

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

Appeal No.2435/2023

Umar Farooq, Ex-Patwari, District Peshawar

.....(Appellant)

**VERSUS**

1. Govt. of Khyber Pakhtunkhwa, through Senior Member Board of Revenue, Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
2. Commissioner Peshawar Division, Peshawar
3. Deputy Commissioner Peshawar
4. Assistant Commissioner Shah Alam, Peshawar.

.....(Respondents)

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

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Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 12297

Dated 19/4/24

.....(Respondents)

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO.1 to 4**

Respectfully Sheweth,

**Preliminary Objections.**

1. That the appellant in the instant case has no locus standi and cause of action to institute present appeal.
2. That the appellant has not come to this honourable court with clean hands.
3. That the appellant is estopped by his own conduct to file the instant appeal.
4. That the appeal is not maintainable in the present form.

**REPLY ON FACTS.**

1. Correct to the extent that the appellant was serving as Patwari in the office of Deputy Commissioner Peshawar. However, the performance is a matter of record.
2. Correct to the extent that Assistant Commissioner Shah Alam Peshawar after inspection of Patwar Khana Pakha Ghulam upon public complaints, submitted her report duly recommending suspension of the official and initiation of disciplinary proceedings against him under Khyber Pakhtunkhwa Govt. Servant (Efficiency & Discipline) Rules 2011 (Annex-A).
3. Incorrect. After receiving the inspection report of AC Shah Alam (referred above in Para-2), the appellant was placed under suspension and a fact finding inquiry was ordered wherein AC Saddar Peshawar was appointed as Inquiry officer vide order No.335/DC(P)/DK dated 31-05-2023 (Annex-B), who submitted her inquiry report vide letter No.355/AC Saddar/Inquiry dated 05-06-2023 (Annex-C), wherein the Inquiry officer found the appellant guilty of misconduct and recommended minor penalty.
4. Incorrect. The allegations were found correct therefore the Respondent No.3, ordered proper/formal Inquiry vide order No.355/DC(P)/DK dated 08-06-2023 (Annex-D) under Khyber Pakhtunkhwa Govt. Servant (E&D) Rules 2011 alongwith Charge Sheet and Statement of Allegations (Annex-E) as per procedure laid down in the Khyber Pakhtunkhwa Govt. Servant (E&D) Rules 2011. Inquiry officer submitted his Inquiry report vide letter No.717-18/AC(HK)/Umar Farooq/169 dated 16-06-2023 (complete Inquiry report attached as Annex-F). No accused official has a right to challenge the powers of the competent authorities mentioned in the rules and propose a line of action for them.

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5. Correct to the extent that the appellant was granted leave for Hajj on his own request.
6. Correct to the extent that the appellant was issued Show Cause Notice under the rules ibid after receipt of formal Inquiry (Annex-G). The appellant accordingly submitted his reply (Annex-H). Personal hearing was fixed on 27-07-2023 vide letter No.452/DC(P)/DK dated 25-07-2023 (Annex-I), which was attended by the appellant. It is evident from the Inquiry report that it was concluded and submitted on 16-06-2023 vide No.717-18/AC(HK)/Umar Farooq/169 (Annex-F), while the appellant filed appeal before the Respondent No.1 on 10-07-2023 (Annex-J), who sent the same to Respondent No.3 on 21-07-2023 vide letter No.Esst:VII/Com/Peshawar /2023/7086-87 (Annex-K), which was too late.
7. Correct to the extent that upon the recommendations of the Inquiry officer and keeping in view the grave irregularities the appellant was compulsory retired from service vide order No.523/DC(P)/DK dated 07-08-2023 (Annex-L).
8. The respondents have following objections on the grounds.

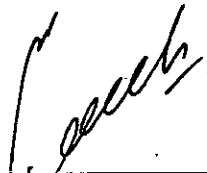
**Objections on Grounds:**

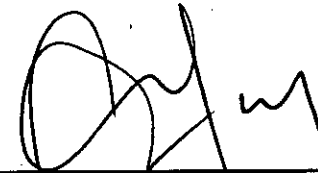
- A. Incorrect. The order is based on facts and after conduction of proper enquiry and following rules/regulations as laid down by Provincial Govt. under Khyber Pakhtunkhwa Govt. Servant (E&D) Rules 2011. The grave irregularities are so harsh that it demanded such punishment to avoid further loss to the Govt. exchequer in future.
- B. That the appellant was granted fair trial which he has already accepted in his appeal that he has been enquired through Inquiry officers, show cause notice was served, which was replied by him and appeal at the appellate authority i.e. Respondent No.2 was made and the appellant was also heard. But it is a fact that the appellant failed badly to defend his grave irregularities. Thus punishing such an official is the true essence of Constitution of Islamic Republic of Pakistan.
- C. Incorrect. The appellant has no soft image in the eyes of his superiors and public were complaining against him due to which Inspection was made to his Patwar Khana and irregularities brought out before the competent authorities.
- D. Incorrect. Formal Inquiry was conducted and after which procedure was followed and punishment was imposed.
- E. Incorrect. The appellant was given proper opportunity to defend the case and no haste was made.
- F. Incorrect. All the procedures were followed already prescribed in the Khyber Pakhtunkhwa Govt. Servant (E&D) Rules 2011.
- G. Incorrect. As per above paras.
- H. Incorrect. As per above paras.
- I. Incorrect. Constitution of Islamic Republic of Pakistan has not been violated rather it is implemented in letter and spirit.
- J. Incorrect. All the allegations were shown to him alongwith complete enquiry reports which were found annexed with the appeal which is solid proof.
- K. Incorrect. All the procedures adopted according to the Law. The appellant is trying to hide his grave irregularities.

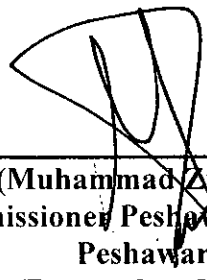
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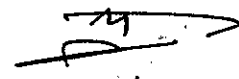
- L. Incorrect. Appellant reply was thoroughly looked into which were found frivolous excuses only.
- M. Incorrect. Rejection of his appeal was based on the ground facts and irregularities maintained by the appellant.
- N. Incorrect. The compulsory retirement order is correct, as per law/rules and after following the required steps as mentioned in the Khyber Pakhtunkhwa Govt. Servant (E&D) Rules 2011.
- O. Incorrect. No fundamental right of the appellant has been violated, rather government exchequer as well as public is protected from the malpracticing official.
- P. No comments.

It is therefore prayed before the honourable Tribunal that appeal in hand having no weight may very humbly be dismissed with cost.

  
 \_\_\_\_\_  
 (Muhammad Waqas Masud Chaudhry)  
 Assistant Commissioner  
 Shah Alam Peshawar  
 (Respondent No.4)

  
 \_\_\_\_\_  
 (Afaq Wazir)  
 Deputy Commissioner  
 Peshawar  
 (Respondent No.3)

  
 \_\_\_\_\_  
 (Muhammad Zubair)  
 Commissioner Peshawar Division  
 Peshawar  
 (Respondent No.2)

  
 \_\_\_\_\_  
 (Ikram Ullah Khan)  
 Senior Member  
 Board of Revenue, Khyber Pakhtunkhwa  
 (Respondent No.1)

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

**Appeal No.2435/2023**

Umar Farooq, Ex-Patwari, District Peshawar

.....(Appellant)

VERSUS

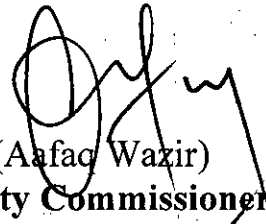
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2. Commissioner Peshawar Division, Peshawar
3. Deputy Commissioner Peshawar
4. Assistant Commissioner Shah Alam, Peshawar.

.....(Respondents)

**AFFIDAVIT**

I, Aafaq Wazir, Deputy Commissioner, Peshawar do hereby solemnly affirm and declare on oath that the contents of this reply are true and correct to the best of my knowledge and belief. It is further stated on oath that in this appeal the answering respondents have neither been placed Ex-Parte nor their defense has been struck off/Cost.

**DEPONENT**



(Aafaq Wazir)  
**Deputy Commissioner  
Peshawar**

19 APR 2024

ATTESTED



Advocate Habibullah Khan  
Commissioner  
Advocate High Court Peshawar

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

**Appeal No.2435/2023**

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.....(Appellant)

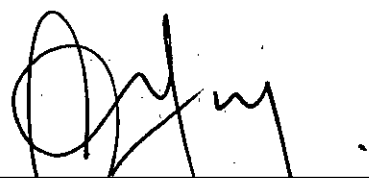
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.....(Respondents)

**AUTHORITY LETTER**

I, Mr. Aafaq Wazir, Deputy Commissioner Peshawar do hereby authorize Mr. Pervez Khan, Superintendent of Deputy Commissioner Office, Peshawar for submission of joint parawise comments before the Honourable Khyber Pakhtunkhwa Services Tribunal Peshawar and to peruse the case on each subsequent hearing fixed in the case till finalization of the case, hence, an authority letter issued in favour of above named officer.



\_\_\_\_\_  
(Aafaq Wazir)  
Deputy Commissioner  
Peshawar  
(Respondent No.3)

No. 505 /AC(SA)

Dated: 31/05/2023

To

The Additional Deputy Commissioner  
Peshawar.

**Subject: INSPECTION REPORT OF PATWAR KHANA PAKHA GHULAM**

It is submitted that the undersigned visited Patwarkhana Pakha Ghulam today on 31<sup>st</sup> May 2023 at 02:00PM upon receipt of different public complaints. The Patwarkhana was closed. After multiple calls, patwari appeared in about 45 minutes. The revenue record of Patwarkhana was checked and following discrepancies were found:

- i. In Mouza Pakha Ghulam, a mutation No.9306 was found in register having Part e Sarkar, Part e Patwar and additional page having signatures of Patwari.
- ii. In Mouza Doran Pur, mutation No. 4124, 4125, 4126, 4128, 4129, 4131 & 4134 were also found having additional page besides Part e Patwar and Part e Sarkar.
- iii. A Registry mutation was found without having S.No having signatures of Patwari in the name of Ikram Ullah was found from record of Doran Pur.
- iv. A mutation was found having signatures of Patwari Halqa and without S.No. in the name of Bakht Muhammad was found. In this mutation Column 13 indicating entry of mutation with reference of Tufail Patwari, Tehsil Peshawar.
- v. An empty mutation part torn off, was also recovered.
- vi. Mutation No. 9305, 9307 to 9311 and 9313 to 9322 were recovered having signatures of Patwari Halqa in addition to Part e Sarkar and Part e Patwar.
- vii. In various mutations, there is difference in Serial Numbers and Part e Sarkar is not matching with Part e Patwar. (i-e page color, type etc).

