

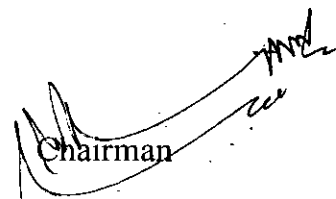
**COC Application No. 231/2916**

**24.10.2017**

Applicant alongwith counsel and Mr. Kabeerullah Khattak, Addl. AG for the respondents present. Applicant requested for withdrawal of the present COC application.

In view of the above, the present COC application is dismissed as withdrawn. File be consigned to the record room.

  
Member

  
Chairman

ANNOUNCED  
24.10.2017

04.10.2017

Learned counsel for the appellant present. Mr. Zia Ullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments 24.10.2017 before D.B



Member  
(Executive)



Member  
(Judicial)

28.08.2017

Petitioner alongwith junior counsel present. Mr. Muhammad Jan, Deputy District Officer for the respondents present. Senior counsel for the petitioner is not in attendance. Seeks adjournment. Last opportunity granted. To come up for arguments on COC petition alongwith main appeal on 11.09.2017 before the D.B.


  
Member

  
Chairman

11.09.2017

Appellant with counsel and Addl: AG for respondents no. 1 and 2 present. None on behalf of respondents no. 3 and 4 present. Notice be issued to respondent no.3 and 4 as well as their counsels. To come up for arguments on COC petition alongwith main appeal on 27.09.2017 before D.B.

  
Member  
(Executive)

  
Member  
(Judicial)

26.09.2017

Junior to counsel for the appellant and Asstt. AG for the respondents present. Request made on behalf of counsel for the appellant for adjournment. Adjourned. To come up for arguments 04.10.2017 before the D.B. ~~CO-RESPONDENT~~

  
Member

  
Chairman

21.07.2017


Clerk of the counsel for appellant present. Mr. Ziaullah, Deputy District Attorney for the respondents also present. Clerk of the counsel for appellant requested for adjournment. Adjourned. To come up for arguments on C.O.C application on 07.08.2017 before D.B alongwith main service appeal No. 1054/2016.


  
(Gul Zeb Khan)  
Member

  
(Muhammad Amin Khan Kundi)  
Member

07.08.2017

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents also present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on C.O.C application on 17.08.2017 before D.B alongwith main service appeal No. 1054/2016.

  
(Muhammad Amin Khan Kundi)  
Member (J)

  
(Muhammad Hamid Mughal)  
Member (J)

13.03.2017

Junior to counsel for the petitioner and Assistant A.G for the respondents present. Due to ailment of his mother, learned senior counsel for the petitioner is not in attendance. Requested for adjournment. Adjourned. To come up for arguments on COC application alongwith main appeal on 28.8.2017 before the D.B.

  
Member

  
Chairman

28.03.2017

Junior to counsel for the appellant and Mr. Muhammad Jan, G.P for the respondents present. Learned GP requested for adjournment. To come up for written reply and arguments on COC application alongwith main appeal on 28.04.2017 before the D.B.


  
Member

  
Chairman

28.04.2017

Counsel for the petitioner and Mr. Faiz Muhammad, Assistant alongwith Mr. Ziaullah, Government Pleader for the respondents present. Reply on behalf of respondents submitted. To come up for arguments on C.O.C application before D.B on 05.06.2017 alongwith main service appeal No. 1054/2016.

  
Member

  
Chairman

05.06.2017

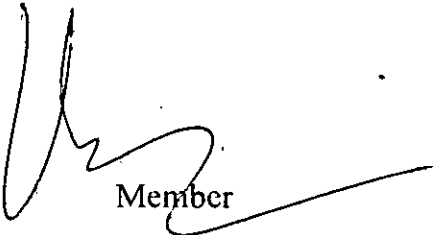
Appellant in person present. Mr. Muhammad Adeel Butt, Additional AG for respondents also present. Due to strike of the bar learned counsel for the appellant is not in attendance. Adjourned. To come up for arguments on C.O.C application on 21.07.2017 before D.B alongwith main service appeal No. 1054/2016.

  
(GUL ZEB KHAN)  
MEMBER

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

19.12.2016

Junior to counsel for the petitioner and Faiz Muhammad, Litigation Officer alongwith Assistant AG for respondents present. To come up for further proceedings alongwith the main appeal on 12.01.2017 before S.B.



Member

12.01.2017

Petitioner with counsel and Faisal Legal Advisor alongwith Addl. AG for the respondents present. Counsel for the petitioner submitted that order dated 03.01.2016 of this Tribunal has not been implemented. Representative of the respondents requested for further adjournment To come up for written statement on contempt of court application and arguments on 27.02.2017 before the D.B alongwith main appeal.



Chairman

27.02.2017

Junior to counsel for the petitioner and Mr. Muhammad Jan, GP for respondents present. To come up for written statement on contempt of court application and arguments on 29.03.2017 before D.B alongwith main appeal.

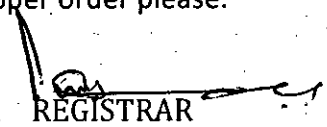

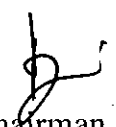
  
(AHMAD HASSAN)  
MEMBER

(MUHAMMAD AAMIR NAZIR)  
MEMER

## FORM OF ORDER SHEET

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

C.O.C Application No. 231/2016

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	28/11/2016	<p style="text-align: center;">The C.O.C application submitted by Mr. Said Muhammad through Mr. Noor Muhammad Khattak Advocate may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	28-11-2016	<p style="text-align: center;">This C.O.C application be put up before S. Bench on <u>01-12-2016</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	01.12.2016	<p style="text-align: center;">Counsel for the petitioner present. Notice of COC application be issued to the respondents for 19.12.2016 before S.B alongwith main appeal No. 1054/2016.</p> <p style="text-align: right;"> Chairman</p>

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

COC NO. 231 /2016  
IN

**APPEAL NO.1054/2016**

**SAID MOHAMMAD**

**VS**

**A.C.S. FATA**

**INDEX**

<b>S.NO.</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
1.	Memo of COC	.....	1- 2.
2.	Application	<b>A</b>	3.
3.	Order	<b>B</b>	4- 5.
4.	Order of director	<b>C</b>	6.
5.	Relieving chit	<b>D</b>	7.
6.	Vakalat nama	.....	8.

