

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 467/2024

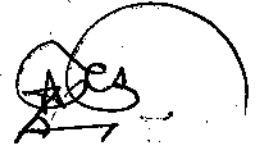
Waqas Khan s/o Noor Ul Haq

VERSUS

Director General
Agriculture (Extension).
Khyber Pakhtunkhwa, Peshawar
& Others.

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16-07-24

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.467/2024

Waqas Khan S/O Noor Ul Haq

APPELLANT

Khyber Pakhtunkhwa
Service Tribunal

Diary No. _____

Dated 04-07-24

VERSUS

- 1- The District Director Agriculture (Extension) District Nowshera.
- 2- The Director General, Agriculture Extension Khyber Pakhtunkhwa, Peshawar.
- 3- The District Accounts Officer, District Nowshera.

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 to file the instant appeal.
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 Government servant.
10. That the appointment order of the appellant is fake / bogus.
11. That an inquiry has already been initiated against the illegal inclusion and then removal of the appellant to and from Govt. payroll system.
12. That there are seven other similar persons who entered into Govt. payroll system fraudulently and after conduction of inquiry they were terminated and now they have filed appeals in Honorable Services Tribunal vide Appeal No.113,116,185 & 186 while another colleague has filed writ petition No.5965-P/2023 before the Peshawar High Court Peshawar which is pending before the Hon'ble court.
13. The Appellant was identified by the auditor during audit conducted recently and then reported to the Director General, Agriculture Extension, Khyber Pakhtunkhwa by the respondent No.1. now the inquiry is under process.
14. That the appellant was fraudulently entered in to Government pay roll system as Agriculture Inspector (BPS-11), while claimed to be on the post of Field Worker (BPS-03).

(A)

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

- Para-1 Pertains to appellant personal information hence no comment.
- Para-2 Incorrect. During the tenure of Tariq Mahmood Ex-District Director Agriculture, Nowshera certain 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 no minutes of DSC committee. Furthermore, the Department of Agriculture Extension did not ask for any application from the appellant for the said posts. The appointment order of the appellant dated 09.05.2022 alongwith other persons are totally bogus and forged as no record is available in the office of the District Director Agriculture, Nowshera vide letter No.1507/DDA dated 28.11.2022 and 219/DDA (E) NSR, dated 19/03/2024 **(Annexure-A&B)**. The Respondent No.2 constituted an Inquiry Committee to conduct a preliminary inquiry and submit a fact finding report vide office order No.DFO/2/1115-20/DGA(E) dated 28/03/2024 in the instant case **(Annexure-C)**. The findings of the Inquiry Committee in the instant case are awaited. However, in other similar cases the Inquiry Committee submitted its finding that all the appointments / posting / transfer / office orders are bogus and no record is available in the office of Respondent No.1 in respect of the above. Also bogus dispatch numbers are marked on the office order **(Annex-D)**.
- Para-3 Incorrect. No service document 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 is available in the office of the respondent No.1. as it is evident from the report of the Formal Enquiry submitted by the Inquiry Committee in seven (07) other similar persons entered into Govt. payroll system through bogus appointment / posting orders issued under the signature of Ex-District Director Agriculture, Nowshera **(Annexure-E)**.
- Para-4 Incorrect. No educational documents were verified by the Department. The appellant astonishingly entered into Govt. Payroll system during May, 2022 and received salaries for almost two and half months and then again astonishingly vanished from the Govt. payroll System during July, 2022. He did not showed off during and after that period and now when other five (05) persons mentioned above filed their appeals, then the instant appellant also filed an appeal in the Khyber Pakhtunkhwa Services Tribunal for a venture copying others.
- Para-5 Incorrect. The appellant has never performed duty neither he is performing his duty now. He is unknown to the District Director Agriculture (Extension), Nowshera the Respondent No.1. (2)

Para-6 Incorrect. No appeal of the appellant has been received to the respondents. Otherwise, the appellant would have been included in the Inquiry mentioned above and terminated accordingly as others have been terminated in light of the inquiry.

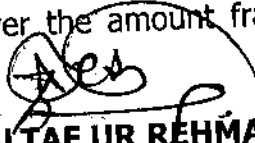
Para-7 Incorrect. The appellant never visited offices of the respondents for release of salary. Even he did not appear before the inquiry officers when he was contacted and invited to appear before the Inquiry Officers.