On account of above discrepancies/ violations, it is submitted that Patwari Mr. Umar Farooq be suspended immediately and disciplinary proceedings under E&D Rules 2011 may also be initiated against him.

*Ammar*  


*Shah Alam*

Assistant Commissioner (Shah Alam)  
Peshawar



Amma-B (7)

**THE DEPUTY COMMISSIONER, PESHAWAR**

Tel: 091-9212301-02, Fax: 091-9212303 DCPeshawar

No. 335 DC(P)/DK

Dated: 31-05-2023

**ORDER:**

Consequent upon the surprise inspection report of Assistant Commissioner (Shah Alam) Peshawar to Patwar Khana Pakha Ghulam submitted vide letter No. 505/AC(SA) dated 31-05-2023 wherein it was reported that Mutation Registers were found in Patwar Khana having a number of discrepancies and glaring irregularities.

Keeping in view the report of AC (Shah Alam) Peshawar, Mr. Umar Farooq Patwari Halqa Pakha Ghulam is hereby placed under suspension with immediate effect and an enquiry is hereby ordered with immediate effect.

Assistant Commissioner Saddar is hereby appointed as enquiry officer to conduct a detailed enquiry into the matter and submit enquiry report within **three days** positively.

Sd/-

**DEPUTY COMMISSIONER  
PESHAWAR**

**Endst: No. and date Even:**

Copy forwarded to the:

1. Assistant Commissioner Saddar/enquiry officer for further necessary action.
2. Assistant Commissioner Shah Alam, w.r.t her report referred above.
3. Accounts Officer of DC Office for further necessary action.
4. Tehsildar Shah Alam, Peshawar.
5. Official concerned (under suspensions) with the direction to report to the DK office and appear before the enquiry officer as and when directed.

Attested

**ADDITIONAL DEPUTY COMMISSIONER (G)  
PESHAWAR**





Annex-C

**OFFICE OF THE ASSISTANT COMMISSIONER  
SADDAR PESHAWAR**

Address: Garhi Qamar Din Kohat Road

Tel: 091-2320300 DDC Peshawar

No. 355 /AC Saddar/Inquiry

Dated: 05, June, 2023

To

The Additional Deputy Commissioner,  
Peshawar.

Subject: **INQUIRY REPORT ON ALLEGED MALPRACTICES OF MR. UMER FAROOQ PATWARI HALQA PAKHA GHULAM.**

Pursuant to the office vide order no. 335/DC(P)/DK, dated 31-May-2023, wherein the undersigned was appointed as an inquiry officer to investigate into the discrepancies & glaring irregularities in the mutation registers of the Patwar Khana Pakha Ghulam, an inquiry was conducted against the Patwari Halqa Pakha Ghulam, Mr. Umar Farooq.

The brief facts of the case are that on May 31<sup>st</sup>, 2023, the Assistant Commissioner (AC) Shah Alam, Peshawar made a surprise inspection of the Patwar Khana Pakha Ghulam. On scrutiny of the record by the AC, several discrepancies & irregularities in the mutation register of Mouza Pakha Ghulam, & Doran Pur respectively were found. Those discrepancies were pointed out in the AC Shah Alam's office letter No. 505/AC(SA) dated 31/05/2023. They are reproduced (again) below in succinct manner for reference of the inquiry officer:

1. In Mouza Pakha Ghulam, a mutation Partt was found in loose form in addition to the presence of Partt Sarkar, & Partt Patwar for the mutation numbers 9305-9311, & 9313-9322. These additional Partts also contained signature of Patwar Halqa.
2. Similarly, in Mouza Doran Pura as well, a mutation Partt was found in loose form in addition to the presence of Partt Sarkar, & Partt Patwar for the mutation numbers 4124-4126, 4128, 4129, 4131, & 4134.
3. Two mutation Partts in loose form without mutation numbers were also found. One was in the favour of Mr. Ikram Ullah, while the other was in the name of Mr. Bakht Muhammad.
4. Another torn-off mutation was found in loose form, & several mutations had register number of Partt Sarkar, which were not matching with the related Partt Patwar.

The Patwari Halqa Pakha Ghulam (under suspension) was called in the office of the undersigned for recording his account on the report no. 505/AC(SA) generated by the AC Shah Alam, Peshawar. The concerned official in his written statement stated that he has always performed his duties diligently, & there has been not a single complaint against him by the citizens of his Patwar Halqa (**Annexure A**). That reference to report no. 505(AC)(SA), recently on 23-05-2023 the AC Shah Alam, & on 29-05-2023 the Girdawar Circle & Tehsildar inspected

Arrested  
M/S



# OFFICE OF THE ASSISTANT COMMISSIONER SADDAR PESHAWAR

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his Patwar Khana and found his work, & revenue record keeping satisfactory. He yielded to the presence of loose mutation partts in his Patwar Khana, & contended that they were being used by himself only for his personal usage, & rough work. And that he torn-off these partts after doing rough work, rendering them useless. That the confiscated loose mutation partts were found from the dustbin of the Patwar Khana. That those loose mutation Partts had no signature of Girdawar & Tehsildar, or any buyer or seller. And that the partts with mutation numbers, & the two without mutation numbers highlighted in the report were all used for rough work, & torn off subsequently. He also stated that various Partt Sarkars found from his Patwar Khana were sent back from the Tehsildar concerned for gluing of Tax receipts. And the difference in mutation register number of some of the partts was due to the fact that Patwaris have not been issued mutation register for the past few months, & that they get mutation register on their own from a local person. Agreeing to the issues highlighted, he finally stated that yet there is no inconsistency in his land revenue record, & the applicants have not suffered any loss from his any act.

The pertinent questions that thus demand answers are following:

1. Whether under the laws & rules in force, the Patwari is allowed to keep additional copies of mutation register in the loose form for his own rough work?
2. When the several mutations have been duly inspected by the Girdawar, & attested by the Tehsildar, then how come the Partt Sarkar was still with the Patwari instead of being in the office Kanungo? And was there any tempering done with the Partt Sarkar?
3. Why there is a difference in the mutation register numbers, color etc. of some of the mutations' Partt Sarkar, & Partt Patwar?
4. Is the Patwari guilty of misconduct owing to irregularities in the mutation registers?
5. Has the practice of keeping mutation Partts in loose pages resulted in any injury to anyone's rights in land, or loss to provincial exchequer?

The first question is answered by perusal of the relevant laws & rules. Under the Section 41 (3) of the W.P Land Revenue Act, 1967, each Patwari of an estate is tasked with maintaining a mutation register in the prescribed form, & prescribed register on the orders of Collector district. Second, under the W.P Land Revenue Rules, 1968, Rule 72 prescribes several Forms that have to be maintained by the revenue staff. Among them Form XXXV relates to the Mutation register that has to be maintained. Of the 32 other Forms prescribed in the Rule 72,

Attested  
[Signature]

[Signature]



# OFFICE OF THE ASSISTANT COMMISSIONER SADDAR PESHAWAR

Address: Garhi Qamar Din Kohat Road  
Tel: 091-2320300 DCPeshawar

none mentions of an additional mutation register for rough work or copying purpose. This is thus established that the practice of keeping an additional mutation register is against the law & rules. ✓

For inquiry into the second question regarding presence of some of the Partt Sarkars in Patwar Khana after attestation of mutation, the Naib Tehsildar (N.T) concerned Mr. Muhammad Jameel was called for recording his statement. As per his account (**Annexure B**), along with the mutations attested during his tenure, even the mutations which were attested by his predecessor Mr. Mairaj are still in his office, and the office Kanungo has refused to take those mutations. He further mentions that he had asked his Reader Qaisar Khan, to contact his predecessor, & the office Kanungo for resolving of issue. However, this still does not address the question of presence of Partt Sarkar in Patwar Khana. For that the reader of N.T, Mr. Qaisar Khan was directed to record his version. As per his statement (**Annexure C**), he was asked by the N.T to send back the attested mutations to the Patwar Khana Pakha Ghulam for gluing of Tax receipts. From this statement, this question is settled that the Patwari didn't keep the attested mutations in his Patwar Khana on his own will, rather they were sent back from the office of the N.T. But, even if the Partts were sent back from the N.T office, this still does not rule out the possibility of a possible tempering with the Partt Sarkars by the Patwari. To ascertain the facts on this issue, the relevant Partt Sarkars were tallied with the relevant Partt Patwars, with the assumption of an ulterior motive on part of Patwari. The inspection of record showed that there was no discrepancy between the two Partts, & no tempering had been done. Thus, it is also settled that even being during in the custody of Patwari, no tempering was done to the record, & Patwari had no ulterior motive for keeping those Partts.

For the 3<sup>rd</sup> question regarding difference in mutation register number, color etc. of some of the Partt Sarkar & Partt Patwar, the record of the relevant Partts was inspected. The record indeed reflected difference in the register number, color tone etc. of the Partts (Patwar & Sarkar) in question. But, overall the material or the body part of such Partts was similar to each other, & did not reflect any tempering in the land record. The answer of Patwari regarding non-issuance of mutation register from the past few months in this case is un-satisfactory. This variation in Partts composition indeed reflects negligence on part of Patwari, but is one that is not substantial as the material part is of the same character.

For the question regarding misconduct on the part of Patwari, the undersigned is of the view that indeed the Patwari is guilty of misconduct. But this is to the extent of using additional loose mutation Partts, which is forbidden by law as has already established in the

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Attested  
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# OFFICE OF THE ASSISTANT COMMISSIONER SADDAR PESHAWAR

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Question # 01 raised in this report. Still, the Patwari's point in this regard has to be considered as well that he was using them for his rough work, & personal usage, & that he discarded/torn-off those rough mutation Partts after usage. And that the loose Partts were found from a dustbin in Patwar Khana. For this purpose, the inspection of record indeed showed that the rough Partts were indeed torn-off after usage, & that there was no discrepancy in the body of those Partts and those in the mutation register. Still, this does not absolve the official from the charge of misconduct as the usage of different mutation register number in the 02 Partts (Patwar & Sarkar) of some mutations is on record. Therefore, it is posited that the accused Patwari is guilty of misconduct in a limited manner.