**APPELLANT**

**THROUGH:**

  
**NOOR MUHAMMAD KHATTAK**  
**ADVOCATE**



**IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

COC NO. 231 /2016  
**IN**  
**Appeal NO.1054/2016**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1132

Dated 28-11-16

Mr. Said Mohammad, Junior Clerk (BPS-09),  
O/O the Agency Surgeon North Waziristan Agency Miran Shah  
..... **APPLICANT/ PETITIONER**

**VERSUS**

- 1- Mr. Jawad Habib, Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.
- 2- Zakir Hussain, Agency Surgeon, North Waziristan Agency, Miran Shah..... **RESPONDENTS/ CONTEMNORS**

**APPLICATION FOR INITIATING CONTEMPT OF COURT PROCEEDINGS AGAINST THE RESPONDENTS/ CONTEMNORS**

**R/SHEWETH:**

- 1- That the applicant/ petitioner had filed service appeal No.1054/2016 in this august Tribunal in which this august Tribunal issued/granted status quo in favor of the petitioner vide order sheet dated 03.11.2016. Copy of the order sheet is attached as annexure ..... **A.**
- 2- That after obtaining the attested copy of the order/Judgment, the applicant/petitioner submitted the said order of this august Tribunal along with application before the respondents/ contemnors for implementation but the same has not been implemented by the respondents rather the respondent No.1 issued relieving order of the petitioner inspite of clear direction of this august Service Tribunal. Copies of the application, order of Director Health and relieving order are attached as annexure.....**B, C & D.**
- 3- That the action of the Respondents/Contemnors by relieving the petitioner is squarely fall within the ambit of the Contempt of Court and as such they are liable to be proceeded for the Contempt and for the punishment under the law.

It is therefore, humbly prayed that on acceptance of this application, the Contempt of Court proceedings may graciously be initiated against the Respondents/Contemnors and they may be punished accordingly.

**DATED: 24.11.2016**

**APPLICANT/ PETITIONER**

  
**SAID MOHAMMAD**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**

**&**

  
**SYED IMDAD HUSSAIN SHAH  
ADVOCATES**

A- (3)

To

The Agency Surgeon,  
North Waziristan Miranshah.

Subject: - Request for opening of Headclerk Office.

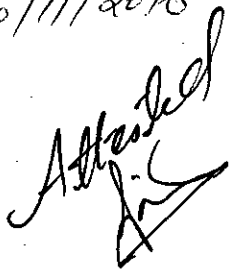
R/Sir, with due respect it is stated that I was transferred and posted in DHS FATA Peshawar vide order bearing order No. 16261-64/DHS/FATA/Admin dated: - 10/10/2016, but I have returned back to my original post/place of duty in NWFA in the light of honourable service tribunal KPK Peshawar decision vide order sheet dated: - 24/11/2016 (Photo copy attached).

On my return in the office of Head clerk, Agency Surgeon Office NWFA, it has pointed that my office has been locked.

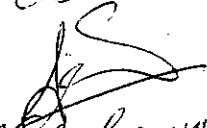
Therefore it is requested to issue order for opening/release of my office, enabling me to continue my official work and also to avoid hardship facing to the staff in your subordinate Health facilities in North Waziristan Agency.

Thanks

Dated: - 10/11/2016

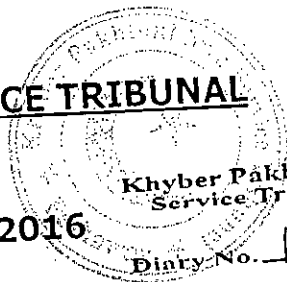
Attached  


Yours obediently

  
(Mr. Syed Muhammad)  
Head Clerk Agency Surgeon  
Office NWFA

B-4

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**



Appeal No. 1054 / 2016

Diary No. 1087

Mr. Said Mohammad, Junior Clerk (BPS-9),  
O/O the Agency Surgeon North Waziristan Agency at Miran Shah,  
Dated 14-10-2016  
..... **Appellant**

**VERSUS**

- 1- The 'Additional Chief Secretary FATA, FATA Secretariat, Warsak Road, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary, Social Sector Department FATA, FATA Secretariat, Warsak Road, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director Health Services FATA, FATA Secretariat Warsak Road, Khyber Pakhtunkhwa, Peshawar.
- 4- The Agency Surgeon, North Waziristan Agency at Miran Shah.

..... **RESPONDENTS**

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 10.10.2016 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED PREMATURELY AND INAVIOLATION OF TRANSFER/POSTING POLICY AND AGAINST THE APPELLATE ORDER DATED 13.10.2016 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS**

**PRAYER:**

That on acceptance of this appeal the impugned orders dated 10.10.2016 and 13.10.2016 may very kindly be set aside and the respondents may be directed not to transfer the appellant from the office of Agency Surgeon North Waziristan Agency. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

Filed to-day  
*Said*  
Registrar

**R/SHEWETH:**  
**ON FACTS:**

- 1- That appellant is the employee of the respondent Department and is serving as Junior Clerk (BPS-12) in the respondent Department. That right from appointment till date the appellant has served the respondent Department quite efficiently and up to the entire satisfaction of his superiors.

*Attached*  
*[Signature]*



C-6



**DIRECTORATE OF HEALTH SERVICES FATA**  
**FATA SECRETARIAT WARSAK ROAD PESHAWAR**

No. 18020

/DHS/FATA/Admn

Dated: 03/11/2016

To

Mr. Said Muhammad,  
Junior Clerk (Ex-Head Clerk),  
North Waziristan Agency.

Subject:- **OFFICE ORDER**

It has been noted with grave concern that you are reluctant to obey the orders of your transfer contained in this Directorate office order bearing endorsement No.16261-64/DHS/FATA/Admn dated 10-10-2016 and are illegally holding the official record of Agency Surgeon office North Waziristan Agency, i-e cheque book, acquaintance roll, cash book, ADP Bank drafts and staff summery etc, which falls under the-purview of misconduct and non-compliance as well.

