

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.186/2024

Ijaz Ali, Field Worker

VERSUS

Secretary to Government of
Khyber Pakhtunkhwa, Agriculture
Department Peshawar

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10-5-24
Peshawar

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.186/2024

Ejaz Ali s/o Liaqat Ali

APPELLANT

VERSUS

- 1- The Secretary to Govt. of Khyber Pakhtunkhwa Agriculture Department Civil Secretariat Peshawar.
- 2- The Director General, Agriculture Extension Khyber Pakhtunkhwa, Peshawar.
- 3- The Accountant General, Khyber Pakhtunkhwa, Peshawar
- 4- The District Director Agriculture (Extension) District Nowshera.
- 5- The District Account Officer, District Nowshera.

**Khyber Pakhtunkhwa
Service Tribunal**

Dist. No. 12660

Dated 09-05-24

RESPONDENTS

PRELIMINARY OBJECTIONS

Respectfully Sheweth:-

1. That the instant appeal is baseless, frivolous and concocted based on malafide intentions and for ulterior motive, hence not tenable at all.
2. That the appellant wishes to waste the precious time of this Honorable Tribunal by filing the instant appeal.
3. That the appellant has got no prima facie case.
4. That the appellant has deliberately concealed the important facts from this Honorable Tribunal.
5. That the instant appeal is not maintainable in its present form and liable to be dismissed.
6. That the appellant has no cause of action to file the instant appeal.
7. That the appellant has got no locus standi to file the instant appeal.
8. That the appellant has deliberately concealed the material fact from this Honorable Tribunal.
9. That the appellant is not a civil servant and not qualified to bring the instant appeal under Section 4 of Khyber Pakhtunkhwa Service Tribunal Act 1974.
10. That the appointment order of the appellant is fake / bogus.
11. That the appellant has already been terminated from service.
12. That another colleague of the appellant has already filed writ petition No.5965-P/2023 before the Peshawar High Court Peshawar which is pending before the Hon'ble court.
13. That the appellant was fraudulently entered in to Government pay roll system on the post of Field Worker (BPS-03).

PARA-WISE COMMENTS ON BEHALF OF RESPONDENTS NO 1, 2 & 4.

- Para-1 Incorrect. During the tenure of Tariq Mahmood Ex-District Director Agriculture, Nowshera seven (07) people were fraudulently entered into the Government Pay Roll System on various posts, (Field Assistant, Field Worker and Chowkidar) without fulfilling any codal formalities. There was no Advertisement of the said posts, no Departmental Selection Committee meeting and subsequently no minutes of DSC committee were issued. The appointment orders of the appellant dated 29.04.2022 alongwith other persons are totally bogus and forged as no record is available in the office of the District Director Agriculture, Nowshera which is confirmed vide letter No.1507/DDA dated 28.11.2022 **(Annexure-A)**. The Respondent No.2 constituted an Inquiry Committee to conduct a preliminary inquiry and submit a fact finding report within 07 days vide office order No.41326-31/DGA dated 30.11.2022 **(Annexure-B)**. The Inquiry Committee concluded that all the appointments / posting / transfer / office orders are bogus and no record is available in the office of Respondent No.4 in respect of the above. Also, bogus dispatch numbers are marked on the office orders. Hence, the Inquiry Committee suggested that another high level inquiry be initiated with collaboration of the local Audit Office. Copy of preliminary inquiry report is attached as **(Annexure-C)**.
- Para-2 Incorrect. According to the Formal Enquiry Report, the District Director Agriculture, Nowshera stated that the required record i.e. Arrival Report, Advertisement, Constitution of Departmental Selection Committee, Minutes of Meeting, Original Appointment order, Medical Report, Copy of Source-I and II and Service Books in respect of the appellant alongwith six (06) others appointed through bogus appointment / posting order issued under the signature of Ex-District Director Agriculture, Nowshera is not available in the office of District Director Agriculture, Nowshera. Copy of enquiry report is attached as **(Annexure-D)**.
- Para-3 Incorrect. The appellant has not performed any duty for a single day. Moreover, the other employees i.e, Ex-District Director Agriculture Extension, Nowshera and Accountant of his office have been proceeded under E&D Rules-2011, show cause notices served to both of them and final orders are awaited.
- Para-4 Incorrect. The appellant was fraudulently receiving salary as the then Accountant, office of the District Director Agriculture, Nowshera and the District Account Officer, Nowshera were also involved in the instant case. The Respondent No.4 stopped the payment of the appellant alongwith six (6) others in light of the finding of preliminary inquiry report vide letter No.364-

66/DGA dated 02.02.2023 (**Annexure-E**). It is worth mentioning here that the appellant was not alone but there were 06 other persons of similar nature too whose names are mentioned in the pays stoppage letter and accordingly show cause notices were issued to the Ex-District Director Agriculture, Nowshera and Ex-Accountant of his office.