Finally, for the final question of injury against anyone's rights in land, the record at hand is perused. This inspection was also done in the office of the worthy Additional Deputy Commissioner (G), Peshawar. While there were discrepancies related to using of additional loose mutation Partts, different number of mutation register in some mutations etc. yet the main body or the substantive part of those mutation Partts was similar in all aspects. This reflects that no willful harm was caused to anyone's rights in the land, nor was any harm done to the provincial kitty by undervaluation of the land.

After considering all what is available, the undersigned has come to the conclusion that the Patwari Mr. Umar Farooq has been found guilty of misconduct in a limited manner. While the practice of keeping loose mutation Partts is unlawful, the record at hand indeed reflected that he was keeping those for rough work only. Second, the difference in mutation register number etc. of mutations also shows shabby conduct on his part. Yet, even this malpractice becomes insubstantial as the material part of record shows no discrepancy. Thus, there is nothing substantial found against him that can attract a major penalty for the accused.

Therefore, as the official has vowed to abstain from this practice in future, it is recommended that the official may only be served a minor penalty of censure under Section 4(1)(a) of the KP Efficiency & Disciplinary Rules, 2011.

Moreover, there have been quite a few instances in which loose mutation Partts have been recovered from other Patwar Khanas of the district. For instance, a similar inquiry was marked to the undersigned by the worthy Additional Deputy Commissioner (G), Peshawar vide letter no. 334/DC(P)/DK relating to Patwar Halqa Tehkal Bala No. 1. Therefore, it is also recommended to curb this modus operandi of using loose mutation Partts for rough work once

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# OFFICE OF THE ASSISTANT COMMISSIONER SADDAR PESHAWAR

Address: Garhi Qamar Din Kohat Road  
Tel: 091-2320300 DC Peshawar

and for all by issuing an office order to all the revenue field staff to abstain from such practice in future.

This report consists of 05 pages. The report along with its annexures is forwarded to the office of the worthy Additional Deputy Commissioner (G), Peshawar for further necessary action.

Attested  




05/06/2023

(Dr. Sara Zainab)  
ASSISTANT COMMISSIONER,  
SADDAR, PESHAWAR.



Annex-D

13

**THE DEPUTY COMMISSIONER, PESHAWAR**

Tel: 091-9212301-02, Fax: 091-9212303, DCPeshawar

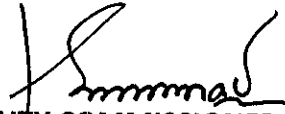
No. 355 DC(P)/DK

Dated: 08-06-2023

**ORDER:**

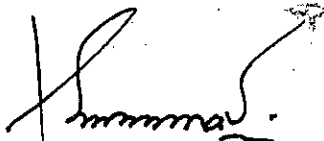
Vide powers conferred under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, I, Shah Fahad, hereby order the conduct of detail Inquiry against Mr. Umar Farooq Patwari (under suspension) vide Charge Sheet & Statement of allegations enclosed.

Mr. Zahid Younas, Assistant Commissioner Hassan Khel Peshawar is hereby appointed as Inquiry Officer, with the direction to submit findings with recommendations within 15 days time of issuance of this order.

  
DEPUTY COMMISSIONER  
PESHAWAR  
08-06-23

**Endst: No. and Date Even:**

- (i). Mr. Zahid Younas, Assistant Commissioner Hasan Khel Peshawar/Inquiry Officer alongwith copy of Charge Sheet and Statement of Allegations for summoning upon the concerned officials. The preliminary enquiry conducted by AC Saddar Peshawar vide No.355/AAC Saddar/enquiry dated 05-06-2023 is also enclosed herewith.
- (ii). Accounts Officer of this office for further necessary action.
- (iii). Official concerned with the direction to appear before the Inquiry Officer on the date, time and place fixed by him for the purpose of inquiry proceedings.

  
DEPUTY COMMISSIONER  
PESHAWAR  
08-06-23

*Attended*  
*[Signature]*

(14) Amer-E

**DISCIPLINARY ACTION**

I, Shah Fahad, Deputy Commissioner Peshawar, as competent authority, am of the opinion that **Mr. Umar Farooq, Patwari (under suspension)**, has rendered liable to be proceeded against, as he committed the following acts/omissions within the meaning of rule-3 of the Khyber Pakhtunkhwa Govt. Servants (Efficiency and Discipline) Rules, 2011.


**STATEMENT OF ALLEGATIONS**


- (a) That the Assistant Commissioner Shah Alam Peshawar submitted a visit report of Patwar Halqa Pakha Ghulam vide No.505/AC(SA) dated 31-05-2023 and pointed out different discrepancies and irregularities as per following detail.
- (i) In Mouza Pakha Ghulam, A mutation No.9306 was found in register having Part-e-Sarkar, Part-e-Prtwar and additona page having signatures of Patwari.
  - (ii) In Mouza Doran Pur, Mutaiton No.4124, 4125, 4126, 4128, 4129, 4131 & 4134 were also found having additioan lpage besires part-e-Patwar and Part-e-Sarkar.
  - (iii) A Registry Mutaiton was found having S.No. having signatures of Patwari in the name Ikram Ullah was found from record of Doran Pur.
  - (iv) A mutation was found havin signatures of Patwari Halqa and without S.No. in the name of Bakht Muhammad was found in this mutation Col. No.13 indicating entry of mutation with reference of Tufail Patwari Tehsil Peshawar.
  - (v) An emty mutation part torn offi was also recovered.
  - (vi) Mutation No.9305, 9307 to 9311 and 9313 to 9322 were recovered having signatures of Patwari Halqa in addition to Part-e-Sarkar and Part-e-Patwar.
  - (vii) In various Mutatioins there is difference in S.No.and Part-e-Sarkar is not matching with Part-e-Patwar( i.e. page color, type etc)
- (b) That upon the report of AC Shah Alam you were placed suspension vide order No.335/DC(P)/DK dated 31-05-2023 and AC Saddar was appointed as enquiry officer.
- (c) That AC Saddar/enquiry officer vide enquiry report. No.355/AC Saddar/enquiry dated 05-06-2023 reported that you were found guilty of misconduct.
- (d) That this act of yours tentamounts towards abuse of official powers and corrupt practices

2. For the purpose of inquiry against the said accused with reference to the above allegations, **ASSISTANT COMMISSIONER HASSAN KHEL** is hereby appointed as inquiry officer under rule 14(6) of the ibid rules.

3. The inquiry officer shall, in accordance with the provisions of the ibid rules, provide reasonable opportunity of hearing to the accused, record its findings and make, within thirty days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

4. The accused and a well conversant representative of the District Kanungo Office shall join the proceedings on the date, time and place fixed by the Inquiry Officer/inquiry committee.

  
Deputy Commissioner  
Peshawar  
08-06-23

*Heeted*  




16

## CHARGE SHEET

I, Shah Fahad, Deputy Commissioner, Peshawar as competent authority, hereby charge you, **Mr. Umar Farooq, Patwari (under suspension)**, as follows:-

That you, while posted as **Patwari Halqa Pakha Ghulam Peshawar** committed the following irregularities:

- (e) That the Assistant Commissioner Shah Alam Peshawar submitted a visit report of Patwar Halqa Pakha Ghulam vide No.505/AC(SA) dated 31-05-2023 and pointed out different discrepancies and irregularities as per following detail.
  - (i) In Mouza Pakha Ghulam, A mutation No.9306 was found in register having Part-e-Sarkar, Part-e-Prtwar and additona page having signatures of Patwari.
  - (ii) In Mouza Doran Pur, Mutaiton No.4124, 4125, 4126, 4128, 4129, 4131 & 4134 were also found having additioan lpage besires part-e-Patwar and Part-e-Sarkar.
  - (iii) A Registry Mutaiton was found having S.No. having signatures of Patwari in the name Ikram Ullah was found from record of Doran Pur.
  - (iv) A mutation was found havin signatures of Patwari Halqa and without S.No. in the name of Bakht Muhammad was found in this mutation Col. No.13 indicating entry of mutation with reference of Tufail Patwari Tehsil Peshawar.
  - (v) An emty mutation part torn offi was also recovered.
  - (vi) Mutation No.9305, 9307 to 9311 and 9313 to 9322 were recovered having signatures of Patwari Halqa in addition to Part-e-Sarkar and Part-e-Patwar.
  - (vii) In various Mutatioins there is difference in S.No.and Part-e-Sarkar is not matching with Part-e-Patwar( i.e. page colour, type etc)
- (f) That upon the report of AC Shah Alam you were placed suspension vide order No.335/DC(P)/DK dated 31-05-2023 and AC Saddar was appointed as enquiry officer.
- (g) That AC Saddar/enquiry officer vide enquiry report No.355/AC Saddar/enquiry dated 05-06-2023 reported that you were found guilty of misconduct.
- (h) That this act of yours tentamounts towards abuse of official powers and corrupt practices.

2. By reasons of the above, you appear to be guilty of misconduct under rule-3 of the Khyber Pakhtunkhwa Govt. Servants (Efficiency and Discipline) Rules, 2011 and have rendered yourself liable to all or any of the penalties specified in rule 4 of the rules ibid.

3. You are, therefore, required to submit your written defense within seven days of the receipt of this Charge Sheet to the Inquiry Officer.

4. Your written defense, if any, should reach the Inquiry Officer, within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.
  
5. Intimate whether you desire to be heard in person.
  
6. A Statement of allegations is enclosed.

*Affected*  
*[Signature]*

*[Signature]*  
Deputy Commissioner  
Peshawar  
08-06-23



(18)

Annex-F

**THE ASSISTANT COMMISSIONER, HASSAN KHEL  
PESHAWAR**

Tel: 091-9211899, Fax: 091-9212303 DCPeshawar

**No: 717-18/ AC(HK)/ Umar Farooq /169**

**Dated Pesh the: 16-June-2023**

To,

The Deputy Commissioner,  
Peshawar.

**Subject: INQUIRY REPORT:**

Respected Sir,

Reference your good office order No. 355/DC(P)/DK, dated. 08-06-2023.

