Principal and in case your reply is not satisfactory, then disciplinary action will be initiated against you under the Rules ibid.

3. Besides, you are directed to deposit the said outstanding amount and proof thereof in shape of original challan may be sent to this office immediately, failing which action will be taken against you.

Rafiq

BY: DIRECTOR (ESTABLISHMENT)

Endst; No. _____

Copy of the above is forwarded to the Assistant Director (Accounts), local Directorate for information.

*Recd by led on 5/8/2016
cd had over to Mr. Rafiq Ahmad
for compliance*

BY: DIRECTOR (ESTABLISHMENT)

To

Annex-L

(5)

(16)

The Deputy Director (Estab)
Directorate of Higher Education
Khyber Pakhtunkhwa Peshawar.

Through Proper Channel

Subject :- OUTSTANDING AMOUNT/ AUDIT PARA /EXPLANATION.

Memo:- Reference your Memo No.20696/CA-II/Estab/A-12/Rafiq Ahmad/Islamiat dated 04-08-2016.

1. As par as the delay in depositing the amount in question is concerned it is not a facilt on my part. The original audit para No.2 (2012-13) was not against me but the recoverable amount was outstanding against Mr. Zia ur Rahman Ex- Principal GC Daggar. (Annex-I)

2. later on the matter was reactivated during May 2016 (Annex-II) and as a response my pleas which is self explanatory was submitted through proper channel (Annex-III)

3. In its response another directives was issued (Annex-IV) and the college authorities immediately implemented and deduction @ Rs. 10000/- per month was started from me w.e.f July 2016 (Annex-V) as per dicsion of the principal vide Memo No. 595 dated 16-07-2016.

My humble submission, keeping in view the above facts, is that initiation of disciplinary action against me seem to me beyond justice. I am neither defing or delaying departmental directives. Time will prove that whether this deduction/recovery from my part was a justified one or otherwise.

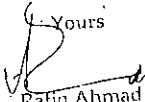
I think the deduction from me in one instalement will be a great burden upon me Because I have no other means of livehood. I will pay the outstanding amount at an equal instalements of Rs.10,000/- per month. In the mean time Inshallah I shall convence the authorities that this recovery is unjustified.

I hope sympathetic consideration

Office of the Principal G.C. Daggar
No 652/A-12 Dated 6-8-2016

Forwarded in original to the
Deputy Director (Estab) Directorate
of Higher Education Khyber Pakhtunkhwa
Peshawar for consideration please.


PRINCIPAL
Govt College Daggar
Dist: Buner

Yours

Rafiq Ahmad
Lecturer in Islamiat
Govt College Daggar Buner.
Dated: 05-08-2016