You are therefore directed to obey the order of your transfer and report to this Directorate immediately and hand over the official record to your successor in the Agency Surgeon office within two (2) days positively, otherwise stern disciplinary action shall be initiated against you on account of non-compliance with lawful orders.

Director Health Services,  
FATA Peshawar.

No. \_\_\_\_\_/DHS/FATA/Admn

Copy to the:-

1) Agency Surgeon North Waziristan Agency for information w/r to his letter No.2916 dated 1-11-2016.

2) PS to Secretary SSD FATA.

Director Health Services,  
FATA Peshawar.

Received on 06/11/2016.

Att as lead  
[Signature]

**OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN**

Phone & Fax: 0928300788-311662

email:agency surgeonnwa@gmail.com

D-7

No. \_\_\_\_\_/

Dated, 28 /10/2016

\*\*\*\*\*

To

The Director Health Services,  
FATA Peshawar.

Subject: **RELIEVED FROM SERVICE.**

Memo:

Reference your office order No.16261-64/DHS/FATA/Admn  
dated 10-10-216.

I have the honour to state that Mr.Said Muhammad Junior Clerk attached to  
this office is hereby relived on 28-10-216 FN, from this office and to report for  
further duty to your good office please.

Agency Surgeon  
North Waziristan Agency


No. 2855-571

Copy forwarded to the:

1. Political Agent North Waziristan Agency.
2. Agency Account Officer NW. Agency.
3. Mr.Said Muhammad for compliance.

Agency Surgeon  
North Waziristan Agency

Received on 10/11/2016

Attested  


**VAKALATNAMA**

IN THE COURT OF Service Tribunal 10/10 Peshawar  
e.o.c Application No. 231 OF 2016

Syed Muhaameed

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

ACS PATA and others


(RESPONDENT)  
(DEFENDANT)

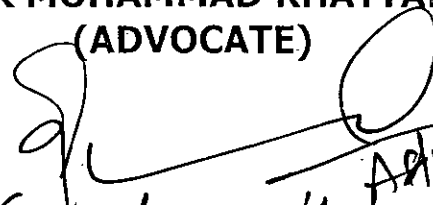
I/We Syed Mohamad

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_/\_\_\_/2016

  
\_\_\_\_\_  
CLIENT

  
**ACCEPTED**  
**NOOR MOHAMMAD KHATTAK**  
**(ADVOCATE)**

  
**Advocate**  
**(Syed Imad Hussain Shah)**  
**Advocate.**

OFFICE:  
Room No.1, Upper Floor,  
Islamia Club Building, Khyber Bazar,  
Peshawar City.  
Phone: 091-2211391  
Mobile No.0345-9383141



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

Appeal No.1054/2016

Mr. Said Muhammad Junior Clerk

Versus

A.C.S. FATA and others

**INDEX**

S.No	Description	Annex	Page No
1.	Comments alongwith affidavit	-	01-04
2.	Written Reply alongwith affidavit	-	05-06
3.	Copy of Office Letter No.117/5/3096-16/(CVC)/NAD (KF)/2871 Dated 19/10/2016	"A"	07
4.	Copy of Letter Dated 17/11/2016	"B"	08
5.	Copy of Inquiry Report	"C"	09
6.	Copy of Letters	"D"	10-19
7.	Copy of Office Order dated 22/11/2011	"E"	20
8.	Wakalat Nama	-	21

Additional Chief Secretary (FATA)  
FATA, Secretariat  
(Respondent 01)

Director Health Services  
FATA, Peshawar  
(Respondent 03)

Through



(Faisal Atta)  
Advocate, Peshawar

(1)

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

Appeal No.1054/2016

Mr. Said Muhammad Junior Clerk.....(Appellant)

Versus

Additional Chief Secretary FATA and others.....(Respondents)

**PARA-WISE COMMENTS ON BEHALF OF**  
**RESPONDENT 01 to 04**

**Respectfully Sheweath:**

Para-Wise comment on behalf of Respondent 01 to 04 is as under:-

**PRELIMINARY OBJECTION:**

- i. Appellant has neither locus standi nor cause of action against the Replying Respondents.
- ii. Instant Appeal is not maintainable in its present form.
- iii. Appellant is estopped by his own conduct to file the same.
- iv. Instant Appeal is against the prevailing Rules and Regulations.
- v. Appellant has not approached this honourable Tribunal with clean hands. Appeal also suffer from mis-statement and concealment of facts.
- vi. This Honorable Tribunal has got no jurisdiction to entertain the appeal because the transfer posting order in issue is in larger interest of public policy. On this score alone, the appeal in hand is liable for its summarily dismissal.
- vii. Appeal in hand is incompetent in its present form because necessary party has not been arrayed as Respondents in the captioned Appeal. On this ground alone, the instant Appeal is liable for its summary dismissal.
- viii. That posting and transfer order has been issued strictly in public interest and Appellant posing is a drama by showing the violation government policies and

Appellant cannot claim any vested rights for the against said post. Respondents has passed the Order Dated 10/10/2016 in public interest as its own administrative grounds. Therefore, the appeal in hand is liable to be dismissed.

- ix. That Respondent has not obliged any political influence from any state holders of the Government and has passed the Office Order on 10/10/2016 under routine matter of transfer and posting order of their employees.
- x. Appellant was allegedly involved in disbursement of Rs.2.104 Million to Dr. Ikramullah Safi regarding payment made for Polio Scheme. He has also misappropriated Rs.1.05 Million in the head of POL as well as involve in illegal appointment of his relative vide NAB KPK Peshawar Office Letter No.117/5/3096-16/(CVC)/NAD (KF)/2871 Dated 19/10/2016 for which two members committee have been appointed to probe into the matter that's he has been transferred vide Director Health Services FATA Peshawar office order No.16216/64/DHS/FATA/Admn Dated 10/10/2016 so that he could not influence over the member of the committee. (Copy of Office Letter No.117/5/3096-16/(CVC)/NAD (KF)/2871 Dated 19/10/2016, Letter Dated 17/11/2016, Inquiry Report, Letters are Annexure "A" to "D" respectively)

**FACTS:**

- 1. Pertain to record.
- 2. Incorrect, illegal and without substance. Appellant was exchanged with another official having same grade and experience by the Agency Surgeon NW Agency without any political influence. Detail reply has been given in the preceding Para's.
- 3. Incorrect, illegal and without substance. Appellant has not submitted his Departmental Appeal in the office of Director Health Services, FATA who is the competent authority to decided the Departmental Appeal and filed an appeal in the Honorable Service Tribunal with forged, factitious and fake documents. He got status quo by deceiving the Honorable Court dated 10/11/2015.