Para-5 Incorrect. The payment of the appellant was stopped being an illegal and fraudulent appointee as per inquiry report. The committee also recommended that the District Director Agriculture Nowshera should immediately issue termination orders of all the staff appointed through bogus / fake orders. The appellant alongwith six (6) other persons were terminated from the date of illegal entry into Government Payroll System vide District Director Agriculture, Nowshera office Order No.165-74/DDA dated 05.03.2024 (**Annexure-F**).

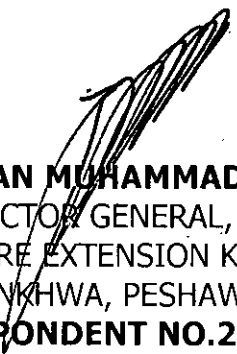
GROUND

- A Incorrect. That the impugned order of stopping the salary of the appellant is not illegal and not against the law.
- B Incorrect. Details comment under para-3 given. No illegal and unlawful order has been passed.
- C Incorrect. That the appellant has been treated by the respondents in accordance with law and rules and not violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- D Incorrect. As explained above.
- E Incorrect. That the inaction of the Respondents for releasing of monthly salary is not against the norms and natural justice.
- F Incorrect. That the inaction of the Respondents for releasing of monthly salary is not against the norms and natural justice.
- G Incorrect. That the in action of the Respondents for releasing of monthly salary of the appellant is not arbitrary and not based on malafide.
- H Incorrect. Detailed comments given in Para-4&5 above.
- I Incorrect. As explained in Para-5 above.
- J Incorrect. As explained in above paras-1 &4.
- K Incorrect. Detailed comments given in Para-4 above.
- L Incorrect. Detailed comments given in Para-4 & 5 above.
- M The respondents may kindly be allowed to raise additional grounds at the time of arguments.

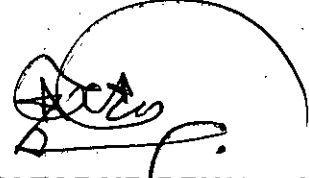
It is therefore humbly prayed that on acceptance of the above Para wise reply / comments, the appeal of the appellant may not only be dismissed with heavy cost but orders may be issued to recover the amount fraudulently received by him, please.



(MUHAMMAD JAVED MARWAT)
SECRETARY
TO GOVERNMENT OF KHYBER PAKHTUNKHWA,
AGRICULTURE DEPARTMENT PESHAWAR
RESPONDENT NO.1



(JAN MUHAMMAD)
DIRECTOR GENERAL,
AGRICULTURE EXTENSION KHYBER
PAKHTUNKHWA, PESHAWAR
RESPONDENT NO.2



(ALTAF UR REHMAN)
DISTRICT DIRECTOR AGRICULTURE,
NOWSHERA
RESPONDENT NO.4

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BEFORE THE HONORABLE SERVICES TRIBUNEL,
PESHAWAR

Apeal No.186/2024
Ejaz Ali s/o Liaqat Ali

VERSUS

Government of Khyber Pakhtunkhwa
& Others

AFFIDAVIT

I Mr. Altaf Ur Rehman, District Director Agriculture, Nowshera (BS-19) CNIC No. 13504-8859582-9 is hereby solemnly affirm on oath that the contents of the Para-wise comments on behalf of Respondent No.1,2 and 4 is true & correct to the best of my knowledge and believe and nothing has been concealed from this Honorable court.

It is further stated on oath that in this appeal the answering respondent neither has been placed ex parte nor their defense has been struck off/cost.

DEPONENT
District Director
Agriculture (Extension) Nowshera
0301-5803 Nowshera

IDENTIFY BY:

ADVOCATE GENERAL

ATTESTED



WZ



**OFFICE OF THE DISTRICT DIRECTOR AGRICULTURE (EXTENSION)
NOWSHERA NEAR PIRPAL STOP NOWSHERA.**

Telephone: +92 923-580515

Email: ddanowshera@gmail.com

No. _____ /DDA (E) NSR.

Dated Nowshera, the 28 / 11 / 2022.