**Background:**

The brief facts of the case are that Assistant Commissioner (Shah Alam), Peshawar, visited Patwar Khana Moza Pakha Ghukam on 31-05-2023. Vide its detailed report submitted bearing No. 505/AC(SA), dated.31-05-2023, copy available on case file (**Annex-A**), it was reported that additional pages (Parrrt) of various mutations duly signed by the Patwari, details already given in above referred letter, have been maintained by the Patwari concerned in Moza Pakha Ghualm and Duranpur. It was also reported by Assistant Commissioner, Shah Alam, Peshawar, that there is a difference in serial numbers of Parrrt Patwar and Parrrt Sarkar of same mutation.

Based on above referred report, the services of Umar Farooq, Patwari Moza Pakha Ghukam were kept under suspension and Assistant Commissioner, Saddar was appointed as inquiry officer vide Deputy Commissioner, Peshawar, office order No.335/DC(P)/DK, dated.31-05-2023.

The inquiry officer, vide No. 355/AC Saddar/Inquiry, dated. 05-06-2023, established that the practice of keeping an additional mutation register is against law and rules and a Patwari is not allowed to issue certified copies of mutation to any person. In above referred inquiry report, it was also established that the Parrrt Sarkar of attested mutations were kept in Patwar Khana, though not on his own will, rather were sent back from the office of Naib Tehsildar. Assistant Commissioner, Saddar, in above refer inquiry report submitted that the accuse Patwari is guilty of misconduct in a limited manner.

**Proceedings**

Under **Rule-5(b) & Rule-10(1)** of KP Govt; Servants (Efficiency & Disciplinary) Rules-2011, the competent authority, vide order No.355/DC(P)/DK, dated. 08-06-2023, appointed the undersigned as Inquiry Officer to conduct inquiry against Umar Farooq Patwari (Under suspension).

Case file along with office order was received as per requirement of **Rule-10(2)**, of KP Govt; Servants (Efficiency & Disciplinary) Rules-2011, on 09-06-2023.

In pursuance of **Rule-11** of KP Govt; Servants (Efficiency & Disciplinary) Rules-2011, summon was issued in respect of Patwari (under suspension) Umar Farooq on 09-06-2023, vide this office No. 659-61/AC(HK)/Inquiry/Pakha Ghulam/169, dated.09-06-2023, to attend the office of undersigned on 12-06-2023, at 10:00 am, along with written statement.

On 12-06-2023, the above mentioned official attended this office. Charge Sheet was read over to him and was directed to submit written statement.


**Statement of Patwari Umar Farooq (Under suspension)**

Umar Farooq (under suspension), Patwari Halqa Pakha Ghulam, submitted his written statement on 16-06-2023, (**Annex-B**). In his statement, he has stated that additional pages for mutation No. 9306, 4128, 4129, 4131, 4134, 4124, 4125 & 4126 were being used for rough practice. He further stated that registry in the name Ikram Ullah, was kept for entrance of mutation but was pending for want of Parcha-Zaireen, from Sub-Registrar Office. Regarding differences in pages of Part Patwar and Part Sarkar, he stated that mutations registers have not been received from DK Office, for the last 03 months. They print it on their own and is unaware of the difference in serial number.



(19)

**THE ASSISTANT COMMISSIONER, HASSAN KHEL  
PESHAWAR**

Tel: 091-9211899, Fax: 091-9212303  DCPeshawar

8.	9315, 9316, 9319, 9321, 9326. Pakha Ghulam	Mutations attested on 19-05-2023, on basis of Power of Attorney, which have not been re-verified from Sub-Registrar office, regarding its validity.	Patwari Umar Farooq, Girdawar Haji Muhammad, Naib Tehsildar Muhammad Jamil.	As per Land Record Manual, Registry / Deed is to be re-verify by Sub-Registrar office.
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Discreet and secret inquiry was also made from current Patwari Halqa Pakha Ghulam, Girdawar Circle Haji Muhammad, Naib Tehsildar Muhammad Jamil and Reader to N.T Qaisar.

Perusal of Hadbast #165 (Roznamcha Karguzari) (Annex-C), of Halqa Pakha Ghulam, reveals that the Revenue Officer has not mentioned his Dorah Inteqalat on 19-05-2023, as against instructions contained in Land Record Manual.

During cross examination of the available Part Patwar & Part Sarkar, of Moza Duran-Pur and Moza Pakha Ghulam, it was revealed that both bear different printed serial number. This shows that loose pages are being binded in the mutation register and creates doubt.

As explained in above table, mutations have been attested on the basis of registered Power of Attorney. The registered Power of Attorney have not been re-verified from Office of Sub-Registrar, Peshawar. This is violation on part of Naib Tehsildar being the attesting officer as per **Para 7.16 of Chapter 07 of Land Record Manual**.

Under the **Section 41 (3)** of the W.P Land Revenue Act, 1967, each Patwari of an estate is tasked with maintaining a mutations register in the prescribed form, & prescribed register. Second, under the W.P Land Revenue Rules, 1968, Rule 72 prescribes several Forms that have to be maintained by the revenue staff. Among them Form XXXV relates to the Mutation register that has to be maintained. Of the 33 Forms prescribed in the Rule 72, none mentions of an additional mutation register for rough work or copying purpose. This is, thus, settled that the practice of keeping an additional mutation register is against the law & rules. This is also violation of **Para 7.7, Chapter-VII of Land record Manual**, where it is stated that "A new register should be opened only when the old register has been used-up.

During perusal of the record it was revealed that Naib Tehsildar Miraj carried out Dora Intilqalat on 28-02-2023 and 10-03-2023. Part Sarkar of Mutations No. 4102-4117 and Mutations No. 4086-4101 have been detached from mutation registers, but are not deposited in the Office Kanongo Office. This is clear violation of **Para 7.38 (iii), Chapter-VII, of Land Record Manual**, where it is stated that "the bundles of sheets should then be dispatched, or personally made over by attesting officer to the Tehsil Office Kanongo.

It was also revealed that current N.T Muhammad Jamil carried out Dora Intilqalat on 11-04-2023 and 19-05-2023. Part Sarkar of mutations were detached from register, but not submitted in the Tehsil Office Kanongo Office in violation of **Para 7.38 (iii), Chapter-VII, of Land Record Manual**, where it is stated that "the bundles of sheets should then be dispatched, or personally made over by attesting officer to the Tehsil Office Kanongo.

**Recommendations:**

As explained above in the mentioned table and the discrepancies and irregularities pointed out with details in the findings, the undersigned has come to the conclusion that Umar Farooq Patwari (under-suspension) is found guilty of inefficiency as explained in **Rule 2(i), of KP Government servants (Efficiency & Discipline) Rules, 2011**.

Moreover, he has been found guilty of violations of Rules / instructions explained in Chapter -03 of Land Record Manual as established above in findings.



**THE ASSISTANT COMMISSIONER, HASSAN KHEL  
PESHAWAR**

Tel: 091-9211899, Fax: 091-9212303 DCPeshawar

During cross examination he was asked :-

1. The Parrrt Sarkar of mutations attested on 28-02-2023 and 10-03-2023, are not available.
2. Mutations have been attested on basis on power of attorney, which have not been re-verified from Sub-Registrar Office, regarding its validity.

The Patwari under-suspension in his written reply submitted that Ijlas-e-Aam was held by N.T on 28-02-2023. Mutations were attested and were taken away along with original receipt and that the same have not been returned to him.

He has further submitted that the power of attorney were not re-verified as the persons involved in the attorney are personally known to him and are alive.

Naib Tehsildar Muhammad Jamil was summoned. He attended this office, marked his attendance on attendance sheet. He was asked about non submission of Parrrt Sarkar of the mutations and deposition of Taxes. He failed to satisfy the undersigned during cross examination. He was asked to submit his written statement which he didn't till this date.

**Findings:**

Under **Rule-12(b)** of KP Govt; Servants (Efficiency & Discipline) Rules- 2011, the documents / record of Patwar Khana and statement provided to this office were thoroughly perused. During record examination, discrepancies noted are given as detailed below:-

S.No	Document /Mutation	Issue / discrepancy	Responsible officer / official	Remarks
1.	4118 to 4121 Doran-Pur	No sign of Tehsildar on Parrrt Patwar. Entered on 16-03-2023 and verified by Girdawar Haji Muhammad. Parrrt Sarkar are not available.	Ex-N.T Dalazak Meraj.	It the duty of attesting officer (N.T) to sign both the Parrrt.
2.	4122 Doran-Pur	Printed No. on Parrrt Sarkar is 409/35, while on Parrrt Patwar is 2373/21. Difference in color noted.	Patwari Umar Farooq, Girdawar Haji Muhammad, Naib Tehsildar Muhammad Jamil.	Differences in Parrrt Patwar / Sarkar create doubts.
3.	4123 Doran-Pur	Printed No. on Parrrt Sarkar is 409/35, while on Parrrt Patwar is 2373/21. Difference in color noted.		Differences in Parrrt Patwar / Sarkar create doubts.
4.	4124 to 4129 Doran-Pur	There is difference of color and printed serial No. on Parrrt Patwar and Parrrt Sarkar	Patwari Umar Farooq, Girdawar Haji Muhammad, Naib Tehsildar Muhammad Jamil.	Differences in Parrrt Patwar / Sarkar create doubt.
5.	9301-9302 Pakh Ghulam	Printed No. on Parrrt Sarkar is 2373/21, while on Parrrt Patwar is 409/35. Difference in color noted.	Patwari Umar Farooq, Girdawar Haji Muhammad, Naib Tehsildar Muhammad Jamil.	Differences in Parrrt Patwar / Sarkar create doubt.
6.	9305 Pakha Ghulam	Tax 236C receipt not attached with Parrrt Sarkar. Mutation attested on 19-05-2023.	Naib Tehsildar Muhammad Jamil.	Revenue Officer (N.T) is responsible to ensure that taxes are deposited and receipts are attached before attestation.
7.	9322 Pakha Ghulam	Stamp duty receipt not attached with Parrrt Sarkar. Mutation attested on 19-05-2023	Naib Tehsildar Muhammad Jamil.	

*Arrested*  
*[Signature]*



THE ASSISTANT COMMISSIONER, HASSAN KHEL  
PESHAWAR

Tel: 091-9211899, Fax: 091-9212303 DCPeshawar

Therefore, it is recommended that the official concerned namely Umar Farooq may be proceeded against **Minor penalty** under **Section 4(a)** of the KP Government Servants (Efficiency & Discipline) Rules, 2011.