4. Correct, to honor the status quo, he was again posted in the office of Agency Surgeon NW Agency.
5. Correct to the extent that he was transferred but on administrative ground. Again he did not submit his departmental appeal in the office of Director Health Services FATA and filed an appeal in the Honorable Service Tribunal by showing rejection letter by the Agency Surgeon NW Agency who is not an authorized officer for acceptance or rejection of an appeal and on the basis of which, he got status quo from the Honorable Service Tribunal dated 10/11/2016.
6. Incorrect, illegal, without substance, he is not an aggrieved person and has deceived this Honorable Tribunal by producing a rejection order from incompetent authority otherwise he was under statutory obligation to file the departmental appeal on the competent forum.

**GROUNDS:**

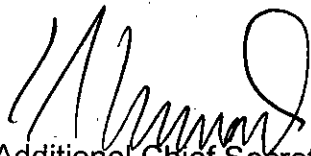
- A. Incorrect. the orders are not against the law, justice and in accordance with law.
- B. Incorrect, illegal ,without substance. Hence, denied. Detail reply has been given in the preceding Para's.
- C. Incorrect, illegal, without substance. Hence, denied. The posting order is not against the posting/transfer policy because he has been transferred on administrative grounds.
- D. Incorrect, illegal ,without substance. Hence, denied. Detail reply has been given in the preceding Para's.
- E. Incorrect, illegal ,without substance. Hence, denied. Appellant has been posted in NW Agency vide order dated 22/11/2011 and served there for more than 5 years.Detail reply has been given in the preceding Para's.(Copy of Office Order dated 22/11/2011 is Annexure "E")
- F. Incorrect, illegal ,without substance. Hence, denied. Detail reply has been given in the preceding Para's.
- G. Incorrect, illegal ,without substance. Hence, denied. Detail reply has been given in the preceding Para's.

4

H. Incorrect, illegal ,without substance. Hence, denied. Detail reply has been given in the preceding Para's.

In view of above, the appeal in hand may kindly be dismissed

with cost.



Additional Chief Secretary (FATA)

FATA, Secretariat

(Respondent 01)



Director Health Services

FATA, Peshawar

(Respondent 03)

Through

(Faisal Atta)

Advocate, Peshawar



(5)

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

Appeal No.1054/2016

Mr. Said Muhammad Junior Clerk.....(Appellant)

Versus

Additional Chief Secretary FATA and others.....(Respondents)

**WRITTEN REPLY ON BEHALF**  
**OF RESPONDENTS**

Respectfully Sheweth:

**Preliminary Objection:**

- Applicant/Appellant has got no cause of action to file the instant application.
- b. Application in hand does not fulfill the mandatory cum requirement for stay. Hence, liable for it's summary dismissal.
  - c. Application in hand has been filed with ulterior motive just to harass Replying Respondents and to waste the precious time of this Honorable Tribunal.
  - d. Applicant/Appellant has not come to the Honorable Tribunal with clean hands.

**FACTS**

1. Para 01 needs no reply.
2. Para 02 of application is incorrect, illegal and without substance. Hence, denied. Detail reply has been given in the preceding para's.
3. Para 03 of application is incorrect, illegal and without substance. Hence, denied.

4. Para 04 of application is incorrect, illegal and without substance. Hence, denied.

It is, therefore, respectfully prayed that application of Applicant/Appellant may graciously be dismissed with cost through out

Additional Chief Secretary (FATA)  
FATA, Secretariat  
(Respondent 01)

*[Handwritten Signature]*  
Director Health Services  
FATA, Peshawar  
(Respondent 03)  
12/11/17

Through

(Faisal Atta)  
Advocate, Peshawar

*[Handwritten Signature]*  
Faisal

**AFFIDAVIT**

It is hereby solemnly affirm and declare on oath that contents of **Written Reply** are true and correct to the best of my knowledge and belief and nothing has been kept from this honorable Court.

*[Handwritten Signature]*  
Deponent  
As per direction  
of my client.

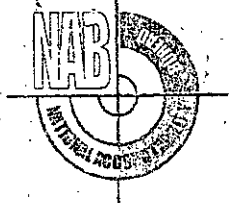
**ATTESTED**

SACIB  
Oath  
Commissioner  
Distt: Peshawar.  
ADV  
12/11/17

A

7

**CONFIDENTIAL**



GOVERNMENT OF PAKISTAN  
NATIONAL ACCOUNTABILITY BUREAU  
BLOCK-III, PDA COMPLEX, PHASE-V HAYATABAD  
KP PESHAWAR

Annex  
A

**SAY NO TO CORRUPTION**

No. //7/5/3096-16/(CVC) /NAB (KF)  
19 October, 2016

To: The Additional Chief Secretary  
FATA Secretariat  
Warsak Road, Peshawar

ADA  
19/10/16  
659  
31-10

Subject: Provision of Information

This Bureau has received a complaint wherein it is alleged that Saif Muhammad, Junior Clerk, Agency Surgeon Office Miranshah, North Waziristan Agency is involved in disbursement of Rs 2.104 Million to Dr. Ikram Ullah Safi regarding payment made for Polio Scheme. He has also misappropriated Rs.1.05 Million in the head of POL as well as involved in appointments of non-residents in 2015.

2. The copy of complaint is attached herewith for your comments / detailed report on the matter, along with relevant record by November 01, 2016, please.

(Faja Asad Mehmood)  
Deputy Director (Coord)  
Complaints Verification Cell  
Ph: 091-9217581  
Fax: 091-9217264

25-10-16  
A.C.S. (FATA)

S/S SD

Encl: As above

DAS

27/10

A.C.S. D/No 8609

**CONFIDENTIAL**

Date 25-10-16

S.S. SD - No. 888

23/10/16

Director Health Services FATA



(B)

OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN

Phone & Fax: 0928-300788-311662

email: [agency Surgeon nwa@gmail.com](mailto:agency Surgeon nwa@gmail.com)

No. \_\_\_\_\_ / AS

dated: 07/11/2016

(8)

\*\*\*\*\*

To

The Director Health Services,  
FATA Peshawar.