To,

The Director General,
Agriculture Extension,
Khyber Pakhtunkhwa, Peshawar.

Subject: **EMBEZZLEMENT IN APPOINTMENT OF STAFF DURING TENURE OF EX-DDA,
NOWSHERA.**

Reference subject cited above, it is submitted that I have been promoted and appointed as District Director Agriculture, Nowshera and I assumed my duties here as DDA, Nowshera on 26.10.2022.

It has come to the knowledge of the undersigned that during tenure of Dr. Tariq Mehmood, Ex-DDA, Nowshera few people have been appointed on various posts like, Field Assistant, Field Workers & Chowkidars without fulfilling codal formalities rather through bribery.

The detail of such employees is as under: -

S.No.	Name	Designation	Remarks
1	Mohib ur Raheem	Field Assistant BPS-09	On duty in Akora Circle as incharge Agriculture Officer but his appointment record is doubtful.
2.	Shah Rukh Bakhtiar	Field Assistant BPS-09	-do-
3.	Fawad	Field Assistant BPS-09	On payroll of this office but not known to anyone.
5.	Sohaib	Chowkidar BPS-03	On duty at Govt. Seed Farm, Pirsabaq but his appointment seems doubtful.
6.	Touseef	Chowkidar BPS-03	On payroll of this office but not known to anyone.
7.	Ejaz	Field Worker BPS-03	On payroll of this office but not known to anyone.

Note: The undersigned asked for provision of relevant record from the Office Assistant and Accountant, but they failed to produce relevant records and could not justify from the payrolls. It is further added that someone from ministerial staff is involved in deleting the payrolls from office computers while the other paper records are also not available. Which create a situation as doubtful and illegal.

It is further added that few persons below are having fake appointment letters and they are pressing hard to take them on payroll while doing this is illegal and impossible due to non-availability of vacant positions and without adopting proper procedures of merit: -

S. No.	Name	Designation
1	Saif Ullah Qureshi,	Unknown
2	Aman Ullah	Unknown
3	Khalid Khan	Unknown
4	Muhammad Shafi	Unknown

Submitted for information with the request to conduct inquiry in the matter to stop such misappropriation in future.

Attested

District Director
Agriculture (Extension)
Nowshera

Sd/-
DISTRICT DIRECTOR
AGRICULTURE (EXTENSION)
NOWSHERA

OFFICE ORDER

Following Inquiry Committee is hereby constituted to conduct a preliminary inquiry expeditiously reviewing to determine alleged corrupt practices; abuse of power, maleficence in office making unlawful postings, transfers by Dr. Tariq Mahmood the then District Officer Agriculture, Nowshera now working as District Director Agriculture Mansehra. The committee should investigate the charges as warranted or otherwise.

- | | |
|---|----------|
| 1. Dr. Murad Ali, Director Field Operation HQ | Chairman |
| 2. Mr. Farhat Abbas Durrani, AAO HQ | Member |

TORs

1. Checking of transfers, postings and appointments made by the then DDA Nowshera.
2. Checking of procedural process conducted while making transfer, posting or appointment during the period of posting of Dr. Tariq Mahmood, the then district director agriculture Nowshera, now working as district director agriculture Mansehra.
3. Review details of the allegation,
4. Submit its findings; evidences and the circumstantial evidences may lead to the conclusion.

NOTE: The enquiry should be completed on war footings and its report should be submitted with in 7 days.

Sd/-(Jan Muhammad Khan)
Director General Agric. Exten.
Khyber Pakhtunkhw, Peshawar.

Endst. No. Accts. 41326-31 /DGA (E)

Dated Peshawar, the 30/11/2022

Copy to:

1. Dr. Murad Ali, Director Field Operation HQ.
2. Mr. Farhat Abbas AAO HQ.
3. The District Director Agriculture Nowshera acknowledging his letter on the matter vide No. 1507/DDA(E) NSR dated 28/11/2022; for information with the direction to coordinate the inquiry and give the access to the required record; assuring presence of all the staff of the office.
4. Dr. Tariq Mahmood, District Director Agriculture Mansehra (Ex-DDA Nowshera) for information with the direction to ensure his presence on the day of visit of the Inquiry Team to Nowshera (day may be conveyed by the Inquiry themselves).
5. PS to Secretary Agriculture Khyber Pakhtunkhwa for information.
6. Master File.