Furthermore, it has also been established in above mentioned findings that Ex-N.T Miraj & current N.T Muhammad Jamil Circle Dalazak failed to perform their duties efficiently, in violation of the instructions and rules as explained in Land Record Manual. They have thus, been found guilty of inefficiency as explained in **Rule 2(i)**, of KP Government servants (Efficiency & Discipline) Rules, 2011. Their non-submission of Part Sarkar of Mutations till this date, creates doubts about deposit of requisite mutation fee, levied therein. Therefore, it is recommended that both officials concerned namely Muhammad Jamil & Miraj may be proceeded against **Minor penalty** under **Section 4(a)** of the KP Government Servants (Efficiency & Discipline) Rules, 2011, and be banned for field postings.

This report consists of 04 pages is submitted along Annexure, please.


  
ASSISTANT COMMISSIONER,  
HASSAN KHEL, PESHAWAR.

Endst. No & date =even

Copy forwarded to:

1. The Additional Deputy Commissioner (G), Peshawar.

  
ASSISTANT COMMISSIONER,  
HASSAN KHEL, PESHAWAR.

*Attested*  


بیان مہر فاروق پور کا سابقہ صلحا پنڈ ملام دذلت پور ۱۹۶۵

نہ کھیل شاہ نام ضلع لیٹھا صاحب

جناب عالی

(i) معروف خدمت یون کے پیر اتباد لہ پور چھٹی پور ۲۴ مورخہ ۱۶/۱۱/۲۰۰۳ کو  
DC/PK وضع پنڈ ملام پور حکم صاحب کما دہ لیٹھا صاحب

(ii) مورخہ ۱۶/۱۱/۲۳ کو اصول چارج موضع پنڈ ملام وصول کر کے اپنی ڈیوٹی لہایت  
نیک نیت اور ایمانداری سے شروع کی جس میں پور لیو کی ڈیوٹی لہایت  
سرکار کے فی تقسیم دیگر متفرق لہایت شامل ہے۔

(iii) انتقال لہایت ۹۳۰۶ فی بابت عرض ساس یون کا مورخہ ۱۹/۰۵/۲۳  
جو کھیل اور صاحب نے مجلس عام دورہ کا انعقاد کیا جس میں یہ انتقال منظور  
ہو کر داخل دفتر کیا گیا افاضہ لہایت کی بابت معروف خدمت یون کو بعد میں  
کبھی کبھار ریف پریکٹس یا خوشا خطما کے لئے استعمال ہوا تھا جو کہ بعد میں  
چھٹی کر کوٹ اوان میں ڈال دیا تھا ۹۳۰۶ کی افاضہ لہایت پر کسی کبھی ہائی  
یا مشنری یا تو امان کے انگلش یا دستخط شدہ لہایت اور نہ ہی حکم مال کے کسی آفیسر  
کے دستخط موجود ہیں لہایت کچن کے کوٹ اوان سے بدوران انپکشن لہایت مدتی لہایت  
میں دیکھا ڈرام سے نہیں ملا۔

(iv) اسی طرح انتظامات لہایت ۴۱۲۸، ۴۱۲۹، ۴۱۳۱، ۴۱۳۴، ۴۱۲۴، ۴۱۲۵، ۴۱۲۶  
موضع بدوران پور کی بابت عرض ساس یون کے مذکورہ انتظامات مجلس عام دورہ میں  
کھیل اور صاحب نے ۱۹/۰۵/۲۳ کو منظور کیے ہیں اور جو افاضہ لہایت کچن کے کوٹ اوان  
سے ملے ہیں وہ کبھی میں اپنے ریف پریکٹس اور خوشا خطما کے لئے استعمال کرنا تھا جس پر  
کسی کبھی ہائی یا مشنری کے اتلغف کچھ ثابت لہایت -

(v) ریفری کی بابت عرض ساس یون کے ریفری مذکورہ اکرام اللہ نامی شخص نے پور خانہ کو دیا  
رانڈرائج انتقال کے لئے چھوٹی کھٹی لیکن ریفری صفا پر لہایت ریفری / لہایت ریفری سب ریفری  
صاحب کی طرف سے جاری ہے کسی کھٹی کھٹی نو آرام اللہ نامی مالک اور سے شلی فونک و ایچ کر کے  
اطلاعیات دی گئی ہیں کہ سب ریفری آصاب سے لہایت ریفری جاری ہونے کے افعالیات صادر ہونے  
نام سرکار کھیل میں تکمیل مکمل ہوئے۔

فادری  
۱۶/۱۱/۲۳

P.T.O

(vi) تحت عدلان انتقال کی بابت عرض رساں یونٹ نم 10 لا انتقال لبرو انتقال نمبر 4130 ضابطہ سید قدیم نام تحت عدلان نمبر 13 میں طفیل پیو اور صاحب کا ذکر اس لیے کیا گیا تھا کہ عدلان انتقال کو پیو خانہ کو میں طفیل پیو اور صاحب کے لیے کیا گیا تھا۔

(vii) جو کھٹا پیو خانی فقہ کین کے طور ان سے ملا ہے اس پر نوہ دفعہ عدلان انتقال کے ضابطہ یا ماہیت لبرو کے طور ان سے ملا ہے اس پر نوہ دفعہ عدلان انتقال کے لیے استعمال اور نہ ہی اس سے منع ہے ان دفعوں میں یہ خالی رہ گیا تھا جو کہ خوشنوی کے لیے استعمال ہوتے تھے۔

(viii) 9305, 9307, 9311 اور 9322 کی بابت عرض رساں یونٹ نم 10 لا انتقال کے طور پر 19/05/2023 کو جلسہ عام وعدہ میں غلطی کے لیے ذرا استعمال لیا گیا تھا جو عدلان انتقال کے لیے کبھی نہیں کیا گیا تھا۔

(ix) لبرو پیو اور سرکار سید رفیع بلز طرف کی بابت عرض رساں یونٹ نم 10 لا انتقال کے طور پر 19/05/2023 کو جلسہ عام وعدہ میں غلطی کے لیے ذرا استعمال لیا گیا تھا جو عدلان انتقال کے لیے کبھی نہیں کیا گیا تھا۔

(x) لبرو عدلان کے بارے میں عدلان انتقال کے طور پر 19/05/2023 کو جلسہ عام وعدہ میں غلطی کے لیے ذرا استعمال لیا گیا تھا جو عدلان انتقال کے لیے کبھی نہیں کیا گیا تھا۔

Attested

16/06/2023

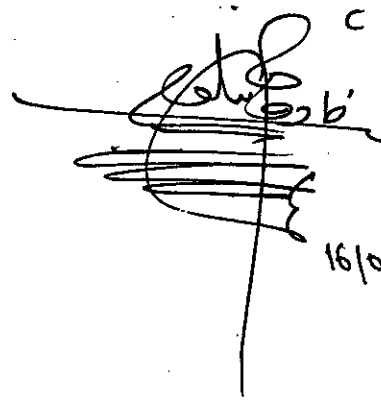



جناب عالی

خوردہ 28/02/23 کو مجلس عام کے اجلاس میں ذرورہ کیا اور مذکورہ لاٹھی اور دست  
 پر بالغان مضران کے بیان طلمند کیے اور ٹھہر لے اور جیل رسیدات صیانت کر کے  
 منقولہ ضما کر اپنے ساتھ لے گئے اور ریڈیو قیصر کو انٹری کے لیے دئے گئے تھے  
 لہذا ان قبیحی کسی نے ٹھہر جاتے تو انہیں لے کر اور انہیں لے کر دینا ایک  
 کے تحت منقولہ شدہ انتظامات کہیں کبھی سوارسی صلہ و واپس لے گئے تھے۔  
 صیا ٹھہر جاتے تو بابت اللہ تعالیٰ کو خاطر ناظر جان کر لکھنا ہوتا کہ میں اس بابت راہ علم ہونا  
 میں نے ہر وجہ سے اس بابت میں کوئی اطلاع نہیں ہے۔

(Xii)

مختیار نامہ جات و بابت حسب ذیل عرض کرنا ہوتا کہ جو لاٹھی اور مختیار گرفتار  
 مختیار نامہ جات و بابت عرض کرنا ہوتا کہ مختیار گرفتار شدہ اور مختیار نامہ جات و بابت  
 کو زانیہ طور پر جانتا ہوں جو کہ اس وقت زندہ ہے اور جیسا مختیار نامہ جات و بابت  
 پانچ ہفتہ کو لپٹا جاتا تھا تو اس کو بے خبر اور اس وقت گرفتار کیا گیا ہے۔  
 مالک اران پختہ ملام کو صراحتی طور پر جانتا ہوں۔

لہذا یہ بھی صراحت ہے  
  
 16/03/23

AHESAD  


نہ ۱۶ مئی ۲۰۲۳ بروز بدھ

آج کے روزِ حلقہ میں متفرقہ تحصیل کراچی اور ضلع انڈیا فرانت ہلوانہ میں  
گشت لگایا اور عملہ کی کٹائی بدلتی چلتی رہی \*

274

نہ ۱۵ مئی بروز جمعرات

پنجاب میں بدلتی چلتی رہی اور ضلع انڈیا میں متفرقہ تحصیل کراچی اور ضلع انڈیا فرانت ہلوانہ میں  
گشت لگایا اور عملہ کی کٹائی بدلتی چلتی رہی \*

275

نہ ۱۷ مئی بروز جمعرات  
پنجاب میں بدلتی چلتی رہی اور ضلع انڈیا میں متفرقہ تحصیل کراچی اور ضلع انڈیا فرانت ہلوانہ میں  
گشت لگایا اور عملہ کی کٹائی بدلتی چلتی رہی \*

276

آج کے روزِ حلقہ میں متفرقہ تحصیل کراچی اور ضلع انڈیا فرانت ہلوانہ میں  
گشت لگایا اور عملہ کی کٹائی بدلتی چلتی رہی \*

نہ ۲۰ مئی بروز جمعرات

آج کے روزِ حلقہ میں متفرقہ تحصیل کراچی اور ضلع انڈیا فرانت ہلوانہ میں  
گشت لگایا اور عملہ کی کٹائی بدلتی چلتی رہی \*

277

نہ ۲۱ مئی بروز جمعرات

آج کے روزِ حلقہ میں متفرقہ تحصیل کراچی اور ضلع انڈیا فرانت ہلوانہ میں  
گشت لگایا اور عملہ کی کٹائی بدلتی چلتی رہی \*

278

نہ ۲۲ مئی بروز جمعرات

آج کے روزِ حلقہ میں متفرقہ تحصیل کراچی اور ضلع انڈیا فرانت ہلوانہ میں  
گشت لگایا اور عملہ کی کٹائی بدلتی چلتی رہی \*

279



Handwritten signatures and scribbles at the bottom of the page.