Annex  
B

SUBJECT: COMPLAINT OF PARAMEDICAL ASSOCIATION NWA  
AGAINST MR.SAYED MUHAMMD JUNIOR CLERK.

Memo:

I have the honour to submit herewith the complaint of Paramedical Association North Waziristan Miranshah against Mr,Sayed Muhammad Junior Clerk for favour of information and further necessary action please.

Agency Surgeon  
North Waziristan Agency

NO. 5002-6

Copy along-with a copy of complaint forwarded to the :-

- 1. P.S to Additional Chief Secretary FATA Peshawar.
- 2. P.S to Secretary Social Sector FATA Peshawar.
- 3. Headquarter 7 DIV Miranshah.
- 4. ~~Director Health Services FATA Peshawar.~~
- 5. Political Agent North Waziristan Miranshah.

For information and further necessary action please.

Agency Surgeon  
North Waziristan Agency

To

The Agency Surgeon,  
North Waziristan Miranshah.

Annex  
C

(9)

Subject:-

**COMPREHENSIVE INQUIRY OF IPV COST RELEASED TO  
AGENCY SURGEON NWA AND THE DISTRIBUTED AMOUNT  
AMONG THE POLIO WORKERS.**

Sir,

Reference your letter No.1893-96/Committee dated, 08.8.2016

regarding the above subject, it is stated that we the inquiry committee i.e

01 Dr.Muhammad Faraz ATO NWA.

02 Dr.Wali Zaman MO Civil Razmak.

03 Dr.Khandad Surveillance officer

Were assigned the task to conduct the inquiry about the payment of

IPV campaign held in February, 2016 (08 days).

In this context, we would like to inform you that the total amount of Pak

rupees 460400/- were released for IPV campaign by Ex-Agency Surgeon via cheque No.

2050823 dated, 14.6.2016 Rs. 250000/-, cheque No.2050827 dated, 16.6.2016

Rs 1004000/- and cheque No.2050828 dated, 16.6.2016 Rs.1100000/- (photo copies of the

cheques are attached), out of these money Rs.2500000/- distributed among the Polio

workers team wise (each team contain 05 members) which also show some irregularities

(both the payable list and the distributed list are attached).

While as for as the remaining money Rs.2104000/- is concerned, its

where about are not shown in the office record.

Report is submitted for your information and further necessary action

please.

With regards

Dated:- 26.10.2016

**INQUIRY COMMITTEE.**

01. Dr.Muhammad Faraz ATO NWA.

02. Dr.Wali Zaman MO Civil Razmak.

03. Dr.Khandad Surveillance officer

Handwritten signatures and dates: 26/10/16, 26/10/16

# PARAMEDICAL ASSOCIATION

PRESIDENT:  
**Shams-ur-Rehman Dawar**  
 0336-8000739  
 Vice President-I:  
**Malik Gul Saleh Jan**  
 Vice President II:  
**Hussain Khan**  
 Co-ordination Secretary  
**Fahim Ullah**  
 Office Secretary:  
**Noor Hayat**

North Waziristan Agency  
 Registration No 12317494E111 Dated 9th Sept 1970  
 Senior Vice President  
**Noor Ayaz Wazir**  
 0336-5086427

GENERAL SECRETARY:  
**Mohammad Karim Shah**  
 0335-7220407  
 Add: Secretary:  
**Pir Niamt Ullah**  
 Joint Secretary:  
**Syed Badshah**  
 Finance Secretary:  
**Raz Mohammad**  
 Press Secretary:  
**Junaid Iqbal**

10  
 Annex  
 D



اجلاس کاروباری

Ref. No \_\_\_\_\_

Date 29/10/2016

محترم صدر، ایسوسی ایشن شمالی وزیرستان ایجنسی  
 کابینہ کا اجلاس ہوا جس میں صدر صدرہ مسائل زیر بحث  
 لاکر صدر سے ذیل مسائل منظور ہوئے

1۔ تمام ڈیپارٹمنٹس سرورسنگ فٹا پسا اور آرڈر ڈیپارٹمنٹ / DHS/FATB/64-16261

بتاریخ 10/10/2016 کے از حد مشکور ہے کہ ایک کمرٹ فلرک بادشاہ

ایجنسی سرورسنگ فٹا پسا اور آرڈر ڈیپارٹمنٹ (جوینٹر فلرک) کا تبادلہ وزیرستان

سے پشاور کی گئی اور پیر ایف ڈی ایس کا درجہ مطالبہ حل کیا گیا

فونہ تمام پیر ایف ڈی ایس اور پلاسٹک سٹاف کو سید محمد صدیق فلرک سے

بالخصوص فی میل سٹاف کو نوٹس تنگ کرنا اور طرح طرح سے

استعمال کرنا سے اجالیا گیا

2۔ پیر ایف ڈی ایس نارنگو وزیرستان کے از حد مشکور ہے جس کے علاوہ

فور فلرک میں کوششیں سید محمد صدیق فلرک کے خلاف کی گئیں

11.06.16

# PARAMEDICAL ASSOCIATION

(11)

PRESIDENT:  
**Shams-ur-Rehman Dawar**

0336-8000739  
Vice President-I:  
**Malik Gul Saleh Jan**  
Vice President II:  
**Hussain Khan**  
Co-ordination Secretary  
**Fahim Ullah**  
Office Secretary:  
**Noor Hayat**

North Waziristan Agency

Registration No. 12317/93/11 Dated 9th Sep. 1970

Senior Vice President  
**Noor Ayaz Wazir**  
0336-5086427



GENERAL SECRETARY:  
**Mohammad Karim Shah**

0335-7220407  
Add: Secretary:  
**Pir Niamt Ullah**  
Joint Secretary:  
**Syed Badshah**  
Finance Secretary:  
**Raz Mohammad**  
Press Secretary:  
**Junaid Iqbal**