[Signature]
Nowshera
C/O the DDA Nowshera

[Signature]
DIRECTOR GENERAL

Attested
[Signature]
District Director
Agriculture (Extension)
Nowshera

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INQUIRY REPORT AGAINST THE COMPLAINT OF ILLEGAL RECRUITMENTS IN DISTRICT DIRECTOR AGRICULTURE NOWSHERA OFFICE.

Background/Brief History of the case:

As it is brought to the notice of Director General Agriculture Extension by DDA Nowshera vide Letter No 1507/DDA/NSR dated 28/11/2022 that a few positions have allegedly filled in by his predecessor without observing any of the codal formality (Annex-A).

In this regard, a committee of the following two members constituted by the Director General Agriculture Extension Khyber Pakhtunkhwa Peshawar, to probe the matter and submit the facts finding report (Annex-B):

1. Dr. Murad Ali Khan, Director Field Operations HQ
2. Mr. Farhat Abbas Durrani, Asst. Accts. Officer HQ.

Proceeding of the inquiry

The inquiry committee conducted four meetings at regular intervals. The Committee visited the DDA Nowshera Office and at first instance it's felt that the matter is more complex as is supposed to be.

1. The Ex-DDA of Nowshera, Mr. Tariq Mehmood shown his ignorance whereas he has had posted one of the illegal appointees as "Circle Agriculture Officer" in his own pay and scale (Annex-C). Further, he stated that three illegal appointees Mr. Mohib Ur Rehman Field Assistant (In-charge AO Circle Akora Khattak) was appointed by DG Office, Mr. Shah Rukh Bakhtiar Field Assistant transferred from District DI Khan and Mr. Sohaib Ahmad Field Worker (BS-3) transferred from Peshawar to Govt. Seed Farm Pir Sabak Nowshera replaced Mr. Muhammad Sabir Chowkidar, while Mr. Muhammad Sabir Chowkidar was transferred to DDA office Mardan through bogus office orders.


In response to a questionnaire, the Ex-DDA stated that he had received the orders of appointment through his Cashier Mr. Liaqat. The Ex-DDA did not accept the responsibility of those alleged recruitments (Annexed-D).

The Ex-DDA also identified saying that:

"The District Accounts Office is also fully involve in the matter but not approach me about any recruitment either legally or illegally, regarding recruitment procedure, DPC, Working Paper, minutes of the meeting etc."

The DDA is 'Drawing Disbursing Officer', without whom signatures, none can draw a single penny from government. Role of District Accounts Office, in the scam cannot be ignored as circumstantial evidence lead one or more of the employees of District Accounts Office involvement in the matter.

Attested



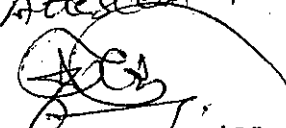
District Director
Agriculture (Extension)
Nowshera

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2. The sitting DDA Mr. Mumtaz, took action reporting the matter to the higher office and removing the miscreant(s) from the positions influencing and putting all evidences under the carpet. In Response to a Questionnaire, Mr. Mumtaz Ahmad Khan, identified two of the main culprits; one Mr. Tariq the Ex-DDA and 2nd Mr. Liaquat J/Clerk (Annexure-E).
3. Mr. Liaquat Ali Junior Clerk in his first statement shown ignorance whereas on sequential investigations lead to his confession on his statement that all illegal activities are committed by him, and he is lonely responsible for all the illegal appointments (Annexure-F).
4. Further, three of the illegal appointees Mr. Mohib Ur Rehman Field Assistant (In-charge AO Circle Akora Khattak), Mr. Shah Rukh Bakhtiar Field Assistant (DDA Office), Mr. Sohaib Ahmad Field Worker Govt. Seed Farm Pir Sabaq have stated that we were interviewed by Mr. Muhammad Tariq Ex-DDA Nowshera in his office and issued appointment letters. They have also submitted medical certificates with the arrival reports as per their statements, annexed as G, H & I, respectively.
5. The remaining four illegal appointees Mr. Tousif Chowkidar (BS-03), Mr. Muhammad Adnan (BS-09) placed at Senior Clerk, Mr. Ejaz Wali Field Worker (BS-03) and Mr. Fawad Ali Field Assistant (BS-09) were tried to contact but none of them willing to present before the inquiry committee. Although, the illegal staff are taking regular salaries through Payrolls but staff at DDA office including Subject Matter Specialists, Agriculture Officers and ministerial staff are unaware of the above four appointees. The Payrolls and District Account Office monthly statement is attached as Annex-J.
6. Mr. Muhammad Sabir Chowkidar (BS-03) was transferred through bogus office order No. 9787-90/DGA(E) dated 09/09/2022, from DDA Nowshera office to DDA office Mardan which was verified from service book of the official. The illegal appointee Mr. Sohaib Ahmad Field worker (BS-03) was adjusted at the post of Mr. Muhammad Sabir Chowkidar. The salary of Mr. Shoaib Ahmad field worker started from Account Office Nowshera by stopping the salary of Mr. Muhammad Sabir Chowkidar. An anonymous person transferred/deposited online cash to Mr. Muhammad Sabir chowkidar bank account as monthly salary. Mr. Muhammad Sabir visited DDA office Nowshera for inquiring about his salary payroll, the staff informed that your salary stopped since September 2022 and his service book is also missing. The DDA Nowshera recovered the service book of the official and reported the case to Director General Office for necessary action (copies of bogus office order & missing service book attached as Annex-K).