Para-8 Incorrect.

GROUNDS

- A Incorrect. The respondent were unaware of how he entered and how was he removed from the Govt. Payroll System.
- B Incorrect. The Department did not violate any rules & laws and proceeded the appellant as per rules when identified by the Audit Officer during local audit.
- C Incorrect. As explained above.
- D Incorrect. As explained above.
- E Incorrect. No work has been done by the appellant as he has never performed duty so he cannot be paid. However, the salaries drawn by him maybe recovered from the appellant being non-justified.
- F The appellant is not a Civil Servant hence illegal to claim rights of a Civil Servants.
- G The respondent 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.


(ALTAF UR REHMAN)
DISTRICT DIRECTOR AGRICULTURE,
NOWSHERA
RESPONDENT NO.1


DIRECTOR GENERAL,
AGRICULTURE EXTENSION KHYBER
PAKHTUNKHWA, PESHAWAR
RESPONDENT NO.2

DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHYBER PAKHTUNKHWA PESHAWAR

ABDUL QAYUM

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 467/2024

Waqas Khan

APPELLANT

VERSUS

District Director Agriculture Extension Nowshera & others.

RESPONDENTS

Counter Affidavit

The undersigned hereby solemnly declare / affirm that the contents of the joint para wise Comments are true and correct to the best of our knowledge and belief and nothing has been kept secret from this Honorable Tribunal.

It is further state on that in this appeal, the answering respondent neither has been placed exparte nor their defense been struck off / closed. *cost.*



4/7/2024

(Altaf Ur Rehman)

District Director Agriculture (Extension)

(Respondent No. 01)

CNIC No. 1350488595829

Cell No. 0301-5803000

District Director
Agriculture Extension
Nowshera

Dated Nowshera, the 28/11/2022.

No. 1507 /DDA (E) NSR.

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

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 Kukh Bakhtiar	Field Assistant BPS-09	-do-
3	Fawad	Field Assistant BPS-09	On payroll of this office but not known to anyone.
4	Sohaib	Chowkidar BPS-03	On duty at Govt. Seed Farm, Pirsabaq but his appointment seems doubtful.
5	Touseef	Chowkidar BPS-03	On payroll of this office but not known to anyone.
6	Ejaz	Field Worker BPS-03	On payroll of this office but not known to anyone.

27
Muhammad
Adnan
S/o Haya
Gul.

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.

Inquiry File

Advised
[Signature]

[Signature]
DISTRICT DIRECTOR
AGRICULTURE (EXTENSION)
NOWSHERA

District Director
Agriculture Extension
Nowshera



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

Telephone: 492 923-580515
No. 219 /DDA (E) NSR.

Email: ddanowsheera@gmail.com

Dated Nowshera, the 19/03/2024.

To,

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

SUBJECT: EMBEZZLEMENT IN APPOINTMENT DURING TENURE OF MR. TARIQ MEHMOOD, EX-DDA NOWSHERA.

Kindly refer to the subject cited above, it is submitted that the undersigned promoted and posted as District Director Agriculture, Nowshera and assumed the charge of the said post on 01/03/2024.

During the course of audit, the Audit Officer reported one illegal/bogus appointment, not reported earlier, traced by his own monitoring system. It is further submitted that record i.e, Constitution of DSC, Minutes of DSC meeting, Appointment order, service book etc is not available in this office.

It is also worth mentioning here that seven (07 Nos) bogus/illegal appointees were reported by my predecessor Mr. Mumtaz Ahmed Khan vide letter No.1507/DDA(E) dated 28/11/2022 (copy attached) and they were proved by the Formal Inquiry as bogus/illegal.

The credentials of the above-mentioned one person as reported by the Audit Officer Mr. Hafeez Ullah are given as under:-

Name of Person	Waqas Khan
Personal No.	00995630
CNIC No.	17202-0371531-9
Date of Birth	01/09/2022
Date of Joining	09/05/2022
Position Code	80270830
Job Title	Field Worker (BPS-03), while pay drwn against the post of Agriculture Inspector
Mezan Bank Account	23572 (Bank Key) 732234508
Paid in July, 2022	Rs.25149/-

Copy of his salary slip for the month of July, 2022 obtained from the District Accounts Officer, Nowshera is also attached. It is further submitted that no body know the said person in this office.