Ref. No. \_\_\_\_\_

P 2

Date 29/10/2016

بسم اللہ الرحمن الرحیم  
میں نے 1929/4 بتاریخ 15/8/2016 اپنی سرینسٹا کو لکھا  
میں نے وہ سے سید محمد صدیق ملک کا تبادلہ ممکن ہو اور لوہی  
المنٹ ن آف کنریٹ ملک کا صفایا کر دیا گیا۔  
3 تم ڈاکٹر ذاکر صاحب الجنبی سرینسٹا نارکو وائرسٹا سرینسٹا کے  
بابت شکر گزار ہے جس نے آف معرور اور کنریٹ ملک کے سرینسٹا  
کو فارغ کر کے ڈاکٹر ملک بیلو سرینسٹا فائٹا کے سر دے کر دیا گیا۔  
میں سے پروفیسر بل سٹاف کی دینی فوٹو میں پوری ہوئی ہے  
بہا سید محمد صدیق ملک (جوینر ملک) اور ڈاکٹر کنریٹ کے در سے پتہ اور ڈاکٹر  
بیلو سرینسٹا فائٹا، ایڈیشنل چیف سٹریٹی فائٹا اور سٹریٹی سوشل سٹریٹ  
فائٹا پر طرح طرح کے غیر قانونی اور غیر شرعی استعمال کرتے رہتے ہیں  
حتیٰ کہ بعض جہلوں نے بار بار رپورٹ دینے کے افسر بھیجے کرتے رہتے ہیں

P.T.O

# PARAMEDICAL ASSOCIATION

12

**PRESIDENT:**  
**Shams-ur-Rehman Dawar**  
 0336-8000739  
**Vice President-I:**  
**Malik Gul Saleh Jan**  
**Vice President II:**  
**Hussain Khan**  
**Co-ordination Secretary**  
**Fahim Ullah**  
**Office Secretary:**  
**Noor Hayat**

**North Waziristan Agency**  
 Registration No: 12317/95-E/11 Dated 9th Sept. 1970  
**Senior Vice President**  
**Noor Ayaz Wazir**  
 0336-5086427

**GENERAL SECRETARY:**  
**Mohammad Karim Shah**  
 0335-7220407  
**Add: Secretary:**  
**Pir Niamt Ullah**  
**Joint Secretary:**  
**Syed Badshah**  
**Finance Secretary:**  
**Raz Mohammad**  
**Press Secretary:**  
**Junaid Iqbal**



Ref. No. \_\_\_\_\_

P 3

Date 29/10/2016

بہنو! ہم پر زور ہے کہ اس سید محمد ہڈ ملک (جو نئے ملک کے تبادلہ کا آرڈر کنسل کیا گیا اور ہم پر دوبارہ مسلط کیا گیا) تو ہم پر اعتراض نہ ہے بلکہ ہمیں اس پر احتجاج کرنے اور یہ دو وزارت پر آواز اٹھانے کی ضرورت ہے۔ ہمیں ہڈ ملک سے کئی درخواستیں مل رہی ہیں۔  
 کالی برائے اطلاع و ضروری کارروائی

MH Shah  
 29/10/2016  
 جنرل سکریٹری  
 ایسوسی ایشن نارکو ویزیرستان

- 1 کالی ایڈمنسٹریٹو سیکرٹری فافا
- 2 سکریٹری جنرل سکریٹری فافا
- 3 ڈائریکٹر صحت و سوسائٹی فافا
- 4 ڈائریکٹر ایڈمنسٹریٹو نارکو ویزیرستان
- 5 فافا/جوہا/صدر ایسوسی ایشن ایسوسی ایشن
- 6 ایسوسی ایشن ایسوسی ایشن
- 7 ایسوسی ایشن کالی

**DIRECTORATE OF HEALTH SERVICES FATA**  
**FATA SECRETARIAT WARSAK ROAD PESHAWAR**

No.

/DHS/FATA/Admn

Dated: 03/11/2016

13

To

Mr. Said Muhammad,  
Junior Clerk (Ex-Head Clerk),  
North Waziristan Agency.

Subject:- **OFFICE ORDER**

It has been noted with grave concern that you are reluctant to obey the orders of your transfer contained in this Directorate office order bearing endorsement No.16261-64/DHS/FATA/Admn dated 10-10-2016 and are illegally holding the official record of Agency Surgeon office North Waziristan Agency, i-e cheque book, acquaintance roll, cash book, ADP Bank drafts and staff summery etc, which falls under the purview of misconduct and non-compliance as well.

You are therefore directed to obey the order of your transfer and report to this Directorate immediately and hand over the official record to your successor in the Agency Surgeon office within two (2) days positively, otherwise stern disciplinary action shall be initiated against you on account of non-compliance with lawful orders.

Director Health Services,  
FATA, Peshawar.

No. 18021-22 /DHS/FATA/Admn

Copy to the:-

- 1) Agency Surgeon North Waziristan Agency for information w/r to his letter No.2916 dated 1-11-2016.
- 2) PS to Secretary SSD FATA.

Director Health Services,  
FATA Peshawar.

Seen

17-11-2016

**OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN**

Phone & Fax: 0928300788-311662

email: agencyurgeonwa@gmail.com

14

No. 3044 /Inquiry

Dated, 14 /11/2016

\*\*\*\*\*

To

Mr.Said Muhammad Junior Clerk.

Subject: PROVISION OF INFORMATION.

Memo:

Reference NAB KPK Peshawar letter No. 117/5/3096-16/ (CVC) NAB (KF) dated 19 October, 2016 and Director Health Services FATA letter No.101-13/ADA/DHS/FATA/NAB/17632-37 dated 31-10-2016 on the subject noted above.

You are directed to provide the following office record within 03 days positively to this office as NAB KPK desired.

- 01.POL record 2015-16.
- 02.Record of Appointments of nonresidents 2015-16 i.e Service Book, Arrivals Reports, appointments orders, Medical Certificates.
- 03.IPV cost released record.

Agency Surgeon  
North Waziristan Agency

No \_\_\_\_\_ /Inquiry,

Copy forwarded to the:

- 01.Director Health Services FATA.
- 02.NAB KPK Peshawar.