Findings/Facts:

The inquiry committee critically analyzed the statements submitted by all the officer and officials of the department and the available records on file. The following facts were pointed out by the committee:

Attested

 District Director
 Agriculture (Extension)
 Nowshera

(111)

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- All the appointments/postings/transfers office orders are bogus as no records are available in the office and bogus dispatch numbers are also marked on the office order.
- The Ex-DDA, the ministerial workers, the beneficiaries need to be probed as involvement of staff in the bogus appointments prevailed.
- All the officials involved should immediately be removed from the positions so inquiry may not be influences or record may not be tempered.
- The lost record (Service Books) should be recovered using ironic hand.
- The Ex-DDA may immediately be removed from the position of Drawing & Disbursing Officer (DDO) as he failed to perform his duties honestly and without him, such scam was not possible.
- The illegal appointees must be terminated as all the appointment orders are bogus.

Conclusion:

The inquiry committee comes to conclusion that a high-level inquiry be initiated with collaboration and encircling the local Audit Office and put the culprits to their destiny.

1. Mr. Farhat Abbas Durrani,
Assistant Account Officer HQ
Directorate General agriculture Extension
Khyber Pakhtunkhwa, Peshawar.

2. Dr. Murad Ali Khan
Director Field Operation (HQ)
Directorate General Agriculture Extension,
Khyber Pakhtunkhwa, Peshawar

Attested

District Director
Agriculture (Extension)
Nowshera

INQUIRY REPORT

Subject: Formal Inquiry Against Mr. Tariq Mehmood District Director (BS-19) and Mr. Liaqat Ali Junior Clerk, Office of the District Director Agriculture Extension, Nowshera.

Authority: The subject inquiry was ordered against the said Officer/Official on account of Issuance of Illegal/bogus appointments and posting/transfer orders. The committee comprising the following officers were nominated to conduct the inquiry and submit the report within 60 day. (Annex-A)

- i. Muhammad Anwar Khan (PMS BS-20) Director General, Environmental Protection Agency, Khyber Pakhtunkhwa, Peshawar.
- ii. Dr. Haji Muhammad, District Director Agriculture Extension (BS-19), Mardan.

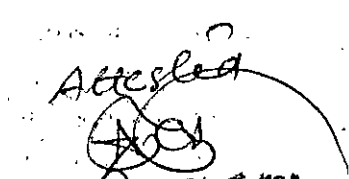
Proceedings:

The Inquiry proceeding started with issuance of letters to the accused officer/official to submit their reply to allegations leveled against them as reflected in the charge sheet/statement of allegation communicated enclosed with the letter endst: No. EPA/Admin/PA/Inquiry/178-82 dated 31/05/2023 (Annex-B). Simultaneously the Section Officer (Estt-I), Agriculture Department was requested to provide relevant record. Dr. Murad, who conducted the *Facts Finding Inquiry* was also requested to accompany the Committee in the proceeding of Formal Inquiry, who not only produced the report of facts finding inquiry but also accompanied the committee in the proceedings. The copy of *Fact Finding Inquiry* is as (Annex-C).

The incumbent Director, Agriculture Nowshera, Mr. Mumtaz was also requested to submit record pertaining to the subject inquiry. In response, he submitted a detailed reply vide (Annex-D) stating thereby that the required record i.e. Advertisement/Employment Exchange List, Constitution of DSC Order, Minutes of Meeting, original Appointment order, medical report, copy of Source-I & II and service Books in respect of employees appointed through bogus appointment/posting order issued under the signature of his predecessor and are not available in the office. However, service books in respect of following employees (S# 1-6) were recovered from the home of Mr. Liaqat Ali, Junior Clerk and submitted to Director General, Agriculture Extension by him while service book of Mr. Ejaz at S#7 was not available.