9	8	7	6	5	4	3	2	1
کثرت	کام تمام ہوتا ہے	کارگذاری طے						
		آخری نمبر جس پر روزوار کا	تعداد راجہ پورے جو	تعداد کھجور جات	تعداد کھجور پورے جو	تعداد راجہ پورے جو	تعداد کھجور جات	
							پہلے روز کوئی اور	19/05 2023 پہلے روز کوئی اور
							پہلے روز کوئی اور	20/05 2023 پہلے روز کوئی اور
							پہلے روز کوئی اور	21/05 2023 پہلے روز کوئی اور
							پہلے روز کوئی اور	22/05 2023 پہلے روز کوئی اور
							پہلے روز کوئی اور	23/05 2023 پہلے روز کوئی اور
							پہلے روز کوئی اور	24/05 2023 پہلے روز کوئی اور

GS&PD-Khyber Pakhtunkhwa - 1587/199 - Land Records - 400 Registers - 8.5.2015 - (Land Record Naqsh-e-Karguzari)

*Attested*  
*[Signature]*



بیان، محمد حسین خان نائب قیدار دہرا دار

Annexure (B)

ضابطہ کی ہے تعیناتی 16/3/2023 کو سے خارج لیا تھا۔ تعیناتی

کے بعد سے اپنے ایڈر عتیق خان کو ثابت انتقال

کو کہہ دیا تھا تو انہوں نے کوئی جواب نہیں دیا۔

جس پر ایڈر عتیق خان نے جواب دیا کہ اس میں کوئی چیز

نہیں ہے۔ اس کے بعد اس نے جواب دیا کہ اس میں

کوئی چیز نہیں ہے۔ اس کے بعد اس نے جواب دیا کہ اس میں

کوئی چیز نہیں ہے۔ اس کے بعد اس نے جواب دیا کہ اس میں

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کوئی چیز نہیں ہے۔ اس کے بعد اس نے جواب دیا کہ اس میں

کوئی چیز نہیں ہے۔ اس کے بعد اس نے جواب دیا کہ اس میں

کوئی چیز نہیں ہے۔ اس کے بعد اس نے جواب دیا کہ اس میں

کوئی چیز نہیں ہے۔ اس کے بعد اس نے جواب دیا کہ اس میں

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کوئی چیز نہیں ہے۔ اس کے بعد اس نے جواب دیا کہ اس میں

نائب قیدار محمد حسین خان دہرا دار

محمد حسین خان

محمد حسین خان

بیان محمد عیسیٰ نائب تحصیلدار سرائی دربار

بین زمیوں - کہ میں طوائفہ 29/5/2023 کو ایک ٹیم کے ساتھ

حلہ بھیر سنگھ گیا۔ پورا اہل حقہ موجود تھا۔ قبل ازین اٹھتے تھے اور

نے بھی ٹیم کی تھی۔ اور اور زمین کو سیر کیا تھا۔ میں نے

صالحہ افسران باہر اصرار و مدد مانگا۔ انکار کیا گیا۔

اور اہل قریبی اہل علاقہ زائد اور ان بننے سے۔ اور

اور زمین کو خرید گیا۔ سزا رسید کمانڈر ہے۔ کہ

میں نے صرف ایک ہی ایک زمین کی ملکیت میں لیا ہے

سزا کی وجہ سے فقور قرار دیا گیا اور اس کی جاگ

سزا قرار دیا گیا۔ یہ سراسر بیان ہے ڈائری میں صفحہ 6/2023

ATP

محمد عیسیٰ نائب تحصیلدار

Attested

[Signature]

بیان حقوقی ایئر انڈیا کے قیدیوں کے لئے

بیان کریں کہ ایئر انڈیا کے قیدیوں کے لئے

دفتری امور کے حوالہ سے ایئر انڈیا کے قیدیوں کے لئے

رہنما کی حیثیت سے ایئر انڈیا کے قیدیوں کے لئے

حق کی بنیاد پر ایئر انڈیا کے قیدیوں کے لئے

سے ایئر انڈیا کے قیدیوں کے لئے

تین ایئر انڈیا کے قیدیوں کے لئے

6. ایئر انڈیا کے قیدیوں کے لئے

ایئر انڈیا کے قیدیوں کے لئے

ایئر انڈیا کے قیدیوں کے لئے

ایئر انڈیا کے قیدیوں کے لئے

2/6/2023

ایئر انڈیا کے قیدیوں کے لئے

2/6/2023

Attested

بیان حالی جو لڑا اور اس کی تین منج

صدا علی بیانی ہوں کہ میں اور فقید اس سرسری دروازے کو فتح کروا 29/2023

کوہ پٹ ٹرانا دستہ تین منج لکھواں حکم ملے وقت لیا

جمعے کے ریفائلنگ کی ٹرانا لگی۔ جب حکم انہوں نے لیا

ریفائلنگ میں لیا۔ جمع کو کوئی انفالٹ وغیرہ نہیں ملے؟


لہذا دروازے کا انہوں نے یہ حکم فقید کے پاس لے لیا ہوا ہے۔

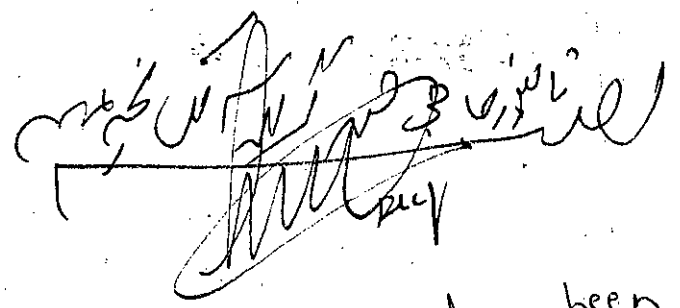
اس کا کچھ بھی ہو جاتا ہے۔ انہوں نے کہا ہے۔

میرے طرف کھینچ لیا اور کوئی ایجنٹ نہ تھا یہ خبر ان

یا انہوں نے لکھی ہے۔ لہذا اس کے انہوں نے یہ حکم

منتہی لیا ہے۔ نوواں ہوں 02/06/2023

Attest  




statement has also been made part of

بیان قیصر خان سابقہ ریٹائرڈ نائب تحصیلدار سرکل دلہ زاک تحصیل شاہ عالم ضلع لہشاہ

حلفاً بیان کرتا ہوں۔ کہ بحیثیت ریٹائرڈ نائب تحصیلدار سرکل دلہ زاک تحصیل شاہ عالم  
بات تھا۔ دفتری امور کے ہمراہ منتقلات کے موقعہ پر ہائے رجسٹر فیس  
انتقالات میں درج کرتا تھا۔ اسی طرح موقعہ پر ہائے انتقالات ضلع  
نظام بھی میں نے مصراج خان (NTD) کے حکم پر رجسٹر فیس انتقالات  
پر درج کر کے بعد ازاں مصراج خان (NTD) کے حکم پر بیٹواری عمر فاروق کو  
رائے جسیاں کرنے ٹیکسی رسیدات لوالہ کئے تھے۔ جو کہ تا حال بیٹواری کے تحویل  
میں تھے۔ بعد ازاں دیانی کی۔ کہ موقعہ پر ہائے واپس کرے۔ تاکہ داخل  
دفتر ہو سکے۔ مگر بے سود موقعہ پر ہائے فی الوقت بدستور بیٹواری ضلع مذکور  
تحویل میں تھے۔ دیگر موقعہ جات بوجہ حوالہ اس قانون کو کئے تھے۔  
لائی ہذا محمد جمیل نائب تحصیلدار دلہ زاک کے موقعہ جات کا اندراج التوا میں تھی۔

میں نے سابقہ نائب تحصیلدار مصراج خان و بیٹواری ضلع عمر فاروق کو کئی مرتبہ  
موقعہ جات واپس کرنے کا کہا۔ مگر باوجود یاد دیانی کے موقعہ واپس نہیں کئے۔  
ل عمر فاروق سابقہ بیٹواری ضلع کے تحویل میں تھے۔ موقعہ انتقالات کی تفصیل  
ل انٹری رجسٹر فیس انتقالات لفیا ہے۔ جو کہ (2) اوراق پر مشتمل تھیں

قیصر خان (سابقہ ریٹائرڈ)

نائب تحصیلدار دلہ زاک  
تحویل شاہ عالم ضلع لہشاہ

15/06/23

Attest



موجودہ بارے انتظامات خلقہ کے بارے میں معلومات کے علاوہ دیگر معلومات کے علاوہ درج ذیل امور ثابت انٹو انٹری

تاریخ تصدیق	تعداد کل انتظامات	کل مالیت	بیٹھاری	تفصیلات	کنفیٹ
28/2/2023	(19) عدد	= 37,778,000/-	عمر فاروق	معراج خان	
28/2/2023	(17) عدد	= 54,718,000/-	عمر فاروق	معراج خان	
10/3/2023	(26) عدد	= 63,085,000/-	عمر فاروق	معراج خان	
10/3/2023	(14) عدد	= 24,500,000/-	عمر فاروق	معراج خان	
11/04/2023	(4) عدد	= 10,800,000/-	عمر فاروق	محمد جمیل	
11/04/2023	(2) عدد	—	عمر فاروق	محمد جمیل	
19/5/2023	(22) عدد	= 44,658,000/-	عمر فاروق	محمد جمیل	
19/5/2023	(11) عدد	= 21,068,000/-	عمر فاروق	محمد جمیل	
16/3/2023	(45) عدد	= 88,034,000/-	محمد طفیل	معراج خان	
16/3/2023 (22)	(41) عدد	= 65,582,000/-	محمد طفیل	معراج خان	

Checked  
1/11



**THE DEPUTY COMMISSIONER, PESHAWAR**

Tel: 091-9212301-02, Fax: 091-9212303, DCPeshawar

No. 398 /DC(P)/DK

Dated: 21-06-2023

To

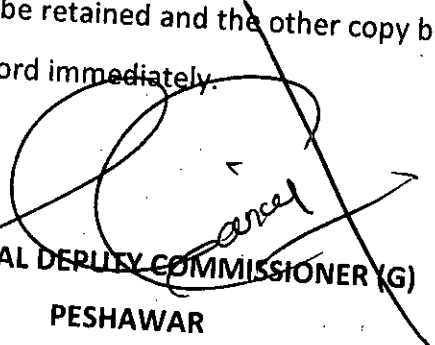
Mr. Umar Farooq,  
Patwari (under suspension),  
(the then Patwari Pakha Ghulam), Peshawar

Subject: SHOW CAUSE NOTICE

Memo:

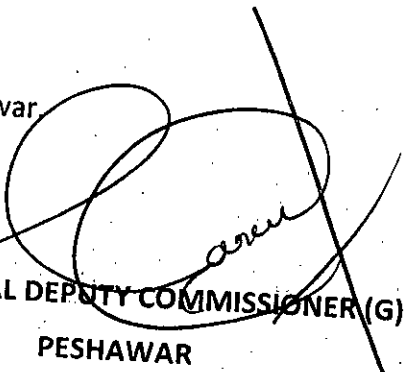
Enclosed please find herewith 2 copies of "SHOW CAUSE NOTICE" alongwith copy of Enquiry Report with the direction that one copy may be retained and the other copy be signed as a token of receipt and returned to this office for record immediately.