For information and necessary action as desired please.

Agency Surgeon  
North Waziristan Agency

**OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN**  
email:agencyurgeonnwa@gmail.com

Phone & Fax: 0928300788-311662

Dated, 16/11/2016

Inquiry/IPv/Polio

No. ....

To: The Director Health Services,  
FATA Peshawar.

Subject: COMPREHENSIVE INQUIRY OF IPV COST RELEASED TO  
AGENCY SURGEON NWA AND THE DISTRIBUTED AMOUNT  
AMONG THE POLIO WORKERS.

Memor:

Reference your letter No 101-13 ADA DHS/FAT/MAB/17632-37 dated 31-10-2016.

Enclosed please find herewith a comprehensive inquiry report of IPV cost released to Agency Surgeon NWA and the distributed amount among the polio workers received from the inquiry committee along with necessary documents submitted for our information and further necessary action please.

Copy forwarded to the:

01. National Accountability Bureau Black-III PDA Complex, Phase-V H-71

Abad KPK Peshawar.

02 Political Agent North Waziristan Agency.

For information and further necessary action please.

Agency Surgeon  
North Waziristan Agency

No 4093-94 / Inquiry/IPv/Polio

Agency Surgeon  
North Waziristan Agency

157



**OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN**

Phone & Fax: 0928300788-311662

email:agencyurgeonwa@gmail.com

No: \_\_\_\_\_/Inquiry

Dated, 18/11/2016

\*\*\*\*\*

Reminder-1

16

To Mr.Said Muhammad Junior Clerk.

Subject: **PROVISION OF INFORMATION.**

Memo: Reference this office letter No.3044-46/Inquiry dated 14-11-2016 on the subject noted above.

You were directed to provide the following office record within 03 days positively to this office but you failed to do so; it is once again warn to provide the following office record as soon as possible to proceed further in the matter to higher authorities.

- 01.POL record 2015-16.
- 02.Record of Appointments of nonresidents 2015-16 i.e Service Book, Arrival Reports, appointments orders, Medical Certificates.
- 03.IPV cost released record.

*[Handwritten Signature]*  
 Agency Surgeon  
 North Waziristan Agency

No. 5008-11 /Inquiry,  
Copy forwarded to the:

- 01.PS to Secretary Additional Chief Secretary FATA.
- 02.PS. to Secretary Social Sector FATA, Secretariat.
- 03.Director Health Services FATA.
- 04.NAB KPK Peshawar.

For information and necessary action please.

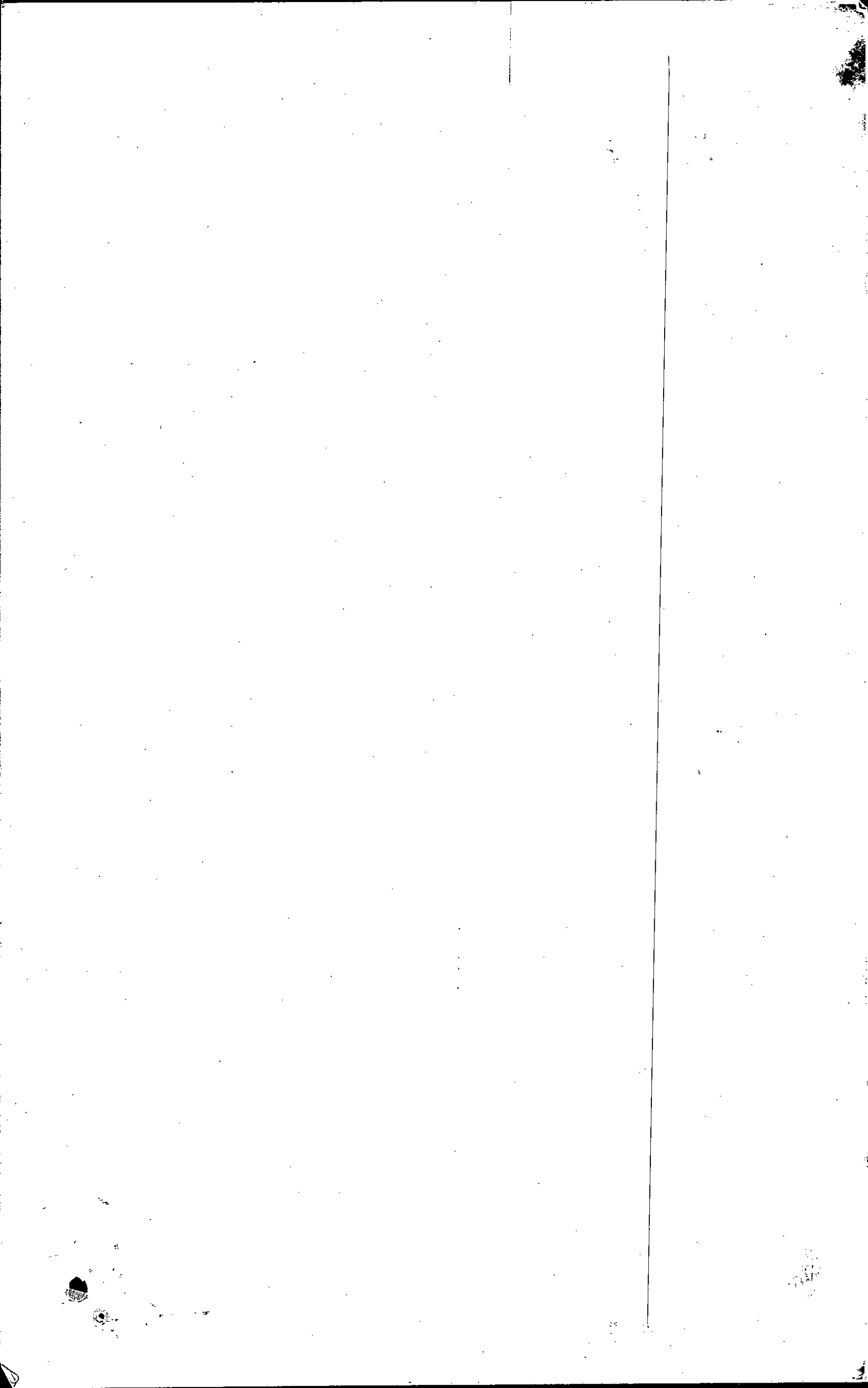
*[Handwritten Signature]*  
 Agency Surgeon  
 North Waziristan Agency