S.No.	Name of Appointee	Designation	BPS
1	Mr. Muhammad Adnan	Senior Clerk	14
2	Mr. Mohib Ur Raheem	Field Assistant	09
3	Mr. Shahrukh Bakhtiar	Field Assistant	09
4	Mr. Fawad	Field Assistant	09
5	Mr. Sohalb	Chowkidar	03
6	Mr. Tauseef	Chowkidar	03
7	Mr. Ejaz	Field Worker	03

Horizontally
Olo the DD, Nowshera


 District Director
 Agriculture (Extension)
 Nowshera

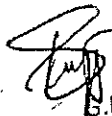
(14)
(12)

He further stated that Mr. Muhammad Adnan, Senior Clerk BS-14 (at S#1 above) was missing in the list provided by the office of the Director General, EPA KP, who is also one of the illegal/fake appointed employee, was also reported by him vide letter No. 1636-41/DDA(E)NSR dated 21-12-2022.

Out of above mentioned all seven (07) persons, only persons mentioned at S. No. 2,3 and 5 were attending the office for duty while the others were not known to him, however, pay of all the so called incumbent have been stopped. It is also necessary to inform that Mr. Muhammad Sabir was posted by the Director General Agriculture Extension to Peshawar Head Quarter on detailment basis. Astonishingly, someone was depositing salary of Mr. Muhammad Sabir into his account from pocket as verified from the Bank Manager and in this way total employees reached 92 against sanction strength of 91 (by adding this person).

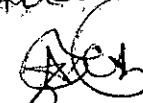
Moreover, the Appointment Order in respect of following persons were also not present in his office and they were unknown to him as neither did they attend the office for a single day nor had they been given any salary from Govt. exchequer while these persons were claiming themselves as employees and pressurizing him (DDA Nowshera) to start their salaries through political persons:-


S.No.	Name	Designation
1	Mr. Saif Ullah Qureshi	Unknown
2	Mr. Aman Ullah	Unknown
3	Mr. Khalid Khan	Unknown
4	Muhammad Shafi	Unknown


B.M.S.
Horticulture
O/o the DDA Nowshera

The accused officer Mr. Tariq Mehmood currently at the posted strength of District Mansehra as of District Director Agriculture vide his letter No.551/D.D.A.Mansehra dated 02-06-2023 stated that he neither made any bogus/illegal appointments nor made any posting orders. He rather shifted the total quantum of responsibility to the co-accused official Mr. Liaqat Jr. Clerk in connivance with the staff of District Account Officer Nowshera who accomplished this task of releasing salaries (Annex-E). He further reconfirmed his stance by recording his statement before the Inquiry committee wherein he reiterated that he neither issued any appointments orders nor submitted their salary bills on source to concerned DAO. He, however, accepted that he entertained the posting/transfer orders of two officials whom posting orders were issued from D.I.Khan and appointment order of one Field Assistant (BS-9) issued by Director General Office being a routine matter as per his statement. However, the said orders issued by the DGE office were ultimately proved fake/bogus (Annex-F).

The co-accused Mr. Liaqat JC in his written statement in Urdu version though confessed that he made these appointment on the directions of the Mr. Tariq Mehmood then Director Nowshera (Now Director Mansehra) being his immediate boss but at the same time requested for sympathetic treatment on compassionate grounds referring to his disability (as he was recruited against the special person's quota) (Annex-G). When confronted with queries already answered by him during the Facts Finding Inquiry, he desired to be heard afresh with regard to these question as the replies attributed to him were not recorded by him.

Attested

District Director
Agriculture (Extension)


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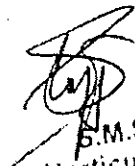
In his fresh reply Mr. Liaqat Jr. Clerk stated that he was dealing the accounts matter of his office for the previous one year. He stated that neither any advertisement was made nor constitution of any Departmental selection committee (DSC) for recruitment of the officials were made for the (fake) appointments/posting and transfer orders under the inquiry in hand. He, however, alleged that the orders were issued by the District Director and the salary documents were supported with the original orders issued by co-accused officer (the then District Director Agriculture extension Nowshera). He also revealed that no observation was raised by the District Accounts staff while releasing the salaries of the so called newly recruited staff (Annex-H).