It is therefore, requested to conduct inquiry as the said case was not reported/traced earlier.

Encl. as above

o/c

**DISTRICT DIRECTOR
AGRICULTURE (EXTENSION)
NOWSHERA**
 Dated Nowshera, the 19/03/2024.

No. 220 /DDA (E) NSR.

Copy to:

- The District Accounts Officer, Nowshera for information & necessary action.

Attested

**District Director
Agriculture Extension
Nowshera**

**DISTRICT DIRECTOR
AGRICULTURE (EXTENSION)
NOWSHERA**

DIRECTORATE GENERAL AGRICULTURE (EXTENSION)
KHAYDER PAKHTUNKHWA PESHAWAR
Ph: 091 9221221 Email: dg@dgahce.gov.pk

"C"

OFFICE ORDER:

The following facts finding Inquiry Committee is hereby constituted to investigate regarding bogus entry of Mr Waqar Khan, Exst Worker in record of District Account Office Nowshera, as Government servant and submit the report within 15 days positively.

1. Mr. Mushtaq Ahmad, Dy. Director MFSC HQ, Peshawar.
2. Dr. Mehran Ali, Assistant Director PP HQ, Peshawar.

50/-
(JAN MUHAMMAD KHAN)
DIRECTOR GENERAL
AGRICULTURE (EXTENSION)
KHAYDER PAKHTUNKHWA, PESHAWAR

No DFO/ 2 / 1115-20 /DGA(E)

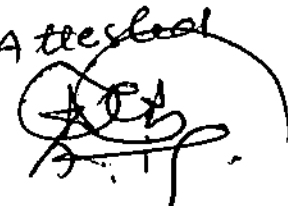
Dated Peshawar the 28/03/2024

Copy forwarded to:

1. The District Director Agriculture, Nowshera.
2. The Director, MFSC HQ, Peshawar.
3. The Director, Plant Protection HQ, Peshawar.
4. Mr. Mushtaq Ahmad, Dy. Director MFSC HQ, Peshawar.
5. Dr. Mehran Ali, Assistant Director PP HQ, Peshawar.

DIRECTOR GENERAL

O/C

Attested

District Director
Agriculture Extension
Nowshera

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

f D-1)

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.

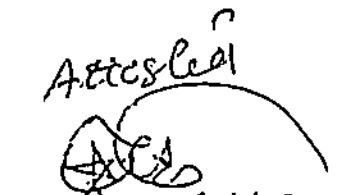
In response to a questionnaire, the Ex-DDA stated that he had received the orders of appointment through his Cashier Mr. Liaqat. The Ex-DDA did not accept the responsibility of those alleged recruitments (Annexed-D).

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.


District Director
Agriculture Extension
Nowshera

Attested

District Director
Agriculture (Extension)
Nowshera

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(D-2)

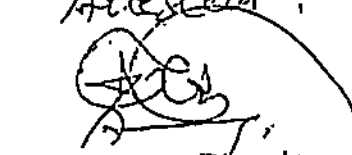
2. The sitting DDA Mr. Mumtaz, took action reporting the matter to the higher office and removing the miscreant(s) from the positions influencing and putting all evidences under the carpet. In Response to a Questionnaire, Mr. Mumtaz Ahmad Khan, identified two of the main culprits; one Mr. Tariq the Ex-DDA 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. Tausif Chowkidar (DS-03), Mr. Muhammad Adnan (BS-09) placed at Senior Clerk, Mr. Ejaz Wali Field Worker (DS-03) and Mr. Fawad Ali Field Assistant (DS-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(I) dated 09/09/2022, from DDA Nowshera office to DDA office Mardun which was verified from service book of the official. The illegal appointee Mr. Sohaib Ahmad Field worker (DS-03) was adjusted at the post of Mr. Muhammad Sabir Chowkidar. The salary of Mr. Sohaib 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).