Encls:(As above)

  
ADDITIONAL DEPUTY COMMISSIONER (G)  
PESHAWAR

Endst: No. and Date Even:

Copy to the PS to Deputy Commissioner, Peshawar.

  
ADDITIONAL DEPUTY COMMISSIONER (G)  
PESHAWAR

*Arrested*  
*12/11*

**SHOW CAUSE NOTICE**

I, **SHAH FAHAD, Deputy Commissioner Peshawar**, as competent authority, under the Khyber Pakhtunkhwa Govt. Servants Efficiency and Discipline Rules 2011, do hereby Charge you, **Mr. Umar Farooq Patwari (under suspension) (the then Patwari Halqa Pakha Ghulam)** as follows:

1. (i) That consequent upon the completion of inquiry conducted against you by the inquiry officer/Assistant Commissioner Hassan Khel Peshawar for which you were given opportunity of hearing.
- (ii) on going through the findings and recommendations of the inquiry officer the material on record and other connected papers including your defence before the inquiry officer.

I am satisfied that you have committed the following acts/omissions specified in rule 3 of the said rules:

- (a) Inefficient
- (b) Guilty of misconduct;
- (c) Guilty of corruption.

2. As a result thereof, I, as Competent authority, have tentatively decided to impose upon you the penalty of compulsory retirement under rule 4(1)(b)(ii) of the said rules.
3. You are, thereof, required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.
4. If no reply to this notice is received within seven days or not more than fifteen days of its delivery, it shall be presumed that you have no defence to put in and in that case an ex-parte action shall be taken against you.
5. A copy of findings of the inquiry officer is enclosed.

*Attested*  
*[Signature]*

*[Signature]*  
 (SHAH FAHAD)  
**DEPUTY COMMISSIONER**  
 (Competent Authority)

21/6/23

To

The Worthy Deputy Commissioner,  
Peshawar.

**Subject:** Reply to show cause Notice.

**Respectfully Sheweth;**

The show cause notice bearing date 21.06.2023, duly received on 10.07.2023, which legally require my reply.

**Preliminary Objections:**

*Sk  
Fouad  
Pulay  
17/7/23*

1. Initially the inquiry was initiated by a biased officer i-e: Assistant Commissioner Shah Alam, Peshawar, who acted upon on an anonymous complaint against law.
2. That legally no proceedings can be initiated on an anonymous complaint as being a public officer holder cannot be left a mercy of superior officers and public at large.
3. That your good office on the recommendation of a biased officer initiated an inquiry under the Government Servant (Efficiency and Disciplinary) Rules 2011 and put me under suspension. Whereas the rule 3 of the mentioned rules that a government Servant shall be liable to proceed against in a case of inefficiency, guilty of misconduct, guilty of corruption, guilty of habitual absentia, engage/associated in subversive activities or enter into a plea bargain under any law, however the undersign was not informed of the above allegations as per rules, so that he could have replied to such allegations at the time of inquiry.
4. That the nominated committee was subordinate to your good office, whose ACR'S are directly subvert to your finding, therefore impartiality cannot be adheres at the time of conclusion.
5. That for the initiation and conclusion of an impartial finding from the inquiry committee duly required that such inquiry may be conducted

(26)

through an impartial committee which may be nominated from the neighboring district.

6. That it is due requirement of law where more than one officer is involved in any particular offence, a joint investigation team may be constituted for a fair and impartial results. This request was also forwarded by the wealthy senior member of board but your good office also ignored the same.
7. That without providing the grounds for proceedings a particular incident should have been reflected in the instant show cause, so only then the undersign would have been in a position to reply the same.

**Reply to Show cause:**

1. That the show cause duly provided is rather a charge sheet against the answering employee instead of providing a chance to the undersign to defend himself as it does not describe any allegations.
2. That it is pertinent to mention that AC Shah Alam via letter no.505/AC (SA) dated 31.05.2023 stated that he had a surprise visit to Moza Pakka Ghulam and Moza Duranpur but didn't indicate the time and purpose of his visit, while going through the official record at the office of undersign. As for such kind of visit a private individual complaint or permission from superior office was essential, however both these essential factors were missing in the instant case.
3. That on his recommendation you acted upon immediately to put me under suspension on the same date without even bothering to take my version, while inquiry officers were nominated to conduct an inquiry with immediate effect. The dates of the surprise visit of Assistant Commissioner Shah Alam and the suspension order from your office are one and the same i.e. 31.05.2023.
4. That the inquiry officers in the matter duly nominated by your good office was Assistant Commissioner Saddar, to whom the undersign duly provided a written statement duly stating that the undersign has always performed his duty diligently and there has not been a single complaint against me by any individual that I has dealt with during my posting,

further suggesting that I was found guilty of misconduct in a limited manner as no malpractice was found against me and recommended a minor penalty of censure to be imposed, however your good office duly didn't accept the recommendations of your nominated inquiry officers and did not endorse the findings and recommendations instead suggested a comprehensive inquiry under the Government Servant Efficiency and Disciplinary Rules 2011 for the same.

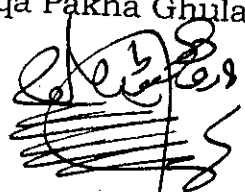
- 5. That the charge sheet/show Cause duly indicate the findings of inquiry officer/assistant Commissioner Hassankhel but does not disclosed the findings of inquiry officer/Assistant Commissioner Saddar and under what circumstances the findings of Assistant Commissioner Saddar was not accepted.
- 6. That mentioned on going finding and recommendation of the inquiry officer the material provided does not disclosed the cause of allegation. As not a single complaint alleged me for any offence.
- 7. As your alleged charges mentioned in Show Cause is bear reproduced from the E & D Rules 2011 but not a single allegation been provided pertaining to inefficiency guilty of misconduct and guilty of corruption. The rules ibed duly explain the same in collum of Definition Rule 2 of E & D Rules 2011. I had not committed any of the offence mentioned in Rule 3 of E & D Rules 2011.
- 8. I will be more than happy to reply if an alleged allegation leveled against me i.e. inefficiency, guilty of misconduct and guilty of corruption if any particular incident or any individual be brought against me.
- 9. That your good office has already tentatively decided to impose a penalty of compulsory retirement under Rule 4 (1) (b) (ii) of Efficiency and Disciplinary Rules 2011 but that too despite of the fact that not a single charge of inefficiency been brought on record which may confirm my inefficiency, similarly I am also alleged with guilty of misconduct but as provided in Section 2 (i) of Efficiency and Disciplinary Rules 2011. Not a single incident may can be report against me where I allegedly failed to efficiency perform functions assigned to me as a Government Servant while discharging my duties. Further I am alleged with guilty of

corruption through your show cause notice but again no single complaint has been brought forwarded to allege me with corruption. The corruption determined in Section 2 (g) of Efficiency and Disciplinary Rules 2011 cannot be attributed against me.

It is therefore, most humbly requested, that the proceedings initiated against me under Efficiency and Disciplinary Rules 2011 on anonymous complaint does not fulfill the criteria as mentioned in Section 2 (g) (i) and (l) of Efficiency and Disciplinary Rules 2011 may please be struck down, said show cause notice being biased without declaring the findings of Assistant Commissioner Saddar be set aside and an illegal Suspension order issued against me may also be recalled forthwith.

Thanking you

Umar Farooq  
Patwari Halqa Pakha Ghulam

  
14/07/2023

Attested  




Annex - I

29

**THE DEPUTY COMMISSIONER, PESHAWAR**

Tel: 091-9212301-02, Fax: 091-9212303, DCPeshawar

No. 452 DC(P)/DK

Dated: 25 July-2023

To: Mr. Umar Farooq,  
Patwari (under suspension), DC office Peshawar.


Subject: **PERSONAL HEARING**

Reference your reply dated 17-07-2023 to the Show Cause Notice issued to you.

The worthy Deputy Commissioner has fixed date for personal hearing on 27/07/2023 at 10:00 am.

You are hereby directed to appear before the worthy Deputy Commissioner Peshawar for personal hearing on the date and time mentioned above positively.

  
ADDITIONAL DEPUTY COMMISSIONER (G)  
PESHAWAR

Attested  




GIT (D. Amra-50)

To

Senior Member Board of Revenue (SMBR),  
Khyber Pakhtunkhwa, Peshawar.