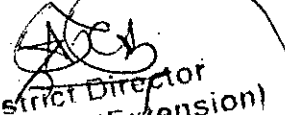
Some additional facts like the recruitment of 4 nos. of class IV staff and issuance of appointment/transfer letters from the Office Director General Agriculture extension, Khyber Pakhtunkhwa, came to forth and accordingly the sitting Director General/District Director Agriculture were requested for further clarification/elaboration of the issue. (Annex-I).

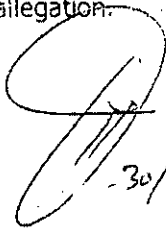
The DG Agriculture Extension attended the office of Inquiry officer but flatly refused that no such orders ever issued by his office as the sort of appointments are delighted/devoted to district officer and the Provincial Headquarter has nothing to do with the appointments of the subordinates staff as per rules in vogue.

Findings:

- 1) As per record all the appointments and posting/transfer orders were found illegal based on malafied, null and void ab-initio in the eyes of law. The salaries drawn from Govt. exchequer are also illegal/misappropriation of budgeted amount.
- 2) Proper termination orders should have been issued after the *Facts Finding Enquiry*. The Director General, Agriculture extension and sitting District Director concerned should be reprimanded for not doing the needful as the same is just giving an occasion to illegally recruited incumbent to contest their cases in the court of law.
- 3) Entertaining the appointments and posting/transfer orders of the subordinate staff issued by office of Director General, Agriculture Extension and then keeping mum on the release of salaries of persons recruited without observing codal formalities can either be termed a connivance of District Office Agriculture and District Account Officer Nowshera or negligence/inefficiency at both ends. However the probability of former appears to be dominant.
- 4) The Scrutiny of the record made available to the *Enquiry Committee*, proved charges of making appointments through fake/bogus orders as mentioned in the charge sheet/statement of allegation.


B.M.S.
Horticulture
O/o the DDA Nowshera



District Director
Agriculture (Extension)
Nowshera


-30/11

Recommendations:

- (i) The District Director, Agriculture Nowshera, should Immediately issue termination orders of all the staff appointed through bogus/fake orders.
- (ii) The salaries drawn by the above mentioned staff from the Government exchequer should be recovered from monthly pays of relevant officer/official of District Accounts office, Nowshera and both the accused officers under inquiry.
- (iii) Both the accused, Officer and Official i.e. Mr. Tariq Mahmood District Director (BS-19) and Mr. Liaqat Ali, Junior Clerk(BS-11) have been found guilty of charges mentioned in the charge sheet/statement of allegations be awarded major penalties mentioned at Rule-4(1)(b)(i) or Rule-4(1)(b)(ii) of Khyber Pakhtunkhwa Efficiency & Discipline Rules, 2011 whichever is deemed fit by the Competent Authority.

Dr. Haji Muhammad
District Director Agriculture Extension(BS-19)
Mardan

Muhammad Anwar Khan, (PMS BS-20),
Director General,
Environmental Protection Agency,
Khyber Pakhtunkhwa.

S.M.S.
Horticulture
O/o the DDA Nowshera

Attested

District Director
Agriculture (Extension)
Nowshera

No. DFO

/DGA (E)

Dated Peshawar, the / /2023

To

The District Director Agriculture (Ext),
Nowshera.

Subject: **STOPPAGE OF SALARIES OF ILLEGAL APPOINTEES AT DISTRICT DIRECTOR AGRICULTURE OFFICE:**

Memo:

I am directed to refer to the findings of the preliminary inquiry against the illegal appointees at District Director Agriculture office Nowshera and directed to stop the salaries of the following officials with immediate effect.

Sr.#	Name	Designation	Personnel #
1.	Muhammad Adnan	Senior Clerk (BS-14)	1007631
2.	Mohib Ur Rehman	Field Assistant (BS-09)	995628
3.	Fawad Ali	Field Assistant (BS-09)	1007243
4.	Shah Rukh Bakhitar	Field Assistant (BS-09)	1005048
5.	Sohaib Ahmad	Chowkidar (BS-03)	1005757
6.	Tausif	Chowkidar (BS-03)	995629
7.	Ijaz Ali	Field Worker (BS-03)	1007244

DIRECTOR
FIELD OPERATIONS

No.DFO/ / /DGA (E), Dated Peshawar, the 02/02/2023

Copy forwarded for information:-

1. P.S to Secretary Agriculture, Government of Khyber Pakhtunkhwa
2. The District Account Officer, Nowshera for information, with the request to stop salaries of the above illegal appointees please.
3. P.A to Director General Agriculture Extension, Government of Khyber Pakhtunkhwa

Attested
District Director
Agriculture (Extension)
Nowshera

DIRECTOR
FIELD OPERATIONS



OFFICE OF THE DISTRICT DIRECTOR AGRICULTURE (EXTENSION)
NOWSHERA NEAR PIRPAIS TOP NOWSHERA.