2
Jan

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:


District Director
Agriculture Extension
Nowshera

Attested

District Director
Agriculture (Extension)
Nowshera

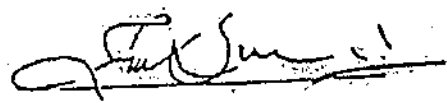
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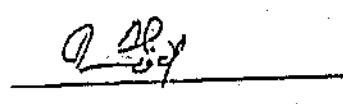
- All the appointments/postings/transfers office orders are bogus as no records are available in the office and bogus dispatch numbers are also marked on the office order.
- The Ex-DDA, the ministerial workers, the beneficiaries need to be probed as involvement of staff in the bogus appointments prevailed.
- All the officials involved should immediately be removed from the positions so inquiry may not be influenced or record may not be tampered.
- The lost record (Service Books) should be recovered using force 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.

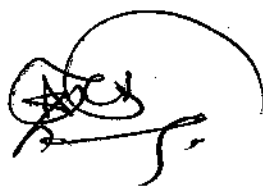



1. Mr. Farhat Abbas Durrani,
 Assistant Account Officer HQ
 Directorate General Agriculture Extension
 Khyber Pakhtunkhwa, Peshawar.



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

Attested


 District Director
 Agriculture Extension
 Nowshera


 District Director
 Agriculture (Extension)
 Nowshera

INQUIRY REPORT

Annexure - (B)

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.

(E-1)

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: Sc.PPA/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).

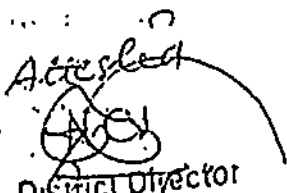
The incumbent Director, Agriculture Nowshera, Mr. Mumtaz was also requested to submit record pertaining to the subject inquiry. In response, he submitted a detailed reply vide (Annex-D) stating thereby that the required record i.e. Advertisement/Employment Exchange List, Constitution of DSC Order, Minutes 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.


Handwritten signature
Of the District Director

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




District Director
Agriculture Extension
Nowshera

Accepted

District Director
Agriculture (Extension)
Nowshera

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(17)
(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 detachment 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

S.M.S.
Horticulture
Of 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. Ulaqat 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. Ulaqat 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)
Nowshera

District Director
Agriculture (Extension)
Nowshera

CS CamScanner

CS CamScanner

(B)

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).


(E-3)


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).

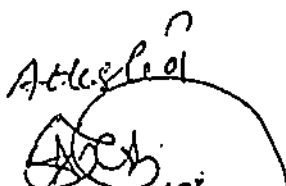
The DG Agriculture Extension attended the office of Inquiry officer but flatly refused that no such orders ever issued by his office as the sort of appointments are delighted/devoted to district officer and the Provincial Headquarter has nothing to do with the appointments of the subordinates staff as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

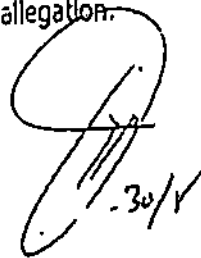
Findings:

- 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


District Director
Agriculture (Extension)
Nowshera


-30/11

Recommendations:

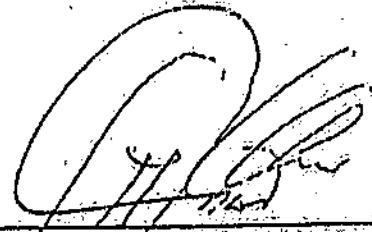
(14)

(E-4)

- (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



District Director
Agriculture Extension
Nowshera

Attested



District Director
Agriculture (Extension)
Nowshera

(14)



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



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No. 636 /DDA (E) NSR

Dated Nowshera, the 02/07/2024

Authority Letter

Mr. Moeed Khan (17201-6631419-3) Subject Matter Specialist (BS 18) o/o District Director Agriculture Extension Nowshera is hereby authorized to submit Parawise comments on behalf of Respondent # 1 & 2 in Honourable Services Tribunal, Peshawar in case Appeal No. 467/2024 'Waqas Khan s/o Noor Ul Haq v Govt. of Khyber Pakhtunkhwa'.


**DISTRICT DIRECTOR
AGRICULTURE (EXTENSION)
NOWSHERA**

ALTAF-UR-REHMAN
Respondent No. 2.

District Director
Agriculture Extension
Nowshera