General No. 517  
Date 10/7/23  
Revenue & Estate  
Khyber Pakhtunkhwa

AS(E)

**Subject: APPLICATION FOR CHANGING THE INQUIRY OFFICER, DULY NOMINATED BY THE DEPUTY COMMISSIONER CONCERNED AGAINST THE APPLICANT.**

Respected Sir,

That the applicant has served as Patwar in Patwar Khana Pakha Ghulam Peshawar. On 31<sup>st</sup> May, 2023, Assistant Commissioner Peshawar had made a surprise visit to the Patwar Khana of the applicant without intimation to the applicant, similarly no information was rendered to the concerned Girdawar and concerned Tehsildar. A one sided inquiry was conducted, where the version of the applicant was not brought on record. The mentioned Assistant Commissioner reported the matter to the concerned Additional Deputy Commissioner and request for initiating a departmental inquiry against the applicant. Mere on the anonymous application, a departmental inquiry cannot be initiated, but despite that the concern Additional Deputy Commissioner formulated a committee to investigate the matter, and after the findings of the Inquiry Committee duly suggested a minor penalty for the applicant. Your good office also intimated to the Additional Deputy Commissioner for stopping of the investigation forthwith as a joint investigation team is duly required, where more than one officer is involved for a similar offence, **BUT** the respected Additional Deputy Commissioner had neglected the letter from this office and the committee was directed to continue investigation. **NOW** the applicant is clear in his thoughts by keeping in view the conduct of the Additional Deputy Commissioner who had nominated his subordinate for conducting of inquiry that a major penalty will be suggested against the applicant. Therefore the applicant duly suggest and request to your respected office, that an inquiry officer may kindly be substituted with a competent officer from a neighboring District who may not be in direct control of the concerned Additional Deputy Commissioner. So that an impartial inquiry in the matter can reached to a conclusion.

Secy-3

MBR TH  
10/7/23

Ex-VII

7.10.23

Documents Attached.

Thanking you in anticipation.

Applicant

*[Handwritten Signature]*

**UMER FAROOQ S/O IJAZ HUSSAIN**  
R/o Nishtarabad, Sikandarpara,  
Mohalia Islamabad, Tehsil & District Peshawar.

*[Handwritten Signature]*  
10/7/2023

*[Handwritten Signature]*

*[Handwritten Signature]*

G. II (Better Copy)

42

**BETTER COPY OF THE PAGE NO.**

To

Eminent,  
Senior Member Board of Revenue (SMBR),  
Khyber Pakhtunkhwa, Peshawar.

Subject: **APPLICATION FOR CHANGING THE INQUIRY OFFICER,  
DULY NOMINATED BY THE DEPUTY COMMISSIONER  
CONCERNED AGAINST THE APPLICANT**

Respected Sir,

That the applicant has served as Patwari in Patwar Khana Pakha Ghulam Peshawar. On 31 May, 2023, Assistant Commissioner Peshawar had made a surprise visit to the Patwar Khana of the applicant without intimation to the applicant, similarly no information was rendered to the concerned Girdawar and concerned Tehsildar. A one sided inquiry was conducted, where the version of the applicant was not brought on record. The mentioned Assistant Commissioner reported the matter to the concerned Additional Deputy Commissioner and request for initiating a departmental inquiry against the applicant. Mere on the anonymous application, a departmental inquiry cannot be initiated, but despite that the concern Additional Deputy Commissioner formulated a committee to investigate the matter, and after the findings of the Inquiry Committee duly suggested a minor penalty for the applicant. Your good office also intimated to the Additional Deputy Commissioner for stopping of the investigation forthwith as a joint investigation team is duly required, where more than one officer is involved for a similar offence, BUT the respected Additional Deputy Commissioner had neglected the letter from this office and the committee was directed to continue investigation. NOW the applicant is clear in his thoughts by keeping in view the conduct of the Additional Deputy Commissioner who had nominated his subordinate for conducting of inquiry that a major penalty will be suggested against the applicant. Therefore the applicant duly suggest and request to your respected office, that an inquiry officer may kindly be substituted with a competent officer from a neighboring District who may not be in direct control of the concerned Additional Deputy Commissioner. So that an impartial inquiry in the matter can reached to a conclusion.

Thanking you in anticipation.

Applicant

UMER FAROOQ S/O IJAZ HUSSAIN  
R/o Nishtarabad, Sikandarpura,  
Mohala Islamabad, Tehsil & District Peshawar.

Attested  
[Signature]

9TH 130  
Annex-K  
35

GOVERNMENT OF KHYBER PAKHTUNKHWA,  
BOARD OF REVENUE,  
REVENUE & ESTATE DEPARTMENT.

REVENUE

71-71428

Peshawar Dated the 21/11/2013

No. FRC VII (C) Peshawar/2013 17276-87

To

The Deputy Commissioner,  
Peshawar

SUBJECT: APPLICATION FOR CHANGING THE INQUIRY OFFICER, DULY  
NOMINATED BY THE DEPUTY COMMISSIONER, CONCERNED  
AGAINST THE APPLICANT

Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of an application alongwith its enclosure submitted by Umer Farooq Halqa Patwari Pakha Ghulam Tehsil & District Peshawar and to state that Section-2 (1)(f)(ii) of Government of Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011, revealed that "Provided that where two or more Government servants are to be proceeded against jointly, the competent authority in relation to the accused Government servant senior most shall be the competent authority in respect of all the accused".

It is, therefore, requested to provide draft charge sheet alongwith statement of allegations and other supporting documents against Mr. Jameel Naib Tehsildar, Miraj Naib Tehsildar and Umar Farooq Patwari Pakha Ghulam to enable this Department to initiate departmental proceedings under the Government Servants (Efficiency & Discipline) Rules, 2011 please.

(NOOR KHAN)  
Assistant Secretary (Estt)  
Board of Revenue

No. & Date Even.

Copy forwarded to the submitted by Umer Farooq s/o Ijaz Hussain r/o Nishtarabad, Sikandarpura Mohallah Islamabad, Tehsil & District Peshawar for information.

(NOOR KHAN)  
Assistant Secretary (Estt)  
Board of Revenue

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(44)

**BETTER COPY OF THE PAGE NO.**  
**GOVERNMENT OF KHYBER PAKHTUNKHWA.**  
**BOARD OF REVENUE,**  
**REVENUE & ESTATE DEPARTMENT.**

No. Esst:VII/Com/Peshawar/2023/7086-87 Peshawar Dated the 21/07/2023

To

The Deputy Commissioner,  
Peshawar

**SUBJECT: APPLICATION FOR CHANGING THE INQUIRY OFFICER,**  
**DULY NOMINATED BY THE DEPUTY COMMISSIONER,**  
**CONCERNED AGAINST THE APPLICANT.**

Sir,

I am directed to refer to the subject noted above and to enclose herewith a copy of an application alongwith its enclosure submitted by Umer Farooq Halqa Patwari Pakha Ghulam Tehsil & District Peshawar and to state that Section-2 (1)(f)(ii) of Government of Khyber Pakhtunkhwa (Efficiency & Discipline) Rules, 2011, revealed that ***"Provided that where two or more Government servants are to be proceeded against jointly, the competent authority in relation to the accused Government servant senior most shall be the competent authority in respect of all the accused"***

It is, therefore, requested to provide draft charge sheet alongwith statement of allegations and other supporting documents against Mr. Jameel Naib Tehsildar, Miraj Naib Thilder and Umar Farooq Patwari Pakha Ghulam to enable this Department to initiate departmental proceedings under the Government Servants (Efficiency & Discipline) Rules, 2011 please.

(NOOR KHAN)  
Assistant Secretary (East)  
Board of Revenue

No & Date Even

Copy forwarded to the submitted by Umer Farooq s/o Ijaz Hussain r/o Nishtarabad Sikandarpur Mohallah Islamabad, Tehsil & District Peshawar for information.

(NOOR KHAN)  
Assistant Secretary (East)  
Board of Revenue

Handwritten signature  
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THE DEPUTY COMMISSIONER, PESHAWAR

Tel: 091-9212301-02, Fax: 091-9212303, DC Peshawar

No. 523 DC(P)/DK

Dated: 07<sup>th</sup> August-2023

ORDER:

WHEREAS, Mr. Umar Farooq, Patwari Halqa Pakha Ghulam was placed under suspension vide order No.335/DC(P)/DK dated 31-05-2023 upon the inspection report of the Patwar Khana made by Assistant Commissioner Shah Alam Peshawar reporting major discrepancies and irregularities and Assistant Commissioner Saddar was appointed as enquiry officer.

AND WHEREAS, the Assistant Commissioner Saddar Peshawar/enquiry officer submitted his preliminary enquiry report vide No.355/AC Saddar/Inquiry dated 05-06-2023 confirming the discrepancies but recommending minor penalty on the accused Patwari for his negligence. The enquiry report was not endorsed as record was not properly analyzed.

AND WHEREAS, a formal/comprehensive enquiry was ordered vide No.355/DC(P)/DK under Khyber Pakhtunkhwa Government Servant (Efficiency & Discipline) Rules 2011 and Assistant Commissioner was appointed as enquiry officer and proper charges/statement of allegations were served upon the accused Patwari.

AND WHEREAS, the Assistant Commissioner Hassan Khel Peshawar/enquiry officer submitted his enquiry report vide No.717-18/AC (HK)/Umar Farooq/169 dated 16-06-2023 pointing out many glaring irregularities and found him guilty of inefficiency and recommended imposition of minor penalty upon the accused official under Rule 4(1)(a) of Khyber Pakhtunkhwa Govt. Servants (Efficiency & Discipline) Rules 2011.

AND WHEREAS, a Show Cause Notice was served upon the accused official vide No.398/DC(P)/DK dated 21-06-2023 which was duly replied on 17-07-2023 and subsequently hearing was fixed on 27-07-2022, and the accused official was heard in person on the said date, wherein he could not put any defense against the statement of allegations both in his written reply as well as in the said personal hearing.

NOW THEREFORE, keeping in view the findings of the Inquiry officer, reply of the official, perusing the record and action of the accused Patwari resulted in loss to Govt. exchequer as well as infringement on the rights of people, I, Shah Fahad, Deputy Commissioner Peshawar in the capacity as Competent Authority impose major penalty of "Compulsory Retirement" upon Mr. Umar Farooq Patwari, under Rules 4(b)(ii) of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011, with immediate effect.

DEPUTY COMMISSIONER  
PESHAWAR

07-08-23

Endst: No. and Date Even:

- (i) Assistant Commissioner Hassan Khel, Peshawar/enquiry officer w.r.t. his enquiry report.
- (ii) Accounts Officer of DC office for necessary action.
- (iii) PS to Deputy Commissioner, Peshawar.
- (iv) Mr. Umar Farooq, Ex-Patwari.

DEPUTY COMMISSIONER  
PESHAWAR

Arrested