Phone No. 92 923-580515

Email: ddanowsheera@gmail.com



Annexure - (H)

42

OFFICE ORDER.

WHEREAS it was brought into the notice of the Director General, Agriculture Extension, Khyber Pakhtunkhwa that certain illegal/bogus orders have been issued by Mr. Tariq Mehmood, the then District Director Agriculture Extension, Nowshera with the help of Mr. Liaqat Ali, Junior Clerk, O/O District Director Agriculture Extension, Nowshera.

AND WHEREAS a fact-finding inquiry was conducted, wherein the appointments/posting-transfer orders were found to be bogus /fake.

AND WHEREAS, a Formal Inquiry Committee was constituted by the Competent Authority to conduct full dressed inquiry into the matter as per E&D rules 2011.

AND WHEREAS, the Inquiry Committee submitted its report wherein, the charges levelled against the accused officer/official have been proved.

AND WHEREAS, the Inquiry Committee has recommended that the District Director Agriculture, Nowshera, should immediately issue termination orders of all the staff appointed through bogus/fake orders.

NOW THEREFORE, the Competent Authority in light of the recommendations of the Inquiry Committee communicated by the Directorate General, Agriculture Extension, Khyber Pakhtunkhwa vide letter No.DFO. 4/914/DGA(E) dated 29/02/2024, is hereby terminated the bogus services of the following persons w.e.f date of their illegal entry into Government Payroll System: -

S.No.	Name	Designation
1	Mohib ur Raheem	Field Assistant BPS-09
2.	Shah Rukh Bakhtiar	Field Assistant BPS-09
3.	Fawad Ali	Field Assistant BPS-09
4.	Muhammad Adnan	Field Assistant BPS-09 adjusted against the post of Senior Clerk
5.	Sohaib Ahmad	Chowkidar BPS-03
6.	Tousif	Chowkidar BPS-03
7.	Ejaz Ali	Field Worker BPS-03

[Signature]
S.M.S.
Horticulture
O/o the DDA Nowshera

Sr.
(ALTAUF UR REHMAN)
DISTRICT DIRECTOR
AGRICULTURE (EXTENSION)
NOWSHERA
Dated Nowshera, the 25/03/2024.

No. 165-74/DDA (E) NSR.

Copy to:

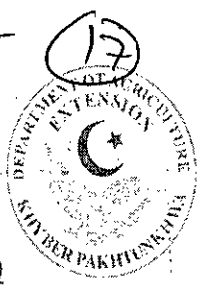
1. The Director General, Agriculture Extension, Khyber Pakhtunkhwa, Peshawar.
2. The Deputy Commissioner, Nowshera.
3. The District Accounts Officer, Nowshera for information and necessary action.
4. Concerned Persons.

[Signature]
District Director
Agriculture (Extension)
Nowshera

[Signature]
DISTRICT DIRECTOR
AGRICULTURE (EXTENSION)
NOWSHERA



Annex-G



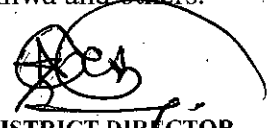
OFFICE OF THE DISTRICT DIRECTOR AGRICULTURE (EXTENSION)
NOWSHERA NEAR PIRPAI STOP NOWSHERA.

Telephone: +92 923-580515

Email: ddanowshera@gmail.com

AUTHORITY LETTER

It is certified that Mr. Sajjad Ahmed, Subject Matter Specialist (Horticulture) (BS-18) o/o the District Director Agriculture Nowshera CNIC No.13301-6930350-9 is hereby authorized to submit the parawise comments on behalf of District Director Agriculture, Nowshera and attend the Services Tribunal Peshawar in Appeal No.186/2024 Mr. Ejaz Ali VS Govt. of Khyber Pakhtunkhwa and others.


DISTRICT DIRECTOR
AGRICULTURE (EXTENSION)
NOWSHERA
District Director
Agriculture (Extension)
Nowshera