- ① 19/12/2016
- ② 19/12/2016
- ③ 19/12/2016
- ④ 19/12/2016
- ⑤ 19/12/2016
- ⑥ 19/12/2016
- ⑦ 19/12/2016
- ⑧ 19/12/2016
- ⑨ 19/12/2016
- ⑩ 19/12/2016
- ⑪ 19/12/2016
- ⑫ 19/12/2016
- ⑬ 19/12/2016
- ⑭ 19/12/2016
- ⑮ 19/12/2016
- ⑯ 19/12/2016
- ⑰ 19/12/2016
- ⑱ 19/12/2016
- ⑲ 19/12/2016
- ⑳ 19/12/2016
- ㉑ 19/12/2016
- ㉒ 19/12/2016
- ㉓ 19/12/2016
- ㉔ 19/12/2016
- ㉕ 19/12/2016
- ㉖ 19/12/2016
- ㉗ 19/12/2016
- ㉘ 19/12/2016
- ㉙ 19/12/2016
- ㉚ 19/12/2016
- ㉛ 19/12/2016
- ㉜ 19/12/2016
- ㉝ 19/12/2016
- ㉞ 19/12/2016
- ㉟ 19/12/2016
- ㊱ 19/12/2016
- ㊲ 19/12/2016
- ㊳ 19/12/2016
- ㊴ 19/12/2016
- ㊵ 19/12/2016
- ㊶ 19/12/2016
- ㊷ 19/12/2016
- ㊸ 19/12/2016
- ㊹ 19/12/2016
- ㊺ 19/12/2016
- ㊻ 19/12/2016
- ㊼ 19/12/2016
- ㊽ 19/12/2016
- ㊾ 19/12/2016
- ㊿ 19/12/2016

Handwritten notes in Urdu script, including a signature and a date stamp.

(ARAB BILAD) ...

Handwritten signature or name.



**OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN**

Phone & Fax: 0928300788-311662

email:agencyurgeonwa@gmail.com

No. 7028 /Inquiry

Dated, 13/12/2016

18

\*\*\*\*\*

To

Mr.Said Muhammad EX-Junior Clerk/Head Clerk NWA.

Subject: **PROVISION OF OFFICE RECORD ETC.**

Memo:

It is noted with grave concern that you are reluctant to hand over the official record to your successor, though from time to time you were directed to provide the same but you did not obey the orders of the competent authority, which falls under the preview of misconduct, disobedience and non compliance. Your this act has created embarrassing situation for the smooth running of official business.

Keeping in view the above you are once again directed to hand over all the relevant record so that Polio Campaign payment for the month of August, September and October 2016 can be made to the Polio workers. Moreover the firms/Suppliers are demanding for their payment of ADP purchases 2015-16.

Similarly the NAB KPK through Director Health Services FATA has also directed for provision of necessary information on urgent basis.

Agency Surgeon  
North Waziristan Agency

No \_\_\_\_\_ /Inquiry,  
Copy forwarded to the:

1. PS to Additional Chief Secretary FATA, Secretariat Peshawar.
2. PS to Secretary Social Sector FATA, Secretariat Peshawar.
3. Director Health Services FATA.
4. DG NAB KPK Phase -V Hayat Abad Peshawar.
5. Political Agent North Waziristan Agency for arrest of the said clerk to recover the official/Govt: record in case of non compliance.

Agency Surgeon  
North Waziristan Agency

**OFFICE OF THE AGENCY SURGEON NORTH WAZIRISTAN**

Phone & Fax. 0928300788-311662

email:agencyurgeonwa@gmail.com

19

No. \_\_\_\_\_ /Inquiry.

Dated, 22 /12/2016

\*\*\*\*\*

To

The Director Health Services,  
FATA Peshawar.

Subject: COMPLAINT AGAINST MR.SAID MUHAMMAD JUNIOR  
CLERK / HEAD CLERK.

Memo:

Reference application dated 19-12-2016, received from various ADP Scheme (R/B) Dispensers and Lady Health Visitors of NWA, I have the honour to forward herewith the complaint against Mr.Said Muhammad EX-Junior Clerk/Head Clerk of this office for your information and further necessary action please.

Photo copy of complaint attached herewith.

Agency Surgeon  
North Waziristan Agency

No. 7132-36 /Inquiry,

Copy forwarded to the:

1. PS to Additional Chief Secretary FATA, Secretariat Peshawar.
2. PS to Secretary Social Sector FATA, Secretariat Peshawar
3. Director Health Services FATA.
4. Political Agent North Waziristan Agency.
5. DG NAB KPK Phase -V Hayat Abad Peshawar.

For information and necessary action please.

Agency Surgeon  
North Waziristan Agency

(E)

20

Annex  
E

OFFICE OF THE AGENCY SURGOEN  
NORTH WAZIRISTAN AGENCY MIRANSHAH.  
PHONE & FAX: 0928-300788.

OFFICER ORDER

The following transfer /posting amongst the Junior Clerks are hereby ordered with immediate effect in public interest

S No	Name	From	To	Remarks
1	Mr. Muhammad Niaz	Agency Surgeon office N W A Miranshah	M/S office A H Q Hospital Miranshah	Vice no-2
2	Mr. Said Muhammad	M/S office A H Q Hospital Miranshah	Agency Surgeon office N W A Miranshan	Vice no 1

N.B: Compliance Report Should be submitted to this office for record.

Sd: xxxxxxxxxxxxxxxxx  
(DR. RAHIM NAWAZ DAWAR)  
AGENCY SURGEON,  
NORTH WAZIRISTAN MIRANSHAH.

No 3194-R6 dated. Miranshah the 22 / 11 / 2011

Copy to the:

- 1- Medical Superintendent A H Q Hospital Miranshah
- 2- Agency Account Officer N W. Agency Miranshah
- 3- Official Concerned.

For information and necessary action.

  
AGENCY SURGEON,  
NORTH WAZIRISTAN MIRANSHAH